

SENATE CONCURRENT RESOLUTION 44—PERMITTING THE USE OF THE ROTUNDA OF THE CAPITOL FOR A CEREMONY TO HONOR CONSTANTINO BRUMIDI ON THE 200TH ANNIVERSARY OF HIS BIRTH

Mrs. CLINTON (for herself, Mr. ENZI, Mr. KENNEDY, and Ms. SNOWE) submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 44

Resolved by the Senate (the House of Representatives concurring). That the rotunda of the Capitol is authorized to be used on July 26, 2005, for a ceremony to honor Constantino Brumidi on the 200th anniversary of his birth. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1077. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table.

SA 1078. Mr. AKAKA (for himself and Mr. INOUE) submitted an amendment intended to be proposed by him to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 1079. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 1080. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table.

SA 1081. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table.

SA 1082. Mr. ALLARD (for Mr. LOTT (for himself and Mr. DODD)) proposed an amendment to the bill H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, and for other purposes.

SA 1083. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table.

SA 1084. Mr. ALLARD (for himself and Mr. SALAZAR) submitted an amendment intended to be proposed by him to the bill H.R. 2419, supra.

SA 1085. Mrs. FEINSTEIN (for herself, Mr. KENNEDY, Mr. FEINGOLD, Mr. DORGAN, Mr. LEVIN, Mr. WYDEN, Mrs. CLINTON, Ms. MIKULSKI, Mr. LAUTENBERG, Mrs. BOXER, Mr. REED, Mr. HARKIN, Mr. BIDEN, and Mr. CORZINE) proposed an amendment to the bill H.R. 2419, supra.

SA 1086. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 1087. Mr. HATCH (for himself, Mr. BAYH, Mr. DEWINE, Mr. DAYTON, Mr. TALENT,

Mr. OBAMA, Mr. NELSON of Nebraska, and Mr. COLEMAN) submitted an amendment intended to be proposed by him to the bill H.R. 2419, supra; which was ordered to lie on the table.

SA 1088. Mr. DOMENICI (for Mr. HATCH (for himself, Mr. BAYH, Mr. DEWINE, Mr. DAYTON, Mr. TALENT, Mr. OBAMA, Mr. NELSON of Nebraska, and Mr. COLEMAN)) proposed an amendment to the bill H.R. 2419, supra.

SA 1089. Mr. DOMENICI (for Mr. LEVIN) proposed an amendment to the bill H.R. 2419, supra.

SA 1090. Mr. DOMENICI (for Ms. COLLINS) proposed an amendment to the bill H.R. 2419, supra.

SA 1091. Mr. DOMENICI (for Ms. SNOWE (for herself and Ms. COLLINS)) proposed an amendment to the bill H.R. 2419, supra.

SA 1092. Mr. DOMENICI (for Ms. SNOWE (for herself and Ms. COLLINS)) proposed an amendment to the bill H.R. 2419, supra.

SA 1093. Mr. DOMENICI (for Mr. AKAKA (for himself and Mr. INOUE)) proposed an amendment to the bill H.R. 2419, supra.

SA 1094. Mr. DOMENICI (for Mr. FRIST) proposed an amendment to the bill H.R. 2419, supra.

SA 1095. Mr. DOMENICI proposed an amendment to the bill H.R. 2419, supra.

SA 1096. Mr. DOMENICI (for himself, Mr. REID, Mr. COCHRAN, and Mr. BYRD) proposed an amendment to the bill H.R. 2419, supra.

SA 1097. Mr. DOMENICI (for Mr. ALLARD (for himself and Mr. SALAZAR)) proposed an amendment to the bill H.R. 2419, supra.

SA 1098. Mr. DOMENICI (for Mr. GRAHAM) proposed an amendment to the bill H.R. 2419, supra.

TEXT OF AMENDMENTS

SA 1077. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 68, line 1, after "1706", insert the following: "Of which not more than \$14,000,000 shall be made available for the Water 2025 initiative; and of which \$8,000,000 shall be made available for the Savage Rapids Dam, Oregon".

SA 1078. Mr. AKAKA (for himself and Mr. INOUE) submitted an amendment intended to be proposed by him to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 68, line 22, before the period, insert the following: "Provided further, That, of the funds appropriated under this heading, the Secretary of the Army, acting through the Chief of Engineers, shall use not less than \$200,000 to initiate, at full Federal expense, preconstruction engineering and design activities for modifications to Laupahoehoe Harbor, Hawaii".

