

(a) Within 60 days of enactment of this Act, the Secretary of the Department of Homeland Security shall revise DHS MD [Management Directive] 11056 to provide for the following:

(1) that when a lawful request is made to publicly release a document containing information designated as SSI, the document shall be reviewed in a timely manner to determine whether any information contained in the document meets the criteria for continued SSI protection under applicable law and regulation and shall further provide that all portions that no longer require SSI designation be released, subject to applicable law, including sections 552 and 552a of title 5, United States Code;

(2) that sensitive security information that is four years old shall be subject to release upon request unless:

(A) the Secretary or his designee makes a written determination that identifies a rational basis why the information must remain SSI;

(B) the information is covered by a current sensitive security information application guide approved by the Secretary or his designee in writing; or

(C) such information is otherwise exempt from disclosure under applicable law.

Any determination made by the secretary under clause (a)(2)(A) shall be provided to the party making a request to release such information and to the Committees on Appropriations of the Senate and House of Representatives as part of the annual reporting requirement pursuant to section 537 of the Department of Homeland Security Appropriations Act, 2006 (Public Law 109-90; 119 Stat. 2088);

(3) common and extensive examples of the individual categories of SSI information cited under 49 CFR 1520(b)(1) through (16) in order to minimize and standardize judgment by covered persons in the application of SSI marking; and

(b) Not later than 120 days after the date of enactment of this Act, the Secretary of Homeland Security shall report to the Committees on Appropriations of the Senate and the House of Representatives on the progress that the Department has made in implementing the remaining requirements of section 537 of the Department of Homeland Security Appropriations Act, 2006 (Public Law 109-90; 119 Stat. 2088), including information on the current procedures regarding access to sensitive security information (SSI) by civil litigants and the security risks and benefits of any proposed changes to these procedures.

SA 4580. Mr. KYL submitted an amendment intended to be proposed by him to the bill H.R. 5441, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 75, line 8 strike “\$3,740,357,000; of which” and insert “\$3,780,357,000; of which \$40 million shall be authorized for 1,150 additional detention beds spaces and the necessary operational and mission support positions, information technology, relocation costs, and training for those beds; of which”.

SEC. . At the appropriate place in the bill, insert:

Section 255 of the National Housing Act (12 U.S.C. 1715z-20) is amended by adding at the end the following new subsection:

“(n) **AUTHORITY TO INSURE HOME PURCHASE MORTGAGE**—

“(1) **IN GENERAL.**—Notwithstanding any other provision in this section, the Secretary

may insure, upon application by a mortgagee, a home equity conversion mortgage upon such terms and conditions as the Secretary may prescribe, when the primary purpose of the home equity conversion mortgage is to enable an elderly mortgagor to purchase a 1-to 4 family dwelling in which the mortgagor will occupy or occupies one of the units.

“(2) **LIMITATION ON PRINCIPAL OBLIGATION.**—A home equity conversion mortgage insured pursuant to paragraph (1) shall involve a principal obligation that does not exceed the dollar amount limitation determined under section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act for a residence of the applicable size.”.

NOTICE OF INTENT

Mr. DEMINT. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill H.R. 5441 amendment No. 4568.

(The amendment is printed in today's RECORD under “Text of Amendments”).

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 11, 2006, at 10 a.m., to conduct a hearing on “Insurance Regulation Reform.”

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, July 11, 2006, at 2:30 p.m. The purpose of this hearing is to receive testimony relating to implementation of the Energy Policy Act of 2005.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 11, 2006, at 9 a.m., to hold a briefing on North Korea.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, July 11, 2006, at 2 p.m. to hold a Subcommittee hearing on Somalia.

The PRESIDING OFFICER. Without objection, it is so ordered

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Tuesday, July 11, 2006, at 10 a.m. to consider the nominations of the Honorable Anna Blackburne-Rigsby to be Associate Judge, District of Columbia Court of Appeals; Phyllis D. Thompson to be Associate Judge, District of Columbia Court of Appeals; and Jennifer M. Anderson to be Associate Judge, Superior Court of the District of Columbia.

