

government's anti-religious policies and they are now experiencing renewed discrimination and repression from the authorities;

Whereas over the past 2 years there have been an estimated 10 arson attacks on unregistered Protestant churches, with little or no effective response by law enforcement officials to bring the perpetrators to justice;

Whereas in some areas of the Russian Federation law enforcement personnel have carried out violent actions against believers from unregistered communities peacefully practicing their faith; and

Whereas the United States has sought to protect the fundamental and inalienable human right to seek, know, and serve God according to the dictates of one's own conscience, in accordance with the international agreements committing nations to respect individual freedom of thought, conscience, and belief: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring).* That it is the sense of the Congress that the United States Government should—

(1) urge the Government of the Russian Federation to ensure full protection of freedoms for all religious communities without distinction, whether registered and unregistered, and end the harassment of unregistered religious groups by the security apparatus and other government agencies;

(2) urge the Government of the Russian Federation to ensure that law enforcement officials vigorously investigate acts of violence against unregistered religious communities, as well as make certain that authorities are not complicit in such attacks;

(3) continue to raise concerns with the Government of the Russian Federation over violations of religious freedom, including those against unregistered religious communities, especially indigenous denominations not well known in the United States;

(4) ensure that United States Embassy officials engage local officials throughout the Russian Federation, especially when violations of freedom of religion occur, and undertake outreach activities to educate local officials about the rights of unregistered religious communities;

(5) urge both the Personal Representative of the OSCE Chair-in-Office on Combating Racism, Xenophobia and Discrimination, also focusing on Intolerance and Discrimination against Christians and Members of Other Religions, and the United Nations Special Rapporteur on Freedom of Religion or Belief to visit the Russian Federation and raise with federal and local officials concerns about the free practice of unregistered religious communities; and

(6) urge the Council of Europe and its member countries to raise with Russian Federation officials issues relating to freedom of religion, especially in light of the Russian Federation's responsibilities as President of the Council in 2006.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1413. Mr. HAGEL submitted an amendment intended to be proposed by him to the 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; which was ordered to lie on the table.

SA 1414. Mr. SMITH submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1415. Mr. KENNEDY (for himself, Mrs. FEINSTEIN, Mr. KERRY, Mr. FEINGOLD, and Mr.

BINGAMAN) proposed an amendment to the bill S. 1042, supra.

SA 1416. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1417. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1418. Mr. ALLARD (for himself and Mr. MCCONNELL) proposed an amendment to the bill S. 1042, supra.

SA 1419. Mr. ALLARD (for himself and Mr. SALAZAR) proposed an amendment to the bill S. 1042, supra.

SA 1420. Mr. SMITH (for himself, Mr. WYDEN, and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1421. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill S. 1042, supra.

SA 1422. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill S. 1042, supra.

SA 1423. Mr. SALAZAR (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 1042, supra.

SA 1424. Mr. LEAHY (for himself and Mr. BOND) submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1425. Mr. HARKIN (for himself and Mr. DORGAN) submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1426. Mr. DORGAN proposed an amendment to the bill S. 1042, supra.

SA 1427. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1428. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1429. Mr. DORGAN (for himself, Mr. DURBIN, and Mr. LAUTENBERG) proposed an amendment to the bill S. 1042, supra.

SA 1430. Mr. WARNER (for Mr. NELSON, of Nebraska) proposed an amendment to the bill S. 1042, supra.

SA 1431. Mr. WARNER (for Mr. SESSIONS (for himself and Mr. REED)) proposed an amendment to the bill S. 1042, supra.

SA 1432. Mr. WARNER (for Mr. ENZI (for himself and Mr. KENNEDY)) proposed an amendment to the bill S. 1042, supra.

SA 1433. Mr. LIEBERMAN (for himself, Mrs. CLINTON, Mr. REED, Mr. NELSON, of Florida, Mr. SALAZAR, Mr. KERRY, and Mr. AKAKA) submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1434. Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1435. Ms. STABENOW (for herself and Mr. JOHNSON) submitted an amendment intended to be proposed by her to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1436. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1437. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1438. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 1413.** Mr. HAGEL submitted an amendment intended to be proposed by him to the 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; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

#### **SEC. \_\_\_\_ . EXCLUSION OF SPECIAL PAY AND ALLOWANCES FROM INCOME FOR SUPPLEMENT SECURITY INCOME BENEFITS.**

(a) IN GENERAL.—Paragraph (20) of section 1612(b) of the Social Security Act (42 U.S.C. 1382a(b)(20)) is amended to read as follows:

“(20) special pay receive pursuant to chapter 5 of title 37, United States Code, and allowances received pursuant to chapter 7 of title 37, United States Code;”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to eligibility determinations made and benefit amounts payable after the date of the enactment of this Act.

**SA 1414.** Mr. SMITH submitted an amendment intended to be proposed by him to the 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; which was ordered to lie on the table; as follows:

On page 213, between lines 2 and 3, insert the following:

#### **SEC. 807. TEMPORARY INAPPLICABILITY OF BERRY AMENDMENT TO PROCUREMENTS OF SPECIALTY METALS USED TO PRODUCE FORCE PROTECTION EQUIPMENT.**

(a) IN GENERAL.—Section 2533a(a) of title 10, United States Code, shall not apply to the procurement, during the 2-year period beginning on the date of the enactment of this Act, of specialty metals if such specialty metals are used to produce force protection equipment for Department of Defense applications.

(b) TREATMENT OF PROCUREMENTS WITHIN PERIOD.—For the purposes of subsection (a), a procurement shall be treated as being made during the 2-year period described in that subsection to the extent that funds are obligated by the Department of Defense for that procurement during that period.

**SA 1415.** Mr. KENNEDY (for himself, Mrs. FEINSTEIN, Mr. KERRY, Mr. FEINGOLD, and Mr. BINGAMAN) proposed an amendment to the 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; as follows:

On page 378, between lines 10 and 11, insert the following:

**SEC. 3114. TRANSFER OF FUNDS AVAILABLE FOR ROBUST NUCLEAR EARTH PENETRATOR TO THE ARMY NATIONAL GUARD OF THE DISTRICT OF COLUMBIA.**

(a) **REDUCTION IN FUNDS AVAILABLE FOR ROBUST NUCLEAR EARTH PENETRATOR.**—The amount authorized to be appropriated to the Department of Energy for the National Nuclear Security Administration for weapons activities by section 3101(a)(1) is hereby reduced by \$4,000,000, which reduction shall be allocated to amounts available for the Robust Nuclear Earth Penetrator.

(b) **INCREASE IN FUNDS AVAILABLE TO ARMY NATIONAL GUARD, WASHINGTON, DISTRICT OF COLUMBIA, CHAPTER.**—The amount authorized to be appropriated by section 301(10) for operation and maintenance for the Army National Guard is hereby increased by \$4,000,000, with the amount of such increase to be available for the Army National Guard of the District of Columbia, as follows:

(1) \$2,500,000 shall be made available for urban terrorist attack response training.

(2) \$1,500,000 shall be made available for the procurement of communications equipment.

**SA 1416.** Mr. SANTORUM submitted an amendment intended to be proposed by him to the 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; which was ordered to lie on the table; as follows:

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

**SEC. 596. RECRUITMENT AND ENLISTMENT OF HOME SCHOOLED STUDENTS IN THE ARMED FORCES.**

(a) **POLICY ON RECRUITMENT AND ENLISTMENT.**—

(1) **IN GENERAL.**—The Secretary concerned shall prescribe a policy for the recruitment and enlistment of home schooled students in the Armed Force or Armed Forces under the jurisdiction of such Secretary.

(2) **UNIFORMITY ACROSS THE ARMED FORCES.**—The Secretary of Defense shall ensure that the policies prescribed under paragraph (1) apply, to the extent practicable, uniformly across the Armed Forces.

(b) **ELEMENTS.**—The policy under subsection (a) shall include the following:

(1) An identification of a graduate of home schooling for purposes of recruitment and enlistment in the Armed Forces that is in accordance with the requirements described in subsection (c).

(2) Provision for the treatment of graduates of home schooling with Tier I status with no practical limit with regard to enlistment.

(3) An exemption of graduates of home schooling from the requirement for a secondary school diploma or its recognized equivalent (GED) as a precondition for enlistment in the Armed Forces.

(c) **HOME SCHOOL GRADUATES.**—In identifying a graduate of home schooling for purposes of subsection (b), the Secretary concerned shall ensure that the graduate meets each of the following requirements:

(1) The home school graduate has taken the Armed Forces Qualifying Test (AFQT) and scored 50 or above.

(2) The home school graduate has provided the Secretary concerned with—

(A) a signed home school notice of intent form that conforms with the State law of the State where the graduate resided when the graduate was in home school; or

(B) a home school certificate or diploma from—

(i) the parent or guardian of the graduate; or

(ii) a national curriculum provider.

