

(1) a commemorative postage stamp should be issued by the United States Postal Service honoring Jasper Francis Cropsey, the famous Staten Island-born 19th Century Hudson River Painter; and

(2) the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp be issued.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1875. Mr. GRAHAM (for Mrs. HUTCHISON (for herself and Mr. NELSON, of Florida)) proposed an amendment to the bill S. 1281, to authorize appropriations for the National Aeronautics and Space Administration for science, aeronautics, exploration, exploration capabilities, and the Inspector General, and for other purposes, for fiscal years 2006, 2007, 2008, 2009, and 2010.

SA 1876. Ms. SNOWE (for herself and Ms. COLLINS) 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.

SA 1877. Ms. SNOWE (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1878. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1879. Ms. SNOWE (for herself and Ms. COLLINS) submitted an amendment intended to be proposed by her to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1880. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill S. 147, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity; which was ordered to lie on the table.

SA 1881. Ms. SNOWE 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.

TEXT OF AMENDMENTS

SA 1875. Mr. GRAHAM (for Mrs. HUTCHISON (for herself and Mr. NELSON of Florida)) proposed an amendment to the bill S. 1281, to authorize appropriations for the National Aeronautics and Space Administration for science, aeronautics, exploration, exploration capabilities, and the Inspector General, and for other purposes, for fiscal years 2006, 2007, 2008, 2009, and 2010; as follows:

On page 2, after line 8, beginning with the item relating to section 137 strike through the item relating to section 152 on page 3 and insert the following:

Sec. 137. Lessons learned and best practices.
Sec. 138. Safety management.
Sec. 139. Creation of a budget structure that aids effective oversight and management.

Sec. 140. Earth observing system.

Sec. 141. NASA healthcare program.

Sec. 142. Assessment of extension of data collection from Ulysses and Voyager spacecraft.

Sec. 143. Program to expand distance learning in rural underserved areas.

Sec. 144. Institutions in NASA'S minority institutions program.

Sec. 145. Aviation safety program.

Sec. 146. Atmospheric, geophysical, and rocket research authorization.

Sec. 147. Orbital debris.

Sec. 148. Continuation of certain educational programs.

Sec. 149. Establishment of the Charles "Pete" Conrad Astronomy Awards Program.

Sec. 150. GAO assessment of feasibility of Moon and Mars exploration missions.

Sec. 151. Workforce.

Sec. 152. Major research equipment and facilities.

Sec. 153. Data on specific fields of study.

On page 3, before line 1, strike the second item relating to section 161 and insert the following:

Sec. 162. Facilities management.

On page 3, before line 1, after the item relating to section 304 insert the following:

Sec. 305. Power and propulsion reporting.

Sec. 306. Utilization of NASA field centers and workforce.

On page 3, before line 1, beginning with the item relating to section 402 strike through the item relating to section 507 and insert the following:

Sec. 402. Commercial technology transfer program.

Sec. 403. Authority for competitive prize program to encourage development of advanced space and aeronautical technologies.

Sec. 404. Commercial goods and services.

TITLE V—AERONAUTICS RESEARCH AND DEVELOPMENT

Sec. 501. Governmental interest in aeronautics.

Sec. 502. National policy for aeronautics research and development.

Sec. 503. High priority aeronautics research and development programs.

Sec. 504. Test facilities.

Sec. 505. Miscellaneous provisions.

TITLE VI—MISCELLANEOUS ADMINISTRATIVE IMPROVEMENTS.

Sec. 601. Extension of indemnification authority.

Sec. 602. Intellectual property provisions.

Sec. 603. Retrocession of jurisdiction.

Sec. 604. Recovery and disposition authority.

Sec. 605. Requirement for independent cost analysis.

Sec. 606. Electronic access to business opportunities.

Sec. 607. Reports elimination.

Sec. 608. Small business contracting.

Sec. 609. Government accountability office review and report.

On page 4, strike lines 16 through 22, and insert the following:

(4) The exploration, development, and permanent habitation of the Moon will inspire the Nation, spur commerce, imagination, and excitement around the world, and open the possibility of further exploration of Mars. NASA should return to the Moon within the next decade.

On page 10, line 7, strike "schedules;" and insert "schedules, and may place a greater emphasis on science, including the programs described in this paragraph, throughout the fiscal years for which funds are authorized

by this Act (and for this purpose, of the funds authorized by section 101(1) of this Act, no less than \$5,341,200,000 shall be for science, and of the funds authorized by section 102(1) of this Act, no less than \$5,960,300,000 shall be for science);".

On page 14, line 12, strike "and".

On page 14, line 17, strike "orbit." and insert "orbit;".

