

training for police or security forces through the Bureau that begins after the date that is 180 days after the date of the enactment of this Act, the Secretary of State shall ensure that—

(1) such training is provided by instructors who have proven records of experience in training law enforcement or security personnel;

(2) the Bureau has established procedures to ensure that the individuals who receive such training—

(A) do not have a criminal background;

(B) are not connected to any criminal or terrorist organization;

(C) are not connected to drug traffickers; and

(D) meet the minimum age and experience standards set out in appropriate international agreements; and

(3) the Bureau has established procedures that—

(A) clearly establish the standards an individual who will receive such training must meet;

(B) clearly establish the training courses that will permit the individual to meet such standards; and

(C) provide for certification of an individual who meets such standards after receiving such training.

(b) **ADVISORY BOARD.**—The Secretary of State shall seek the advice of 10 experts to advise the Bureau on issues related to cost efficiency and professional efficacy of police and security training programs, including experts who are experienced United States law enforcement personnel.

(c) **BUREAU DEFINED.**—In this section, the term “Bureau” means the Bureau of International Narcotics and Law Enforcement Affairs of the Department of State.

(d) **REPORT.**—Not later than September 30, 2006, the Secretary of State shall submit to Congress a report describing the implementation of this section during fiscal year 2006. Such report shall also include the attrition rates of the instructors of such training and an assessment of job performance of such instructors.

The **PRESIDING OFFICER.** Under the previous order, the Senate insists on its amendment and requests a conference with the House.

The Presiding Officer appointed Mr. MCCONNELL, Mr. SPECTER, Mr. GREGG, Mr. SHELBY, Mr. BENNETT, Mr. BOND, Mr. DEWINE, Mr. BROWNBACK, Mr. COCHRAN, Mr. LEAHY, Mr. INOUE, Mr. HARKIN, Ms. MIKULSKI, Mr. DURBIN, Mr. JOHNSON, Ms. LANDRIEU, and Mr. BYRD conferees on the part of the Senate.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

The **PRESIDING OFFICER.** Under the previous order, the clerk will report S. 1042 by title.

The assistant legislative clerk read as follows:

A bill (S. 1042) to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

Mr. WARNER. Mr. President, I rise regarding the pending bill, provided that no other Senators seek recognition on another matter. Seeing none, I wish to accommodate my colleagues whenever possible.

It is now my privilege to once again bring forward for consideration by the Senate the annual Defense authorization bill. I commend my colleagues on the Armed Services Committee. We have a magnificent committee. All members are very active. Our attendance is good and I am proud that this institution has such diligent and hard-working Senators to provide their input to our work on the Armed Services Committee.

I also recognize what I view, and this may be slightly biased on my part, as one of the finest professional staffs of any committee of the Senate. We have had a long history of extraordinary, competent, fair-minded, open-minded people who want to devote their careers to the men and women of the Armed Forces and the causes for which they offer their life and limb, and that of their families.

Their work over the past several months has resulted in this important legislation. We completed the markup of this bill in record time and in the spirit of true bipartisanship. In particular, I am privileged to have the senior Senator from Michigan, Mr. LEVIN, a longtime, dear, and valued friend, as my ranking member and full equal working partner on this committee. He preceded me as the chairman of the committee, but we will not go back into those days, nevertheless.

Mr. LEVIN. The glory days.

Mr. WARNER. Mr. President, I have the floor.

We have served together on this committee for 27 years and we have, once again, with the other wonderful collection of Senators on this committee and the staff, produced a bill which clearly supports our men and women in uniform and their families, and strengthens the national security of our Nation.

I also want to acknowledge the strong support that we have received from the Republican leader and the Democratic leader of the Senate. These two individuals have teamed up in years past to assist the managers in getting this bill through the Senate. I cannot ever recall stronger leadership by the Senate leaders. Maybe when our distinguished colleague from West Virginia was the leader of the Senate at the time, I know he supported getting this bill through. His membership on this committee for these many years has been of great help to all of us who have been privileged to serve as chairman and ranking member.

The bill before the Senate was unanimously reported out of the committee on May 12. It reflects the strong support for the members of our Armed Forces. The bill provides \$441.6 billion in budget authority for defense programs for the fiscal year 2006, an increase of \$21 billion, or 3.1 percent in real terms, above the amount authorized by the Congress for fiscal year 2005.

At this juncture, I recognize the important contribution given by Senators

STEVENS and INOUE, the chair and ranking member, respectively, of the Senate Appropriations Subcommittee on Defense. It has been their hope that the Senate will act on this bill. Until such time as the Senate does act, it is not likely that they will proceed with the continuation of their deliberations, markup, and the like to bring their important bill to the floor. I say that because I want all Senators to recognize it is the intention of the Senate leadership and the managers of this bill, together with our two colleagues on the Appropriations Subcommittee on Defense, that this bill be acted upon by the Senate prior to the scheduled recess for the month of August.

I mention that because one Senator had very politely said to me: I would like to offer an amendment, but I think I will wait until after the August recess. I politely informed him that it is the intention of all parties that this bill be enacted prior to the August recess. He appreciated my candor.

This amount is consistent with the President's budget request and within the budget resolution adopted by the Congress. The bill also includes authorization for \$50 billion in emergency supplemental funding for fiscal year 2006 to cover the cost of military operations in Iraq, Afghanistan, and throughout the world, together with our coalition partners, on the global war against terrorism.

I also acknowledge that while we put proper emphasis on Iraq, Afghanistan, and the war on terrorism, there are innumerable other missions undertaken night and day by the men and women of the Armed Forces for all aspects of the diverse security needs and requirements of this Nation. Many of them are on the far-flung outposts of the world performing those missions beneath the sea, above the sea, or in the air. We acknowledge with fervent gratitude their contribution, together with all of us who proudly served in uniform, and their families.

The past 3½ years have been a time of great successes and enormous challenges for the U.S. Armed Forces. The mission of our men and women in uniform has never been executed with better skill and dedication. I myself am privileged to have had modest experience in uniform. I have had the privilege of having an association with the men and women in uniform for 60 years. That is a long period of time. Almost without exception, in all those years at some point in time I have had the opportunity to either serve alongside of, or be in support of, the men and women of our Armed Forces. I had a very brief career in World War II, inauspicious as it was, and I had the opportunity to serve in that historic period. I would say unequivocally that, while our generation of World War II was referred to as “the greatest,” this generation is every bit as great if not greater in the complexity of the threats posed against this Nation night and day and the sacrifices they are

being called upon to make in the performance of their duties and those of their families.

The rapid success, and it was a rapid success, of Operation Enduring Freedom in Afghanistan and the rather prolonged but nevertheless successful operation to date, Operation Iraqi Freedom, has evolved into the hard work of reconstruction and stability operations in both theaters, necessary to secure peace and stability in their respective regions. Such important work brings with it new challenges associated with an extraordinarily high operational tempo on people and equipment and the need to counter asymmetric threats, including improvised explosive devices and the ever increasing, tragic, tragic use of the suicide bomber. Further, the responsibility of the Nation is to properly care for those who volunteer to serve—active, National Guard, reserve, retired, and their families. They deserve nothing less than our total support. The bill, in my judgment, meets those challenges.

This bill is being considered at a time when the United States continues to work with a coalition to defeat terrorism globally and defend freedom and democracy. The recent tragic aftermath of terrorist bombings in London reminds us once again, in this global war on terrorism, of the ruthless nature of the enemy we face. When I say “we,” it is not only the United States, but freedom-loving people wherever they are in the world. It is a war we must and will win.

Hundreds of thousands of soldiers, sailors, airmen, marines, and Coast Guardsmen—active, reserve, and National Guard—and countless civilians who support military, diplomatic, and humanitarian operations are serving valiantly in Iraq, Afghanistan, and other locations to secure the hard-won military successes and to preserve peace and freedom. Successful elections in Iraq and Afghanistan in the past year are testament to the yearning of those people for a voice in their own destiny, the willingness of the United States to assist, and the professionalism of the brave Americans and their coalition partners who volunteer to serve. The U.S. Armed Forces serving around the world are truly the first line of defense in the security of our U.S. homeland.

We are all mindful of the risks members of the Armed Forces face every day, and of the sacrifices made by the families and their communities. I repeat, the communities are so involved with the men and women of the Armed Forces stationed overseas, the men and women in uniform who have been asked to do much in the past year and who responded in the finest traditions of the generations of Americans who preceded them. The American people are proud of their men and women in uniform, and what they have accomplished to protect our freedom here at home and abroad.

While recent successes have proven the value of past investment in the

people and equipment of the U.S. Armed Forces, this is no time for any complacency. The recurring lessons of our military operations are that national security threats are ever changing and persistent. Victory and successes must be accomplished by vigilance and preparation. Such vigilance takes the form of enhanced readiness for today’s Armed Forces, and preparation for future threats to the security of the United States, its interests, and its allies.

In preparing this legislation, together with the members of our committee, we identified seven priorities to guide our committee’s work on the national defense bill now before the Senate. The first priority is to provide our men and women in uniform the resources they need to win the global war on terrorism; second, to enhance the ability of the Department of Defense to fulfill its homeland defense responsibilities; third, to provide the resources and authorities needed to rapidly acquire the full range of force protection capabilities for deployed forces, particularly with regard to improvised explosive devices; fourth, to continue the committee’s commitment to improve the quality of life for those who serve—active, reserve, National Guard, and retired, and their families, with particular emphasis on recruiting and retention and on the health care for those who bear the wounds of our war; fifth, to sustain the readiness of our Armed Forces to conduct military operations against all current and anticipated threats; sixth, to support the Department’s efforts to develop the innovative, forward-looking capabilities necessary to modernize and transform the Armed Forces; and, finally, to continue active committee oversight of Department programs and operations, particularly in the areas of acquisition reform to ensure proper stewardship of taxpayer dollars.

With passage of the bill before us, the Senate has the opportunity to send a strong message in support of the men and women of the Armed Forces serving at numerous posts at home and abroad that America values and honors their service and that of their families.

The bill contains much-deserved pay raises and benefits for military personnel and their families, enhanced survivor benefits for those whose loved ones have made the ultimate sacrifice, improved health care for both active and reserve components of personnel and their families, and prudent investments in the equipment and technology our military needs to address current and future threats.

I urge my colleagues to debate this bill in a constructive spirit and to support its adoption.

There is one issue I would like to highlight: My colleagues and I on the committee, and I think almost every member of the committee shares this view, and many of us in the Senate—we are all concerned about the declining state of the building of new ships for

the U.S. Navy. We do not believe the current or projected level of funding for shipbuilding is adequate to build the numbers of ships our Navy needs to perform and continue to perform its global missions. Always remember, the Constitution of the United States directs this Congress to raise its armies, but “maintain” a Navy. The Founding Fathers were specific in that direction to the Congress and it is our duty to fulfill it. They had the foresight to realize that a navy can not be quickly constituted or reconstituted. It takes a decade or more from the concept of a new ship through the years to prepare the plans, to test the ship, to test the system, and to finally slip it down the ways of the shipyard, and then for a period of time to further test it before it gains its ability to join the fleet. That is a long time.

In many respects that was as true years ago as it is today, so we must learn the lesson that it takes time to maintain our Navy. As a maritime nation, that presence of our Navy is often displayed in the form, not only of our ships, not only through ensuring open sealanes of communication and training in international waters, but also the inherent diplomatic mission of visiting our ports and proudly showing Old Glory, our flag. The Navy currently has 288 ships in the active fleet. This is the smallest number of ships in the Navy since before—I would like to repeat this—the smallest fleet since before World War II. That is before December 7, 1941.

I believe the shipbuilding budget must be reviewed by the administration as a matter of utmost urgency in the coming year, and I respectfully urge the President to establish a special shipbuilding fund, to direct the OMB to provide a dedicated fund for the building of ships rather than each year make the allocation—so much to the Department of the Navy, so much to the Department of the Air Force, so much to the Department of the Army. Keep those allocations as they are devised each year, but superimpose on the allocation of funding for the Navy a sum of dollars to turn around this declining curve of shipbuilding.

America has much to be thankful for in terms of its patriotic young Americans who volunteer to serve and who have individually and collectively performed with such professionalism and distinction in defense of the United States. The efforts of the U.S. Armed Forces have been remarkable, but they are not without cost—the loss of priceless lives that must be honored and remembered; the responsibility to care for the survivors and their families; the cost of ongoing operations and related refurbishment or replacement of heavily used equipment; and the responsibility to assure that those who serve, and their families, receive the quality of life and the benefits they need and to which they are entitled.

I believe the National Defense Authorization Act for fiscal year 2006 prudently addresses the defense needs of

our Nation and recognizes the service and sacrifice of our men and women in uniform and their families, provides the resources necessary to win the global war on terrorism, and makes the necessary investment to provide for the security of our Nation in the years to come.

I urge my colleagues to join me in sending a strong message of bipartisan support for our troops at home, their families, and to the other nations in the world—America is committed to freedom.

I yield the floor.

The PRESIDING OFFICER. Who seeks time? The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, I join with the chairman of the Armed Services Committee, Senator WARNER, in bringing S. 1042, the National Defense Authorization Act for fiscal year 2006, to the Senate floor. I do so proudly. I am always proud to stand next to Senator WARNER and with Senator WARNER and our staffs in bringing this bill forward. It has been many years that we have done this together, and we always look forward to it because it is a time we, together with our staffs, can spend time trying to strengthen the security of this country in a bipartisan way.

This bill, to my memory, has always been a bipartisan bill. Our staffs work together on a bipartisan basis. The way they have worked together should be a role model for how we in the Senate should be working. I congratulate Senator WARNER for his leadership of our committee. He sets the right pattern for all of us. Again, it is an honor to be standing here with him.

The bill we bring before the Senate is the product of 3 days of markup. I do not believe we needed a single recorded vote. There may have been some voice votes where there were some differences, but I don't even remember that. I think we worked out all of our differences. Where there were differences that remained, I think we actually were able to address them, if not resolve them, but without actually a recorded vote, if my memory is correct. That is quite a tribute to the leadership of Senator WARNER as well.

We have a common interest in providing the support the men and women in uniform need and deserve. We are unanimous on that, regardless of our positions—which differ. As Members of the Senate we don't all have the same position on events in Iraq—how we got there and how we proceed from here. There is no unanimity on that issue. And on a number of other issues there is not unanimity. But where there is unanimity is that once that decision is made democratically to send our men and women to war, in harm's way, we stand behind them. And on that there is no dissent regardless of the positions of different Senators on the underlying issues. The men and women in uniform deserve our support. They are entitled to the support. During the Vietnam era, we had times when men and

women in uniform did not receive the support they deserved. That has not been true since Vietnam. And finally, I think our people recognize that the men and women we put in harm's way, who are in the uniform of the United States, when the Commander in Chief, the Congress make a decision that they go to war, they are entitled to the full support of the people and of the Congress of the United States.

We are proud of these troops. Senator WARNER and I have done many things together in the Senate, and one of them has been to travel to visit our troops. We have seen some of the most amazing men and women this country can produce who are in uniform, some of the most professional, dedicated, committed, patriotic people you will ever find representing the United States in uniform. We have been to far-flung places of the world. We have traveled long distances, but whenever we arrived where we were going, we have had that kind of feeling that whatever the thousands of miles were that we traveled to get there, it was worth it just to be inspired literally by the men and women who represent this country and take the risks for all of us.

The bill that is reported by the Armed Services Committee will improve the quality of life of the men and women in uniform, provide funding needed to continue ongoing military operations in Iraq and Afghanistan, make needed improvements to the management of the Department of Defense, and authorize critical investments that are needed to reduce the risks the United States will face in the 21st century.

First and foremost, the bill before us continues the increases in compensation, in the quality of life our service men and women and their families deserve as they face the hardships that are imposed by continuing military operations around the world. Those demands have increased significantly over the years, and we have tried to respond to those demands and to those increased hazards which the men and women face.