(3) The home school graduate has provided the Secretary concerned with a copy of the graduate's transcript for all secondary school grades completed, which transcript shall—

(A) include the enrollment date, graduation date, and type of curriculum; and

(B) reflect successful completion of the last full academic year of schooling from the home school national curriculum provider, parent, or guardian issuing the home school certificate or diploma.

(4) The home school curriculum used by the home school graduate involved parental instruction and supervision and closely patterned the normal credit hours per subject as used in a traditional secondary school.

(5) The home school graduate has provided the Secretary concerned with a third party verification letter of the graduate's home school status by the Home School Legal Defense Association or a State or county home school association or organization.

(d) **SECRETARY CONCERNED DEFINED.**—In this section, the term "Secretary concerned" has the meaning given such term in section 101(a)(9) of title 10, United States Code.

**SA 1417.** Mr. WYDEN submitted an amendment intended to be proposed by him to the 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

**SEC. 1073. EMERGENCY ACCESS TO BUSINESS RECORDS FOR FOREIGN INTELLIGENCE AND OTHER INVESTIGATIONS.**

(a) **EMERGENCY ACCESS.**—Section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

“(d)(1) Notwithstanding any other provision of this section, when the Attorney General reasonably determines that—

“(A) an emergency situation exists with respect to the production of tangible things for an investigation described in subsection (a) before an order authorizing production of such tangible things can with due diligence be obtained; and

“(B) the factual basis for the issuance of an order under this section to approve production of such tangible things exists,

the Attorney General may issue an order requiring production of such tangible things, which order shall have the same effect as an order issued by the court established by section 103(a) if a judge having jurisdiction under section 103 is informed by the Attorney General, or a designee of the Attorney General, at the time of the issuance of such order that the Attorney General has made the decision to require production of such tangible things under this subsection and an application in accordance with this section is made to that judge as soon as practicable, but not later than 72 hours, thereafter.

“(2) In the event that an application under paragraph (1) is denied, or in any other case

where no order is issued by the court established by section 103(a) approving access to tangible things, no information obtained or evidence derived from the production of tangible things under paragraph (1) shall be received in evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof, and no information concerning any United States person acquired from the production of tangible things under paragraph (1) shall subsequently be used or disclosed in any other manner by any officer or employee of the Federal Government without the consent of such person, except with the approval of the Attorney General if the information indicates a threat of death or serious bodily harm to any person.

“(3) The denial of an application under paragraph (1) may be reviewed as provided in section 103.”.

(b) **CONSTRUCTION OF PROVISIONS OF ACT.**—No provision of this Act may be construed to authorize the Federal Bureau of Investigation to utilize administrative subpoenas for foreign intelligence or national security investigations.

**SA 1418.** Mr. ALLARD (for himself and Mr. MCCONNELL) proposed an amendment to the 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; as follows:

On page 66, after line 22, insert the following:

**SEC. 330. LIFE CYCLE COST ESTIMATES FOR THE DESTRUCTION OF LETHAL CHEMICAL MUNITIONS UNDER ASSEMBLED CHEMICAL WEAPONS ALTERNATIVES PROGRAM.**

Upon completion of 60 percent of the design build at each site of the Assembled Chemical Weapons Alternatives program, the Program Manager for Assembled Chemical Weapons Alternatives shall, after consultation with the congressional defense committees, certify in writing to such committees updated and revised life cycle cost estimates for the destruction of lethal chemical munitions for each site under such program.

**SA 1419.** Mr. ALLARD (for himself and Mr. SALAZAR) proposed an amendment to the 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; as follows:

On page 378, between lines 10 and 11, insert the following:

**SEC. 3114. RETIREMENT BENEFITS FOR WORKERS AT ROCKY FLATS ENVIRONMENTAL TECHNOLOGY SITE, COLORADO.**

(a) **PROGRAM AUTHORIZED.**—Subject to the availability of funds under subsection (d), the Secretary of Energy shall establish a program for the purposes of providing health, medical, and life insurance benefits to workers at the Rocky Flats Environmental Technology Site, Colorado (in this

section referred to as the "Site"), who do not qualify for such benefits because the physical completion date was achieved before December 15, 2006.

(b) **ELIGIBILITY FOR BENEFITS.**—A worker at the Site is eligible for health, medical, and life insurance benefits under the program described in subsection (a) if the employee—

(1) was employed by the Department of Energy, or by contract or first or second tier subcontract to perform cleanup, security, or administrative duties or responsibilities at the Site on September 29, 2003; and

(2) would have achieved applicable eligibility requirements for health, medical, and life insurance benefits as defined in the Site retirement benefit plan documents if the physical completion date had been achieved on December 15, 2006, as specified in the Site project completion contract.

(c) **DEFINITIONS.**—In this section:

(1) **HEALTH, MEDICAL, AND LIFE INSURANCE BENEFITS.**—The term "health, medical, and life insurance benefits" means those benefits that workers at the Site are eligible for through collective bargaining agreements, projects, or contracts for work scope.

(2) **PHYSICAL COMPLETION DATE.**—The term "physical completion date" means the date the Site contractor has completed all services required by the Site project completion contract other than close-out tasks and services related to plan sponsorship and management of post-project completion retirement benefits.

(3) **PLAN SPONSORSHIP AND PROGRAM MANAGEMENT OF POST-PROJECT COMPLETION RETIREMENT BENEFITS.**—The term "plan sponsorship and program management of post-project completion retirement benefits" means those duties and responsibilities that are necessary to execute, and are consistent with, the terms and legal responsibilities of the instrument under which the post-project completion retirement benefits are provided to workers at the Site.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—Of the amounts authorized to be appropriated to the Secretary of Energy in fiscal year 2006 for the Rocky Flats Environmental Technology Site, \$15,000,000 shall be made available to the Secretary to carry out the program described in subsection (a).

**SA 1420.** Mr. SMITH (for himself, Mr. WYDEN, and Mr. REID) submitted an amendment intended to be proposed by him to the 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . AUTHORIZATION FOR NO-COST SECURE IDENTITY CONTRACTS.**

(a) **IN GENERAL.**—Notwithstanding sections 1342 and 3302 of title 31, United States Code, the Department of Defense is authorized to execute no-cost contracts for vendor secure identity programs such as the Fast Access program, and other similar secure identity programs.

(b) **APPLICATION.**—This section shall apply to existing and future no-cost contracts for secure identity programs.

**SA 1421.** Mr. SALAZAR submitted an amendment intended to be proposed by him to the 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; as follows:

At the end of subtitle D of title VI, add the following:

**SEC. 642. RENAMING OF DEATH GRATUITY PAYABLE FOR DEATHS OF MEMBERS OF THE ARMED FORCES AS FALLEN HERO COMPENSATION.**

(a) **IN GENERAL.**—Subchapter II of chapter 75 of title 10, United States Code, is amended as follows:

(1) In section 1475(a), by striking "have a death gratuity paid" and inserting "have fallen hero compensation paid".

(2) In section 1476(a)—

(A) in paragraph (1), by striking "a death gratuity" and inserting "fallen hero compensation"; and

(B) in paragraph (2), by striking "A death gratuity" and inserting "Fallen hero compensation".

(3) In section 1477(a), by striking "A death gratuity" and inserting "Fallen hero compensation".

(4) In section 1478(a), by striking "The death gratuity" and inserting "The amount of fallen hero compensation".

(5) In section 1479 (1), by striking "the death gratuity" and inserting "fallen hero compensation".

(6) In section 1489—

(A) in subsection (a), by striking "a gratuity" in the matter preceding paragraph (1) and inserting "fallen hero compensation"; and

(B) in subsection (b)(2), by inserting "or other assistance" after "lesser death gratuity".

(b) **CLERICAL AMENDMENTS.**—

(1) Such subchapter is further amended by striking "Death gratuity:" each place it appears in the heading of sections 1475 through 1480 and 1489 and inserting "Fallen hero compensation".

(2) The table of sections at the beginning of such subchapter is amended by striking "Death gratuity:" in the items relating to sections 1474 through 1480 and 1489 and inserting "Fallen hero compensation".

(c) **GENERAL REFERENCES.**—Any reference to a death gratuity payable under subchapter II of chapter 75 of title 10, United States Code, in any law, regulation, document, paper, or other record of the United States shall be deemed to be a reference to fallen hero compensation payable under such subchapter, as amended by this section.

**SA 1422.** Mr. SALAZAR submitted an amendment intended to be proposed by him to the 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; as follows:

At the end of subtitle G of title V, insert the following:

**SEC. 585. APPLICATIONS FOR IMPACT AID PAYMENT.**

Notwithstanding paragraphs (2) and (3) of section 8005(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7705(d)(2), (3)), the Secretary of Education shall treat as timely filed, and shall process for payment, an application under section 8002 or section 8003 of such Act for fiscal year 2005 from a local educational agency that—

(1) for each of the fiscal years 2000 through 2004, submitted an application by the date specified by the Secretary of Education under section 8005(c) of such Act for the fiscal year; and

(2) submits an application for fiscal year 2005 during the period beginning on February 2, 2004, and ending on the date of enactment of this Act.