On page 14, between lines 17 and 18, insert the following:

(5) conduct a program to assure the health and safety of astronauts during extended space exploration missions which include more effective countermeasures to mitigate deleterious effects of such missions, and the means to provide in-space exploration medical care delivery to crews with little or no real-time support from Earth, relevant issues such as radiation exposure, exercise countermeasures, cardiac health, diagnostic and monitoring devices, and medical imaging;

(6) utilize advanced power and propulsion technologies, including nuclear and electric technologies, to enable or enhance robotic and human exploration missions when feasible; and

(7) develop a robust technology development program to provide surface power for use on the Moon and other locations relevant to NASA space exploration goals which, to the extent feasible, address needs for modular, scalable power sources for a range of applications on the Moon including human and vehicular uses.

On page 16, beginning with line 8, strike through line 12 on page 18.

On page 18, line 13, strike "SEC 139." and insert "SEC. 137.".

On page 19, line 9, strike "SEC. 140." and insert "SEC. 138.".

On page 20, line 20, strike "SEC. 141." and insert "SEC. 139.".

On page 21, line 17, strike "SEC. 142." and insert "SEC. 140.".

On page 23, line 9, strike "SEC. 143." and insert "SEC. 141.".

On page 23, line 17, strike "SEC. 144." and insert "SEC. 142.".

On page 24, line 8, strike "SEC. 145." and insert "SEC. 143.".

On page 25, line 4, strike "SEC. 146." and insert "SEC. 144.".

On page 25, line 23, strike "SEC. 147." and insert "SEC. 145.".

On page 26, line 6, strike "SEC. 148." and insert "SEC. 146.".

On page 26, line 13, strike "SEC. 149." and insert "SEC. 147.".

On page 26, line 18, strike "SEC. 150." and insert "SEC. 148.".

On page 27, line 1, strike "SEC. 151." and insert "SEC. 149.".

On page 28, line 3, strike "SEC. 152." and insert "SEC. 150.".

On page 28, line 12, after "schedules." insert "The Comptroller General shall include in this assessment the short- and long-term impact of the exploration program on other NASA program areas, including aeronautics, space science, earth science and NASA's overall research and technology development budget."

On page 28, between lines 12 and 13, insert the following:

SEC. 151. WORKFORCE.

(a) IN GENERAL.—The Administrator shall develop a human capital strategy to ensure that NASA has a workforce of the appropriate size and with the appropriate skills to carry out the programs of NASA, consistent with the policies and plans developed pursuant to this section. The strategy shall ensure that current personnel are utilized, to the maximum extent feasible, in implementing the vision for space exploration and NASA's

other programs. The strategy shall cover the period through fiscal year 2011.

(b) **CONTENT.**—The strategy shall describe, at a minimum—

(1) any categories of employees NASA intends to reduce, the expected size and timing of those reductions, the methods NASA intends to use to make the reductions, and the reasons NASA no longer needs those employees;

(2) any categories of employees NASA intends to increase, the expected size and timing of those increases, the methods NASA intends to use to recruit the additional employees, and the reasons NASA needs those employees;

(3) the steps NASA will use to retain needed employees; and

(4) the budget assumptions of the strategy, which for fiscal years 2006 and 2007 shall be consistent with the authorizations provided in subtitle A, and any expected additional costs or savings from the strategy by fiscal year.

(c) **SCHEDULE.**—The Administrator shall transmit the strategy developed under this section to the Senate Committee on Commerce, Science, and Transportation and House of Representatives Committee on Science not later than the date on which the President submits the proposed budget for the Federal Government for fiscal year 2007 to the Congress. At least 60 days before transmitting the strategy, NASA shall provide a draft of the strategy to its Federal Employee Unions for a 30-day consultation period after which NASA shall respond in writing to any written concerns provided by the Unions.

(d) **LIMITATION.**—

(1) **IN GENERAL.**—NASA may not initiate any buyout offer after the date of enactment of this Act until 60 days after the strategy required by this subsection has been transmitted to the Senate Committee on Commerce, Science, and Transportation and House of Representatives Committee on Science in accordance with subsection (c). NASA may not implement any reduction-in-force or other involuntary separations (except for cause) prior to June 1, 2007, except as provided in paragraph (2).

(2) **EXCEPTIONS.**—

(A) **SPECIFIC BUY-OUTS.**—Notwithstanding paragraph (1), NASA may make exceptions can be made for specific buy-outs on a case-by-case basis, if NASA provides information to the Committees that justifies those specific buy-outs, including why the relevant employees could not be utilized to fulfill other NASA missions.

(B) **EMERGENCY REDUCTIONS-IN-FORCE.**—NASA may also request an exception for an emergency reduction-in-force of management personnel by transmitting to the Committees—

(i) a detailed rationale for the proposed reduction-in-force;

(ii) an explanation of why the proposed reduction-in-force cannot wait until after the workforce strategy has been transmitted to the Committees in accordance with the requirements of this section; and

(iii) an explanation of why the relevant employees could not be utilized to fulfill other NASA missions.

SEC. 152. MAJOR RESEARCH EQUIPMENT AND FACILITIES.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, the National Science Foundation may use funds in the major research equipment and facilities construction account for the design and development of projects that—

(1) have been given a very high rating by relevant scientific peer review panels in the relevant discipline;

(2) have substantial cost-sharing with non-Foundation entities; and

(3) have passed a critical design review.

(b) **NATIONAL SCIENCE BOARD APPROVAL.**—Nothing in subsection (a) shall be construed to eliminate the need for approval by the National Science Board before such equipment and facilities are eligible for acquisition, construction, commissioning, or upgrading.

SEC. 153. DATA ON SPECIFIC FIELDS OF STUDY.

(a) **IN GENERAL.**—The National Science Foundation shall collect statistically reliable data through the American Community Survey on the field of degree of college-educated individuals.

(b) **ADDITIONAL CENSUS QUESTION.**—In order to facilitate the implementation of subsection (a), the Secretary of Commerce shall expand the American Community Survey to include a question to elicit information concerning the field of study in which college-educated individuals received their degrees. The Director of the Bureau of the Census shall consult with the Director of the National Science Foundation concerning the wording of the question or questions to be added to the Survey.

On page 28, beginning with line 21, strike through line 5 on page 30 and insert the following:

NASA shall develop a facilities investment plan through fiscal year 2015 that takes into account uniqueness, mission dependency, and other studies required by this Act.

On page 33, line 2, strike “and”.

On page 33, between lines 2 and 3, insert the following:

(4) consider the need for a life sciences centrifuge and any associated holding facilities; and

On page 33, line 3, strike “(4)” and insert “(5)”.

On page 38, beginning with line 24, strike through line 9 on page 39 and insert the following:

(a) **POLICY STATEMENT.**—It is the policy of the United States to possess the capability for assured human access to space. The Administrator shall act to ensure that the United States retains that capacity on a continuous basis. The Administrator shall conduct the transition from the Space Shuttle orbiter to a replacement capacity in a manner that efficiently uses the personnel, capabilities, and infrastructure that are currently available to the extent feasible.

(b) **PROGRESS REPORT.**—Within 180 days after the date of enactment of this Act and annually thereafter, the Administrator shall report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Science on the progress and the estimated amount of time before the next generation human-rated NASA spacecraft will demonstrate crewed, orbital spaceflight.

(c) **POLICY COMPLIANCE REPORT.**—If, 1 year before the final flight of the Space Shuttle orbiter, the United States has not demonstrated a replacement human space flight system, the Administrator shall certify that the United States cannot uphold the policy outlined in subsection (a) and shall provide a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Science describing—

(1) United States strategic risks associated with the hiatus or gap;

(2) the estimated length of time during which the United States will not have independent human access to space;

(3) what steps will be taken to shorten that length of time; and

(4) what other means will be used to allow human access to space during that time.

On page 39, line 10, strike “(b) REPORT.” and insert “(d) TRANSITION PLAN REPORT.”.

On page 39, line 19, strike “(c)” and insert “(e)”.

On page 40, line 7, strike “In” and insert “(a) IN GENERAL.—In”.

On page 40, between lines 12 and 13, insert the following:

(b) **FEASIBILITY STUDY.**—The Administrator shall initiate a feasibility study for establishing a National Free Flyer Launch Center as a means of consolidating and integrating secondary launch capabilities, launch opportunities, and payloads.

(c) **ASSESSMENT.**—The feasibility study required in this section shall include an assessment of the potential utilization of existing launch and launch support facilities and capabilities in the states of Montana and New Mexico and their respective contiguous states, and the state of Alaska, and shall include an assessment of the feasibility of integrating the potential National Free Flyer Launch Center within the operations and facilities of an existing non-profit organization such as the Inland Northwest Space Alliance in Missoula, Montana, or similar entity.

SEC. 305. POWER AND PROPULSION REPORTING.

The Administrator shall, within 180 days after the date of enactment of this Act, provide to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Science, a full description of plans to develop and utilize nuclear power and nuclear propulsion capabilities to achieve agency goals and any requirements in this Act, and address how those plans meet the intent of the Vision for Space Exploration and the President’s Space Transportation Policy Directive.