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

COMMITTEE ON THE JUDICIARY

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet to conduct a hearing on “Hamdan V. Rumsfeld: Establishing a Constitutional Process” on Tuesday, July 11, 2006, at 9:30 a.m. in Hart Senate Office Building Room 216. Witness list:

Panel I: Mr. Steve Bradbury, Acting Assistant Attorney General, Office of Legal Counsel, United States Department of Justice, Washington, DC.

Mr. Daniel Dell’Orto, Principal Deputy General Counsel, United States Department of Defense, Washington, DC.

Panel II: The Honorable Theodore Olsen, Former Solicitor General, Partner, Gibson, Dunn & Crutcher, Washington, DC.

Professor Harold Koh, Dean, Yale Law School, New Haven, CT.

Mr. Paul “Whit” Cobb, Former Deputy General Counsel, United States Department of Defense, Washington, DC.

Lt. Commander Charles Swift, Office of Military Commissions, Office of Chief Defense Counsel, United States Department of Defense, Washington, DC.

Professor Scott L. Silliman, Former Judge Advocate General, USAF, Center on Law, Ethics and National Security, Duke University School of Law, Durham, NC.

Mr. Daniel Collins, Former Associate Deputy Attorney General, Partner, Munger, Tolles & Olson, Los Angeles, CA.

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

COMMITTEE ON THE JUDICIARY

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet to conduct a hearing on “Judicial Nominations” on Tuesday, July 11, 2006, at 2:15 p.m. in Dirksen Senate Office Building Room 226.

Witness list

Panel I: Members of Congress.

Panel II: William James Haynes, II to be United States Circuit Judge for the Fourth Circuit.

Panel III: Frances Marie Tydingco-Gatewood to be United States District Judge for the District of Guam.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. THUNE. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 11, 2006, at 2:30 p.m. to hold a closed briefing.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

COMMEMORATING THE 100TH ANNIVERSARY OF THE NATIONAL AUDUBON SOCIETY

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 448, S. Res. 301.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 301) commemorating the 100th anniversary of the National Audubon Society.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Environment and Public Works without amendment and amendments to the preamble, as follows:

(The part intended to be stricken is shown in boldface brackets and the part intended to be inserted is shown in italic.)

S. RES. 301

Whereas the welfare of the citizens of the United States is greatly enriched by the purposeful endeavors of individuals and organizations committed to the preservation and protection of our environment, and the enhancement of, and appreciation for, our natural surroundings;

Whereas the National Audubon Society, the Nation's largest bird conservation organization, is celebrating its Centennial year in 2005, having been incorporated on January 5, 1905, by dedicated women and men eager to save from extinction the Great Egret and other bird species killed for their feathers to support the fashion industry;

Whereas it is the intent of the Senate to recognize and pay tribute to the National Audubon Society upon the occasion of its 100th anniversary;

Whereas the founders of the National Audubon Society withstood violence and opposition to organize one of the longest-lived and most successful conservation groups in the United States, dedicated to the protection of birds, other wildlife, and their habitats through advocacy of environmental policy and education based on sound science;

Whereas the dedicated efforts of Audubon volunteers, members, and staff in support of landmark bird protection legislation have aided in the rescue efforts of the following species from the threat of extinction: Bald Eagles, Egrets, Ibis, Herons, Flamingos, Whooping Cranes, Peregrine Falcons, Brown Pelicans, Roseate Spoonbills, Atlantic Puffins, and Condors;

Whereas the National Audubon Society lent critical support to the protection of wildlife habitats through the passage of legislation, such as the Alaska National Interest Lands Conservation Act and the Act popularly known as the Everglades Restoration Act, the identification of 1,800 habitats critical to the survival of bird species through Audubon's Important Bird Areas Program, and the establishment of private bird sanctuaries;