**SA 1423.** Mr. SALAZAR (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the 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; as follows:

At the end of subtitle C of title III, add the following:

**SEC. 330. PROVISION OF DEPARTMENT OF DEFENSE SUPPORT FOR CERTAIN PARALYMPIC SPORTING EVENTS.**

Section 2564 of title 10, United States Code, is amended—

(1) in subsection (c), by adding at the end the following new paragraphs:

"(4) A sporting event sanctioned by the United States Olympic Committee through the Paralympic Military Program.

"(5) A national or international Paralympic sporting event (other than one covered by paragraph (3) or (4)) which is—

"(A) held in the United States or any of its territories or commonwealths;

"(B) governed by the International Paralympic Committee; and

"(C) sanctioned by the United States Olympic Committee.";

(2) in subsection (d)—

(A) by inserting "(1)" before "The Secretary"; and

(B) by adding at the end the following new paragraph:

"(2) Not more than \$1,000,000 may be expended in any fiscal year to provide support for events specified under paragraph (5) of subsection (c)."

**SA 1424.** Mr. LEAHY (for himself and Mr. BOND) submitted an amendment intended to be proposed by him to the 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; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VI, add the following:

**SEC. 605. BASIC ALLOWANCE FOR HOUSING FOR RESERVE MEMBERS.**

(a) **EQUAL TREATMENT OF RESERVE MEMBERS.**—Subsection (g) of section 403 of title 37, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4);

(2) by inserting after paragraph (2) the following new paragraph (3):

“(3) The rate of basic allowance for housing to be paid to the following members of a reserve component shall be equal to the rate in effect for similarly situated members of a regular component of the uniformed services:

“(A) A member who is called or ordered to active duty for a period of more than 30 days.

“(B) A member who is called or ordered to active duty for a period of 30 days or less in support of a contingency operation.”; and

(3) in paragraph (4), as so redesignated, by striking “less than 140 days” and inserting “30 days or less”.

(b) **CONFORMING AMENDMENT REGARDING MEMBERS WITHOUT DEPENDENTS.**—Paragraph (1) of such subsection is amended by inserting “or for a period of more than 30 days” after “in support of a contingency operation” both places it appears.

**SA 1425.** Mr. HARKIN (for himself and Mr. DORGAN) submitted an amendment intended to be proposed by him to the 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; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IX, add the following:

**SEC. 903. AMERICAN FORCES NETWORK.**

(a) **MISSION.**—The American Forces Network (AFN) shall provide members of the Armed Forces, civilian employees of the Department of Defense, and their families stationed outside the continental United States and at sea with the same type and quality of American radio and television news, information, sports, and entertainment as is available in the continental United States.

(b) **POLITICAL PROGRAMMING.**—

(1) **FAIRNESS AND BALANCE.**—All political programming of the American Forces Network shall be characterized by its fairness and balance.

(2) **FREE FLOW OF PROGRAMMING.**—The American Forces Network shall provide in its programming a free flow of political programming from United States commercial and public radio and television stations.

(c) **OMBUDSMAN OF THE AMERICAN FORCES NETWORK.**—

(1) **ESTABLISHMENT.**—There is hereby established the Office of the Ombudsman of the American Forces Network.

(2) **HEAD OF OFFICE.**—

(A) **OMBUDSMAN.**—The head of the Office of the Ombudsman of the American Forces Network shall be the Ombudsman of the American Forces Network (in this subsection referred to as the “Ombudsman”), who shall be appointed by the Secretary of Defense.

(B) **QUALIFICATIONS.**—Any individual nominated for appointment to the position of Ombudsman shall have recognized expertise in the field of mass communications, print media, or broadcast media.

(C) **PART-TIME STATUS.**—The position of Ombudsman shall be a part-time position.

(D) **TERM.**—The term of office of the Ombudsman shall be five years.

(E) **REMOVAL.**—The Ombudsman may be removed from office by the Secretary only for malfeasance.

(3) **DUTIES.**—

(A) **IN GENERAL.**—The Ombudsman shall ensure that the American Forces Network adheres to the standards and practices of the Network in its programming.

(B) **PARTICULAR DUTIES.**—In carrying out the duties of the Ombudsman under this paragraph, the Ombudsman shall—

(i) initiate and conduct, with such frequency as the Ombudsman considers appropriate, reviews of the integrity, fairness, and balance of the programming of the American Forces Network;

(ii) initiate and conduct, upon the request of Congress or members of the audience of the American Forces Network, reviews of the programming of the Network;

(iii) identify, pursuant to reviews under clause (i) or (ii) or otherwise, circumstances in which the American Forces Network has not adhered to the standards and practices of the Network in its programming, including circumstances in which the programming of the Network lacked integrity, fairness, or balance; and

(iv) make recommendations to the American Forces Network on means of correcting the lack of adherence identified pursuant to clause (iii).

(C) **LIMITATION.**—In carrying out the duties of the Ombudsman under this paragraph, the Ombudsman may not engage in any pre-broadcast censorship or pre-broadcast review of the programming of the American Forces Network.

(4) **RESOURCES.**—The Secretary of Defense shall provide the Office of the Ombudsman of the American Forces Network such personnel and other resources as the Secretary and the Ombudsman jointly determine appropriate to permit the Ombudsman to carry out the duties of the Ombudsman under paragraph (3).

(5) **INDEPENDENCE.**—The Secretary shall take appropriate actions to ensure the complete independence of the Ombudsman and the Office of the Ombudsman of the American Forces Network within the Department of Defense.

(6) **ANNUAL REPORTS.**—

(A) **IN GENERAL.**—The Ombudsman shall submit to the Secretary of Defense and the congressional defense committees each year a report on the activities of the Office of the Ombudsman of the American Forces Network during the preceding year.

(B) **AVAILABILITY TO PUBLIC.**—The Ombudsman shall make available to the public each report submitted under subparagraph (A) through the Internet website of the Office of the Ombudsman of the American Forces Network and by such other means as the Ombudsman considers appropriate.

**SA 1426.** Mr. DORGAN proposed an amendment to the 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; as follows:

At the end of subtitle G of title X, add the following:

**SEC. 1073. SENSE OF SENATE ON DECLASSIFICATION OF PORTIONS OF THE JOINT INQUIRY INTO THE TERRORIST ATTACKS OF SEPTEMBER 11, 2001.**

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

(1) The Administration has prevented the release to the American public of 28 pages of

the Joint Inquiry into Intelligence Community Activities Before and After the Terrorist Attacks of September 2001.

(2) The contents of the redacted pages discuss sources of foreign support for some of the hijackers involved in the September 11, 2001, terrorist attacks while they were in the United States.

(3) The Administration's decision to classify this information prevents the American people from having access to information about the involvement of certain foreign governments in the September 11, 2001, terrorist attacks.

(4) The Kingdom of Saudi Arabia has requested that the President release the 28 pages.

(5) The Senate respects the need to keep information regarding intelligence sources and methods classified, but the Senate also recognizes that such purposes can be accomplished through careful selective redaction of specific words and passages, rather than effacing content entirely.

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

(1) the President should declassify the 28-page section of the Joint Inquiry into The Terrorist Attacks of September 11, 2001, that deals with foreign sources of support for the hijackers involved in the September 11, 2001, terrorist attacks; and

(2) only those portions of the report that would directly compromise ongoing investigations or reveal intelligence sources and methods should remain classified.

**SA 1427.** Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the 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; which was ordered to lie on the table; as follows:

On page 276, between lines 13 and 14, insert the following:

**SEC. 1034. SENSE OF THE SENATE ON FUNDING FOR COUNTER-DRUG TETHERED AEROSTAT SYSTEM.**

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

(1) According to the Department of State, drug trafficking organizations shipped approximately 9 tons of cocaine to the United States through the Dominican Republic in 2004, and are increasingly using small, high-speed watercraft.

(2) Drug traffickers use the Caribbean corridor to smuggle narcotics to the United States via Puerto Rico and the Dominican Republic. This route is ideal for drug trafficking because of its geographic expanse, numerous law enforcement jurisdictions, and fragmented investigative efforts.

(3) The tethered aerostat system in Lajas, Puerto Rico contributes to deterring and detecting smugglers moving illicit drugs into Puerto Rico. The range and operational capabilities of the aerostat system allow it to provide surveillance coverage of the eastern Caribbean corridor and the strategic waterway between Puerto Rico and the Dominican Republic, known as the Mona Passage.

(4) Including maritime radar on the Lajas aerostat will expand its ability to detect suspicious vessels in the eastern Caribbean corridor.

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

(1) Congress and the Department of Defense should fully fund the Counter-Drug Tethered Aerostat program; and

(2) Congress and the Department of Defense should install maritime radar on the Lajas, Puerto Rico, aerostat system.