SA 1079. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 49, line 4, before the period at the end, insert "Provided further, That the Chief

of Engineers shall use \$1,500,000 of the funds provided under this heading for the restoration of environmental quality for sea lamprey barrier construction in the Great Lakes".

SA 1080. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 88, line 13, strike the period at the end and insert the following: "Of which not less than \$10,000,000 shall be for the activities of the Office of Citizenship described in section 451(f)(2) of the Homeland Security Act of 2002 (6 U.S.C. 271(f)(2)).".

SA 1081. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 92, line 12, before the period, insert the following: "Provided, That the Secretary of Energy shall use not more than \$20,000,000 of any unobligated funds made available under this heading to acquire privately held mineral rights (including rights to sand and gravel) within the boundaries of Rocky Flats (as defined in section 3173 of the Rocky Flats National Wildlife Refuge Act of 2001 (Public Law 10709107; 115 Stat. 1381; 16 U.S.C. 668dd note)), the possession of which by the United States is, as determined by the United States Fish and Wildlife Service, necessary or desirable for the operation or maintenance of the Rocky Flats National Wildlife Refuge established under section 3177 of that Act, and shall transfer those mineral rights to the Secretary of the Interior, in a manner consistent with that Act".

SA 1082. Mr. ALLARD (for Mr. LOTT (for himself and Mr. DODD)) proposed an amendment to the bill H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 60, line 10, after "expended" insert "and of which \$800,000 shall be available to the Librarian of Congress to pay telecommunications costs for eligible readers to have interstate toll free access to electronic editions of periodicals and newspapers, disseminated in specialized audio and electronic text formats from a multi-State nonprofit source which obtains content from publishers for free distribution to blind and physically handicapped readers in a minimum of 20 States".

SA 1083. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 66, between lines 18 and 19, insert the following:

SEC. 1. Of funds made available to carry out section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), the Chief of Engineers shall use \$1,500,000 for sea

lamprey barrier construction in the Great Lakes.

SA 1084. Mr. ALLARD (for himself and Mr. SALAZAR) submitted an amendment intended to be proposed by him to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the end of title __, add the following:

SEC. _____. Of amounts appropriated to the Secretary of Energy for the Rocky Flats Environmental Technology Site for fiscal year 2006, the Secretary shall use not less than \$15,000,000 to provide regular and early retirement benefits to workers at the Rocky Flats Environmental Technology Site.

SA 1085. Mrs. FEINSTEIN (for herself, Mr. KENNEDY, Mr. FEINGOLD, Mr. DORGAN, Mr. LEVIN, Mr. WYDEN, Mrs. CLINTON, Ms. MIKULSKI, Mr. LAUTENBERG, Mrs. BOXER, Mr. REED, Mr. HARKIN, Mr. BIDEN, and Mr. CORZINE) proposed an amendment to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) PROHIBITION ON USE OF FUNDS FOR ROBUST NUCLEAR EARTH PENETRATOR.—None of the funds appropriated or otherwise made available by this Act may be used for any purpose related to the Robust Nuclear Earth Penetrator (RNEP).

(b) UTILIZATION OF AMOUNT FOR REDUCTION OF PUBLIC DEBT.—Of the amounts appropriated by this Act, an amount equal to the amount of funds covered by the prohibition in subsection (a) shall not be obligated or expended, but shall be utilized instead solely for purposes of the reduction of the public debt.

SA 1086. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 80, strike line 15 and insert the following: \$1,858,230,000, to remain available until expended, of which no funds shall be provided for congressionally directed projects relating to energy supply and conservation.

SA 1087. Mr. HATCH (for himself, Mr. BAYH, Mr. DEWINE, Mr. DAYTON, Mr. TALENT, Mr. OBAMA, Mr. NELSON of Nebraska, and Mr. COLEMAN) submitted an amendment intended to be proposed by him to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At Page 80, after the provision for Clean Coal Technology, insert the following:

CLEAN CITIES PROGRAM

Funding for the Clean Cities program shall be maintained at no less than the current year level. Within the Clean Cities program, funding for work to expand E-85 fueling capacity should also be maintained at no less than the current year level.

SA 1088. Mr. DOMENICI (for Mr. HATCH (for himself, Mr. BAYH, Mr. DEWINE, Mr. DAYTON, Mr. TALENT, Mr. OBAMA, Mr. NELSON of Nebraska, and Mr. COLEMAN)) proposed an amendment to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At Page 80, after the provision for Clean Coal Technology, insert the following:

CLEAN CITIES PROGRAM

Funding for the Clean Cities program may be provided at no less than the current year level. Within the Clean Cities program, funding for work to expand E-85 fueling capacity may also be maintained at no less than the current year level.

SA 1089. Mr. DOMENICI (for Mr. LEVIN) proposed an amendment to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 66, between lines 18 and 19, insert the following:

SEC. 1 _____. Of funds made available to carry out section 1135 of the Water Resources Development Act of 1986 (33 U.S.C. 2309a), the Chief of Engineers may use \$1,500,000 for sea lamprey barrier construction in the Great Lakes.

SA 1090. Mr. DOMENICI (for Ms. COLLINS) proposed an amendment to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. \$150,000 may be provided for Saco River and Camp Ellis Beach, Maine, continuing authorities project.

SA 1091. Mr. DOMENICI (for Ms. SNOWE (for herself and Ms. COLLINS)) proposed an amendment to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. \$2,000,000 may be provided for maintenance dredging of the Narragausus River, Milbridge, ME.

SA 1092. Mr. DOMENICI (for Ms. SNOWE (for herself and Ms. COLLINS)) proposed an amendment to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. \$100,000 may be provided for the Penobscot River Restoration Study, ME.

SA 1093. Mr. DOMENICI (for Mr. AKAKA (for himself and Mr. INOUE)) proposed an amendment to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 68, line 22, before the period, insert the following: “: *Provided further*, That, of

the funds appropriated under this heading, the Secretary of the Army, acting through the Chief of Engineers, shall use not less than \$200,000 to initiate preconstruction engineering and design activities for modifications to Laupahoehoe Harbor, Hawaii”.

SA 1094. Mr. DOMENICI (for Mr. FRIST) proposed an amendment to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 86, line 17; insert after “expended” the following:

: *Provided*, That \$250,055,000 is appropriated for the Advanced Scientific Computing Research: *Provided further*, That \$43,000,000 may be provided to the Center for Computational Sciences at Oak Ridge National Laboratory: *Provided further*, That \$500,000 may be provided to the Medical University of South Carolina: *Provided further*, That \$500,000 may be provided to the Community College of Southern Nevada Transportation Academy: *Provided further*, That \$3,000,000 may be provided to South Dakota State University.

SA 1095. Mr. DOMENICI proposed an amendment to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; as follows:

In the Bill, strike everything after “buses;” on page 90, line 14, and replace with: \$6,574,024,000 to remain available until expended: *Provided*, That the \$65,564,000 is authorized to be appropriated for Project 01-D-108, Microsystems and Engineering Science Applications (MESA), Sandia National Laboratories, Albuquerque, New Mexico: *Provided further*, that \$65,000,000 is authorized to be appropriated for Project 04-D-125, Chemistry and Metallurgy Research Building Replacement project, Los Alamos Laboratory, Los Alamos, New Mexico.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense, defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,729,066,000 to remain available until expended.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, \$799,500,000, to remain available until expended.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator in the National Nuclear Security Administration, including official reception and representation expenses not to exceed \$12,000, \$343,869,000, to remain available until expended.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and

other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$6,366,771,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed ten passenger motor vehicles for replacement only, including not to exceed two buses; \$645,001,000, to remain available until expended.

On page 55, line 3, strike all after the colon to the end of the section and insert the following:

"in accordance with the Baltimore Metropolitan Water Resources Gwynns Falls Watershed Study-Draft Feasibility Report and Integrated Environmental Assessment prepared by the Corps of Engineers and the city of Baltimore, Maryland, dated April 2004."

On page 84 of the Bill, Line 18, strike "\$36,000,000" and insert in lieu thereof "\$46,000,000".

On page 105, line 3, insert the following:

SEC. _____. That the Committee directs the Government Accountability Office to undertake a study of the Office of Science Fusion Energy program in order to define the roles of the major domestic facilities, DIHD, Alcator C-Mod, and NSTX in the support of the International Thermoelectric Reactor program, including making recommendations that may include the possible shut-down or consolidation of operations or focus of these facilities to maximize their value to the International Thermoelectric Reactor program: Provided, That given the major international commitment to International Thermoelectric Reactor and the tokamak concept, the GAO shall consider any other magnetic fusion confinement system as a possible fusion demonstration facility that will follow International Thermoelectric Reactor and given the major National Nuclear Security Administration investment in the physics of Inertial Confinement Fusion, the GAO shall evaluate the opportunities for the Office of Science to develop the appropriate science and technology to leverage the National Nuclear Security Administration investment as an alternative to the tokamak concept.

SA 1096. Mr. DOMENICI (for himself, Mr. REID, Mr. COCHRAN, and Mr. BYRD) proposed an amendment to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 109, between lines 2 and 3, insert the following:

SEC. 5 _____. None of the funds made available by this or a prior Act shall be used to award a fully-funded continuing contract, in a case in which continuing contract authority is applicable, unless the Chief of Engineers certifies that—

(1) the contract can be awarded and completed in the same fiscal year;

(2) the contract can be completed shortly after the end of the fiscal year in which the

contract was awarded, but only if the amount necessary to fully fund the contract is identified as surplus, or excess, to the program needs of that fiscal year; or

(3) future funding for the project is uncertain.

SA 1097. Mr. DOMENICI (for Mr. ALLARD (for himself and Mr. SALAZAR)) proposed an amendment to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the end of title ___, add the following:

SEC. _____. Of amounts appropriated to the Secretary of Energy for the Rocky Flats Environmental Technology Site for fiscal year 2006, the Secretary may provide no more than \$10,000,000 for the purchase of mineral rights at the Rocky Flats Environmental Technology Site.

SA 1098. Mr. DOMENICI (for Mr. GRAHAM) proposed an amendment to the bill H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 105, between lines 2 and 3, insert the following:

SEC. 3 _____. Notwithstanding Department of Energy order 413.2A, dated January 8, 2001, beginning in fiscal year 2006 and thereafter, the Savannah River National Laboratory may be eligible for laboratory directed research and development funding.

NOTICES OF HEARINGS/MEETINGS

SUBCOMMITTEE ON WATER AND POWER

Ms. MURKOWSKI. 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 Water and Power of the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, July 12, 2005 at 3 p.m., in Room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 49, to establish a joint Federal-State Floodplain and Erosion Mitigation Commission for the State of Alaska; S. 247, to authorize the Secretary of the Interior to assist in the planning, design, and construction of the Tumalo Irrigation District Water Conservation Project in Deschutes County, OR; S. 648, to amend the Reclamation States Emergency Drought Relief Act of 1991 to extend the authority for drought assistance; S. 819, to authorize the Secretary of the Interior to reallocate costs of the Pactola Dam and Reservoir, SD, to reflect increased demands for municipal, industrial, and fish and wildlife purposes; S. 891, to extend the water service contract for the Ainsworth Unit, Sandhills Division, Pick-Sloan Missouri Basin Program, NE; and S. 1338, to require the Secretary of the Interior, acting through the Bureau of Reclamation and the United States Geological Survey, to conduct a study on groundwater resources in the State of Alaska, 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.

SUBCOMMITTEE ON NATIONAL PARKS

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that the Subcommittee on National Parks of the Committee on Energy and Natural Resources has scheduled a hearing to review the National Park Service's business strategy for operation and management of the national park system, including development and implementation of business plans, use of business consultants, and incorporating business practices into day-to-day operations.

The hearing will be held on Thursday, July 14, 2005, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

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, SD-364 Dirksen Senate Office Building, Washington, DC 20510-6150.

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 take place on Thursday, July 14 at 10. in room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to consider the nominations of:

R. Thomas Weimer, of Colorado, to be an Assistant Secretary of the Interior.

Mark A. Limbaugh, of Idaho, to be an Assistant Secretary of the Interior.

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 take place on Tuesday, July 12, at 10 a.m., in room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to consider the nominations of:

Jill L. Sigal, of Wyoming, to be Assistant Secretary of Energy for Congressional and Intergovernmental Affairs.

David R. Hill, of Missouri, to be General Counsel of the Department of Energy.