SEC. 306. UTILIZATION OF NASA FIELD CENTERS AND WORKFORCE.

(a) **IN GENERAL.**—In budgeting for and carrying out elements of this title, the Administrator shall make the most effective use of existing research, development, testing, and space exploration expertise and facilities resident within NASA field centers.

(b) **RESPONSIBILITIES OF FIELD CENTERS.**—The Administrator shall take appropriate action to balance responsibilities between the field centers for leading the development of systems relevant to the Vision for Space Exploration, including systems identified in this title or any architecture studies performed by NASA.

On page 41, between lines 15 and 16, insert the following:

SEC. 402. COMMERCIAL TECHNOLOGY TRANSFER PROGRAM.

(a) **IN GENERAL.**—The Administrator shall execute a commercial technology transfer program with the goal of facilitating the exchange services, products, and intellectual property between NASA and the private sector. This program shall be maintained in a manner that provides measurable benefits for the agency, the domestic economy, and research communities.

(b) **PROGRAM STRUCTURE.**—In carrying out the program described in paragraph (a), the Administrator shall maintain the funding and program structure of NASA’s existing technology transfer and commercialization organizations through the end of fiscal year 2006.

On page 41, line 16, strike “SEC. 402.” and insert “SEC. 403.”.

On page 45, line 1, strike “SEC. 403.” and insert “SEC. 404.”.

On page 45, between lines 7 and 8, insert the following:

TITLE V—AERONAUTICS RESEARCH AND DEVELOPMENT

SEC. 501. GOVERNMENTAL INTEREST IN AERONAUTICS.

Congress reaffirms the national commitment to aeronautics research made in the National Aeronautics and Space Act of 1958.

Aeronautical research and development remains a core mission of NASA. NASA is the lead agency for civil aeronautics research. NASA shall conduct a robust program of aeronautics research that includes fundamental basic research as well as research in the fields of vehicle systems and of safety and security.

SEC. 502. NATIONAL POLICY FOR AERONAUTICS RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—The President shall develop through NASA and other relevant entities, a national aeronautics policy to guide the aeronautics programs of the United States through the year 2020. The development of this policy shall utilize external studies that have been conducted on the state of United States aeronautics and aviation research and have suggested policies to ensure continued competitiveness.

(b) CONTENT.—At a minimum the national aeronautics policy shall describe—

(1) national goals for aeronautics research;

(2) the priority areas of research for aeronautics through fiscal year 2011;

(3) the basis of which and the process by which priorities for ensuing fiscal years will be selected; and

(4) respective roles and responsibilities of various Federal agencies in aeronautics research.

(c) NASA INPUT.—In providing input to and executing the National Aeronautics Policy, the Administrator, shall consider the following issues:

(1) The established governmental interest in conducting research and development programs for improvement of the usefulness, performance, speed, safety, and efficiency of aeronautical and vehicles, as described in section 102(c)(2) of the National Aeronautics and Space Act of 1958 and reaffirmed in section 501.

(2) The established governmental interest in conducting research and development programs that contribute to preservation of the role of the United States as a global leader in aeronautical technologies and in the application thereof in section 102(c)(5) of the National Aeronautics and Space Act of 1958 and reaffirmed in section 501.

(3) The appropriate balance between long-term, high risk research and shorter, more incremental research, and the expected impact on the United States economy and public good.

(4) The appropriate balance between in-house research and procurement with industry and academia.

(5) The extent to which NASA should address military and commercial aviation needs.

(6) How NASA will coordinate its aeronautics program with other Federal agencies.

(7) Opportunities for partnerships with the private sector.

(d) SCHEDULE.—

(1) No later than 1 year after the date of enactment of this Act, the President shall submit the national aeronautics policy to the Appropriations Committees of the House of Representatives and the Senate, the House Committee on Science, and the Senate Committee on Commerce, Science, and Transportation.

(2) No later than 60 days after the transmittal of the policy, the Administrator shall submit NASA's response to the policy, to the Appropriations Committees of the House of Representatives and the Senate, the House Committee on Science, and the Senate Committee on Commerce, Science and Transportation.

SEC. 503. HIGH PRIORITY AERONAUTICS RESEARCH AND DEVELOPMENT PROGRAMS.

(a) IN GENERAL.—In its role as lead agency for civil aeronautics research and develop-

ment, NASA shall develop programs and projects in accordance with the National Aeronautics Policy described in section 502, as well program areas listed in subsection (b). These programs must be driven by scientific merit.

(b) RESEARCH AND DEVELOPMENT.—In executing an aeronautics research and development program, the Administrator shall, at a minimum, within the budgetary and programmatic resources provided, conduct programs in the following areas:

(1) FUNDAMENTAL RESEARCH.—The Administrator shall establish a program of long-term fundamental research in aeronautical sciences and technologies that is not tied to specific development projects. The Administrator shall set aside no less than 5 percent of the aeronautics budget for this program. As part of this program, the Administrator is encouraged to make merit-reviewed grants to institutions of higher learning, including such institutions located in states that participate in the Experimental Program to Stimulate Competitive Research.

(2) VEHICLE SYSTEMS RESEARCH AND TECHNOLOGY.—In order to maintain United States economic competitiveness and protect the environment, the Administrator shall establish programs in each of the following technology areas:

(A) ENVIRONMENTAL AIRCRAFT RESEARCH AND DEVELOPMENT.—The Administrator shall establish an initiative with the objective of developing and demonstrating in a relevant environment, technologies to enable the following commercial aircraft performance characteristics:

(i) NOISE.—Noise levels on takeoff and on airport approach and landing that do not exceed ambient noise levels in the absence of flight operations in the vicinity of airports from which such commercial aircraft would normally operate;

(ii) ENERGY CONSUMPTION.—Twenty-five percent reduction in the energy required for medium to long range flights, compared to aircraft in commercial service as of the date of enactment of this Act; and

(iii) EMISSIONS.—Nitrogen oxides on takeoff and landing that are significantly reduced, without adversely affecting hydrocarbons and smoke, relative to aircraft in commercial service as of the date of enactment of this Act.

(B) SUPERSONIC TRANSPORT RESEARCH AND DEVELOPMENT.—The Administrator shall establish an initiative with the objective of developing and demonstrating in a relevant environment within airframe and propulsion technologies to enable efficient, economical overland flight of supersonic civil transport aircraft with no significant impact on the environment.

(C) ROTORCRAFT AND OTHER RUNWAY-INDEPENDENT AIR VEHICLES.—The Administrator shall establish a rotorcraft and other runway-independent air vehicles initiative with the objective of developing and demonstrating improved safety, noise, and environmental impact in a relevant environment.

(D) HYPERSONICS RESEARCH.—The Administrator shall establish a hypersonics research program whose objective shall be to explore the science and technology of hypersonic flight using air-breathing propulsion concepts, through a mix of theoretical work, basic and applied research, and development of flight research demonstration vehicles. Emphasis in the program shall be given to advancing and demonstrating turbine engine technology in the transition to hypersonic range Mach 3 to Mach 5.

(E) REVOLUTIONARY AERONAUTICAL CONCEPTS.—The Administrator shall establish a research program which covers a unique range of subsonic, fixed wing vehicles and

propulsion concepts. This research is intended to push technology barriers beyond current subsonic technology. Propulsion concepts include advanced materials, morphing engines, hybrid engines, and fuel cells.

(F) MORE ELECTRIC AIRCRAFT INITIATIVE.—The Administrator shall establish a program for innovative and focused research and development such as fuel cell technologies.

(3) AIRSPACE SYSTEMS RESEARCH.—The Airspace Systems Research program shall pursue research and development to enable revolutionary improvements to and modernization of the National Airspace system, as well as to enable the introduction of new systems for vehicles that can take advantage of an improved, modern air transportation system. In pursuing research and development in this area, the Administrator shall align the projects of the Airspace Systems Research program so that they directly support the objectives of the Joint Planning and Development Office's Next Generation air Transportation System Integrated Plan.

(4) AVIATION SAFETY AND SECURITY RESEARCH.—The Aviation Safety and Security Research program shall pursue research and development activities that directly address the safety and security needs of the National Airspace System and the aircraft that fly in it.

SEC. 504. TEST FACILITIES.

(a) Prior to completion of the National Aeronautics Policy described in section 502 and transmittal of such policy pursuant to subsection (d) of that section, the Administrator may not close, suspend, or terminate contracts for the operation of major aeronautical test facilities, including wind tunnels, unless the Administrator—

(1) certifies in writing that such closure will not have an adverse impact on NASA's ability to execute the National Policy and achieve the goals described in that Policy; and

(2) provides notification to and receives concurrence from the Appropriations Committees of the House of Representatives and the Senate, the House Committee on Science, and the Senate Committee on Commerce, Science and Transportation 60 days in advance of such action.

SEC. 505. MISCELLANEOUS PROVISIONS.

(a) WORKFORCE DEVELOPMENT.—The Administrator shall encourage the development of a skilled and diverse aeronautics research workforce using appropriate available tools such as grants, scholarships for service, and fellowships.

(b) ALIGNMENT OF PROGRAMS.—Notwithstanding any other provision of this title, the Administrator shall align NASA's aeronautics program with priorities established by the Joint Planning and Development Office and by the National Aeronautics Policy described in section 502 of this Act.

On page 45, line 8, strike "TITLE V" and insert "TITLE VI".

On page 45, line 11, strike "SEC. 501" and insert "SEC. 601".

On page 45, line 17, strike "SEC. 502" and insert "SEC. 602".

On page 49, line 1, strike "SEC. 503" and insert "SEC. 603".

On page 49, line 3, strike "502" and insert "602".

On page 49, line 16, strike "SEC. 504" and insert "SEC. 604".

On page 51, line 1, strike "SEC. 505" and insert "SEC. 605".

On page 52, line 1, strike "SEC. 506" and insert "SEC. 606".

On page 57, line 7, strike "SEC. 507" and insert "SEC. 607".

On page 57, strike line 17 through line 19.

On page 58, after line 5, add the following:

(3) Section 323 of the National Aeronautics and Space Administration Authorization Act of 2000 is amended by striking subsection (a).

SEC. 608. SMALL BUSINESS CONTRACTING.

(a) **PLAN.**—In consultation with the Small Business Administration, the Administrator shall develop a plan to maximize the number and amount of contracts awarded to small business concerns (within the meaning given that term in section 3 of the Small Business Act (15 U.S.C. 632) and to meet established contracting goals for such concerns.

(b) **PRIORITY.**—The Administrator shall establish, as a priority, meeting the contracting goals developed in conjunction with the Small Business Administration to maximize the amount of prime contracts, as measured in dollars, awarded in each fiscal year by NASA to small business concerns (within the meaning given that term in section 3 of the Small Business Act (15 U.S.C. 632)).

SEC. 609. GOVERNMENT ACCOUNTABILITY OFFICE REVIEW AND REPORT.

(a) **REVIEW.**—The Comptroller General of the United States shall conduct a review of NASA's policies, processes, and procedures in the planning and management of applications research and development implemented in calendar years 2001 to 2005 within the Applied Sciences Directorate and former Earth Science Applications Program. A formal and transparent peer review process that instills public and stakeholder confidence in NASA's sponsored applications research and development programs is important and the process by which this program defines requirements, scopes programs, selects peer reviewers, manages the research competition, and selects proposals is of concern. The review shall include—

(1) the program planning and analysis process used to formulate applied science research and development requirements, priorities, and solicitation schedules, including changes to the process within the period under review, and the effects of such planning on the quality and clarity of applied sciences research announcements;

(2) the peer review process including—

(A) membership selection, determination of qualifications and use of NASA and non-NASA reviewers;

(B) management of conflicts of interest, including reviewers funded by the program with a significant consulting or contractual relationship with NASA, and individuals who both review proposals and participate in the submission of proposals under the same solicitation announcement;

(C) compensation of non-NASA proposal reviewers;

(3) the process for assigning or allocating applied research to NASA researchers and to non-NASA researchers; and

(4) alternative models for NASA planning and management of applied science and applications research, including an evaluation of—

(A) the National Institutes of Health's intramural and extramural research program structure, peer review process, management of conflicts of interests, compensation of reviewers, and the effects of compensation on reviewer efficiency and quality;

(B) the Department of Agriculture's research programs and structure, peer review process, management of conflicts of interest, compensation of reviewers, and the effects of compensation on reviewer efficiency and quality; and

(C) the "best practices" of both in the planning, selection, and management of applied sciences research and development.

(b) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Science describing the results of the review conducted

under subsection (a), including recommendations for NASA best practices.

(c) **IMPLEMENTATION.**—Not later than 90 days after receipt of the report, NASA shall provide the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Science a plan describing the implementation of those recommendations.

SA 1876. Ms. SNOWE (for herself and Ms. COLLINS) 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:

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

SEC. 2887. TRANSFER TO REDEVELOPMENT AUTHORITIES WITHOUT CONSIDERATION OF PROPERTY LOCATED AT MILITARY INSTALLATIONS CLOSED OR REALIGNED UNDER 2005 ROUND OF DEFENSE BASE CLOSURE AND REALIGNMENT.

Section 2905(b)(4)(B) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended—

(1) by striking "shall seek" and all that follows through "with respect to the installation" and inserting the following: "may not obtain consideration in connection with any transfer under this paragraph of property located at the installation. The redevelopment authority to which such property is transferred shall";

(2) in clause (i), by striking "agrees" and inserting "agree"; and

(3) in clause (ii)—

(A) by striking "executes" and inserting "execute"; and

(B) by striking "accepts" and inserting "accept".

SA 1877. Ms. SNOWE (for herself and Ms. COLLINS) 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:

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

SEC. 2887. ENVIRONMENTAL REMEDIATION AT MILITARY INSTALLATIONS CLOSED UNDER 2005 ROUND OF DEFENSE BASE CLOSURE AND REALIGNMENT.

Section 2905 of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is amended by inserting after subsection (e) the following new subsection:

"(f) **SCOPE OF ENVIRONMENTAL REMEDIATION AT MILITARY INSTALLATIONS CLOSED UNDER 2005 ROUND OF BASE CLOSURE AND REALIGNMENT.**—

"(1) **AGREEMENT REQUIRED.**—With respect to each military installation approved for closure under this part after January 1, 2005, the Secretary of Defense shall enter into an agreement with the chief executive officer of the State in which such military installation is located regarding the environmental re-

mediation of property and facilities at such installation.

"(2) **CONTENT OF AGREEMENT.**—Each agreement entered into under paragraph (1) shall include—

"(A) a description of the remediation to be performed by the Department of Defense, including the level of remediation necessary for the redevelopment of such property and facilities; and

"(B) a schedule for such remediation.".

SA 1878. Ms. SNOWE 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:

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

SEC. 2887. LIMITATION ON TRANSFER OF UNITS UNDER THE 2005 ROUND OF DEFENSE BASE CLOSURE AND REALIGNMENT PENDING READINESS OF RECEIVING LOCATIONS.

The Secretary of Defense may not transfer any unit from a military installation closed or realigned as part of the 2005 round of defense base closure and realignment under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) until the Secretary certifies that all facilities and infrastructure necessary to support such unit at the military installation to which the unit will be transferred are ready for use by such unit.

SA 1879. Ms. SNOWE (for herself and Ms. COLLINS) 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 C of title III, add the following:

SEC. 330. NAVY HUMAN RESOURCES BENEFIT CALL CENTER.

Of the amount authorized to be appropriated by section 301(2) for operation and maintenance for the Navy, \$1,500,000 may be available for Civilian Manpower and Personnel for a Human Resources Benefit Call Center in Machias, Maine.

SA 1880. Mr. BROWNBACK submitted an amendment intended to be proposed by him to the bill S. 147, to express the policy of the United States regarding the United States relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity; which was ordered to lie on the table; as follows:

On page 73, between lines 12 and 13, insert the following:

SEC. . . . RESOLUTION OF APOLOGY TO THE NATIVE PEOPLES OF THE UNITED STATES.

(a) **FINDINGS.**—Congress finds that—

(1) the ancestors of today's Native Peoples inhabited the land of the present-day United States since time immemorial and for thousands of years before the arrival of people of European descent;

(2) the Native Peoples have for millennia honored, protected, and stewarded this land we cherish;

(3) the Native Peoples are spiritual peoples with a deep and abiding belief in the Creator, and for millennia their people have maintained a powerful spiritual connection to this land, as is evidenced by their customs and legends;

(4) the arrival of Europeans in North America opened a new chapter in the histories of the Native Peoples;

(5) while establishment of permanent European settlements in North America did stir conflict with nearby Indian tribes, peaceful and mutually beneficial interactions also took place;

(6) the foundational English settlements in Jamestown, Virginia, and Plymouth, Massachusetts, owed their survival in large measure to the compassion and aid of the Native Peoples in their vicinities;

(7) in the infancy of the United States, the founders of the Republic expressed their desire for a just relationship with the Indian tribes, as evidenced by the Northwest Ordinance enacted by Congress in 1787, which begins with the phrase, "The utmost good faith shall always be observed toward the Indians";

(8) Indian tribes provided great assistance to the fledgling Republic as it strengthened and grew, including invaluable help to Meriwether Lewis and William Clark on their epic journey from St. Louis, Missouri, to the Pacific Coast;

(9) Native Peoples and non-Native settlers engaged in numerous armed conflicts;

(10) the United States Government violated many of the treaties ratified by Congress and other diplomatic agreements with Indian tribes;

(11) this Nation should address the broken treaties and many of the more ill-conceived Federal policies that followed, such as extermination, termination, forced removal and relocation, the outlawing of traditional religions, and the destruction of sacred places;

(12) the United States forced Indian tribes and their citizens to move away from their traditional homelands and onto federally established and controlled reservations, in accordance with such Acts as the Act of May 28, 1830 (4 Stat. 411, chapter 148) (commonly known as the "Indian Removal Act");

(13) many Native Peoples suffered and perished—

(A) during the execution of the official United States Government policy of forced removal, including the infamous Trail of Tears and Long Walk;

(B) during bloody armed confrontations and massacres, such as the Sand Creek Massacre in 1864 and the Wounded Knee Massacre in 1890; and

(C) on numerous Indian reservations;

(14) the United States Government condemned the traditions, beliefs, and customs of the Native Peoples and endeavored to assimilate them by such policies as the redistribution of land under the Act of February 8, 1887 (25 U.S.C. 331; 24 Stat. 388, chapter 119) (also known as the "General Allotment Act"), and the forcible removal of Native children from their families to faraway boarding schools where their Native practices and languages were degraded and forbidden;

(15) officials of the United States Government and private United States citizens harmed Native Peoples by the unlawful acquisition of recognized tribal land and the

theft of tribal resources and assets from recognized tribal land;

(16) the policies of the United States Government toward Indian tribes and the breaking of covenants with Indian tribes have contributed to the severe social ills and economic troubles in many Native communities today;

(17) despite the wrongs committed against Native Peoples by the United States, the Native Peoples have remained committed to the protection of this great land, as evidenced by the fact that, on a per capita basis, more Native people have served in the United States Armed Forces and placed themselves in harm's way in defense of the United States in every major military conflict than any other ethnic group;

(18) Indian tribes have actively influenced the public life of the United States by continued cooperation with Congress and the Department of the Interior, through the involvement of Native individuals in official United States Government positions, and by leadership of their own sovereign Indian tribes;

(19) Indian tribes are resilient and determined to preserve, develop, and transmit to future generations their unique cultural identities;

(20) the National Museum of the American Indian was established in the Smithsonian Institution as a living memorial to the Native Peoples and their traditions; and

(21) Native Peoples are endowed by their Creator with certain unalienable rights, and that among those are life, liberty, and the pursuit of happiness.

(b) ACKNOWLEDGMENT AND APOLOGY.—The United States, acting through Congress—

(1) recognizes the special legal and political relationship the Indian tribes have with the United States and the solemn covenant with the land we share;

(2) commends and honors the Native Peoples for the thousands of years that they have stewarded and protected this land;

(3) recognizes that there have been years of official depredations, ill-conceived policies, and the breaking of covenants by the United States Government regarding Indian tribes;

(4) apologizes on behalf of the people of the United States to all Native Peoples for the many instances of violence, maltreatment, and neglect inflicted on Native Peoples by citizens of the United States;

(5) expresses its regret for the ramifications of former wrongs and its commitment to build on the positive relationships of the past and present to move toward a brighter future where all the people of this land live reconciled as brothers and sisters, and harmoniously steward and protect this land together;

(6) urges the President to acknowledge the wrongs of the United States against Indian tribes in the history of the United States in order to bring healing to this land by providing a proper foundation for reconciliation between the United States and Indian tribes; and

(7) commends the State governments that have begun reconciliation efforts with recognized Indian tribes located in their boundaries and encourages all State governments similarly to work toward reconciling relationships with Indian tribes within their boundaries.

(c) DISCLAIMER.—Nothing in this section—

(1) authorizes or supports any claim against the United States; or

(2) serves as a settlement of any claim against the United States.

SA 1881. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 1042, to authorize ap-

propriations 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 378, between lines 10 and 11, insert the following:

SEC. 3114. SMALL AND RENEWABLE POWER CONTRACTS.

Section 501(b)(1) of title 40, United States Code, is amended by striking subparagraph (B) and inserting the following:

"(B) PUBLIC UTILITY CONTRACTS.—

"(i) TERM.—A contract for public utility services may be made for a period of not more than 20 years.

"(ii) DEFINITION OF PUBLIC UTILITY ELECTRIC SERVICES.—In this subparagraph, the term 'public utility services', with respect to electricity services, includes electricity supplies and services, including transmission, generation, distribution, and other services directly used in providing electricity."

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. McCain. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, September 28, 2005, at 2:30 p.m. in Room 485 of the Russell Senate Office Building to conduct an oversight hearing on Indian Housing.

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

SUBCOMMITTEE ON WATER AND POWER

Ms. Murkowski. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources.

The hearing will be held on Thursday, October 6, 2005 at 3 p.m. in Room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 1025, to amend the Act entitled "An Act to provide for the construction of the Cheney division, Wichita Federal reclamation project, Kansas, and for other purposes" to authorize the Equus Beds Division of the Wichita Project; S. 1498, to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District; S. 1529, to provide for the conveyance of certain Federal land in the city of Yuma, Arizona; S. 1578, to reauthorize the Upper Colorado and San Juan River Basin endangered fish recovery implementation programs; and S. 1760, to authorize early repayment of obligations to the Bureau of Reclamation within the Rogue River Valley Irrigation District or within the Medford Irrigation District, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those