**SA 1428.** Mr. DURBIN submitted an amendment intended to be proposed by him to the 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; which was ordered to lie on the table; as follows:

On page 371, between lines 8 and 9, insert the following:

**SEC. 2887. ADMINISTRATIVE AND OPERATIONS STRUCTURES, SCOTT AIR FORCE BASE, ILLINOIS.**

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the Secretary of the Air Force may enter into agreements with St. Clair County, Illinois, for the joint construction and use of administrative and operations facilities at Scott Air Force Base, Illinois.

(b) **LIMITATIONS.**—

(1) **TOTAL COST.**—The total cost of agreements entered into under subsection (a) may not exceed \$60,000,000.

(2) **LEASE PAYMENTS.**—All payments made by the Air Force under leases entered into under subsection (a) shall be made out of funds available for the Air Force for operation and maintenance.

(3) **TERMS OF LEASES.**—Any lease agreement entered into under subsection (a)—

(A) shall provide for the lease of such administrative or operations facilities for a period not to exceed 30 years; and

(B) shall provide that, upon termination of the lease, all right, title, and interest in the facilities shall, at the option of the Secretary, be conveyed to the United States.

**SA 1429.** Mr. DORGAN (for himself, Mr. DURBIN, and Mr. LAUTENBERG) proposed an amendment to the 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; as follows:

At the appropriate place, insert the following:

**TITLE —SPECIAL COMMITTEE OF SENATE ON WAR AND RECONSTRUCTION CONTRACTING**

**SEC. 01. FINDINGS.**

Congress makes the following findings:

(1) The wars in Iraq and Afghanistan have exerted very large demands on the Treasury of the United States and required tremendous sacrifice by the members of the Armed Forces of the United States.

(2) Congress has a constitutional responsibility to ensure comprehensive oversight of the expenditure of United States Government funds.

(3) Waste and corporate abuse of United States Government resources are particularly unacceptable and reprehensible during times of war.

(4) The magnitude of the funds involved in the reconstruction of Afghanistan and Iraq and the war on terrorism, together with the speed with which these funds have been committed, presents a challenge to the effective performance of the traditional oversight

function of Congress and the auditing functions of the executive branch.

(5) The Senate Special Committee to Investigate the National Defense Program, popularly known as the Truman Committee, which was established during World War II, offers a constructive precedent for bipartisan oversight of wartime contracting that can also be extended to wartime and postwar reconstruction activities.

(6) The Truman Committee is credited with an extremely successful investigative effort, performance of a significant public education role, and achievement of fiscal savings measured in the billions of dollars.

(7) The public has a right to expect that taxpayer resources will be carefully disbursed and honestly spent.

**SEC. 02. SPECIAL COMMITTEE ON WAR AND RECONSTRUCTION CONTRACTING.**

There is established a special committee of the Senate to be known as the Special Committee on War and Reconstruction Contracting (hereafter in this title referred to as the "Special Committee").

**SEC. 03. PURPOSE AND DUTIES.**

(a) **PURPOSE.**—The purpose of the Special Committee is to investigate the awarding and performance of contracts to conduct military, security, and reconstruction activities in Afghanistan and Iraq and to support the prosecution of the war on terrorism.

(b) **DUTIES.**—The Special Committee shall examine the contracting actions described in subsection (a) and report on such actions, in accordance with this section, regarding—

(1) bidding, contracting, accounting, and auditing standards for Federal Government contracts;

(2) methods of contracting, including source contracts and limited competition or noncompetitive contracts;

(3) subcontracting under large, comprehensive contracts;

(4) oversight procedures;

(5) consequences of cost-plus and fixed price contracting;

(6) allegations of wasteful and fraudulent practices;

(7) accountability of contractors and Government officials involved in procurement and contracting;

(8) penalties for violations of law and abuses in the awarding and performance of Government contracts; and

(9) lessons learned from the contracting process used in Iraq and Afghanistan and in connection with the war on terrorism with respect to the structure, coordination, management policies, and procedures of the Federal Government.

(c) **INVESTIGATION OF WASTEFUL AND FRAUDULENT PRACTICES.**—The investigation by the Special Committee of allegations of wasteful and fraudulent practices under subsection (b)(6) shall include investigation of allegations regarding any contract or spending entered into, supervised by, or otherwise involving the Coalition Provisional Authority, regardless of whether or not such contract or spending involved appropriated funds of the United States.

(d) **EVIDENCE CONSIDERED.**—In carrying out its duties, the Special Committee shall ascertain and evaluate the evidence developed by all relevant governmental agencies regarding the facts and circumstances relevant to contracts described in subsection (a) and any contract or spending covered by subsection (c).

**SEC. 04. COMPOSITION OF SPECIAL COMMITTEE.**

(a) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The Special Committee shall consist of 7 members of the Senate of whom—

(A) 4 members shall be appointed by the President pro tempore of the Senate, in con-

sultation with the majority leader of the Senate; and

(B) 3 members shall be appointed by the minority leader of the Senate.

(2) **DATE.**—The appointments of the members of the Special Committee shall be made not later than 90 days after the date of the enactment of this Act.

(b) **VACANCIES.**—Any vacancy in the Special Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(c) **SERVICE.**—Service of a Senator as a member, chairman, or ranking member of the Special Committee shall not be taken into account for the purposes of paragraph (4) of rule XXV of the Standing Rules of the Senate.

(d) **CHAIRMAN AND RANKING MEMBER.**—The chairman of the Special Committee shall be designated by the majority leader of the Senate, and the ranking member of the Special Committee shall be designated by the minority leader of the Senate.

(e) **QUORUM.**—

(1) **REPORTS AND RECOMMENDATIONS.**—A majority of the members of the Special Committee shall constitute a quorum for the purpose of reporting a matter or recommendation to the Senate.

(2) **TESTIMONY.**—One member of the Special Committee shall constitute a quorum for the purpose of taking testimony.

(3) **OTHER BUSINESS.**—A majority of the members of the Special Committee, or  $\frac{1}{3}$  of the members of the Special Committee if at least one member of the minority party is present, shall constitute a quorum for the purpose of conducting any other business of the Special Committee.

**SEC. 05. RULES AND PROCEDURES.**

(a) **GOVERNANCE UNDER STANDING RULES OF SENATE.**—Except as otherwise specifically provided in this resolution, the investigation, study, and hearings conducted by the Special Committee shall be governed by the Standing Rules of the Senate.

(b) **ADDITIONAL RULES AND PROCEDURES.**—The Special Committee may adopt additional rules or procedures if the chairman and ranking member agree that such additional rules or procedures are necessary to enable the Special Committee to conduct the investigation, study, and hearings authorized by this resolution. Any such additional rules and procedures—

(1) shall not be inconsistent with this resolution or the Standing Rules of the Senate; and

(2) shall become effective upon publication in the Congressional Record.

**SEC. 06. AUTHORITY OF SPECIAL COMMITTEE.**

(a) **IN GENERAL.**—The Special Committee may exercise all of the powers and responsibilities of a committee under rule XXVI of the Standing Rules of the Senate.

(b) **HEARINGS.**—The Special Committee or, at its direction, any subcommittee or member of the Special Committee, may, for the purpose of carrying out this resolution—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Special Committee or such subcommittee or member considers advisable; and

(2) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents, tapes, and materials as the Special Committee considers advisable.

(c) **ISSUANCE AND ENFORCEMENT OF SUBPOENAS.**—

(1) **ISSUANCE.**—Subpoenas issued under subsection (b) shall bear the signature of the Chairman of the Special Committee and

shall be served by any person or class of persons designated by the Chairman for that purpose.

(2) **ENFORCEMENT.**—In the case of contumacy or failure to obey a subpoena issued under subsection (a), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(d) **MEETINGS.**—The Special Committee may sit and act at any time or place during sessions, recesses, and adjournment periods of the Senate.

#### SEC. 107. REPORTS.

(a) **INITIAL REPORT.**—The Special Committee shall submit to the Senate a report on the investigation conducted pursuant to section 103 not later than 270 days after the appointment of the Special Committee members.

(b) **UPDATED REPORT.**—The Special Committee shall submit an updated report on such investigation not later than 180 days after the submission of the report under subsection (a).

(c) **ADDITIONAL REPORTS.**—The Special Committee may submit any additional report or reports that the Special Committee considers appropriate.

(d) **FINDINGS AND RECOMMENDATIONS.**—The reports under this section shall include findings and recommendations of the Special Committee regarding the matters considered under section 103.

(e) **DISPOSITION OF REPORTS.**—Any report made by the Special Committee when the Senate is not in session shall be submitted to the Clerk of the Senate. Any report made by the Special Committee shall be referred to the committee or committees that have jurisdiction over the subject matter of the report.

#### SEC. 108. ADMINISTRATIVE PROVISIONS.

(a) **STAFF.**—

(1) **IN GENERAL.**—The Special Committee may employ in accordance with paragraph (2) a staff composed of such clerical, investigatory, legal, technical, and other personnel as the Special Committee, or the chairman or the ranking member, considers necessary or appropriate.

(2) **APPOINTMENT OF STAFF.**—

(A) **IN GENERAL.**—The Special Committee shall appoint a staff for the majority, a staff for the minority, and a nondesignated staff.

(B) **MAJORITY STAFF.**—The majority staff shall be appointed, and may be removed, by the chairman and shall work under the general supervision and direction of the chairman.

(C) **MINORITY STAFF.**—The minority staff shall be appointed, and may be removed, by the ranking member of the Special Committee, and shall work under the general supervision and direction of such member.

(D) **NONDESIGNATED STAFF.**—Nondesignated staff shall be appointed, and may be removed, jointly by the chairman and the ranking member, and shall work under the joint general supervision and direction of the chairman and ranking member.

(b) **COMPENSATION.**—

(1) **MAJORITY STAFF.**—The chairman shall fix the compensation of all personnel of the majority staff of the Special Committee.

(2) **MINORITY STAFF.**—The ranking member shall fix the compensation of all personnel of the minority staff of the Special Committee.

(3) **NONDESIGNATED STAFF.**—The chairman and ranking member shall jointly fix the compensation of all nondesignated staff of the Special Committee, within the budget

approved for such purposes for the Special Committee.

(c) **REIMBURSEMENT OF EXPENSES.**—The Special Committee may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by such staff members in the performance of their functions for the Special Committee.

(d) **PAYMENT OF EXPENSES.**—There shall be paid out of the applicable accounts of the Senate such sums as may be necessary for the expenses of the Special Committee. Such payments shall be made on vouchers signed by the chairman of the Special Committee and approved in the manner directed by the Committee on Rules and Administration of the Senate. Amounts made available under this subsection shall be expended in accordance with regulations prescribed by the Committee on Rules and Administration of the Senate.

#### SEC. 109. TERMINATION.

The Special Committee shall terminate on February 28, 2007.

#### SEC. 110. SENSE OF SENATE ON CERTAIN CLAIMS REGARDING THE COALITION PROVISIONAL AUTHORITY.

It is the sense of the Senate that any claim of fraud, waste, or abuse under the False Claims Act that involves any contract or spending by the Coalition Provisional Authority should be considered a claim against the United States Government.

**SA 1430.** Mr. WARNER (for Mr. NELSON of Nebraska) proposed an amendment to the 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; as follows:

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

#### SEC. 653. MODIFICATION OF REQUIREMENT FOR CERTAIN INTERMEDIARIES UNDER CERTAIN AUTHORITIES RELATING TO ADOPTIONS.

(a) **REIMBURSEMENT FOR ADOPTION EXPENSES.**—Section 1052(g)(1) of title 10, United States Code, is amended by inserting “or other source authorized to place children for adoption under State or local law” after “qualified adoption agency”.

(b) **TREATMENT AS CHILDREN FOR MEDICAL AND DENTAL CARE PURPOSES.**—Section 1072(6)(D)(i) of such title is amended by inserting “, or by any other source authorized by State or local law to provide adoption placement,” after “(recognized by the Secretary of defense)”.

**SA 1431.** Mr. WARNER (for Mr. SESSIONS (for himself and Mr. REED)) proposed an amendment to the 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; as follows:

At the end of title XI, add the following:

#### SEC. 1106. COMPTROLLER GENERAL STUDY ON FEATURES OF SUCCESSFUL PERSONNEL MANAGEMENT SYSTEMS OF HIGHLY TECHNICAL AND SCIENTIFIC WORKFORCES.

(a) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study to identify the features of successful personnel

management systems of the highly technical and scientific workforces of the Department of Defense laboratories and similar scientific facilities and institutions.

(b) **ELEMENTS.**—The study required by subsection (a) shall include the following:

(1) An examination of the flexible personnel management authorities, whether under statute or regulations, currently being utilized at Department of Defense demonstration laboratories to assist in the management of the workforce of such laboratories.

(2) An identification of any flexible personnel management authorities, whether under statute or regulations, available for use in the management of Department of Defense laboratories to assist in the management of the workforces of such laboratories that are not currently being utilized.

(3) An assessment of personnel management practices utilized by scientific and technical laboratories and institutions that are similar to the Department of Defense laboratories.

(4) A comparative analysis of the specific features identified by the Comptroller General in successful personnel management systems of highly technical and scientific workforces to attract and retain critical employees and to provide local management authority to Department of Defense laboratory officials.

(c) **PURPOSES.**—The purposes of the study shall include—

(1) the identification of the specific features of successful personnel management systems of highly technical and scientific workforces;

(2) an assessment of the potential effects of the utilization of such features by Department of Defense laboratories on the missions of such laboratories and on the mission of the Department of Defense as a whole; and

(3) recommendations as to the future utilization of such features in Department of Defense laboratories.

(d) **LABORATORY PERSONNEL DEMONSTRATION AUTHORITIES.**—The laboratory personnel demonstration authorities set forth in this subsection are as follows:

(1) The authorities in section 342(b) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103-337; 108 Stat. 2721), as amended by section 1114 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106-398 (114 Stat. 1654A-315)).

(2) The authorities in section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105-261; 5 U.S.C. 3104 note).

(e) **REPORT.**—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the study required by this section. The report shall include—

(1) a description of the study;

(2) an assessment of the effectiveness of the current utilization by the Department of Defense of the laboratory personnel demonstration authorities set forth in subsection (d); and

(3) such recommendations as the Comptroller General considers appropriate for the effective use of available personnel management authorities to ensure the successful personnel management of the highly technical and scientific workforce of the Department of Defense laboratories.

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

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



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

**SA 1432.** Mr. WARNER (for Mr. ENZI for himself and Mr. KENNEDY) proposed an amendment to the 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; as follows:

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

**SEC. 653. EXTENSION OF EFFECTIVE DATE.**

Section 6 of the Higher Education Relief Opportunities for Students Act of 2003 (20 U.S.C. 1070 note) is amended by striking "September 30, 2005" and inserting "September 30 2007".

**SA 1433.** Mr. LIEBERMAN (for himself, Mrs. CLINTON, Mr. REED, Mr. NELSON of Florida, Mr. SALAZAR, Mr. KERRY, and Mr. AKAKA) submitted an amendment intended to be proposed by him to the 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; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IV, add the following:

**SEC. 403. INCREASE IN END-STRENGTH FOR THE ARMY.**

Section 691 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(e) Notwithstanding subsection (b)(1), the authorization for the number of members of the Army at the end of each fiscal year as follows shall be not less than the number specified for such fiscal year:

- "(1) Fiscal year 2006, 522,400.
- "(2) Fiscal year 2007, 542,400.
- "(3) Fiscal year 2008, 562,400.
- "(4) Fiscal year 2009, 582,400.
- "(5) Any fiscal year after fiscal year 2009, 582,400."

**SA 1434.** Mr. LIEBERMAN submitted an amendment intended to be proposed by him to the 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; which was ordered to lie on the table; as follows:

At the end of subtitle A of title I, add the following:

**SEC. 114. UH-60 BLACK HAWK HELICOPTER PROCUREMENT IN RESPONSE TO ATTRITION.**

(a) INCREASE IN AMOUNT.—Of the amount authorized to be appropriated by section 101(1) for aircraft for the Army, the amount available for the procurement UH-60 Black Hawk helicopters in response to attrition is hereby increased to \$40,600,000, with the amount to be used to increase the number of

UH-60 Black Hawk helicopters to be procured in response to attrition from 2 helicopters to 4 helicopters.

(b) OFFSET.—Of the amount authorized to be appropriated by section 101(1) for aircraft for the Army, the amount available for UH-60 Black Hawk helicopter medevac kits is hereby reduced to \$29,700,000, with the amount to be derived in a reduction in the number of such kits from 10 kits to 6 kits.

**SA 1435.** Ms. STABENOW (for herself and Mr. JOHNSON) submitted an amendment intended to be proposed by her to the 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

**SEC. 1073. FUNDING FOR VETERANS HEALTH CARE TO ADDRESS CHANGES IN POPULATION AND INFLATION.**

(a) FUNDING TO ADDRESS CHANGES IN POPULATIONS AND INFLATION.—(1) Chapter 3 of title 38, United States Code, is amended by adding at the end the following new section:

**"§320. Funding for veterans health care to address changes in population and inflation"**

"(a) By the enactment of this section, Congress and the President intend to ensure access to health care for all veterans. Upon the enactment of this section, funding for the programs, functions, and activities of the Veterans Health Administration specified in subsection (d) to accomplish this objective shall be provided through a combination of discretionary and mandatory funds. The discretionary amount should be equal to the fiscal year 2005 discretionary funding for such programs, functions, and activities, and should remain unchanged each fiscal year thereafter. The annual level of mandatory amount shall be adjusted according to the formula specified in subsection (c). While this section does not purport to control the outcome of the annual appropriations process, it anticipates cooperation from Congress and the President in sustaining discretionary funding for such programs, functions, and activities in future fiscal years at the level of discretionary funding for such programs, functions, and activities for fiscal year 2005. The success of that arrangement, as well as of the funding formula, are to be reviewed after 2 years.

"(b) On the first day of each fiscal year, the Secretary of the Treasury shall make available to the Secretary of Veterans Affairs the amount determined under subsection (c) with respect to that fiscal year. Each such amount is available, without fiscal year limitation, for the programs, functions, and activities of the Veterans Health Administration, as specified in subsection (d). There is hereby appropriated, out of any sums in the Treasury not otherwise appropriated, amounts necessary to implement this section.

"(c)(1) The amount applicable to fiscal year 2005 under this subsection is the amount equal to—

"(A) 130 percent of the amount obligated by the Department during fiscal year 2005 for the purposes specified in subsection (d), minus

"(B) the amount appropriated for those purposes for fiscal year 2004.

"(2) The amount applicable to any fiscal year after fiscal year 2006 under this subsection is the amount equal to the product of the following, minus the amount appropriated for the purposes specified for subsection (d) for fiscal year 2005:

"(A) The sum of—

"(i) the number of veterans enrolled in the Department health care system under section 1705 of this title as of July 1 preceding the beginning of such fiscal year; and

"(ii) the number of persons eligible for health care under chapter 17 of this title who are not covered by clause (i) and who were provided hospital care or medical services under such chapter at any time during the fiscal year preceding such fiscal year.

"(B) The per capita baseline amount, as increased from time to time pursuant to paragraph (3)(B).

"(3)(A) For purposes of paragraph (2)(B), the term 'per capita baseline amount' means the amount equal to—

"(i) the amount obligated by the Department during fiscal year 2005 for the purposes specified in subsection (d), divided by

"(ii) the number of veterans enrolled in the Department health care system under section 1705 of this title as of September 30, 2004.

"(B) With respect to any fiscal year, the Secretary shall provide a percentage increase (rounded to the nearest dollar) in the per capita baseline amount equal to the percentage by which—

"(i) the Consumer Price Index (all Urban Consumers, United States City Average, Hospital and related services, Seasonally Adjusted), published by the Bureau of Labor Statistics of the Department of Labor for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

"(ii) such Consumer Price Index for the 12-month period preceding the 12-month period described in clause (i).

"(d)(1) Except as provided in paragraph (2), the purposes for which amounts made available pursuant to subsection (b) shall be all programs, functions, and activities of the Veterans Health Administration.

"(2) Amounts made available pursuant to subsection (b) are not available for—

"(A) construction, acquisition, or alteration of medical facilities as provided in subchapter I of chapter 81 of this title (other than for such repairs as were provided for before the date of the enactment of this section through the Medical Care appropriation for the Department); or

"(B) grants under subchapter III of chapter 81 of this title.

"(e) Nothing in this section shall be construed to prevent or limit the authority of Congress to reauthorize provisions relating to veterans health care."

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"320. Funding for veterans health care to address changes in population and inflation."

(b) COMPTROLLER GENERAL REPORT.—(1) Not later than January 31, 2008, the Comptroller General of the United States shall submit to Congress a report on the extent to which section 320 of title 38, United States Code (as added by subsection (a)), has achieved the purpose set forth in subsection (a) of such section 320 during fiscal years 2006 and 2007.

(2) The report under paragraph (1) shall set forth the following:

(A) The amount appropriated for fiscal year 2005 for the programs, functions, and activities of the Veterans Health Administration specified in subsection (d) of section 320 of title 38, United States Code.

(B) The amount appropriated by annual appropriations Acts for each of fiscal years 2006 and 2007 for such programs, functions, and activities.

(C) The amount provided by section 320 of title 38, United States Code, for each of fiscal years 2006 and 2007 for such programs, functions, and activities.

(D) An assessment whether the amount described in subparagraph (C) for each of fiscal years 2006 and 2007 was appropriate to address the changes in costs to the Veterans Health Administration for such programs, functions, and activities that were attributable to changes in population and in inflation over the course of such fiscal years.

(E) An assessment whether the amount provided by section 320 of title 38, United States Code, in each of fiscal years 2006 and 2007, when combined with amounts appropriated by annual appropriations Acts for each of such fiscal years for such programs, functions, and activities, provided adequate funding of such programs, functions, and activities in each such fiscal year.

(F) Such recommendations as the Comptroller General considers appropriate regarding modifications of the formula under subsection (c) of section 320 of title 38, United States Code, or any other modifications of law, to better ensure adequate funding of such programs, functions, and activities.

(c) CONGRESSIONAL CONSIDERATION OF COMPTROLLER GENERAL RECOMMENDATIONS.—

(1) JOINT RESOLUTION.—or purposes of this subsection, the term “joint resolution” means only a joint resolution which is introduced (in the House of Representatives by the Speaker of the House of Representatives (or the Speaker’s designee) or the Minority Leader (or the Minority Leader’s designee) and in the Senate by the Majority Leader (or the Majority Leader’s designee) or the Minority Leader (or the Minority Leader’s designee)) within the 10-day period beginning on the date on which Congress receives the report of the Comptroller General of the United States under subsection (b), and—

(A) which does not have a preamble;

(B) the matter after the resolving clause of which consists of amendments of title 38, United States Code, or other amendments or modifications of laws under the jurisdiction of the Secretary of Veterans Affairs to implement the recommendations of the Comptroller General in the report under subsection (b)(2)(F); and

(C) the title of which is as follows: “Joint resolution to ensure adequate funding of health care for veterans.”.

(2) REFERRAL.—resolution described in paragraph (1) that is introduced in the House of Representatives shall be referred to the Committee on Veterans’ Affairs of the House of Representatives. A resolution described in paragraph (1) introduced in the Senate shall be referred to the Committee on Veterans’ Affairs of the Senate.

(3) DISCHARGE.—If the committee to which a resolution described in paragraph (1) is referred has not reported such resolution (or an identical resolution) by the end of the 20-day period beginning on the date on which the Comptroller General submits to Congress the report under subsection (b), such committee shall be, at the end of such period, discharged from further consideration of such resolution, and such resolution shall be placed on the appropriate calendar of the House involved.

(4) CONSIDERATION.—(A) On or after the third day after the date on which the committee to which such a resolution is referred has reported, or has been discharged (under paragraph (3)) from further consideration of, such a resolution, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the re-

spective House to move to proceed to the consideration of the resolution (but only on the day after the calendar day on which such Member announces to the House concerned the Member’s intention to do so). The motion is highly privileged in the House of Representatives and is privileged in the Senate and is not debatable. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the respective House shall immediately proceed to consideration of the joint resolution without intervening motion, order, or other business, and the resolution shall remain the unfinished business of the respective House until disposed of.

(B) Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 2 hours, which shall be divided equally between those favoring and those opposing the resolution. An amendment to the resolution is not in order. A motion further to limit debate is in order and not debatable. A motion to postpone, or a motion to proceed to the consideration of other business, or a motion to reconsider the resolution is not in order. A motion to reconsider the vote by which the resolution is agreed to or disagreed to is not in order.

(C) Immediately following the conclusion of the debate on a resolution described in paragraph (1) and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(D) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution described in paragraph (1) shall be decided without debate.

(5) CONSIDERATION BY OTHER HOUSE.—(A) If, before the passage by one House of a resolution of that House described in paragraph (1), that House receives from the other House a resolution described in paragraph (1), then the following procedures shall apply:

(i) The resolution of the other House shall not be referred to a committee and may not be considered in the House receiving it except in the case of final passage as provided in clause (ii)(II).

(ii) With respect to a resolution described in paragraph (1) of the House receiving the resolution—

(I) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(II) the vote on final passage shall be on the resolution of the other House.

(B) Upon disposition of the resolution received from the other House, it shall no longer be in order to consider the resolution that originated in the receiving House.

(6) RULES OF SENATE AND HOUSE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a resolution described in paragraph (1), and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

**SA 1436.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the 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; which was ordered to lie on the table; as follows:

At the end of title XXIII, add the following:

**SEC. 2305. PROHIBITION ON USE OF FUNDS FOR MILITARY CONSTRUCTION PROJECT AT KARSHI-KHANABAD AIR BASE, UZBEKISTAN.**

No funds authorized to be appropriated by this Act, and no funds appropriated by an Act enacted before the date of the enactment of this Act that remain available for obligation as of that date, may be obligated or expended for a military construction project to extend, repair, or both the runways and taxiways at Karshi-Khanabad air base, Uzbekistan.

**SA 1437.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the 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; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

**TITLE XV—RECRUITMENT AND RETENTION**

**SEC. 1501. SHORT TITLE.**

This title may be cited as the “Military Recruiting Initiatives Act of 2005”.

**SEC. 1502. INCREASE IN MAXIMUM ENLISTMENT BONUS.**

(a) ENLISTMENT BONUS FOR SELECTED RESERVE MEMBERS.—Section 308c(b) of title 37, United States Code, is amended by striking “\$10,000” and inserting “\$20,000”.

(b) ENLISTMENT BONUS FOR ACTIVE MEMBERS.—Section 309(a) of title 37, United States Code, is amended by striking “\$20,000” and inserting “\$40,000”.

**SEC. 1503. TEMPORARY AUTHORITY TO PAY BONUS TO ENCOURAGE MEMBERS OF THE ARMY TO REFER OTHER PERSONS FOR ENLISTMENT IN THE ARMY.**

(a) AUTHORITY TO PAY BONUS.—The Secretary of the Army may pay a bonus under this section to a member of the Army, whether in the regular component of the Army or in the Army National Guard or Army Reserve, who refers to an Army recruiter a person who has not previously served in an Armed Force and who, after such referral, enlists in the regular component of the Army or in the Army National Guard or Army Reserve.

(b) REFERRAL.—For purposes of this section, a referral for which a bonus may be paid under subsection (a) occurs—

(1) when a member of the Army contacts an Army recruiter on behalf of a person interested in enlisting in the Army; or

(2) when a person interested in enlisting in the Army contacts the Army recruiter and informs the recruiter of the role of the member in initially recruiting the person.

(c) CERTAIN REFERRALS INELIGIBLE.—

(1) REFERRAL OF IMMEDIATE FAMILY.—A member of the Army may not be paid a



bonus under subsection (a) for the referral of an immediate family member.

(2) **MEMBERS IN RECRUITING ROLES.**—A member of the Army serving in a recruiting or retention assignment, or assigned to other duties regarding which eligibility for a bonus under subsection (a) could (as determined by the Secretary) be perceived as creating a conflict of interest, may not be paid a bonus under subsection (a).

(d) **AMOUNT OF BONUS.**—The amount of the bonus paid for a referral under subsection (a) may not exceed \$1,000. The bonus shall be paid in a lump sum.

(e) **TIME OF PAYMENT.**—A bonus may not be paid under subsection (a) with respect to a person who enlists in the Army until the person completes basic training and individual advanced training.

(f) **RELATION TO PROHIBITION ON BOUNTIES.**—The referral bonus authorized by this section is not a bounty for purposes of section 514(a) of title 10, United States Code.

(g) **LIMITATION ON INITIAL USE OF AUTHORITY.**—During the first year in which bonuses are offered under this section, the Secretary of the Army may not pay more than 1,000 referral bonuses per component of the Army.

(h) **DURATION OF AUTHORITY.**—A bonus may not be paid under subsection (a) with respect to any referral that occurs after December 31, 2007.

#### **SEC. 1504. INCREASE IN MAXIMUM AGE FOR ENLISTMENT.**

Section 505(a) of title 10, United States Code, is amended by striking “thirty-five years of age” and inserting “forty-two years of age”.

#### **SEC. 1505. REPEAL OF PROHIBITION ON PRIOR SERVICE ENLISTMENT BONUS FOR RECEIPT OF OTHER ENLISTMENT OR REENLISTMENT BONUS FOR SERVICE IN THE SELECTED RESERVE.**

Section 308(a)(2) of title 37, United States Code, is amended by striking subparagraph (D).

#### **SEC. 1506. INCREASE AND ENHANCEMENT OF AFFILIATION BONUS FOR OFFICERS OF THE SELECTED RESERVE.**

(a) **REPEAL OF PROHIBITION ON ELIGIBILITY FOR PRIOR RESERVE SERVICE.**—Subsection (a)(2) of section 308j of title 37, United States Code, is amended—

(1) in subparagraph (A), by adding “and” at the end;

(2) by striking subparagraph (B); and

(3) by redesignating subparagraph (C) as subparagraph (B).

(b) **INCREASE IN MAXIMUM AMOUNT.**—Subsection (d) of such section is amended by striking “\$6,000” and inserting “\$10,000”.

#### **SEC. 1507. ENHANCEMENT OF EDUCATIONAL LOAN REPAYMENT AUTHORITIES.**

(a) **ADDITIONAL LOANS ELIGIBLE FOR REPAYMENT.**—Paragraph (1) of section 2171(a) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking “or” at the end;

(2) in subparagraph (C), by striking the period at the end and inserting “; or”; and

(3) by inserting after subparagraph (C) the following new subparagraph:

“(D) any loan incurred for educational purposes made by a lender that is—

“(i) an agency or instrumentality of a State;

“(ii) a financial or credit institution (including an insurance company) that is subject to examination and supervision by an agency of the United States or any State;

“(iii) a pension fund approved by the Secretary for purposes of this section; or

“(iv) a non-profit private entity designated by a State, regulated by such State, and approved by the Secretary for purposes of this section.”.

(b) **ELIGIBILITY OF OFFICERS.**—Paragraph (2) of such section is amended by striking

“an enlisted member in a military specialty” and inserting “a member in an officer program or military specialty”.

#### **SEC. 1508. REPORT ON RESERVE DENTAL INSURANCE PROGRAM.**

(a) **STUDY.**—The Secretary of Defense shall conduct a study of the Reserve Dental Insurance program.

(b) **ELEMENTS.**—The study required by subsection (a) shall—

(1) identify the most effective mechanism or mechanisms for the payment of premiums under the Reserve Dental Insurance program for members of the reserve components of the Armed Forces and their dependents, including by deduction from reserve pay, by direct collection, or by other means (including appropriate mechanisms from other military benefits programs), to ensure uninterrupted availability of premium payments regardless of whether members are performing active duty with pay or inactive-duty training with pay;

(2) include such matters relating to the Reserve Dental Insurance program as the Secretary considers appropriate; and

(3) assess the effectiveness of mechanisms for informing the members of the reserve components of the Armed Forces of the availability of, and benefits under, the Reserve Dental Insurance program.

(c) **REPORT.**—Not later than February 1, 2007, the Secretary shall submit to the congressional defense committees a report on the study required by subsection (a). The report shall include the findings of the study and such recommendations for legislative or administrative action regarding the Reserve Dental Insurance program as the Secretary considers appropriate in light of the study.

(d) **RESERVE DENTAL INSURANCE PROGRAM DEFINED.**—In this section, the term “Reserve Dental Insurance program” includes—

(1) the dental insurance plan required under paragraph (1) of section 1076a(a) of title 10, United States Code; and

(2) any dental insurance plan established under paragraph (2) or (4) of section 1076a(a) of title 10, United States Code.

**SA 1438.** Mr. McCain submitted an amendment intended to be proposed by him to the 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; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IX, add the following:

#### **SEC. 903. REDESIGNATION OF THE NAVAL RESERVE AS THE NAVY RESERVE.**

(a) **REDESIGNATION OF RESERVE COMPONENT.**—The reserve component of the Armed Forces known as the Naval Reserve is redesignated as the Navy Reserve.

(b) **CONFORMING AMENDMENTS TO TITLE 10, UNITED STATES CODE.**—

(1) **TEXT AMENDMENTS.**—Title 10, United States Code, is amended by striking “Naval Reserve” each place it appears in a provision as follows and inserting “Navy Reserve”:

(A) Section 513(a).

(B) Section 516.

(C) Section 526(b)(2)(C)(i).

(D) Section 971(a).

(E) Section 5001(a)(1).

(F) Section 5143.

(G) Section 5596(c).

(H) Section 6323(f).

(I) Section 6327.

(J) Section 6330(b).

(K) Section 6331(a)(2).

(L) Section 6336.

(M) Section 6389.

(N) Section 6911(c)(1).

(O) Section 6913(a).

(P) Section 6915.

(Q) Section 6954(b)(3).

(R) Section 6956(a)(2).

(S) Section 6959.

(T) Section 7225.

(U) Section 7226.

(V) Section 7605(1).

(W) Section 7852.

(X) Section 7853.

(Y) Section 7854.

(Z) Section 10101(3).

(AA) Section 10108.

(BB) Section 10172.

(CC) Section 10301(a)(7).

(DD) Section 10303.

(EE) Section 12004(e)(2).

(FF) Section 12005.

(GG) Section 12010.

(HH) Section 12011(a)(2).

(II) Section 12012(a).

(JJ) Section 12103.

(KK) Section 12205.

(LL) Section 12207(b)(2).

(MM) Section 12732.

(NN) Section 12774(b) (other than the first place it appears).

(OO) Section 14002(b).

(PP) Section 14101(a)(1).

(QQ) Section 14107(d).

(RR) Section 14302(a)(1)(A).

(SS) Section 14313(b).

(TT) Section 14501(a).

(UU) Section 14512(b).

(VV) Section 14705(a).

(WW) Section 16201(d)(1)(B)(ii).

(2) **CAPTION AMENDMENTS.**—Such title is further amended by striking “NAVAL RESERVE” each place it appears in a provision as follows and inserting “NAVY RESERVE”:

(A) Section 971(a).

(B) Section 5143(a).

(3) **SECTION HEADING AMENDMENTS.**—(A) The heading of section 5143 of such title is amended to read as follows:

**“§ 5143. Office of Navy Reserve: appointment of Chief”.**

(B) The heading of section 6327 of such title is amended to read as follows:

**“§ 6327. Officers and enlisted members of the Navy Reserve and Marine Corps Reserve: 30 years; 20 years; retired pay”.**

(C) The heading of section 6389 of such title is amended to read as follows:

**“§ 6389. Navy Reserve and Marine Corps Reserve; officers: elimination from active status; computation of total commissioned service”.**

(D) The heading of section 7225 of such title is amended to read as follows:

**“§ 7225. Navy Reserve flag”.**

(E) The heading of section 7226 of such title is amended to read as follows:

**“§ 7226. Navy Reserve yacht pennant”.**

(F) The heading of section 10108 of such title is amended to read as follows:

**“§ 10108. Navy Reserve: administration”.**

(G) The heading of section 10172 of such title is amended to read as follows:

**“§ 10172. Navy Reserve Force”.**

(H) The heading of section 10303 of such title is amended to read as follows:

**“§ 10303. Navy Reserve Policy Board”.**

(I) The heading of section 12010 of such title is amended to read as follows:

**“§ 12010. Computations for Navy Reserve and Marine Corps Reserve: rule when fraction occurs in final result”.**

(J) The heading of section 14306 of such title is amended to read as follows:

**“§ 14306. Establishment of promotion zones: Navy Reserve and Marine Corps Reserve running mate system”.**

(4) TABLES OF CONTENTS AMENDMENTS.—(A) The table of sections at the beginning of chapter 513 of such title is amended by striking the item relating to section 5143 and inserting the following new item:

“5143. Office of Navy Reserve: appointment of Chief.”.

(B) The table of sections at the beginning of chapter 571 of such title is amended by striking the item relating to section 6327 and inserting the following new item:

“6327. Officers and enlisted members of the Navy Reserve and Marine Corps Reserve: 30 years; 20 years; retired pay.”.

(C) The table of sections at the beginning of chapter 573 of such title is amended by striking the item relating to section 6389 and inserting the following new item:

“6389. Navy Reserve and Marine Corps Reserve; officers: elimination from active status; computation of total commissioned service.”.

(D) The table of sections at the beginning of chapter 631 of such title is amended by striking the items relating to sections 7225 and 7226 and inserting the following new items:

“7225. Navy Reserve flag.

“7226. Navy Reserve yacht pennant.”.

(E) The table of sections at the beginning of chapter 1003 of such title is amended by striking the item relating to section 10108 and inserting the following new item:

“10108. Navy Reserve: administration.”.

(F) The table of sections at the beginning of chapter 1006 of such title is amended by striking the item relating to section 10172 and inserting the following new item:

“10172. Navy Reserve Force.”.

(G) The table of sections at the beginning of chapter 1009 of such title is amended by striking the item relating to section 10303 and inserting the following new item:

“10303. Navy Reserve Policy Board.”.

(H) The table of sections at the beginning of chapter 1201 of such title is amended by striking the item relating to section 12010 and inserting the following new item:

“12010. Computations for Navy Reserve and Marine Corps Reserve: rule when fraction occurs in final result.”.

(I) The table of sections at the beginning of chapter 1405 of such title is amended by striking the item relating to section 14306 and inserting the following new item:

“14306. Establishment of promotion zones: Navy Reserve and Marine Corps Reserve running mate system.”.

(c) CONFORMING AMENDMENT TO TITLE 14, UNITED STATES CODE.—Section 705 of title 14, United States Code, is amended by striking “Naval Reserve” each place it appears and inserting “Navy Reserve”.

(d) CONFORMING AMENDMENTS TO TITLE 37, UNITED STATES CODE.—

(1) TEXT AMENDMENTS.—Title 37, United States Code, is amended by striking “Naval Reserve” each place it appears in a provision as follows and inserting “Navy Reserve”:

(A) Section 101(24)(C).

(B) Section 201(d).

(C) Section 205(a)(2)(I).

(D) Section 301c(d).

(E) Section 319(a).

(F) Section 905.

(2) CAPTION AMENDMENT.—Section 301c(d) of such title is further amended by striking “NAVAL RESERVE” and inserting “NAVY RESERVE”.

(e) CONFORMING AMENDMENTS TO TITLE 38, UNITED STATES CODE.—Title 38, United States Code, is amended by striking “Naval Reserve” each place it appears in a provision as follows and inserting “Navy Reserve”:

(1) Section 101(27)(B).

(2) Section 3002(6)(C).

(3) Section 3202(1)(C)(iii).

(4) Section 3452(a)(3)(C).

(f) CONFORMING AMENDMENTS TO OTHER CODIFIED TITLES.—

(1) TITLE 5, UNITED STATES CODE.—Section 2108(1)(B) of title 5, United States Code, is amended by striking “Naval Reserve” and inserting “Navy Reserve”.

(2) TITLE 18, UNITED STATES CODE.—Section 2387(b) of title 18, United States Code, is amended by striking “Naval Reserve” and inserting “Navy Reserve”.

(3) TITLE 46, UNITED STATES CODE.—(A) Title 46, United States Code, is amended by striking “Naval Reserve” each place it appears in a provision as follows and inserting “Navy Reserve”:

(i) Section 8103(g).

(ii) Section 8302(g).

(B) The heading of section 8103 of such title is amended to read as follows:

**“§ 8103. Citizenship and Navy Reserve requirements”.**

(C) The table of sections at the beginning of chapter 81 of such title is amended by striking the item relating to section 8103 and inserting the following new item:

“8103. Citizenship and Navy Reserve requirements.”.

(g) CONFORMING AMENDMENTS TO OTHER LAWS.—

(1) Section 2301(4)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6671(4)(C)) is amended by striking “Naval Reserve” and inserting “Navy Reserve”.

(2)(A) The Merchant Marine Act, 1936 is amended by striking “Naval Reserve” each place it appears in a provision as follows and inserting “Navy Reserve”:

(i) Section 301(b) (46 U.S.C. App. 1131(b)).

(ii) Section 1303 (46 U.S.C. App. 1295b).

(iii) Section 1304 (46 U.S.C. App. 1295c).

(B) Such Act is further amended by striking “NAVAL RESERVE” each place it appears in a provision as follows and inserting “NAVY RESERVE”:

(i) Section 1303(c).

(ii) 1304(h).

(3)(A) Section 6(a)(1) of the Military Selective Service Act (50 U.S.C. App. 456(a)(1)) is amended by striking “United States Naval Reserves” and inserting “members of the United States Navy Reserve”.

(B) Section 16(i) of such Act (50 U.S.C. App. 466(i)) is amended by striking “Naval Reserve” and inserting “Navy Reserve”.

(h) OTHER REFERENCES.—Any reference in any law, regulation, document, record, or other paper of the United States to the Naval Reserve, other than a reference to the Naval Reserve Retired List, shall be considered to be a reference to the Navy Reserve.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON FOREIGN RELATIONS**

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be author-

ized to meet during the session of the Senate on Friday, July 22, 2005, at 10 a.m. to hold a hearing on Nominations.

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

**EXECUTIVE SESSION**

**EXECUTIVE CALENDAR**

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's executive calendar: Calendar Nos. 185, 186, 187, 214, 215, 216, 217, 218, 223, 224, 225, and all nominations on the Secretary's desk.

I further ask unanimous consent that the nominations be confirmed, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and finally that the Senate then return to legislative session.

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

The nominations considered and confirmed are as follows:

**DEPARTMENT OF COMMERCE**

David A. Sampson, of Texas, to be Deputy Secretary of Commerce.

John J. Sullivan, of Maryland, to be General Counsel of the Department of Commerce.

William Alan Jeffrey, of Virginia, to be Director of the National Institute of Standards and Technology.

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

Suzanne C. DeFrancis, of Maryland, to be an Assistant Secretary of Health and Human Services.

Alex Azar II, of Maryland, to be Deputy Secretary of Health and Human Services.

Charles E. Johnson, of Utah, to be an Assistant Secretary of Health and Human Services.

**NATIONAL SCIENCE FOUNDATION**

Kathie L. Olsen, of Oregon, to be Deputy Director of the National Science Foundation.

**DEPARTMENT OF THE INTERIOR**

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

**FEDERAL MARITIME COMMISSION**

Rebecca F. Dye, of North Carolina, to be a Federal Maritime Commissioner for a term expiring June 30, 2010. (Reappointment)

**DEPARTMENT OF HOMELAND SECURITY**

Edmund S. Hawley, of California, to be an Assistant Secretary of Homeland Security.

**GENERAL SERVICES ADMINISTRATION**

Brian David Miller, of Virginia, to be Inspector General, General Services Administration.

**NOMINATIONS PLACED ON THE SECRETARY'S DESK**

**IN THE COAST GUARD**

PN706 COAST GUARD nomination of Melissa Diaz, which was received by the Senate and appeared in the Congressional Record of July 12, 2005.

PN707 COAST GUARD nomination of Royce W. James, which was received by the Senate and appeared in the Congressional Record of July 12, 2005.

**LEGISLATIVE SESSION**

The PRESIDING OFFICER. The Senate will now return to legislative session.