In particular, the bill would authorize a 3.1-percent across-the-board pay raise for military personnel, authorize a \$70 million increase in childcare and family assistance, services for military families, and authorize additional funds for supplemental education aid to local school districts affected by the assignment or location of military families.

We have increased the death gratuity to \$100,000 for survivors and military members who die in a combat zone, and we are going to have an amendment which will broaden that further. We have increased from \$250,000 to \$400,000 the maximum amount of coverage available under the Service Members Group Life Insurance Program.

Second, the bill would provide funding needed to continue ongoing military operations in Iraq and Afghanistan and help address the challenges

our military faces around the world. For instance, the bill would authorize a \$50 billion supplemental to cover part of the cost of ongoing military operations in Iraq and Afghanistan over the coming years. We know that supplemental is going to be needed. We on the Armed Services Committee asked the Budget Committee to add this money for our authorization bill because we have to plan on this expenditure. We know it is going to take place, and we should authorize it as part of a regular budget process and not just simply leave it to supplemental funding.

So we are authorizing a \$50 billion supplemental for 2006 to cover ongoing military operations in Iraq and Afghanistan. It is far more realistic budgeting than we have too frequently not done in the past.

Our bill authorizes an increase in the Army's active-duty end strength by 20,000 people to a total of 52,400 soldiers for fiscal year 2006. It is going to be a challenge to meet that new end strength just in terms of recruitment, but we are determined that we are going to try to respond to the demand of our members of the military by increasing the size of the Army's active-duty end strength. We have added 20,000 to that and added \$1.4 billion over the President's request for force protection gear for our soldiers in Iraq and Afghanistan. We authorize almost \$350 million for up-armored vehicles to provide additional force protection for our troops in the field. That represents an increase of \$120 million over the President's budget request.

We direct that \$500 million be dedicated to the joint improvised explosive device, IED, task force to facilitate the rapid development of technology to counter the top threat to our men and women in Iraq and Afghanistan. The chairman of our committee described the threat in terms of those IEDs and what we are doing to respond to that threat, which is everything we possibly can do given its nature and the fact that threat is really, if not the top threat, one of the top threats to our service personnel.

Our bill authorizes up to \$500 million for the continuation of the Commanders Emergency Response Program. This program enables our military commanders in the field to respond quickly and flexibly to urgent requirements in fiscal years 2006 and 2007. They have told us that this authorization and appropriation which follows is one of the most effective actions we can take to increase their capability in the field, and that Commanders Emergency Response Program continued at \$500 million for these 2 years is provided.

Third, the bill contains a number of important provisions to improve the efficiency and the transparency of the Department's operations. For instance, the bill contains provisions that would prohibit the inappropriate use of contracting techniques that result in the heightened risk of fraud and abuse by

limiting the Government's insight into contractor cost and performance in the acquisition of major weapons systems.

It addresses continuing awareness of interagency contracts by requiring the inspector general to review major interagency contracts which have been used by the Department of Defense. There have been real abuses in these interagency contracts, and we have, indeed, had a number of hearings over the years into some of these abuses where one agency uses the contract of another agency in order to carry out some function, but there is no transparency. Nobody knows it is done. You can do it noncompetitively. There is too much opaqueness in that process, and we are trying to make sure the abuses in the interagency contract area are addressed, and so we require the inspector general to review the major interagency contracts the Department of Defense is using or has used.

Our bill strengthens the defense ethics oversight by requiring major defense contractors to identify former Department of Defense officials on their payrolls and by requiring a review of ethics rules that are raised by the increased use of contractors to perform Government acquisition functions, and we establish a contract fraud risk assessment team to assess the vulnerability of Department of Defense contract fraud, waste, and abuse and require the Secretary of Defense to develop an action plan to address these areas of vulnerability.

Finally, the bill contains a number of critical provisions that should help reduce some of the risks our country will face in the coming century. We are particularly pleased that the bill authorizes the budget request for the Department of Defense Cooperative Threat Reduction Program and related Department of Energy nonproliferation programs. The greatest probable threat we face as a nation would be if a terrorist or terrorist group could get their hands on a nuclear weapon or weapon of mass destruction.

There are too many loose nukes in this world. We have to do more to address the proliferation threat. I don't believe the funding in this bill is adequate. I hope we can find a way to increase the amount of funding that goes into this threat reduction program and the other nonproliferation programs that are funded in this bill. Other than giving all the support we possibly can to our troops, there is probably nothing in this bill that directly addresses the greatest threat we face, which is the threat of a nuclear weapon in the hands of a terrorist, than this threat reduction program and the nonproliferation programs which are aimed at securing nuclear weapons and other weapons of mass destruction.

Our bill provides the President permanent authority to waive on an annual basis the condition that must be met before the Cooperative Threat Reduction Program money can be pro-

vided to countries of the former Soviet Union. This is an authority which the administration has requested. Instead of having to come to us each year for this authority, we believe it should be made permanent. Our bill enhances the authority of the Secretary of Defense to use cooperative threat reduction funds to address risks of proliferation of weapons of mass destruction outside the countries of the former Soviet Union. We not only have nuclear weapons and weapons of mass destruction inside those countries, we have those risks outside, and we ought to use this program to address again what is surely the most, or one of the most, serious risks any nation can face.

We in our bill earmark \$100 million of missile defense money specifically for enhanced ground and flight testing to require objective testing and evaluation of the operational suitability of each block of missile defense that is produced.

There hasn't been enough testing in this program. There has been too much buying before we fly, and we are trying to see if we can't take some of the risk out of this program, to see, if we are going to proceed, whether we can't proceed in a way which would guarantee a system which is effective and workable and useful rather than just plowing billions of dollars into a system procuring missiles that may never be usable. So we take some of this money, specifically \$100 million of that program, and we address it specifically to ground and flight testing in addition to what was previously planned.

We add \$20 million to the President's budget to accelerate chemical demilitarization activity and to enable the United States to meet obligations under the Chemical Weapons Convention.

While this bill takes many important steps to fund the national defense and support our men and women in uniform, there is more that we can and should do. I would like to just mention a few areas that I hope we can revisit as our bill is considered in the Chamber.

First, the bill contains a provision that would increase the military death gratuity from \$12,000 to \$100,000, but it is restricted to combat-related deaths. That means that the families of soldiers, sailors, airmen and marines who die in the line of duty outside of the combat area will still receive only \$12,000. Our top military officers have uniformly testified that the amount of the death gratuity should not be dependent on the circumstances of somebody who is on active duty. The death of a family member in an accident, for instance, while on active duty can be every bit as hard on a family as a death in Iraq or Afghanistan. Somebody who is killed while being trained for duty in Iraq or Afghanistan should surely have his or her family provided with the same kind of benefit as somebody who is killed in combat. From the family perspective and I think morally, there

is no significant difference. They are on active duty, they are taking risks, and they are killed while taking those risks on active duty.

The Chairman of the Joint Chiefs of Staff testified before our committee the following:

When you join the military, you join the military. You go where they send you. It's happenstance that you are in a combat zone or at home. And I think we in the past held treating people universally foremost and consistently and that's how I come down on that.

So our top uniform folks support the uniform application of that benefit to \$100,000 for people who are on active duty.

Earlier this year, the Senate adopted that position. We adopted an amendment to the Emergency Supplemental Appropriations Act which would have made the families of all soldiers, sailors, airmen, and marines who die in the line of duty eligible for the full death benefit. The appropriations amendment was dropped in conference, but we should try again. I hope the Senate will stand strong on this issue and adopt a similar amendment to our bill.

Second, while the bill takes many positive steps to improve compensation and benefits for our men and women in uniform and their families, we have to do more for Guard and Reserve forces who are bearing so much of the burden in our current military operations.

Never before have we relied so heavily on the Guard and Reserve to serve on active duty over such an extended period of time. All members, representing different States, understand that. The families of the men and women who are in our Guard and Reserve forces have reminded us about how overly stretched those forces are. We do not get many complaints from the men and women themselves. They are too professional to do the complaining. We hear from families. We hear from employers.

Again, we have never before relied as heavily on our Guard and Reserve forces to serve on active duty for extended periods of times as we do now. Studies have shown that 40 percent of our junior enlisted members in the Reserve components nonetheless have no health insurance except when they are on active duty. I hope we can develop an approach to this problem that uses the military's TRICARE health care program to ensure that members of the Reserve component have adequate health insurance and are medically ready when called upon to serve.

Third, the bill earmarks \$100 million of missile defense money specifically for enhanced ground and flight testing and requires objective testing and evaluation of the operational capability of each block of missile defense which is produced. Those are positive steps, as I have said, which will move us in the direction of the "fly before you buy" approach that we insist on with other major acquisitions.

However, the bill also authorizes more than \$60 million in long-lead

funding for more interceptors on top of the 30 we already are buying, even though those interceptors are not subject to operational testing and evaluation. If we want a missile defense that works, rather than one that sits on the ground and soaks up money, we should insist on testing the missiles that we already have before we go out and buy more.

Finally, the administration requested \$8.5 million for research and development of the robust nuclear earth penetrator, even though Congress canceled this program last year. Although the bill does cut \$4.5 million of the Air Force money from this program, it authorizes the Department of Energy to spend \$4 million to resume the feasibility study. Instead of being a leader in the effort to prevent the proliferation of nuclear weapons, we, ourselves, pursue the development of a new nuclear weapon. It is exactly the wrong message to send to the rest of the world.

We are trying to persuade the rest of the world, don't go nuclear. We are telling some of those countries, if you do go nuclear, we may take very serious action to prevent you from crossing certain red lines. Yet we, ourselves, again are on the verge of putting in money to resume a feasibility study for a new nuclear weapon to be developed. I know it is only a study, but it is a message. It is a loud message. It is a dramatic message. It is a compelling message. It is a persuasive message, and it is used against us when we go to other countries and say: Don't go down that nuclear road.

They say: Wait a minute. You are considering the possibility of going further and you already have thousands of nuclears and you are trying to persuade us that we should not be using nuclear weapons to defend ourselves when you are studying an additional use or additional weapon yourself? It weakens our argument and it weakens the argument that we must make against the most serious threat we face, which is the proliferation of nuclear weapons.

Finally, as our chairman has said, as we begin consideration of this bill, the men and women of our Armed Forces, both Active and Reserve, are deployed in harm's way in many areas of the globe that are subjected to daily armed attack in Iraq and Afghanistan. We joined together in standing behind our troops in expressing pride the extraordinary accomplishments on the battlefield. This bill will do much to provide them with the equipment they need and the compensation and benefits they deserve. If we can do more, we ought to do more. They deserve it, and their families deserve it.

We have important issues to debate. Again, I conclude by thanking Chairman WARNER for his leadership, bringing this bill to the floor and having this bill in the fairly complete shape it is in coming to the Senate. I thank him for his leadership of our staffs. We have

wonderful staff, as he mentioned, and we have a wonderful committee.

We are blessed to have members on our committee who all contribute in such important ways to the production of the bill. One of those members just walked off the floor. I, as Senator WARNER did, want to recognize Senator BYRD although he is not here. He is stalwart in his commitment to this Senate and to this Nation. There are times when his plate is so overly full and his heart is so heavy, but nonetheless he performs his duty, and he is an inspiration to all members. All members of our committee deserve praise for the contribution they made to the bill.

Mr. WARNER. Mr. President, I certainly concur in those observations about our highly esteemed colleague from West Virginia. I thank the Senator for his kind remarks.

I think this is No. 27 for us—a quarter of a century. It is a pretty good record.

I am quite anxious, as I know the Senator is, that Senators bring forth amendments.

I will propose an amendment for de-liberation. Moments ago, I notified your staff about it. I am perfectly willing to procedurally take it up because I know two colleagues on that side of the aisle are interested in the same subject. We notified our offices this amendment would be brought up. They may have some views on it. I hope they will address their views.

#### AMENDMENT NO. 1314

I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Virginia, [Mr. WARNER], proposes an amendment numbered 1314.

Mr. WARNER. Mr. President, I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase amounts available for the procurement of wheeled vehicles for the Army and the Marine Corps and for armor for such vehicles)

On page 303, strike line 3 and all that follows through page 304, line 24, and insert the following:

(3) For other procurement \$376,700,000.

(A) AVAILABILITY OF CERTAIN AMOUNTS.—

(1) AVAILABILITY.—Of the amount authorized to be appropriated by subsection (a)(3), \$225,000,000 shall be available for purposes as follows:

(A) Procurement of up-armored high mobility multipurpose wheeled vehicles (UAHs).

(B) Procurement of wheeled vehicle add-on armor protection, including armor for M1151/M1152 high mobility multipurpose wheeled vehicles.

(C) Procurement of M1151/M1152 high mobility multipurpose wheeled vehicles.

(2) ALLOCATION OF FUNDS.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary of the Army shall allocate the manner in which amounts available under paragraph (1) shall be available for the purposes specified in that paragraph.

(B) LIMITATION.—Amounts available under paragraph (1) may not be allocated under subparagraph (A) until the Secretary certifies to the congressional defense committees that the Army has a validated requirement for procurement for a purpose specified in paragraph (1) based on a statement of urgent needs from a commander of a combatant command.

(C) REPORTS.—Not later than 15 days after an allocation of funds is made under subparagraph (A), the Secretary shall submit to the congressional defense committees a report describing such allocation of funds.

#### SEC. 1404. NAVY AND MARINE CORPS PROCUREMENT.

(a) NAVY.—Funds are hereby authorized to be appropriated for fiscal year 2006 for the procurement accounts of the Navy in amounts as follows:

(1) For aircraft, \$183,800,000.

(2) For weapons, including missiles and torpedoes, \$165,500,000.

(3) For other procurement, \$30,800,000.

(b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 2006 for the procurement account for the Marine Corps in the amount of \$429,600,000.

(c) NAVY AND MARINE CORPS AMMUNITION.—Funds are hereby authorized to be appropriated for fiscal year 2006 for the procurement account for ammunition for the Navy and the Marine Corps in the amount of \$104,500,000.

(d) AVAILABILITY OF CERTAIN AMOUNTS.—

(1) AVAILABILITY.—Of the amount authorized to be appropriated by subsection (b), \$340,400,000 shall be available for purposes as follows:

(A) Procurement of up-armored high mobility multipurpose wheeled vehicles (UAHs).

(B) Procurement of wheeled vehicle add-on armor protection, including armor for M1151/M1152 high mobility multipurpose wheeled vehicles.

(C) Procurement of M1151/M1152 high mobility multipurpose wheeled vehicles.

(2) ALLOCATION OF FUNDS.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary of the Navy shall allocate the manner in which amounts available under paragraph (1) shall be available for the purposes specified in that paragraph.

(B) LIMITATION.—Amounts available under paragraph (1) may not be allocated under subparagraph (A) until the Secretary certifies to the congressional defense committees that the Marine Corps has a validated requirement for procurement for a purpose specified in paragraph (1) based on a statement of urgent needs from a commander of a combatant command.

(C) REPORTS.—Not later than 15 days after an allocation of funds is made under subparagraph (A), the Secretary shall submit to the congressional defense committees a report describing such allocation of funds.

Mr. WARNER. Mr. President, there has been tremendous effort of our committee on both sides of the aisle with respect to the equipment being used, primarily in Iraq at this time, but could well be used elsewhere. We refer to them as the up-armored high mobility multipurpose wheeled vehicles; humvees are part of that. There is a range of these vehicles.

The purpose of this amendment is to add \$105 million to the Army and \$340 million to the Marine Corps for emerging up-armored HMMWV requirements that the United States Central Command, under General Abizaid, has established.

In the last few days, I was down at Quantico where they have a magnificent research and development and forward-looking contingent. I looked on the parade grounds at a series of vehicles being modified in certain ways to provide a greater degree of protection to the occupants—namely, our soldiers or Marines—who must use these vehicles in the face of this insidious, frightful threat of suicide bombers, implanted bombs which are activated by different devices, even a simple cell phone. This is tough going.

I commend a number of Senators—Senator KENNEDY, Senator BAYH, a number of Senators on my side—who have been working this issue for some years. The hour and the time has come to add significant sums of money.

At some point in this debate on the amendment I will go into further detail, but the Committee on the Budget allocated to the Committee on Armed Services a very significant amount of money to be authorized at our discretion for the purposes of the immediate requirements of the military in connection with their missions today, primarily in Iraq and Afghanistan.

The Army's current global war on terror requirement for up-armored HMMWVs is 10,000 vehicles. The Marine Corps current global war on terrorism requirement for up-armored HMMWVs is approximately 500 vehicles.

The markup of the fiscal year 2006 Defense bill, the one we are on, recommends that \$120 million be provided to the Secretary of the Army to address the emerging up-armored HMMWV requirements toward its 10,000-unit requirement. The Secretary of the Army was provided the authority and flexibility to procure up-armored HMMWV's tactical wheel add-on armor, the M1151, the M1152 HMMWVs, once the Army received a validated requirement from a combatant commander. The amendment is funded for 11,693 up-armored HMMWVs, and the Marine Corps is funded for 498 up-armored HMMWVs through December 2005.

Since the markup of the fiscal year 2006 authorization bill, the committee has received new information that justifies, in our judgment, the increase of the Army and the Marine Corps requirement for dollars to meet the up-armored HMMWV goals. The Army has an emerging requirement for up-armored HMMWVs for Afghanistan which may increase the overall requirement by 300 up-armored HMMWVs.

The Marines Expeditionary Force Forward Commander recently requested that all HMMWVs in his area of operation be upgraded to the up-armored HMMWV variant. This could potentially increase the Marine Corps requirement to 2,814 up-armored HMMWVs, of which 988 are now funded.

In keeping with the commitment of the Committee on Armed Services to meet all force protection requirements, this amendment proposes to add \$105 million to the Army budget authorized

and \$340 million to the Marines Corps to allow the Department to respond quickly to the commander's request. It is there.

This is quite a complicated amendment. A number of Senators have expressed an interest in this amendment. I would like to debate this tonight. I request the leadership consider having a record vote in due course. I urge Senators who have an interest in this matter to communicate with me or Senator LEVIN.

I would like to have Senators' views. I propose to put it to one side; thereby giving a full opportunity for all members to express their views. Again, I will seek the authority of the leadership to have a record vote on this. Each Senator will want to vote on this amendment. I cannot think of any equipment issue more important to the men and women from your States than this.

I want to accommodate my colleagues, and I will yield the floor so my distinguished colleague, Senator LEVIN, can make such comments as he wishes.

The PRESIDING OFFICER. Who yields time?

The Senator from Michigan.

Mr. LEVIN. Mr. President, first, this amendment addresses a very significant issue, which took up a lot of time of the committee. We have, in the bill itself, added some additional money to what the administration requested because their request was so inadequate to the threat. We have found over the period of time we have been in Iraq and Afghanistan a totally inadequate response to our armor needs.

We have had I don't know how many hearings in the Armed Services Committee—the chairman says about five; and that would be about my recollection, too—where we have pressed our military leaders, the Secretary of Defense, as to why there has been such a slow response to such an obvious need. So we have been pressing very hard to provide all of the adequate resources. We get different answers from the people who run the Defense Department than we get from the people who are providing the vehicles.

We were told, for instance, by the manufacturer that they never got a request for an increased amount. On the other hand, our military leaders said: Well, sure, we pressed for an increase in the amount.

We have a total conflict on the subject of whether there was ever a time when funding was short, because the committee was determined that we provide all of the resources—all of the resources—that are necessary to provide the armor. It is inexcusable we have men and women who are subject to these devices on the side of the road who do not have the best armor.

Hearing after hearing, we put pressure on our civilian and uniformed leaders to provide the equipment our men and women deserve, and the armor our men and women deserve.

There has been a number of Members of our committee, particularly Senator KENNEDY, Senator BAYH, and others, who have had not only a major interest in and made a major effort to press for additional funding and for additional armor but who I know are interested in this subject on this bill.

So I suggest to my friend from Virginia that we give them an opportunity to read what he has now offered because I think it would be very possible they may want to either go in a slightly more increased direction or in a different direction. And I am not sure, they may want to offer a second-degree amendment to this amendment or they may be perfectly happy to cosponsor it. But I would like to give them an opportunity, since this does come at this hour, to read to see exactly what is being proposed since they have such an interest in this issue and I know they were planning on offering language on this bill.

I would join in the suggestion that this language be available promptly to the members of the committee or any Member of the body because I think every Member of this body has had an interest in trying to press the Defense Department to provide greater armor at greater speed.

I have been very dissatisfied, publicly, as to an issue having to do with the fact that our military leaders tried to get the manufacturer, as we understand it, to have a second source. That would have required the manufacturer to share some technology with the second producer. According to one story, they refused to share the technology with a second producer. If that is true, as I said publicly before, it would be pretty shocking we would have a contractor who produces material for the Defense Department, who knows we desperately need more, who would not share the technology with a second source so we could produce the armor a lot faster.

There is a lot of significant background. I think we ought to give every member of our committee and every Member of the Senate an opportunity to take a look at the approach the chairman is proposing to see whether this meets the various needs and thoughts of Members of the Senate. I welcome the chairman's willingness to lay this amendment aside to give those Members an opportunity.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, it is a perfectly reasonable request. I fully wish to accommodate my colleague's wishes. We will lay this amendment aside. But I would like to draw attention to the fact that the subject is one which has been under constant review, the subject of five hearings in committee over a period of time. It is so important, I would like to have this bill start off with the amendment. I am hopeful, with the concurrence of the leadership, we can address this amendment this evening.

I am perfectly willing to lay it aside now and let colleagues come over and speak to it, as you say, and take such parliamentary steps as they so desire.

So at this time, Mr. President, I ask unanimous consent that the pending amendment of the Senator from Virginia be laid aside.

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

AMENDMENT NO. 1315

Mr. WARNER. Now, Mr. President, I have, I think, discussed with our colleague another amendment. It relates to a subject that one of our distinguished Members of the House of Representatives, Congressman SKELTON, sent. He actually brought this up as a freestanding issue in the House of Representatives. It was considered by the House and adopted. So it is now, presumably, before the Senate as a freestanding item. But it would be my desire, subject to the viewpoints of my colleague, Senator LEVIN, that it be incorporated in this bill, identical to what Congressman SKELTON wishes to do.

The essence of it is as follows: The National Defense University and the Joint Forces Staff College do an extraordinary job of preparing our military and, indeed, a number of civilian personnel for greater responsibility. The Joint Advanced Warfighting School, which is part of the Joint Forces Staff College, has created and is now presenting a course on Joint Campaign Planning and Strategy.

The first class graduated recently, and it was composed of an impressive group of global war on terrorism officers, in other words, officers who are devoting, at this time, their professional attention to this subject.

The amendment authorizes the award of a Master of Science degree, and it is one I think is deserving of the consideration of this body and, hopefully, adoption by this body. It is an amendment which I will now send to the desk for immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: The Senator from Virginia [Mr. WARNER], for himself and Mr. LEVIN, proposes an amendment numbered 1315.

Mr. WARNER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To authorize the National Defense University to award the degree of Master of Science in Joint Campaign Planning and Strategy)

At the end of subtitle H of title V, add the following:

**SEC. 596. AUTHORITY FOR NATIONAL DEFENSE UNIVERSITY AWARD OF DEGREE OF MASTER OF SCIENCE IN JOINT CAMPAIGN PLANNING AND STRATEGY.**

(a) JOINT FORCES STAFF COLLEGE PROGRAM.—Section 2163 of title 10, United States Code, is amended to read as follows:

**“§2163. National Defense University: master of science degrees**

“(a) AUTHORITY TO AWARD SPECIFIED DEGREES.—The President of the National De-

fense University, upon the recommendation of the faculty of the respective college or other school within the University, may confer the master of science degrees specified in subsection (b).

“(b) AUTHORIZED DEGREES.—The following degrees may be awarded under subsection (a):

“(1) MASTER OF SCIENCE IN NATIONAL SECURITY STRATEGY.—The degree of master of science in national security strategy, to graduates of the University who fulfill the requirements of the program of the National War College.

“(2) MASTER OF SCIENCE IN NATIONAL RESOURCE STRATEGY.—The degree of master of science in national resource strategy, to graduates of the University who fulfill the requirements of the program of the Industrial College of the Armed Forces.

“(3) MASTER OF SCIENCE IN JOINT CAMPAIGN PLANNING AND STRATEGY.—The degree of master of science in joint campaign planning and strategy, to graduates of the University who fulfill the requirements of the program of the Joint Advanced Warfighting School at the Joint Forces Staff College.

“(c) REGULATIONS.—The authority provided by this section shall be exercised under regulations prescribed by the Secretary of Defense.”.

(b) CLERICAL AMENDMENT.—The item relating to section 2163 in the table of sections at the beginning of chapter 108 of such title is amended to read as follows:

“2163. National Defense University: master of science degrees.”.

(c) EFFECTIVE DATE.—Paragraph (3) of section 2163(b) of title 10, United States Code, as amended by subsection (a), shall take effect for degrees awarded after May 2005.

Mr. WARNER. In brief, the amendment would amend section 2163 of title 10, United States Code, to authorize the president of the National Defense University to confer the degree of Master of Science in Joint Campaign Planning and Strategy on those students attending the Joint Advanced Warfighting School at the Joint Forces Staff College who pursued the particular course.

The Joint Forces Staff College initiated a new advanced course of study in Joint Campaign Planning and Strategy in 2004. The program received its full accreditation from the Department of Education in the fall of 2004. As I said, the first class graduated in 2005. So the legislation would authorize conferral of the degree retroactively to that class of 2005 and prospectively to the future classes.

Mr. LEVIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WARNER. Mr. President, the pending amendment which I sent to the desk, I ask unanimous consent that it be laid aside.

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

Mr. WARNER. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, I rise to discuss the bill before us, S. 1042, the National Defense Authorization Act for fiscal year 2006. I am pleased to serve under Chairman WARNER and Ranking Member LEVIN on the Armed Services Committee. It is a particular thrill for me to have that honor.

I am privileged to serve as the chairman of the Subcommittee on Strategic Forces. In that capacity, I have worked hard, our staff has worked hard, in cooperation particularly with my ranking member on the Strategic Forces Subcommittee, Senator NELSON of Florida. Our efforts have been to contribute our part to the bill that is now before the Senate.

Under the leadership of Senator WARNER, we believe we have achieved our goal of bringing forward legislation that serves the national security needs of this country, protects the interests of our fighting men and women, and does so while making deliberate and judicious use of precious taxpayer dollars. We simply have to be frugal. There is no money to waste.

The Strategic Forces Subcommittee exercised oversight for the Department of Defense budget request for missile defense, strategic forces, space, intelligence, surveillance and reconnaissance, and intelligence support activities. The DOD budget request in these areas included \$9.5 billion in procurement, \$27.2 billion in research and development, and \$3 billion in operations and maintenance. The administration budget request also included \$14.8 billion for the Department of Energy nuclear weapons and environmental management programs and activities.

The bill reflects a net increase of \$40 million in procurement, a net decrease of \$16 million in research and development, and a net increase of \$11 million in the amount requested in operations and maintenance, for a total net increase of \$35 million—not a lot of increase. It also reflects the requested level of funding for the Department of Energy programs and activities.

The bill fully funds the request for missile defense, but it does so in a way that reduces some funding for longer term developmental efforts to support near-term capabilities and enhanced testing. Overall, \$8.8 billion was requested for missile defense activities, of which \$7.8 billion is for the Missile Defense Agency.

Significant funding actions in the markup include an increase of \$100 million for the ground-based midcourse defense system to enhance ground and flight testing, and an increase of \$75 million for the Aegis BMD system to improve system performance and to accelerate SM-3 missile delivery in 2007. Both of these systems, while continuing to undergo development and testing, are available today for use in an emergency to protect the United States and its allies against limited ballistic missile attacks. By focusing

on near-term capabilities, this bill sends a strong message to potential adversaries that the United States is no longer vulnerable to ballistic missile threats or coercion.

The bill makes significant adjustments to the President's budget request for military satellite programs. The bill recommends a \$200 million reduction in the Transformational Satellite Program, TSAT, to put the program on a healthier developmental track; an increase of \$100 million for the Advanced Extremely High Frequency Satellite Program, AEHF, to begin procuring a fourth AEHF communications satellite; and a reduction, however, of \$75 million for the Space Radar Program due to insufficient programmatic and cost definition. We expect this Space Radar Program to be successful as time goes by.

Related to the Department of Energy, the bill includes \$14.8 billion for nuclear weapons and environmental management programs for the fiscal year 2006, the amount requested by the administration. Of this amount, \$6.6 billion is for the National Nuclear Security Administration nuclear weapons activities.

The bill includes a few modest increases to help reduce deferred maintenance and to support the infrastructure of the nuclear weapons complex. The bill also increases funding for security at Department of Energy sites. This is a reflection of the need to enhance security at these sites in response to the potential threats that exist after 9/11.

The bill also includes authorization at the budget request to continue the feasibility study of the robust nuclear earth penetrator, RNEP. This bill does not, however, provide any funding for Air Force activities to integrate RNEP into a delivery platform. The committee has honored the balance struck 2 years ago when Congress enacted a provision prohibiting the administration from proceeding beyond a feasibility study of RNEP without explicit authorization from Congress. No such authorization was sought by the administration this year, and none is provided. The \$4.0 million provided for RNEP is for continuation of the feasibility study and nothing beyond that.

The bill also funds the Department of Energy Environmental Management Program at \$6.6 billion. The Environmental Management Program is addressing the environmental cleanup needs at Department of Energy nuclear sites. This environmental contamination is an unfortunate and highly expensive legacy of our victory in the Cold War. Our bill provides appropriate funding to continue this cleanup program.

Again, I thank the ranking member on the Strategic Forces Subcommittee, Senator NELSON, for working with me on this legislation and throughout our hearings and in the markup leading up to this point. The Armed Services Committee takes a lot of time and delibera-

tion to produce this bill. It is the product of a lot of hard work, a lot of hard choices, and a fair amount of compromise. I hope my colleagues will support the bill that our committee has produced. I again express my appreciation to Chairman WARNER for his leadership, for the fact that we have been able to move this bill promptly this year. I think our Nation is going to benefit from many of the important provisions that are contained in it.

I thank the Chair and yield the floor. The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I wish to thank my longtime friend and committee member, the Senator from Alabama. We have worked together. We have traveled together. We have been to Iraq together. We went down last Friday to Guantanamo to inspect the detention facilities down there. He has always responded to the request of the chairman, pack a bag, will travel, take on any mission. I thank him.

I also thank him for working as subcommittee chairman and getting the work done in his subcommittee.

Mr. SESSIONS. Mr. President, I thank the chairman. There is no committee on which I serve that is more of a pleasure to work and has a better bipartisan spirit. Chairman WARNER and Senator LEVIN deserve much credit for that. We get to make a number of trips. Nobody makes more trips than Chairman WARNER, but it is a thrill to visit our fine men and women in uniform in the highly dangerous areas that we many times get to visit.

It is an honor to be on the committee whose responsibility it is to support them.

I thank the chairman. Mr. WARNER. I thank my colleague. Mr. President, we are working with the other side. I think we have a package of cleared amendments, but maybe the Senator wishes to address something else.

#### AMENDMENT NO. 1315

The PRESIDING OFFICER. The Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, the amendment which was just offered has now been cleared on this side relative to the degree at the university. We support it. Senator NELSON is our ranking member. We wanted to doublecheck with him.

The PRESIDING OFFICER. Is there further debate on amendment No. 1315? If not, the question is on agreeing to the amendment.

The amendment (No. 1315) was agreed to.

Mr. WARNER. I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEVIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WARNER. Mr. President, I ask unanimous consent to add Senator JON KYL as a cosponsor of amendment No. 1314.

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

#### AMENDMENTS NOS. 1318, 1319, 1320, 1321, 1322, AND 1323, EN BLOC

Mr. WARNER. Mr. President, with the attention of my distinguished ranking member, we ask that a series of amendments, which I will now send to the desk, which have been cleared, be considered, and I ask that any statements relating to the individual amendments be printed the RECORD.

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

The clerk will report. The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER] proposes amendments numbered 1318, 1319, 1320, 1321, 1322 and 1323 en bloc.

Mr. WARNER. Mr. President, I ask unanimous consent that further reading of the amendments be dispensed with.

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

The amendments are as follows:

#### AMENDMENT NO. 1318

(Purpose: To authorize a pilot program on expanded public-private partnerships for research and development)

At the end of subtitle E of title VIII, add the following:

#### SEC. 846. PILOT PROGRAM ON EXPANDED PUBLIC-PRIVATE PARTNERSHIPS FOR RESEARCH AND DEVELOPMENT.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a pilot program to authorize the organizations referred to in subsection (b) to enter into cooperative research and development agreements under section 12 of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3710a) in order to assess the benefits of such agreements for such organizations and for the Department of Defense as a whole.

(b) COVERED ORGANIZATIONS.—The organizations referred to in this subsection are as follows:

- (1) The National Defense University.
- (2) The Defense Acquisition University.
- (3) The Joint Forces Command.
- (4) The United States Transportation Command.

(c) LIMITATION.—No agreement may be entered into, or continue in force, under the pilot program under subsection (a) after September 30, 2009.

(d) REPORT.—Not later than February 1, 2009, the Secretary shall submit to the congressional defense committees a report on the pilot program under subsection (a). The report shall include—

- (1) a description of any agreements entered into under the pilot program; and
- (2) the assessment of the Secretary of the benefits of the agreements entered into under the pilot program for the organizations referred to in subsection (b) and for the Department of Defense as a whole.

#### AMENDMENT NO. 1319

(Purpose: To modify the requirements for reports on program to award prizes for advanced technology achievements)

At the end of subtitle E of title II, add the following:

**SEC. 244. MODIFICATION OF REQUIREMENTS FOR REPORTS ON PROGRAM TO AWARD PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.**

Subsection (e) of section 2374a of title 10, United States Code, is amended to read as follows:

“(e) ANNUAL REPORT.—(1) Not later than March 1 each year, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the activities undertaken by the Defense Advanced Research Projects Agency in the preceding year under the authority of this section.

“(2) The report for a year under this subsection shall include the following:

“(A) The results of consultations between the Director and officials of the military departments regarding the areas of research, technology development, or prototype development for which prizes would be awarded under the program under this section.

“(B) A description of the proposed goals of the competitions established under the program, including the areas of research, technology development, or prototype development to be promoted by such competitions and the relationship of such areas to the military missions of the Department.

“(C) The total amount of cash prizes awarded under the program, including a description of the manner in which the amounts of cash prizes awarded and claimed were allocated among the accounts of the Defense Advanced Research Projects Agency for recording as obligations and expenditures.

“(D) The methods used for the solicitation and evaluation of submissions under the program, together with an assessment of the effectiveness of such methods.

“(E) A description of the resources, including personnel and funding, used in the execution of the program, together with a detailed description of the activities for which such resources were used.

“(F) A description of any plans to transition the technologies or prototypes developed as a result of the program into acquisition programs of the Department.

“(G) For each competition under the program, a statement of the reasons why the competition was a preferable means of promoting basic, advanced, or applied research, technology development, or prototype development projects to other means of promoting such projects, including contracts, grants, cooperative agreements, or other transactions.”.

AMENDMENT NO. 1320

(Purpose: To make a technical correction relating to the Science, Mathematics, and Research for Transformation (SMART) Defense Education Program)

On page 289, line 25, strike “during such periods” and insert “in the case of the period after completion of the degree”.

AMENDMENT NO. 1321

(Purpose: To establish certain qualifications for individuals who serve as Regional Directors of the TRICARE program)

At the end of subtitle B of title VII, add the following:

**SEC. 718. QUALIFICATIONS FOR INDIVIDUALS SERVING AS TRICARE REGIONAL DIRECTORS.**

(a) QUALIFICATIONS.—Effective as of the date of the enactment of this Act, no individual may serve in the position of Regional Director under the TRICARE program unless the individual—

(1) is—

(A) an officer of the Armed Forces in a general or flag officer grade; or

(B) a civilian employee of the Department of Defense in the Senior Executive Service; and

(2) has at least 10 years of experience, or equivalent expertise or training, in the military health care system, managed care, and health care policy and administration.

(b) TRICARE PROGRAM DEFINED.—In this section, the term “TRICARE program” has the meaning given such term in section 1072(7) of title 10, United States Code.

AMENDMENT NO. 1322

(Purpose: To make technical corrections to authorizations of appropriations)

On page 27, line 21, strike “\$18,843,296,000” and insert “\$19,011,754,000”.

On page 305, between lines 19 and 20, insert the following:

(6) For the Naval Reserve, \$2,400,000.

AMENDMENT NO. 1323

(Purpose: To clarify the amendment relating to the grade of the Judge Advocate General of the Army)

On page 77, strike lines 22 through 25 and insert the following:

Section 3037(a) of title 10, United States Code, is amended by striking the last sentence and inserting the following new sentences: “The Judge Advocate General, while so serving, has the grade of lieutenant general. An officer appointed as Assistant Judge Advocate General who holds a lower regular grade shall be appointed in the regular grade of major general.”.

Mr. LEVIN. We have no objection on this side.

Mr. WARNER. Mr. President, I urge adoption of these amendments.

The PRESIDING OFFICER. Without objection, the amendments are agreed to en bloc.

The amendments (Nos. 1318, 1319, 1320, 1321, 1322, and 1323) were agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1324

Mr. WARNER. Mr. President, I send an amendment on behalf of Senators MCCONNELL, BUNNING, ALLARD, and SALAZAR, which would provide the Secretary of Defense authority to use research and development funds available for chemical weapons demilitarization activities under the Assembled Chemical Weapons Alternative Program to carry out construction projects for facilities necessary to support chemical demilitarization at Pueblo Army Depot in Colorado and Bluegrass Army Depot in Kentucky. I believe it has been cleared.

Mr. LEVIN. It has been.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia [Mr. WARNER], for Mr. MCCONNELL, proposes an amendment numbered 1324.

The amendment is as follows:

(Purpose: To authorize the construction of chemical demilitarization facilities)

At the end of subtitle B of title II, add the following:

**SEC. 213. CHEMICAL DEMILITARIZATION FACILITIES.**

(a) AUTHORITY TO USE RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FUNDS TO CONSTRUCT FACILITIES.—The Secretary of Defense may, using amounts authorized to be

appropriated by section 201(4) for research, development, test, and evaluation, Defense-wide and available for chemical weapons demilitarization activities under the Assembled Chemical Weapons Alternatives program, carry out construction projects, or portions of construction projects, for facilities necessary to support chemical demilitarization operations at each of the following:

(1) Pueblo Army Depot, Colorado.

(2) Blue Grass Army Depot, Kentucky.

(b) SCOPE OF AUTHORITY.—The authority in subsection (a) to carry out a construction project for facilities includes authority to carry out planning and design and the acquisition of land for the construction or improvement of such facilities.

(c) LIMITATION ON AMOUNT OF FUNDS.—The amount of funds that may be utilized under the authority in subsection (a) may not exceed \$51,000,000.

(d) DURATION OF AUTHORITY.—A construction project, or portion of a construction project, may not be commenced under the authority in subsection (a) after September 30, 2006.

(e) NOTICE AND WAIT.—The Secretary may not carry out a construction project, or portion of a construction project, under the authority in subsection (a) until the end of the 21-day period beginning on the date on which the Secretary notifies the congressional defense committees of the intent to carry out such project.

Mr. SALAZAR. Mr. President, I rise today to speak with respect to amendment No. 1326, to the Defense authorization bill, which was adopted by the Senate today, that directly affects the citizens of Pueblo, CO, and the cleanup of those chemical weapons stockpiled at the Pueblo Chemical Depot. I thank my colleagues, Senator WARNER and Senator LEVIN, and their staffs, for their help on this measure. I thank, too, Senators MCCONNELL and BUNNING and my colleague from the great State of Colorado, Senator ALLARD. We have maintained an important alliance on this issue, and I appreciate their efforts.

This bipartisan Pueblo amendment, which I am proud to cosponsor, moves \$51 million from the Department of Defense's Research, Development, Test and Evaluation budget to the Military Construction budget for the Assembled Chemical Weapons Alternatives program. This program, known as ACWA, is the authority for chemical weapons destruction at both the Pueblo Chemical Depot and the Bluegrass, KY, site.

More than three-quarters of a million chemical weapons—mustard agent rounds—are stockpiled in the Pueblo Chemical Depot. These weapons are a threat to the security of the surrounding community. The United States has sworn to safely destroy these weapons before the 2012 deadline established by the Chemical Weapons Convention. Progress has been slow in the past but has recently been moving forward.

Unfortunately, under the President's budget request, there was no money allotted for Military Construction at the Pueblo Chemical Depot facility for fiscal year 2006. The program was on hold at the time the budget was released. But now that the dedication and hard

work of the citizens of Pueblo, along with a strong bipartisan effort here in DC, has resulted in forward progress, money needs to be designated specifically for MilCon so the Department of Defense can spend money for ACWA construction projects. Without money being designated for MilCon, the progress at Pueblo Chemical Depot could be halted once again.

The amendment adopted today was cosponsored by the Senators from Colorado and Kentucky. It ensures that money will be available to be spent in fiscal year 2006 for construction, planning, and design work at both the Pueblo Chemical Depot in Colorado and at the Bluegrass, KY, site.

This amendment is an essential step forward for the destruction of the tons of chemical weapons still stored at the Pueblo Chemical Depot. I hope this is another indication that the Pentagon recognizes the urgency this situation demands—an urgency the people of Pueblo and all of Colorado are right to expect.

I am proud to be part of such a strong coalition of concerned citizens and Senators from the communities impacted by these terrible weapons. But even though I am cautiously optimistic that today's amendment signals positive action in the future, there is still much work to do. I hope that this upcoming work will go forward in a similar manner: with good communications, with utmost concern for the safety of the citizens of Pueblo and Bluegrass, and with our eye always fixed on the goal of the safe destruction of these chemical weapons by 2012.

Mr. WARNER. Mr. President, I urge the Senate to adopt this amendment.

The PRESIDING OFFICER. Is there further debate?

If not, the amendment is agreed to.

The amendment (No. 1324) was agreed to.

Mr. WARNER. Mr. President, I move to reconsider the vote.

Mr. LEVIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Michigan is recognized.

#### AMENDMENT NO. 1325

Mr. LEVIN. Mr. President, on behalf of myself and Senator COLLINS, I offer an amendment that would require the Department of Defense to develop a strategic plan for the civilian workforce of the Department of Defense, and I believe the amendment has been cleared.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Michigan [Mr. LEVIN], for himself, and Ms. COLLINS, proposes an amendment numbered 1325.

The amendment is as follows:

(Purpose: To require a strategic human capital plan for civilian employees of the Department of Defense)

At the end of title XI, add the following:

#### SEC. 1106. STRATEGIC HUMAN CAPITAL PLAN FOR CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

(a) PLAN REQUIRED.—(1) Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall develop and submit to the appropriate committees of Congress a strategic plan to shape and improve the civilian employee workforce of the Department of Defense.

(2) The plan shall be known as the “strategic human capital plan”.

(b) CONTENTS.—The strategic human capital plan required by subsection (a) shall include—

(1) a workforce gap analysis, including an assessment of—

(A) the critical skills and competencies that will be needed in the future civilian employee workforce of the Department of Defense to support national security requirements and effectively manage the Department over the next decade;

(B) the skills and competencies of the existing civilian employee workforce of the Department and projected trends in that workforce based on expected losses due to retirement and other attrition; and

(C) gaps in the existing or projected civilian employee workforce of the Department that should be addressed to ensure that the Department has continued access to the critical skills and competencies described in subparagraph (A); and

(2) a plan of action for developing and reshaping the civilian employee workforce of the Department to address the gaps in critical skills and competencies identified under paragraph (1)(C), including—

(A) specific recruiting and retention goals, including the program objectives of the Department to be achieved through such goals; and

(B) specific strategies for development, training, deploying, compensating, and motivating the civilian employee workforce of the Department, including the program objectives of the Department to be achieved through such strategies.

(c) INAPPLICABILITY OF CERTAIN LIMITATIONS.—The recruitment and retention of civilian employees to meet the goals established under subsection (b)(2)(A) shall not be subject to any limitation or constraint under statute or regulations on the end strength of the civilian workforce of the Department of Defense or any part of the workforce of the Department.

(d) ANNUAL UPDATES.—Not later than March 1 of each year from 2007 through 2012, the Secretary shall update the strategic human capital plan required by subsection (a), as previously updated under this subsection.

(e) ANNUAL REPORTS.—Not later than March 1 of each year from 2007 through 2012, the Secretary shall submit to the appropriate committees of Congress—

(1) the update of the strategic human capital plan prepared in such year under subsection (d); and

(2) the assessment of the Secretary, using results-oriented performance measures, of the progress of the Department of Defense in implementing the strategic human capital plan.

(f) COMPTROLLER GENERAL REVIEW.—(1) Not later than 90 days after the Secretary submits under subsection (a) the strategic human capital plan required by that subsection, the Comptroller General shall submit to the appropriate committees of Congress a report on the plan.

(2) Not later than 90 days after the Secretary submits under subsection (e) an update of the strategic human capital plan under subsection (d), the Comptroller General shall submit to the appropriate committees of Congress a report on the update.

(3) A report on the strategic human capital plan under paragraph (1), or on an update of the plan under paragraph (2), shall include the assessment of the Comptroller General of the extent to which the plan or update, as the case may be—

(A) complies with the requirements of this section; and

(B) complies with applicable best management practices (as determined by the Comptroller General).

(g) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term “appropriate committees of Congress” means—

(1) the Committees on Armed Services and Homeland Security and Governmental Affairs of the Senate; and

(2) the Committees on Armed Services and Government Reform of the House of Representatives.

Mr. WARNER. Mr. President, the amendment is acceptable to this side.

The PRESIDING OFFICER. Is there further debate? Without objection, the amendment is agreed to.

The amendment (No. 1325) was agreed to.

Mr. LEVIN. Mr. President, I move to reconsider the vote.

Mr. WARNER. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. WARNER. Mr. President, I believe, unless my distinguished colleague has a need to further address the Senate, we have concluded the opening round of our bill. My understanding is that the pending business will be amendment No. 1314 to S. 1042, am I correct?

The PRESIDING OFFICER. That is correct, that is the pending question.

#### MORNING BUSINESS

Mr. WARNER. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

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

#### VERLIE DOING

Mr. REID. Mr. President, today I rise to honor one of the pillars of my hometown, Searchlight, NV—Mrs. Verlie Doing. Saturday, July 23, 2005 will be designated Verlie Doing Day, and it could not go to a more deserving or influential person.

Searchlight has never been the same since Verlie came to town in 1968 to help her late husband run Sandy's Casino. They built the Searchlight Nugget, which Verlie still owns. Verlie is a proud Texan, but she quickly adopted the citizens of Searchlight and put down lasting roots in the community that will benefit many generations to come.

For years, Searchlight did not have a senior center; so Verlie donated a building for the Searchlight Senior Citizen's Center. Searchlight did not have a church, so Verlie helped found the Searchlight Community Church, where she plays the organ every Sunday. Searchlight did not have a modern