Whereas the National Audubon Society played a critical role in the establishment of the Nation's first wildlife refuge, Florida's Pelican Island, in 1903, and the subsequent protection of Pelican Island and other refuge areas in the National Wildlife Refuge system; *and*

[Whereas birds are excellent indicators of environmental health, as impacted by such factors as pollution, climate change, toxins, and habitat loss, as well as our own long-term well being, and it is in our best interest to heed such indicators, which may ultimately affect human populations; *and*]

Whereas recognizing that the national network of community-based nature centers and chapters, scientific and educational programs, and advocacy of the National Audubon Society, engages millions of people of all ages and backgrounds in positive conservation experiences, and are integral to maintaining the health and beauty of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 100th anniversary of the National Audubon Society;

(2) congratulates the National Audubon Society on this milestone; *and*

(3) encourages the National Audubon Society to continue its important work to ensure that the next 100 years of conservation are a success.

Mr. FRIST. Mr. President, I ask unanimous consent that the committee-reported amendments be agreed to; the resolution, as amended, be agreed to; the preamble, as amended, be agreed to, and the motion to reconsider be laid upon the table.

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

The committee amendments were agreed to.

The resolution, as amended, was agreed to.

The preamble, as amended, was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 301

Whereas the welfare of the citizens of the United States is greatly enriched by the purposeful endeavors of individuals and organizations committed to the preservation and protection of our environment, and the enhancement of, and appreciation for, our natural surroundings;

Whereas the National Audubon Society, the Nation's largest bird conservation organization, is celebrating its Centennial year in 2005, having been incorporated on January 5, 1905, by dedicated women and men eager to save from extinction the Great Egret and other bird species killed for their feathers to support the fashion industry;

Whereas it is the intent of the Senate to recognize and pay tribute to the National Audubon Society upon the occasion of its 100th anniversary;

Whereas the founders of the National Audubon Society withstood violence and opposition to organize one of the longest-lived and most successful conservation groups in the United States, dedicated to the protec-

tion of birds, other wildlife, and their habitats through advocacy of environmental policy and education based on sound science;

Whereas the dedicated efforts of Audubon volunteers, members, and staff in support of landmark bird protection legislation have aided in the rescue efforts of the following species from the threat of extinction: Bald Eagles, Egrets, Ibis, Herons, Flamingos, Whooping Cranes, Peregrine Falcons, Brown Pelicans, Roseate Spoonbills, Atlantic Puffins, and Condors;

Whereas the National Audubon Society lent critical support to the protection of wildlife habitats through the passage of legislation, such as the Alaska National Interest Lands Conservation Act and the Act popularly known as the Everglades Restoration Act, the identification of 1,800 habitats critical to the survival of bird species through Audubon's Important Bird Areas Program, and the establishment of private bird sanctuaries;

Whereas the National Audubon Society played a critical role in the establishment of the Nation's first wildlife refuge, Florida's Pelican Island, in 1903, and the subsequent protection of Pelican Island and other refuge areas in the National Wildlife Refuge system; *and*

Whereas recognizing that the national network of community-based nature centers and chapters, scientific and educational programs, and advocacy of the National Audubon Society, engages millions of people of all ages and backgrounds in positive conservation experiences, and are integral to maintaining the health and beauty of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 100th anniversary of the National Audubon Society;

(2) congratulates the National Audubon Society on this milestone; *and*

(3) encourages the National Audubon Society to continue its important work to ensure that the next 100 years of conservation are a success.

THE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc to Calendar No. 471, S. 1509; Calendar No. 465, S. 2041; Calendar No. 497, S. 2430.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the committee-reported amendment be agreed to, the bills as amended, if amended, be read the third time and passed, the motions to reconsider be laid upon the table, and that any statements relating to the bills be printed in the RECORD en bloc.

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

CAPTIVE PRIMATE SAFETY ACT OF 2005

The bill (S. 1509) to amend the Lacey Act Amendments of 1981 to add non-human primates to the definition of prohibited wildlife species, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows: