United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151 WASHINGTON, MONDAY, NOVEMBER 7, 2005 No. 146

House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. ADERHOLT).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
November 7, 2005.

I hereby appoint the Honorable ROBERT B. ADERHOLT to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from California (Mr. DREIER) for 5 minutes.

FEDERAL SPENDING AND THE DEFICIT

Mr. DREIER. Mr. Speaker, as we all know this week, the House will consider very important legislation to reduce Federal spending, root out waste and fraud in government programs, and make a large dent in our Federal deficit. Along with cutting taxes and supporting job creation, making government more responsive is a critical part of our Republican agenda to keep our economy growing.

Mr. Speaker, the numbers are in. Our agenda is working for the American people. Despite the destruction caused by Hurricanes Katrina and Rita, the economy grew at a 3.8 percent GDP level last quarter. Now, that is ahead of the second quarter and certainly ahead of projections that we had in the wake of those hurricanes. Over the past 12 months, nearly 2 million new jobs have been created.

Because of tax cuts and a strong economy, Federal revenue increased by almost 15 percent last year, and the deficit fell by nearly $96 billion. Mr. Speaker, this happened not by raising taxes, but by cutting them and empowering America's entrepreneurs. In the face of such remarkable progress, we are not about to let up. We are moving forward with reforms that will save more than $50 billion over the next 5 years. This will help us reduce the deficit even further and support rebuilding along the gulf coast.

I commend the hard work done by all the committees who found significant savings in mandatory programs without altering benefits to those who are truly in need. While I am hoping for bipartisan support of this legislation, I fear that my colleagues on the other side of the aisle will stand in the way of restraint and reform. After all, my Democratic friends voted against our responsible budget. During the appropriations process, Mr. Speaker, they offered amendments that would have increased Federal spending by $61 billion.

While they measure compassion through spending, we demand results through reform. Mr. Speaker, mandatory spending needs to be reformed. Each year, the government funds critical programs at increasingly higher levels. But we have seen that automatic spending breeds unaccountable spending.

Consider Medicaid. As medicine has made rapid advances over the past two decades, Medicaid has not been updated. The program costs more, delivers less, and, as we all know, is beset with abuse. In 2002, the Department of Health and Human Services found that Medicaid was paying pharmacies $1.5 billion more than the cost of those drugs they were dispensing. In one case, Medicaid paid over $5,000 for a prescription that cost a pharmacy just $88.

Our reforms will save billions by giving States more flexibility, eliminating fraud and ensuring the system only serves the needy. It is also important to note that Medicaid will continue to grow in the years ahead. Right now, it grows at a rate of 7.3 percent. Under our plan, it will grow at 7 percent.

We are also zeroing in on other programs, Mr. Speaker, that can benefit from reforms. The food stamp program nearly doubled to $35 billion over the past 5 years. While funding will continue to grow, we are targeting savings of less than one-half of 1 percent. We will do this in part by extending the eligibility waiting period for noncitizens from 5 to 7 years.

Mr. Speaker, public benefits should not be a magnet for immigration. Over the past 5 years, Federal spending for child support administrative costs has increased by 29 percent while caseloads have declined by 8 percent. The Ways and Means Committee saves over $3 billion by splitting administrative costs 50/50 with the States, the same match that they use for other entitlement programs.

Mr. Speaker, our savings proposals are common sense and responsible, and they represent a very good and important start. In the months ahead, we will continue to work for ways to cut the deficit, eliminate waste and reduce discretionary spending. Because as Republicans, we are committed to growing our economy, not Federal spending.

Mr. Speaker, I look forward to what I know will be a lively debate on this issue as we bring our package for reform forward, and it will, I believe, when we implement this, help us in our

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quest to keep the economy growing and to reduce the Federal deficit. It is my hope, Mr. Speaker, that at the end of the day, we will be able to see bipartisan support for this very appealing, very attractive, very important package.

FEDERAL SPENDING AND THE DEFICIT

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from Tennessee (Mr. TANNER) is recognized during morning hour debates for 5 minutes.

Mr. TANNER. Mr. Speaker, I came over here this morning because I am very concerned about our country. I am concerned about it because we are in a financial morass around here. I don't think that the powers that be in this town are leveling with the American people about just how bad the budget deficit and the debt of our country has become and how rapidly it has deteriorated from the 1990s when we had, arguably, a surplus, and we were digging ourselves out of previous debt.

I do not mean this to be political, because we are all Americans first and Democrats and Republicans second, and this is our country's balance sheet, it is not the Republican balance sheet, it is not the Democratic balance sheet, it is all of our balance sheet, particularly our children. In the last 4 years, our country has borrowed over $1.3 trillion. If that is not bad enough, it might interest you to know that 85 percent of that has come from foreign governments, foreigners, who are investing in the bills, notes and bonds of our country.

China now owns almost $300 billion of our paper, and the Japanese own almost $700 billion. In Asia alone, we owe almost $1 trillion.

What does this mean to us? Well, it means that we are mortgaging our country to people who may not see the world as we see it. We are giving those countries leverage over us in the financial markets, so that we are potentially in danger of losing our economic freedom to people who own our debt and who can therefore dictate the value of the dollar and all the things that go with that.

That said, this is an American problem. This is not the Republican's balance sheet, it is not the Democrat's balance sheet, it is all of our balance sheets.

In 2004, to put this in some kind of a context, our government borrowed $13,300 a second. Staggering. In the last 4 years, this administration and this Congress have borrowed more money from foreign interests than all 42 presidents in our history up to 2001. Can you imagine that? We have borrowed more money from foreigners in the last 4 years than all 42 presidents of this country up to 2001. We cannot continue to do what we are doing here without jeopardizing our economic freedom.

In a few minutes, you are going to hear from another Blue Dog, DENNIS CARDOZA, about our plan to try to stop this.

This whole budget process is broken. You are going to hear a lot of stuff this week about the reconciliation of the budget, and what they are going to say is we are cutting spending. But if you look at it, the reconciliation process will actually increase the deficit, not decrease it.

Until the leadership of this country, both here in Congress and the administration, levels with all of us and comes to the American people and says we have got a problem, and we have got to fix it and you have got to help, until they do that, it is just one Congressman saying A and another Congressman saying B, and people lose sight of what is going on here and think it is just another political argument.

Well, I am here this morning to tell you it is not a political argument. It is a dire necessity that we face up to the fact that we have a structural, continuing deficit. The President of the United States himself said we hope to cut the deficit in half in 5 years. That is like saying a doctor telling you I have got good news for you, I thought you were going to bleed to death in 6 months. It will take you 1½ years to bleed to death.

That is no solution to our problem. We have a structural deficit problem. We go in the red every year around here. We have got to completely, in my judgment and in the Blue Dog's judgment, take another look at the whole budget process and almost start from scratch, because I can tell you, folks, we are not doing any good the way we are going right now.

WHY ARE WE FIGHTING THE WAR ON TERROR?

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, 2 weeks ago, President Bush addressed a Virginia audience, vowing no letup in the war on terror. He acknowledged we have rocky roads ahead but we will not falter. The President said, ''Tyrants and would-be tyrants have always claimed that murder is justified to serve their grand vision and they end up alienating decent people across the globe.'' And he said, ''And tyrants and would-be tyrants have always claimed that free men and women are weak and decadent, until the day that free men and women defeat them.''

Mr. Speaker, why did he say this? For what exactly are we fighting is the question. On Saturday, October 29, 2005, in India, explosions rocked two New Delhi markets, killing almost 60 people. Although Indian officials appeared hesitant to immediately place blame, Pakistan-based Islamic militants have been suspected in these bombings. Possibly, as some Indian analysts and newspapers have suggested, these are Pakistani-based groups fighting to wrest Kashmir from India.

Meanwhile, in Jakarta, Indonesia, that same day, seven assailants attacked a group of high school girls walking through a cocoa plantation on their way to class in Indonesia's tense province of Central Sulawesi, beheading three and seriously wounding a fourth. The girls were from a private Christian high school. Indonesia is the world's most populous Muslim nation. But Central Sulawesi has a roughly equal number of Muslims and Christians, and sectarian violence. The province witnessed such a bloodly war in 2001–2002 that killed around 1,000 people from both communities. At the time, beheadings, burnings and other atrocities were common.

Last week, a grateful Nation paid respects and laid to rest a woman who had the courage to practice her convictions, Rosa Parks. In great part, thanks to her understated fight for freedom, we can take for granted in this country our civil liberties. One of the most fundamental of these, of course, is the simple freedom to worship. However, the irony of our Nation being touched by such a peacefully resolute woman being an agent of change with nothing more than the word ''no'' the same weekend we witness these alternative, violent ways of objecting to our fellow man by these Islamic fundamentalist terrorist practices is not lost on me.

As did Rosa Parks, thousands of individuals today around the world want to practice their civil rights in the name of freedom of worship, perhaps in a faith not held by their nation's leaders. We want to practice Christianity, or Judaism, or Buddhism, or observe no religion at all, yet there are some people who just cannot stand this, who absolutely refuse to allow us this opportunity. The Web site www.persecution.org, a Web site that tracks human rights and persecution of people for choosing to simply practice their Christian faith, reported on October 6 that 53-year-old Pamilton Tadoa, a member of the Tabernakel Pentecostal Church in Indonesia, was shot in the head and killed in the area of Poso while he road his motorbike to school where he served as a treasurer. His death raised fears of a new Islamic crackdown on evangelicals in Indonesia, where 10,000 Christians died between 1998 and 2003 at the hands of extreme Islamic jihad warriors, according to human rights group Open Doors. About 1,000 churches were burned down by Islamic mobs, Open Door said in that report.

Some ask why are we at war? Why are we fighting this war on terror? Because this is how some people in the world continue to settle their differences. Our Nation faces angrily squabbling, fighting mad, groups and individuals who are diametrically opposed to one another, but it seldom

rises to the level of bloodshed. We settle our differences at the ballot box, here in Congress, not with car bombs; through media exposure, not machete swipes. If one cannot see that continued civilization itself is in danger, I don't know what else can persuade you.

Twenty-six years ago last Friday, November 4, 1979, Islamic terrorists took hostages in Tehran. This is how some people in the world address disputes: They take hostages. They push old men in wheelchairs over ship rails into the sea, the Achille Lauro example. They behead little girls. They strap dynamite to their children and send these innocent children to detonate clusters of fellow innocent citizens. They bomb nightclubs, subways, pillars of commerce and symbols of freedom. As long as people reign who cannot live peacefully, the war on terror must press on for the safety of all of us.

FEDERAL SPENDING AND THE DEFICIT

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from California (Mr. CARDOZA) is recognized during morning hour debates for 5 minutes.

Mr. CARDOZA. Mr. Speaker, along with all 36 members of the fiscally conservative Blue Dog Coalition, I have a sign in front of my office that is updated daily to reflect America's national debt. Just 2 weeks ago, I was deeply dismayed to see that the national debt had reached $8 trillion. That is $27,000 for every man, woman and child in America. How did we dig ourselves into such a deep hole? The truth is the Republican leadership has created a credit card Congress that is recklessly selling out the future of America, our children and our grandchildren, and President Bush is the most fiscally irresponsible President in the history of America. On his watch, we have run up record deficits and added nearly $2.5 trillion to our national debt. In just 5 years in office, President Bush has borrowed more money from foreign sources than all 42 previous Presidents combined. Put together, the first 42 American Presidents borrowed a total of $1.01 trillion from other countries. President Bush has now borrowed $1.05 trillion from overseas and he still has 3 years to go.

I know that my Republican colleagues are as ashamed as I am that the United States is forced to borrow over $1 trillion from foreign nations to pay for our national priorities like reconstruction of the gulf coast and the war in Iraq. We owe it to the American people and future generations to roll up our sleeves and dig out of this mess now. So far, the Republican leadership has refused to reach across the aisle to fix this fiscal mess. The Republican reconciliation plan is a sham. It does nothing to fix the broken budget. In fact, it will make matters worse. By all accounts, the current proposal would add billions to the deficit in order to finance more reckless tax cuts for the most privileged Americans.

Who in their right mind, I ask you, could look at an $8 trillion debt and put forward a plan to make it bigger? It is time for a real strategy for fiscal responsibility. The budget process is broken. Anyone can see that. The Blue Dog Coalition has asked the President to convene an emergency bipartisan summit to address America's fiscal crisis. We have put forward a comprehensive 12-step plan to put America back on the path to fiscal responsibility. The Blue Dog 12-step plan is the only serious proposal on the table that would fix our Nation's budget woes and return America to fiscal solvency. Our plan is based on common sense, not party ideology. The Blue Dog 12-step plan includes both Democratic and Republican ideas. When it comes to fixing the budget, the American people deserve cooperation and not partisanship.

Our proposal includes commonsense reforms, such as reinstating the pay-as-you-go rules that we had here a few years ago and implementing discretionary spending caps. We have also urged for the establishment of a rainy day fund to cushion the financial blow of future national emergencies like we saw in the gulf coast recently. You just heard from my Blue Dog colleague, Mr. John Tanner from Tennessee, a leader in the fight for fiscal responsibility in Washington. He outlined for us all how bad the situation is. I strongly urge my colleagues in Congress to embrace real reform and to take immediate action to cure this national tragedy of the debt.

AVIAN INFLUENZA

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from Oregon (Mr. BLUMENAUER) is recognized during morning hour debates for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, the deadliest plague in human history was the influenza pandemic of 1918 which killed up to 100 million people around the world. While annual flu strains tend to spare young healthy adults, every few decades a strain arises that can kill people in the prime of life. In 1918, more than a quarter of all Americans fell ill. What started for millions around the globe as a runny nose and a sore throat developed into a gruesome, deadly virus. No war, no plague, no famine ever killed so many.

This year, brilliant medical detective work pieced together the genetic makeup of the 1918 virus. The origin was found to be avian influenza, the so-called bird flu.

The new mutant strain of bird flu spreading across Europe and Asia may turn out to be even deadlier than the 1918 virus. As we scramble to assemble plans and get vaccine, more birds infected and more human contact means more opportunity for the virus to mutate, perhaps triggering this next human pandemic.

Both the Centers for Disease Control and the World Health Organization consider another pandemic inevitable, whether triggered by this bird flu virus or the next.

The current proposed spending plan does finally address some measures to mediate the impact of future pandemics, but it overlooks the critical policy initiatives that could directly impact the threat at its source.

For example, avian influenza is not limited to Asia or Europe. There have been over a dozen outbreaks of low-grade avian influenza viruses in the United States just within the last 5 years. An outbreak of a high grade H5 virus in Pennsylvania in the eighties led to the death of more than 17 million birds. Nationwide surveys tracked the strains of that virus back to at least 48 live bird markets across five States. Each year more than 20 million birds of various species pass through at least 150 known storefront slaughter facilities in the northeast metropolitan areas alone, increasing the risk of human exposure and the persistence of these viruses. Most of these operations are not subjected to USDA food safety regulations. These live animal markets should be either eliminated or at a minimum brought within the USDA's existing food safety regulatory scheme.

The United Nations food and agriculture organization has implicated live animal transport as another prime culprit for the rapid spread of the virus across Southeast Asia. Yet transportation of birds reared for human consumption remains unregulated in much of the world and in the United States.

The cockfighting trade is another area under increasing scrutiny as a prime vehicle to spread the disease. We need a stronger Federal law against the transport of cockfighting birds across State and national borders. Gamecocks are not part of any testing program and there is a thriving trade in birds for use in this barbaric industry. The Animal Fighting Prohibition Enforcement Act of 2005 would increase penalties for violations of Federal animal fighting laws to help prevent illegal cockfighting. The Senate passed this bill unanimously in April, but the identical House bill has not yet been acted upon in the Judiciary Committee. The House and the Senate passed an identically worded felony cockfighting provision in the 2002 farm bill, but inexplicably this provision was gutted in conference. It is unconscionable that we would wait on enacting this felony provision. The House needs to act immediately to strengthen the law to diminish the risk of fighting birds as vectors for avian influenza.

The bird flu virus could also be imported to our shores via the trade in wild birds for pets. More than 400,000 live exotic birds are imported every year to the United States. The stress of confinement and long-distance transport critically weakens their immune

system and makes them susceptible to respiratory viruses. The Centers for Disease Control and Prevention has already implemented a ban on the import of all birds and bird products from 13 predominantly Asian countries, but this ban should be extended to all nations as a precaution.

This is not the first time that animal diseases have crossed the species barrier to infect humans. The director of the Centers for Disease Control has noted that 11 of the last 12 emerging infectious diseases have likely arisen from animal sources, from SARS to AIDS. With a potentially even more virulent virus waiting in the wings, we must not only act now to soften the blow when a pandemic strikes, but we must attack the problem at its source, the human-animal interface.

We must end unsustainable agricultural practices, intensive confinement of birds raised for food, the cockfighting trade, live poultry markets, the importation of live birds as pets, and the unregulated transportation of birds in general. Millions of lives are at stake. Safe, simple, cost-effective solutions are within our power.

FEDERAL SPENDING AND THE DEFICIT

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from Oregon (Mr. DEFAZIO) is recognized during morning hour debates for 5 minutes.

Mr. DEFAZIO. Earlier, a gentleman from California rose to talk about how the economy was booming and how well the American people are doing with job creation and new prosperity. Unfortunately, it does not look like that for most people in my district. In fact, it really is not that way for most people in America. The combination of misplaced priorities and trade policies that export jobs and depress wages in this country have hurt Americans. In fact, last year, according to the IRS, 99 percent of Americans, all those who earn less than $350,000 a year, saw a decline in their real income. But I think the gentleman from California and the Republican leadership and the White House are looking at that 1 percent, who are doing phenomenally well. The tax cuts have been an incredible boon, over $120,000 per year in tax cuts for families who earn over $1.3 million a year. They are doing just great. Unfortunately, we are borrowing the money to give them the tax cuts and handing the bill to working families and their kids and their grandkids as we continue to reduce the tax burden on corporations and the wealthy.

He said, ''Boy, the economy is booming.'' That is kind of interesting. Over the last 17 quarters, the GDP has grown at 2.8 percent, right around the rate of inflation, but in the last six business cycles, it grew at a rate of 40 percent more than that during recovery periods. He bragged about job growth. The United States only has 1.3 percent job growth, much of it in the public sector, under the watch of this administration, since March 2001, whereas in previous business cycles, job growth was closer to 9 percent over the same period, six times the rate of growth. Private sector job growth is only up 0.8 percent. Wage and salary income has also grown anemically. As I said earlier, 99 percent of families and working people in America saw their real incomes decline last year. One percent, $300,000 to $1.3 million, did pretty well. But the people over $1.3 million, they did phenomenally well.

So what is the answer of the Republicans this week? Cut benefits that might flow to that 99 percent of the people. Student loans for kids trying to learn and do better and have a better ability to earn in their adult lives and become more productive Americans, $14.3 billion in cuts for student loans, double the origination fee for student loans. That is a cut that needs to be made according to the Republican majority.

And then there are the cuts in long-term care, foster care. The family values side of the aisle over there wants to cut long-term care for struggling seniors and their families and foster care. That is extraordinary. And then, of course, they want to slash Medicaid. What they do not tell you is they are dumping that burden on our States who are already struggling. They are going to add to the 45 million people who are uninsured for health care in the United States of America through those cuts. But they say those cuts must be made. Why? Because they have become suddenly fiscally responsible after a 62 percent increase in the debt during the Bush administration and the Republican Congress over the last 5 years? No. Because they want to make room for more tax cuts because, as we heard earlier, trickledown is working great. Those people who earn $1.3 million with that extra 130,000 bucks a year in tax cuts, which are added to the deficit which all the rest of us will have to pay for, they are spending some of that money, some of it even in the United States of America. Sometimes they are hiring people to cut their lawns, or wash their boats. Yachts. They need that money. They need it more than the kid who wants to get a college education. They need it more than the family that is struggling to figure out how they are going to pay for long-term care for their seniors. They need it more than the kids who need foster care in this country. Those rich people need it more because they will trickle it down upon the rest of us.

So that is the game they are playing this week. They are going to pretend they are making tough cuts that need to be made. They won't take on the tough cuts. You want to talk about tough cuts? Let's do away with the stupid idea of going back to the Moon by borrowing $100 billion. We have already been there. Why do we want to borrow $100 billion to go to the Moon? How about Star Wars? The general in charge says, hey, it has better than a zero percent chance of working if anybody ever shoots a missile at us. Better than a zero percent chance at a cost of $100 billion, $10 billion a year ongoing. Farm subsidies for farmers who earn over $100,000 a year on corporate farms, we could save billions there. Not to mention if we just reinstated the rate of taxation for people who earn over $300,000 a year that they paid during the booming nineties, we would save $300 billion over the next 5 years. There is a better way to run this country and we are not hearing it from them.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 1 o'clock and 3 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. STEARNS) at 2 p.m.

PRAYER

The Reverend Michael J. O'Sullivan, St. Peter's Catholic Church, Washington, DC, offered the following prayer:

Almighty and eternal God, You have revealed Your glory to all Nations. God of power and might, wisdom and justice, through You, authority is rightly administered, laws are enacted, and judgment decreed.

We pray for the Members of the House of Representatives who are entrusted to guard our political welfare. May they be enabled by Your powerful protection to discharge their duties with honesty and ability. We likewise commend to Your unbounded mercy all citizens of the United States, that we may be blessed in the knowledge and strengthened through the observance of laws framed for our rule and governance.

May this Congress always seek to preserve peace, promote national happiness, and continue to bring us to the blessings of liberty and equality. May we this day go forward confident in the hope of Your abiding presence. We pray to You and thank You who are Lord and God. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

BORDER SECURITY—NOW

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute.)

Mr. PRICE of Georgia. Mr. Speaker, our brave men and women in the military are accompanied by other brave men and women who work hard to protect us. They are our border agents who guard our international boundaries, and they are now often serving in what amounts to a war zone.

In the fiscal year just ended, over 650 border agents reported being assaulted, the highest number since they began tracking these incidents in the 1990s. Compare that to last year's total of 354, and you have to wonder just how secure our borders are. Even with sensors and cameras and fences, that is not enough. Incidents have increased from San Diego to Nogales, Arizona to the banks of the Rio Grande in Texas. It is clear we are not getting the job done, and our efforts need to be strengthened.

If our agents have to dodge bullets, then who is controlling our borders? Homeland Security Secretary Chertoff said last week that when it comes to illegal immigration, time is not on our side. Mr. Speaker, Congress should take action now to secure our borders. Our Nation is not secure until our borders are secure. That is the necessary and first step to any immigration reform. H.R. 3693 is legislation that America needs now.

IMMIGRANT RIOTING IN FRANCE

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, failure to integrate immigrants into a country's society is evident in the 11 days of rioting, looting, destruction, and lawlessness in France. With the 5 million Muslims in France, many of the youth feel disenfranchised and discriminated against by the French government. Some of these third-generation immigrants have turned to violence to get the attention of French authorities. Government buildings, private businesses, homes and over 1,300 cars have been burned.

It has been reported that some Muslim extremists are taking advantage of the riots and calling for jihad, or holy war. A French police official reportedly said that civil war is unfolding in France. France must find a better way to assimilate the Muslim population into its culture. USA Today states that French President Jacques Chirac must restore order to prevent a clash of civilizations that is one of the greatest threats of the 21st century.

The lesson for us to learn is that we must encourage immigrants to assimilate into America, or we too could face difficulties in the future. Immigrants have the responsibility to become Americans, and America has the responsibility to provide immigrants access to America and teach them to be Americans. That's just the way it is.

BUDGET RECONCILIATION

(Mr. OLVER asked and was given permission to address the House for 1 minute.)

Mr. OLVER. Mr. Speaker, the Budget Committee's reconciliation bill is a vicious example of misguided fiscal and social priorities. To pay for tax cuts that benefit almost exclusively those whose income is over $200,000 a year, the bill cuts assistance to families struggling to get by and pushes them right into poverty.

The bill guarantees that more foster children will grow up in poverty. $4.9 billion is slashed from child support services. As a result, single mothers and their children will not receive the support payments owed to them, and many of those children will grow up in poverty.

$844 million cut from food stamps will push another 300,000 children and adults in low-income and immigrant families below the poverty threshold. One in five children in this country already grow up in poverty. It is unconscionable to deliberately increase that number. For what? So that the wealthiest 3 percent of Americans can have another huge tax cut.

AMERICANS APPRECIATE FRANCE

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, Americans were saddened over the weekend to see rioters spread fire and violence across France with nearly 5,000 vehicles burned, stretching into the heart of Paris. As a person of French heritage, I am particularly shocked that 34 police officers are injured, including 10 wounded by gunshots. This outburst of violence is a chilling reminder that appeasement is a failed course which leads to greater violence.

I am particularly disappointed France did not show resolve in the Cold War as defenders of freedom actively defeated Communism, and I am disappointed France has not shown resolve in the global war on terrorism, as we resist terrorists from London to Baghdad to Bali. But our hearts and our heritage are with France, which we treasure as America's first ally. With resolve we can stop extremism at its source; peace can be restored.

In conclusion, God bless our troops, and we will never forget September 11.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

RECOGNIZING THE 40TH ANNIVERSARY OF THE SECOND VATICAN COUNCIL'S DECLARATION ON THE RELATION OF THE CHURCH TO NON-CHRISTIAN RELIGIONS

Mr. POE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 260) recognizing the 40th anniversary of the Second Vatican Council's Declaration on the Relation of the Church to Non-Christian Religions, Nostra Aetate, and the continuing need for mutual interreligious respect and dialogue, as amended.

The Clerk read as follows:

H. CON. RES. 260

Whereas 2005 marks the 40th anniversary of the promulgation of Nostra Aetate, the declaration on the relation of the Roman Catholic Church to non-Christian religions;

Whereas on October 28, 1965, after the overwhelmingly affirmative vote of the Second Vatican Council of the Roman Catholic Church, Pope Paul VI issued Nostra Aetate, which means ''in our time'';

Whereas Nostra Aetate affirmed the respect of the Roman Catholic Church for Hinduism, Buddhism, Islam, and Judaism, and exhorted Catholics to engage in ''dialogue and collaboration with the followers of other religions'';

Whereas Nostra Aetate made possible a new relationship between Catholics and Jews worldwide and opened a chapter in Jewish-Christian relations that is unprecedented in its closeness and warmth;

Whereas Nostra Aetate states that the Roman Catholic Church ''decries hatred, persecution, displays of anti-Semitism, directed against Jews at any time and by anyone''; and

Whereas Nostra Aetate clearly states that ''No foundation therefore remains for any theory or practice that leads to discrimination between man and man or people and people, so far as their human dignity and the rights flowing from it are concerned.'': Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) recognizes the 40th anniversary of the Second Vatican Council's promulgation of Nostra Aetate, the declaration on the relation of the Roman Catholic Church to non-Christian religions;

(2) appreciates the role of the Holy See in combating religious intolerance and religious discrimination;

(3) encourages the United States to continue to serve in a leading role in combating anti-Semitism and other forms of religious

intolerance and religious discrimination worldwide;

(4) acknowledges the role of Nostra Aetate in fostering interreligious dialogue and mutual respect, including, in particular, new relationships of collaboration and dialogue between Jews and Catholics since the issuance of Nostra Aetate; and

(5) requests the President to issue a proclamation recognizing the 40th anniversary of Nostra Aetate and the historic role of Nostra Aetate in fostering mutual interreligious respect and dialogue.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. POE) and the gentleman from Oregon (Mr. BLUMENAUER) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. POE).

GENERAL LEAVE

Mr. POE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the concurrent resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in many respects, the past 40 years have been immensely troubling and difficult ones. Indeed, they have been filled with intolerance, hatred, and genocide. Think of Rwanda. Think of Cambodia. We spend entirely too much time on the floor decrying unspeakable crimes and preparing our concrete responses.

Our own shores have witnessed terrorism on a massive scale. And while we have avoided massive destruction on the scale of the Second World War, or another Holocaust, just last month we saw a new Holocaust called for, in essence, by the head of state of a member of the United Nations.

There are certainly countervailing forces of good in the world, forces that are prepared to deal one way or another with hate and the consequences. One way to deal with the forces of hate is to prepare to meet them on the battlefield or defeat them in shadowy wars carried out in the back alleys of far-off lands.

There is another path, the one we commemorate today: to foster understanding, indeed love, among diverse peoples and remove the roots of war from their hearts.

Forty years ago, Pope Pius VI issued a declaration entitled Nostra Aetate, ''In Our Times.'' This constituted the Roman Catholic Church's statement expressing its respect for adherents of non-Christian religions and denouncing every form of bigotry directed against them. The groundbreaking statement contained extended discussions of Catholicism's relations with some of the major religions, especially Islam and Judaism, and most specifically concerning the charge of deicide leveled against Jews even in contemporary times. Further, it jump-started many rounds of respectful discussion among religious leaders and laypersons.

A few moments ago, I alluded to some of the horrors the world has witnessed in the past 40 years. In order to judge the impact of Nostra Aetate, we must ask ourselves how much worse a world without the gracious spirit of Nostra Aetate would have been. It would clearly have been a more dismal place.

I ask that all my colleagues join in this very important concurrent resolution originated by the gentleman from New Jersey (Mr. HOLT).

Mr. Speaker, I reserve the balance of my time.

Mr. BLUMENAUER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise with my friend from Texas to support this concurrent resolution. The document marked a historic milestone in the effort of the Roman Catholic Church to improve its relations with Jews and non-Christian religions and to launch a new, progressive, positive dialogue among them.

Mr. Speaker, in a world that is increasingly drawn together through economic, cultural and ties of all kinds, there simply is no place for bigotry, racism, religious hatred, intolerance, or prejudice. The document whose 40th anniversary we are recognizing makes that abundantly clear. And it is appropriate for us to reflect upon that at this time, recognizing also the important role of the Holy See in the fight against religious intolerance and discrimination, and I have appreciated the leadership that we have seen coming from the Vatican of late in this regard.

Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. HOLT), the author of today's resolution.

Mr. HOLT. Mr. Speaker, I thank the gentleman from Oregon for yielding me this time.

I rise to urge support of H. Con. Res. 260. I want to thank first my colleagues and friends, Chairman HYDE and Representative LANTOS. Both have been tremendously helpful in bringing this resolution forward. This resolution has the support of 65 bipartisan cosponsors here in the House. As my friend pointed out, it commemorates the 40th anniversary of Nostra Aetate, a hallmark declaration by the Roman Catholic Church on religious respect and interfaith relations, and it celebrates the historic relationship between Jews and Catholics and among other religions worldwide.

My resolution also calls for this country and this Congress to continue to condemn and combat anti-Semitism and all forms of religious hatred and bigotry around the world.

First a little bit of history, Mr. Speaker. This was initiated by Pope John XXIII through the Second Vatican Council, and Nostra Aetate then was issued by, Pope Paul VI, in October, 1965, 40 years ago, after a vote of 2,221 to 88 by the Catholic bishops.

□ 1415

It is a historic declaration, and we should remember its essential message: the need for interreligious dialogue and religious respect, and that is a message that is still vitally important today.

Seen from this perspective, today, the affirmations of this document may not seem so impressive. But those of us who remember back to that time, on a bit of reflection, will understand how monumental this statement was, how far it reached throughout the world, beyond the Catholic Church, beyond Christians. It was a paradigm shift in how religious people think about each other.

As my friend, the gentleman from Oregon said, in this day we certainly need a refresher course in how religious people can think about each other in a positive way.

Over the past 40 years, there has been noticeable progress. Nostra Aetate was written by Catholics for Catholics, but its impact has been felt by almost all people of faith in the world. Less than three pages in length, this document, that goes by the Latin words that mean ''in our time,'' was a rare moment of self-check for Catholics. We all know how hard it is to look inside ourselves and find things that need to be improved, things that are wrong and need to be changed.

Nostra Aetate was a controversial document at the time. I am not sure that anyone knows all the internal politics that went into writing it, but even in the press at the time, it was known to be controversial.

Why should we be talking about it here in the House of Representatives? Why should we be talking about religion? Why should we be talking about a Roman Catholic document? Is it even appropriate here? Well, certainly not in a worshipful or a theological or an ecclesiastical way, but this is an important document in world history that says a lot to us as Americans.

Remember, there is much that we honor in our country's history. There is much genius that we see in our founding documents, in our Constitution. One of the greatest accomplishments of this country was to establish freedom of religion, freedom for religious belief and religious practice, and freedom from religion. That is rare, even today. It truly was a stroke of genius by our Founders. And, as so much, in our constitutional heritage it is still a work in progress.

Freedom of religion, freedom for religion, freedom from religion are concepts that are hard to incorporate into our lives. We are not talking about simple tolerance, but a recognition that if we are a nation conceived in liberty and dedicated to the proposition that all are created equal, then it is not enough just to recognize the right of each other to exist, but as a nation we achieve positive social and political good that comes from learning from and drawing on and building up each other. So it is indeed appropriate that

we in this body, as we wrestle with the modern-day embodiment of the ideas of our Founders, that we recognize this historic document. It was a bold and courageous document.

Mr. Speaker, it is hard to face some obvious and unattractive blemishes that one might have. It is bold and courageous to say that another's fundamental faith and belief has validity, because that can only raise questions about the meaning of one's own belief. This was a courageous document.

Now, I speak as one who by affirmation, heritage, upbringing, and religious practice is neither Roman Catholic nor Jewish, but the change that this made in America certainly has improved my life and the life of every American. Anti-Semitism has been a poison that has from time to time surfaced in our country. Certainly, we see it on the rise in too many places around the world today. But this document put a check on the official sanction of religious intolerance, and it has led to a number of improvements.

Father John Pawlikowski, pointed out that this year Nosta Aetate has led to a cleansing of educational materials, and the removal of hateful and bigoted language that previously appeared. It has led to mutual recognition of the spiritual value of others' religious sacred writings of others; it has led to a fundamental rethinking of the relationship between the church and other religions, a process that is still under way.

It led to Pope John Paul's visit to the Auschwitz death camp when he spoke about the memory of the people whose sons and daughters were intended for total extermination. He said that it is not permissible for anyone to pass by the inscriptions there with indifference.

It led to his unprecedented visit to a synagogue in Rome in 1986, and to Pope John Paul's visit to the Holy Land, including Israel and Palestine. It led to a pivotal moment when he shook hands with Prime Minister Ehud Barak. It led to the moment when he walked across the plaza at the western wall and inserted his handwritten prayer expressing Christian regret for the wrongs done to the Jewish people.

This had reverberations all around the world and certainly here in the United States, the country built on the concept of liberty and religious freedom.

This morning on public radio, a young man presented his essay called ''This I Believe.'' Eboo Patel is the founder and executive director of the Interfaith Youth Corps, a Chicago-based organization fostering the international interfaith youth movement. He pointed out that when he attended high school in the western suburbs of Chicago not many years ago, he, as a Hindu, ate lunch with a Jew, a Mormon, a Catholic, and a Lutheran. They were all devout to a degree, he said, but they never really talked about religion. They all knew that they had some differences in their permitted diets and certain times that they could not eat certain things. He was comfortable in his tolerance for the others.

But then he went on to talk about the most painful recollection of his life, which occurred when he allowed anti-Semitic comments about his friend to go unchallenged. He quoted the great American poet Gwendolyn Brooks: ''We are each other's business; we are each other's harvest; we are each other's magnitude and bond.''

He said, ''I cannot go back in time and take away the suffering of my Jewish friend, but through action, I can prevent it from happening to others.''

Martin Luther King in a different, but related, matter said, ''Through the laws that we pass,'' such as we pass in this body, ''we cannot change a person's heart. But,'' he said, ''we can restrain the heartless.''

Like Mr. Patel, none of us can go back, but we can look back and we can see the progress that has been made in the last 40 years to fulfill the spirit of Nostra Aetate; and we can continue every day to take action to ensure that it does not happen in our schools, in our communities, in our cities and towns.

Nostra Aetate was not empty sentimentality; it was historic, important, and effective. It made a difference in the history of the world. As Rabbi David Rosen, the Director of the American Jewish Committee's Interreligious Department, wrote, ''Even if the effect of this transformation has not fully reached the rank and file around the world, its ramifications cannot be overestimated, and there is much to give thanks for on this anniversary. The anniversary 40 years ago at the end of October is well worth recognizing.''

Nostra Aetate was the first statement on interreligious respect that had been issued in the 2,000-year history of the church. Rabbi Gary Bretton Granatoor, Director of Interfaith Affairs at the Anti-Defamation League, reminded the gentleman from California (Mr. LANTOS) and me that the pilgrimage out of the wilderness took 40 years from Egypt to Sinai to Canaan. He said that it is not surprising that in 40 years, we have not fully achieved the vision of Pope John XXIII around the world or here in this country, but we have made enormous progress. Nostra Aetate demanded that the church and all people of faith examine themselves anew in relation to other peoples of faith.

We need to ensure we carry this message of religious respect to all that we do here. We can learn the spirit of Nostra Aetate and take action to check religious bigotry, religious hatred and advance the American experiment—the American Dream—of a more perfect union, built not just on respect, but on an understanding that we are indeed a nation conceived in liberty, dedicated to the proposition that all are equal, and all have something to contribute to America's success.

Mr. BLUMENAUER. Mr. Speaker, I have no further speakers at this point. I would just conclude by welcoming also the resolution's expression of support for the United States to continue to lead the fight against anti-Semitism and other forms of religious and racial prejudice and discrimination, and that people of all faiths have a critical role to play in that matter.

Mr. Speaker, I yield back the balance of my time.

Mr. POE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. STEARNS). The question is on the motion offered by the gentleman from Texas (Mr. POE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 260, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. POE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

SENATOR PAUL SIMON WATER FOR THE POOR ACT OF 2005

Mr. POE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1973) to make access to safe water and sanitation for developing countries a specific policy objective of the United States foreign assistance programs, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1973

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Senator Paul Simon Water for the Poor Act of 2005''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Water-related diseases are a human tragedy, killing up to five million people annually, preventing millions of people from leading healthy lives, and undermining development efforts.

(2) A child dies an average of every 15 seconds because of lack of access to safe water and adequate sanitation.

(3) In the poorest countries in the world, one out of five children dies from a preventable, water-related disease.

(4) Lack of access to safe drinking water, inadequate sanitation, and poor hygiene practices are directly responsible for the vast majority of diarrheal diseases which kill over two million children each year.

(5) At any given time, half of all people in the developing world are suffering from one or more of the main diseases associated with inadequate provision of water supply and sanitation services.

(6) Over 1.1 billion people, one in every six people in the world, lack access to safe drinking water.

(7) Nearly 2.6 billion people, two in every five people in the world, lack access to basic sanitation services.

(8) Half of all schools in the world do not have access to safe drinking water and basic sanitation.

(9) Over the past 20 years, two billion people have gained access to safe drinking water and 600 million people have gained access to basic sanitation services.

(10) Access to safe water and sanitation and improved hygiene are significant factors in controlling the spread of disease in the developing world and positively affecting worker productivity and economic development.

(11) Increasing access to safe water and sanitation advances efforts toward other development objectives, such as fighting poverty and hunger, promoting primary education and gender equality, reducing child mortality, promoting environmental stability, improving the lives of slum dwellers, and strengthening national security.

(12) Providing safe supplies of water and sanitation and hygiene improvements would save millions of lives by reducing the prevalence of water-borne diseases, water-based diseases, water-privation diseases, and water-related vector diseases.

(13) Because women and girls in developing countries are often the carriers of water, lack of access to safe water and sanitation disproportionately affects women and limits women's opportunities at education, livelihood, and financial independence.

(14) Between 20 percent and 50 percent of existing water systems in developing countries are not operating or are operating poorly.

(15) In developing world water delivery systems, an average of 50 percent of all water is lost before it gets to the end-user.

(16) Every $1 invested in safe water and sanitation would yield an economic return of between $3 and $34, depending on the region.

(17) Developing sustainable financing mechanisms, such as pooling mechanisms and revolving funds, is necessary for the long-term viability of improved water and sanitation services.

(18) The annual level of investment needed to meet the water and sanitation needs of developing countries far exceeds the amount of Official Development Assistance (ODA) and spending by governments of developing countries, so facilitating and attracting greater public and private investment is essential.

(19) Meeting the water and sanitation needs of the lowest-income developing countries will require an increase in the resources available as grants from donor countries.

(20) The long-term sustainability of improved water and sanitation services can be advanced by promoting community level action and engagement with civil society.

(21) Target 10 of the United Nations Millennium Development Goals is to reduce by half the proportion of people without sustainable access to safe drinking water by 2015.

(22) The participants in the 2002 World Summit on Sustainable Development, held in Johannesburg, South Africa, including the United States, agreed to the Plan of Implementation of the World Summit on Sustainable Development which included an agreement to work to reduce by one-half ''the proportion of people who are unable to reach or afford safe drinking water,'' and ''the proportion of people without access to basic sanitation'' by 2015.

(23) At the World Summit on Sustainable Development, the United States announced the Water for the Poor Initiative, committing $970 million for fiscal years 2003 through 2005 to improve sustainable management of fresh water resources and accelerate and expand international efforts to achieve the goal of cutting in half by 2015 the proportion of people who are unable to reach or to afford safe drinking water.

(24) United Nations General Assembly Resolution 58/217 (February 9, 2004) proclaimed ''the period from 2005 to 2015 the International Decade for Action, 'Water for Life', to commence on World Water Day, 22 March 2005'' for the purpose of increasing the focus of the international community on water-related issues at all levels and on the implementation of water-related programs and projects.

(25) Around the world, 263 river basins are shared by two or more countries, and many more basins and watersheds cross political or ethnic boundaries.

(26) Water scarcity can contribute to insecurity and conflict on subnational, national, and international levels, thus endangering the national security of the United States.

(27) Opportunities to manage water problems can be leveraged in ways to build confidence, trust, and peace between parties in conflict.

(28) Cooperative water management can help resolve conflicts caused by other problems and is often a crucial component in resolving such conflicts.

(29) Cooperative water management can help countries recover from conflict and, by promoting dialogue and cooperation among former parties in conflict, can help prevent the reemergence of conflict.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to increase the percentage of water and sanitation assistance targeted toward countries designated as high priority countries under section 6(f) of this Act;

(2) to ensure that water and sanitation assistance reflect an appropriate balance of grants, loans, contracts, investment insurance, loan guarantees, and other assistance to further ensure affordability and equity in the provision of access to safe water and sanitation for the very poor;

(3) to ensure that the targeting of water and sanitation assistance reflect an appropriate balance between urban, periurban, and rural areas to meet the purposes of assistance described in section 135 of the Foreign Assistance Act of 1961, as added by section 5(a) of this Act;

(4) to ensure that forms of water and sanitation assistance provided reflect the level of existing resources and markets for investment in water and sanitation within recipient countries;

(5) to ensure that water and sanitation assistance, to the extent possible, supports the poverty reduction strategies of recipient countries and, when appropriate, encourages the inclusion of water and sanitation within such poverty reduction strategies;

(6) to promote country and local ownership of safe water and sanitation programs, to the extent appropriate;

(7) to promote community-based approaches in the provision of affordable and equitable access to safe water and sanitation, including the involvement of civil society;

(8) to mobilize and leverage the financial and technical capacity of businesses, governments, nongovernmental organizations, and civil society in the form of public-private alliances;

(9) to encourage reforms and increase the capacity of foreign governments to formulate and implement policies that expand access to safe water and sanitation in an affordable, equitable, and sustainable manner, including integrated strategic planning; and

(10) to protect the supply and availability of safe water through sound environmental management, including preventing the destruction and degradation of ecosystems and watersheds.

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) in order to make the most effective use of amounts of Official Development Assistance for water and sanitation and avoid waste and duplication, the United States should seek to establish innovative international coordination mechanisms based on best practices in other development sectors; and

(2) the United States should greatly increase the amount of Official Development Assistance made available to carry out section 135 of the Foreign Assistance Act of 1961, as added by section 5(a) of this Act.

SEC. 5. ASSISTANCE TO PROVIDE SAFE WATER AND SANITATION.

(a) IN GENERAL.—Chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by adding at the end the following new section:

"SEC. 135. ASSISTANCE TO PROVIDE SAFE WATER AND SANITATION.

''(a) PURPOSES.—The purposes of assistance authorized by this section are—

''(1) to promote good health, economic development, poverty reduction, women's empowerment, conflict prevention, and environmental sustainability by providing assistance to expand access to safe water and sanitation, promoting integrated water resource management, and improving hygiene for people around the world;

''(2) to seek to reduce by one-half from the baseline year 1990 the proportion of people who are unable to reach or afford safe drinking water and the proportion of people without access to basic sanitation by 2015;

''(3) to focus water and sanitation assistance toward the countries, locales, and people with the greatest need;

''(4) to promote affordability and equity in the provision of access to safe water and sanitation for the very poor, women, and other vulnerable populations;

''(5) to improve water efficiency through water demand management and reduction of unaccounted-for water;

''(6) to promote long-term sustainability in the affordable and equitable provision of access to safe water and sanitation through the creation of innovative financing mechanisms such as national revolving funds, and by strengthening the capacity of recipient governments and communities to formulate and implement policies that expand access to safe water and sanitation in a sustainable fashion, including integrated planning;

''(7) to secure the greatest amount of resources possible, encourage private investment in water and sanitation infrastructure and services, particularly in lower middle-income countries, without creating unsustainable debt for low-income countries or unaffordable water and sanitation costs for the very poor; and

''(8) to promote the capacity of recipient governments to provide affordable, equitable, and sustainable access to safe water and sanitation.

''(b) AUTHORIZATION.—To carry out the purposes of subsection (a), the President is authorized to furnish assistance for programs in developing countries to provide affordable and equitable access to safe water and sanitation.

''(c) ACTIVITIES SUPPORTED.—Assistance provided under subsection (b) shall, to the maximum extent practicable, be used to—

''(1) expand affordable and equitable access to safe water and sanitation for underserved populations;

''(2) support the design, construction, maintenance, upkeep, repair, and operation of water delivery and sanitation systems;

''(3) improve the safety and reliability of water supplies, including environmental management; and

''(4) improve the capacity of recipient governments and local communities, including

capacity-building programs for improved water resource management.

''(d) LOCAL CURRENCY.—The President may use payments made in local currencies under an agreement made under title I of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1701 et seq.) to provide assistance under this section.''.

(b) CONFORMING AMENDMENT.—Section 104(c) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1704(c)) is amended by adding at the end the following new paragraph:

''(9) SAFE WATER AND SANITATION.—To provide assistance under section 135 of the Foreign Assistance Act of 1961 to promote good health, economic development, poverty reduction, women's empowerment, conflict prevention, and environmental sustainability by increasing affordable and equitable access to safe water and sanitation.''.

SEC. 6. SAFE WATER AND SANITATION STRATEGY.

(a) STRATEGY.—The President, acting through the Secretary of State, shall develop a strategy to further the United States foreign assistance objective to provide affordable and equitable access to safe water and sanitation in developing countries, as described in section 135 of the Foreign Assistance Act of 1961, as added by section 5(a) of this Act.

(b) CONSULTATION.—The strategy required by subsection (a) shall be developed in consultation with the Administrator of the United States Agency for International Development, the heads of other appropriate Federal departments and agencies, international organizations, international financial institutions, recipient governments, United States and international nongovernmental organizations, indigenous civil society, and other appropriate entities.

(c) IMPLEMENTATION.—The Secretary of State, acting through the Administrator of the United States Agency for International Development, shall implement the strategy required by subsection (a). The strategy may also be implemented in part by other Federal departments and agencies, as appropriate.

(d) CONSISTENT WITH SAFE WATER AND SANITATION POLICY.—The strategy required by subsection (a) shall be consistent with the policy stated in section 3 of this Act.

(e) CONTENT.—The strategy required by subsection (a) shall include—

(1) an assessment of the activities that have been carried out, or that are planned to be carried out, by all appropriate Federal departments and agencies to improve affordable and equitable access to safe water and sanitation in all countries that receive assistance from the United States;

(2) specific and measurable goals, benchmarks, and timetables to achieve the objective described in subsection (a);

(3) an assessment of the level of funding and other assistance for United States water and sanitation programs needed each year to achieve the goals, benchmarks, and timetables described in paragraph (2);

(4) methods to coordinate and integrate United States water and sanitation assistance programs with other United States development assistance programs to achieve the objective described in subsection (a);

(5) methods to better coordinate United States water and sanitation assistance programs with programs of other donor countries and entities to achieve the objective described in subsection (a); and

(6) an assessment of the commitment of governments of countries that receive assistance under section 135 of the Foreign Assistance Act of 1961, as added by section 5(a) of this Act, to policies or policy reforms that support affordable and equitable access by the people of such countries to safe water and sanitation.

(f) DESIGNATION OF HIGH PRIORITY COUNTRIES.—The strategy required by subsection (a) shall further include the designation of high priority countries for assistance under section 135 of the Foreign Assistance Act of 1961, as added by section 5(a) of this Act. This designation shall be made on the basis of—

(1) countries in which the need for increased access to safe water and sanitation is greatest; and

(2) countries in which assistance under such section can be expected to make the greatest difference in promoting good health, economic development, poverty reduction, women's empowerment, conflict prevention, and environmental sustainability.

(g) REPORTS.—

(1) INITIAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit to the appropriate congressional committees a report that describes the strategy required by subsection (a).

(2) SUBSEQUENT REPORTS.—

(A) IN GENERAL.—Not less than once every year after the submission of the initial report under paragraph (1) until 2015, the Secretary of State shall submit to the appropriate congressional committees a report on the status of the implementation of the strategy, progress made in achieving the objective described in subsection (a), and any changes to the strategy since the date of the submission of the last report.

(B) ADDITIONAL INFORMATION.— Such reports shall include information on the amount of funds expended in each country or program, disaggregated by purpose of assistance, including information on capital investments, and the source of such funds by account.

(3) DEFINITION.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

SEC. 7. MONITORING REQUIREMENT.

The Secretary of State and the Administrator of the United States Agency for International Development shall monitor the implementation of assistance under section 135 of the Foreign Assistance Act of 1961, as added by section 5(a) of this Act, to ensure that the assistance is reaching its intended targets and meeting the intended purposes of assistance.

SEC. 8. SENSE OF CONGRESS REGARDING DEVELOPMENT OF LOCAL CAPACITY.

It is the sense of Congress that the Secretary of State should expand current programs and develop new programs, as necessary, to train local water and sanitation managers and other officials of countries that receive assistance under section 135 of the Foreign Assistance Act of 1961, as added by section 5(a) of this Act.

SEC. 9. SENSE OF CONGRESS REGARDING ADDITIONAL WATER AND SANITATION PROGRAMS.

It is the sense of the Congress that—

(1) the United States should further support, as appropriate, water and sanitation activities of United Nations agencies, such as the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP), and the United Nations Environment Programme (UNEP); and

(2) the Secretary of the Treasury should instruct each United States Executive Director at the multilateral development banks (within the meaning of section 1701(c) of the International Financial Institutions Act) to encourage the inclusion of water and sanitation programs as a critical element of their development assistance.

SEC. 10. REPORT REGARDING WATER FOR PEACE AND SECURITY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that United States programs to support and encourage efforts around the world to develop river basin, aquifer, and other watershed-wide mechanisms for governance and cooperation are critical components of long-term United States national security and should be expanded.

(b) REPORT.—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate a report on efforts that the United States is making to support and promote programs that develop river basin, aquifer, and other watershed-wide mechanisms for governance and cooperation.

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated for fiscal year 2006 and each subsequent fiscal year such sums as may be necessary to carry out this Act and the amendments made by this Act.

(b) OTHER AMOUNTS.—Amounts appropriated pursuant to the authorization of appropriations in subsection (a) shall be in addition to the amounts otherwise available to carry out this Act and the amendments made by this Act.

(c) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under section (a) are authorized to remain available until expended.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. POE) and the gentleman from Oregon (Mr. BLUMENAUER) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. POE).

GENERAL LEAVE

Mr. POE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1973.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, water-related illnesses claim the life of one child approximately every 8 to 15 seconds, killing an average of 3,000 to 5,000 children a day, and up to 5 million people annually. Mr. Speaker, the statistics are staggering. Approximately 1.1 billion people do not have access to safe water and 2.6 billion people lack access to basic sanitation.

According to the United Nations Task Force on Water and Sanitation, more than half the people in the developing world are suffering from one or more of the main diseases associated with inadequate provision of water supply and sanitation. These numbers, Mr. Speaker, indicate a humanitarian catastrophe that places global development and human security in peril.

Acknowledging the linkages between access to safe water and sanitation and

other development sectors, the administration has taken some noteworthy actions in response to these challenges.

□ 1430

The Water for the Poor and Clean Water for People are initiatives totaling almost $1.5 billion combined. However, more needs to be done. Currently, improving access to safe water and sanitation is not a stated priority of the Foreign Assistance Act of 1961. In addition, the geographical distribution of funding for water programs does not correspond to the level of need for safe water and sanitation in particular countries.

Mr. Speaker, I want to take a moment to thank the gentleman from Oregon (Mr. BLUMENAUER) for his leadership in confronting global water challenges by introducing H.R. 1973. Specifically, this measure makes access to safe water and sanitation for developing countries a specific policy objective of the United States foreign assistance programs. I am proud of the strong bipartisan cooperation reflected in the amended version of H.R. 1973 that we are discussing here today. I am confident that the changes made to the original text will greatly improve the coordination, quality, and effectiveness of U.S. foreign programs for water and sanitation.

I am also pleased that we have the chance to give recognition to the selfless work of a great public servant through the passage of this act. The late Senator Paul Simon of Illinois played a significant role in drawing the attention of the chairman and that of members of the House International Relations Committee to this issue. The United States Congress recognizes the valuable contributions made by Senator Simon in his book entitled, ''Tapped Out: The Coming World Crisis in Water Scarcity and What We Can Do About It.''

Senator Simon spent much of his life working to garner political support toward finding solutions to global water challenges. We hope that today his memory will be respectfully and appropriately honored and served through the passage of this act. The Senator Paul Simon Water For the Poor Act of 2005 authorizes assistance to promote increased access to safe water and sanitation for vulnerable populations in developing countries in an affordable and equitable way. H.R. 1973 amends the Foreign Assistance Act of 1961 by broadening the areas of development assistance objectives to include improved access to safe water and sanitation.

This act requires the Secretary of State to develop a strategy in consultation with the administrator of the U.S. Agency for International Development to carry out this objective. The strategy called for in this important legislation requires the Secretary of State to assess the adequacy of current activities, define measurable objectives as stipulated by this legislation and assess the level of funding needed to meet them, and improve the coordination and integration of water and sanitation programs provided by the United States with the water and sanitation assistance programs of other donor countries and institutions.

Also, this act requires the designation of high-priority countries in which the need for increased access to safe water and sanitation is greatest. This is critical to making sure that assistance is being targeted to reach those who are most in need.

H.R. 1973 recognizes the impact that lack of access to safe water and sanitation can have on peace and security. Over 260 river basins are shared by two or more countries. Water scarcity can sometimes further complicate longstanding conflicts. This is especially true in the Middle East where nations vie for control over water resources. This legislation will contribute to United States national security by supporting programs that foster cooperation over shared water resources, including river basins and aquifers.

Mr. Speaker, H.R. 1973 is an important step in defining a clear and coherent United States international water policy. This legislation will save lives and improve the quality of living for billions of people throughout the world.

Mr. Speaker, I strongly support the passage of H.R. 1973, the Senator Paul Simon Water for the Poor Act of 2005, and look forward to its immediate passage in the Senate where Senate Majority Leader BILL FRIST has introduced similar legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. BLUMENAUER. Mr. Speaker, I yield myself such time as I may consume.

I appreciate the strong and eloquent statement of my friend from Texas, his support for this legislation and over 100 of our colleagues on bipartisan legislation that seeks to make a difference, as my friend said. I would like to express my deep appreciation for Chairman HYDE's hard work and passion on this item that has helped us get to this point today.

This legislation may be coming up under suspension of the rules, but for over 2 billion people around the world without access to safe drinking water and basic sanitation, nothing could be more important for us to discuss here today. This is an opportunity for the House of Representatives to exert leadership on this too-often-overlooked, but critical, issue. Headlines today are devoted to the potential for a pandemic dealing with bird flu, and rightly so. But here and now, lack of access to water and sanitation is the number one killer around the world. We may take safe drinking water and sanitation for granted, but such is not the case for these hundreds of millions of people.

As my colleague said a moment ago, every 7 to 15 seconds, a child dies unnecessarily from waterborne disease. In the course of our brief discussion today, over 100 children will die unnecessarily. As a result of lack of access to safe drinking water, half the people in the world today who are sick, are sick unnecessarily because of this simple problem. This bill is an opportunity, not to create vast new programs and bet on new technology, but to refocus our foreign assistance efforts on a comprehensive, strategic series of investments. There are simple common-sense steps the world fully understands which will make a difference in people's lives, help transform their communities while building real local capacity for sustainable development.

Water and sanitation is crucial because it is a necessary part of every one of our foreign assistance objectives. Access to water empowers women and girls who in many places are unable to get an education or hold a job because they have to spend hours walking to fetch water for their families. They are at risk in many places of attack as they leave the village in search of safe water, and hours of dangerous toil means school is less likely or even impossible.

Safe water and sanitation makes people healthier and, therefore, more economically productive. Studies show at any given time the fact that half the people in the developing world being sick from water-related diseases, especially chronic diarrhea, saps their capacity to be economically productive.

We find that the economic benefits of investing in safe drinking water and sanitation is dramatic, up to $34 in increased economic productivity for every dollar invested. Poor countries with access to improved water and sanitation have enjoyed annual growth rates in their gross domestic product of 3.7 percent, while those without adequate investment saw their GDP grow at just one-tenth of 1 percent, almost 40 times greater for those with the adequate investment.

Poor people are already investing vast sums of money on unsafe water and access to water that comes via trucks. Investing in real water delivery systems will actually free up money for poor people to invest in their basic needs. There are even opportunities for microenterprise. In this way, these water investments can work the same as microfinance and debt relief combined.

Increasing access to safe drinking water and sanitation helps protect the environment, and not just for poor people in developing countries. Improving sanitation helps keep raw sewage from flowing into rivers and water sources. Protecting these natural resources helps keep water supplies clean and people healthier all around the world.

Safe water projects can empower communities, supporting them on their way to self-sufficiency. It builds the capacity for communities to design, build and maintain not just their water and sanitation systems; it can provide an inclusive process to bring together

their governments with their citizens, the components of civil society to develop the needs for democracy and good government.

As my friend alluded to, water can help prevent conflict and violence as, across the world, efforts to cooperate over shared water resources can serve as an incentive to limit conflict and a starting point for efforts to resolve conflict.

Finally, the Copenhagen Consensus group of economists, a group that, frankly, is skeptical of much foreign aid, rates the investments in water and sanitation as some of the best and most effective investments in development, growth, and ending poverty. This is not an investment that is going to end up in some thug's Swiss bank account. It puts local people to work while it saves their children's lives.

The scope and immediacy of this crisis in water and sanitation around the world was center stage when I and a number of my colleagues from the House attended the World Summit on Sustainable Development in Johannesburg, South Africa in 2002. There, while we were debating water and its role in sustainability, we were able to visit some of the desperately poor instant slums that had sprung up around Johannesburg. We saw firsthand the need for water and sanitation being at the forefront of those people's needs and, again, examples of cost-effective mechanisms that made a difference. I think that was one of the reasons why the United States and 185 other countries committed to cutting in half the number of people in the world without access to safe drinking water and sanitation by 2015.

The cost of meeting this goal is not an investment that is beyond our capacity. It is less than Europeans spend on perfume each year or that Americans spend on elective cosmetic surgery. In order to put it in perspective, it is less than the cost of one takeout pizza per American family per year that will enable us to transform people's lives. Unfortunately, despite our good work, despite the consensus in 2002, despite the growing awareness of this problem, the world is not yet on track to meet that goal.

□ 1445

The United States has not yet developed a comprehensive strategy to make that happen. It is not that we are unaware or that we are on the sidelines. We are spending a huge amount of money already, and the House just approved doubling our current investment in aid last week.

We have a wide variety of programs across the whole of the Federal Government. There are programs in the Department of Agriculture, the Department of Defense, Interior, State, the African Development Foundation, the National Science Foundation, the U.S. Agency For International Development, the U.S. Trade and Development Agency, Centers For Disease Control, the Export-Import Bank, the Inter-American Foundation, the Overseas Private Investment Corporation, the Peace Corps, EPA, all have pieces of this puzzle. The problem is we have not brought them together in a comprehensive and thoughtful fashion. There is not enough coordination and strategic planning among the various programs.

Our current efforts are focused almost entirely on a very few places, most of the investment to be found in Afghanistan, Iraq, Jordan, the West Bank, and Gaza. I am not going to suggest at all that those investments are not worthwhile and important, but it is time that we refocus our efforts to make sure that we pay attention to areas of greatest need. For example, the lowest percentage of access to water and sanitation is in sub-Saharan Africa, and it gets only $7 million a year. The largest number of people without this access are in South and East Asia.

This legislation helps us take these many programs, give them the coordination and direction they need to make a difference.

The Paul Simon Water for the Poor Act establishes improving affordable and equitable access to water and sanitation as a major objective of our foreign policy. It directs the Secretary of State to develop a strategy with specific timetables, benchmarks and goals to bring together this vast array of programs that I mentioned to integrate water and sanitation into our development efforts and to meet our commitment that the United States and over 180 other countries made in Johannesburg.

It will ensure that water and sanitation is focused on the places with the greatest need, including efforts on building developing world capacity so that they do not remain dependent on our assistance over time. And it sets policy to assure that our assistance is as cost effective as it can be. That is one of the elements that came forward in our hearings. In talking to faith-based and other nongovernmental organizations, we learn there are a vast array of cost-effective mechanisms that will make a difference and will do it quickly.

I would also note that this bill would establish one of the Millennium Development Goals in U.S. law for the first time. This would be regarded as a very positive development around the world. Our efforts in this legislation are designed to provide our government, recipient governments and all their private-sector and NGO partners with the necessary tools and flexibility to increase access to safe drinking water and sanitation in an affordable and equitable way. It is the result of a long process that has included input from Members on both sides of the aisle, from NGOs, from faith-based organizations, environmental groups, engineering firms, water-related businesses, from the administration.

I am pleased and proud that our committee has been inclusive and thoughtful in bringing this together. I think it has the potential not just in healing some of the poorest countries around the world, but I think it is an example of the bipartisan cooperation that Members here are interested in.

As my colleague from Texas pointed out, this is a priority of Senate Majority Leader BILL FRIST. He has introduced legislation, along with the Democratic Leader HARRY REID. There is an opportunity here for the two Chambers to come together quickly to be able to put legislation on the President's desk before we adjourn this year, and it will have an impact that will be felt, as they say, around the world.

I have mentioned the support, leadership, and passion of our chairman, the gentleman from Illinois (Mr. HYDE). I appreciate ranking Democrat, the gentleman from California's (Mr. LANTOS) advice and counsel to me as I have been developing this legislation and moving it forward.

There are key staff members here: Lara Alameh, who has spent countless hours for the majority working with the gentleman from Illinois (Mr. HYDE), moving this legislation forward, and I appreciate her personal commitment and engagement; Robin Roizman from the gentleman from California's (Mr. Lantos) staff; my friend and colleague, Judah Ariel, who has made this a critical part of his role in our office. I appreciate the people behind the scenes who have worked hard to give us a piece of legislation that we can move forward with confidence and expedition.

Finally, I am pleased that the gentleman from Illinois (Mr. HYDE) actually had the idea, I am sorry that I did not name this legislation after Senator Paul Simon. Senator Simon gave me a copy of his book ''Tapped Out'' on his last visit to Oregon, something that I cherish. And he was the type of bipartisan, thoughtful, results-oriented legislator that we all should want to emulate. This legislation will be a fitting memorial to his memory. I appreciate what has brought us to this day.

Mr. Speaker, I will submit in the RECORD an expanded list of the groups and organizations who have made the legislation possible, who have worked with the staff, who have worked to refine it, and who are raising the public awareness.

Mr. Speaker, I am pleased that we have reached this point today. I am pleased that in the last week I think it is safe to say there has been more attention spent on Capitol Hill on providing safe drinking water for the poor than there has probably been in years. I think it is time well spent. This legislation will move us in that direction, and I am pleased that we have it here before us today.

I would also like to thank the following groups for their support and assistance:

Mercy Corps, Water Advocates, Millennium Water Alliance, National Wildlife Federation,

the Environmental Change and Security Program at the Woodrow Wilson International Center for Scholars, US Fund for UNICEF, Engineers Without Borders, National Audubon Society, American Council of Engineering Companies, Water Environment Federation, Water for People, American Council of Engineering Companies, Nature Conservancy, Public Citizen, American Refugee Committee, CARE USA, Food for the Hungry, the Institute for Sustainable Communities, Lifewater International, Oxfam America, Population Action International, Sister Cities International, WaterAid America, Waterlines, WaterPartners International, The Nature Conservancy, US-India PAC, Citizens for Global Solutions, and the Institute for MultiTrack Diplomacy.

Ms. LEE. Mr. Speaker, I rise in support of H.R. 1973, the Senator Paul Simon Water for the Poor Act of 2005.

I want to congratulate my colleague, Mr. BLUMENAUER for bringing this bill to the floor today, and I want to thank Chairman HYDE and the Ranking Member for their support of this important legislation

Mr. Speaker, it is a sad fact that here in the United States many of us take clean, plentiful water for granted. According to the Environmental Protection Agency, we use on average about 90 gallons of water per person per day. We expect it to be immediately available for us to drink, to cook with, to shower, to wash our cars, to water our lawns, to fill our swimming pools, and to flush our toilets. Most of this water is needlessly wasted, and we must do more to reduce our usage. But for most people in the developing world, clean water is a precious commodity not to be wasted.

In Sub-Saharan Africa alone, the average person uses 3–5 gallons of water per day. That's why this bill is so important.

As a co-sponsor of H.R. 1973, I am a strong believer in providing clean water and sanitation systems for developing countries to protect public health and reduce the spread of water borne diseases.

According to a recent report by the United Nation's Children's Fund and the World Health Organization, 1.1 billion people worldwide still lack safe water and 2.6 billion have no sanitation. In Africa, only 58 percent of Africans live within 30 minutes walk of an improved water source and only 36 percent have access to a basic toilet.

In rural Africa, 19 percent of women spend more than one hour on each trip to fetch water, a back breaking and exhausting chore that often puts them at risk of abduction or rape, and robs them of other opportunities to work and learn.

Unsafe water, inadequate sanitation and poor hygiene habits play a major role in Africa's high child mortality rate. Each year, diarrhea kills over 700,000 children throughout the continent, and contributes to the problem of chronic malnutrition. Access to clean water is literally a life or death issue for many Africans.

By passing this bill today, we can take a significant step forward to improve access to clean water throughout Africa and the developing world. I want to again thank Mr. BLUMENAUER for his work on this bill, and for working with me to ensure that we receive appropriate reporting on the balance of funding going to urban, rural, and peri-urban communities.

I urge my colleagues to support this bill and send it to the other body for its swift approval.

Mr. REYES. Mr. Speaker, I rise today in strong support of H.R. 1973, the Water for the Poor Act of 2005, a much needed statement of Congress' concern for one of the world's most fundamental problems.

Mr. Speaker, according to the World Health Organization, one billion people around the world live without access to clean water, and 2.6 billion—40 percent of the world's population—cannot access basic sanitation. While the front pages of our newspapers recount the horrors of conflict and displacement and the risk of potential influenza pandemic, the silent epidemic of waterborne illness continues to sicken and kill around the world. Most of us here take having an unlimited supply of clean water for granted, but for billions of people the everyday question of water access means the difference between hope and misery, and even life and death.

If we make the commitment to help more people around the world gain access to potable water, we can help societies become more productive by making them healthier. We can ensure the education of more girls who had previously spent hours a day carrying water. And we can save the lives of children who would have died of easily preventable diseases before maturity.

Mr. Speaker, it is also important to point out in this context that some people struggle to access water right here in the United States. In my district of El Paso, Texas and along the entire United States-Mexico border, unincorporated and under-served settlements called colonias regularly lack access to clean and affordable water. As we pass H.R. 1973 today, I want to remind my colleagues that we must continue funding North American Development Bank programs, such as the Border Environment Infrastructure Fund (BEIF), that help finance essential services infrastructure on both sides of the border.

Mr. Speaker, I ask that all of my colleagues join me in supporting this important legislation.

Mr. LANTOS. Mr. Speaker, I commend my good friend and distinguished colleague, Congressman EARL BLUMENAUER, for his leadership on this critically important bill, of which I am proudly an original cosponsor.

I would also like to commend my dear colleague and friend, HENRY HYDE, Chairman of the House International Relations Committee, for his help in bringing the bill to the floor expeditiously.

Mr. Speaker, the entire world has witnessed time and again the unimaginable devastation that humanitarian disasters, such as Hurricanes Katrina and Wilma and the Pakistani earthquake, can wreak. They leave hundreds of thousands homeless and hungry, their lives in danger from water-borne diseases because of unsafe water and sanitation.

Unsafe water and poor sanitation are appallingly common in the developing world. Each year, more than 3 billion people suffer from water-related diseases, from which 3 to 4 million die—and most victims are children under five.

The Senator Paul Simon Water for the Poor Act seeks to address the 1.1 billion people lacking access to safe drinking water and the almost 2½ billion who have no access to basic sanitation. The legislation directs the Administration to make expanding access to safe water and sanitation a major policy objective in U.S. development efforts.

The bill authorizes new programs to make this policy a reality, including expanding affordable and equitable access to safe water and sanitation and improving the capacity of national and local governments and communities to effectively address their water and sanitation needs.

The bill also authorizes the Secretary of State to develop and implement a safe water and sanitation strategy, including the designation of high priority countries with the greatest water and sanitation needs. Finally, it urges the Administration to expand programs that promote trans-boundary cooperation on water issues.

Mr. Speaker, at nearly every meal, we think nothing of lifting a glass of cool drinking water and hardly notice its cooling effects. Unfortunately, our blessings are not shared by billions of our fellow human beings. In the interest of stability worldwide and in keeping with our core humanitarian values, the United States must do all within our power to ensure that people everywhere have access to safe water and sanitation.

I urge all my colleagues to support this critical legislation.

Ms. EDDIE BERNICE-JOHNSON of Texas. Mr. Speaker, I rise today to express my support for H.R. 1973. I want to commend the gentleman from Oregon for introducing this noteworthy piece of legislation, as it addresses one of the earth's most precious resources—water.

Water is essential for life. It is crucial for sustainable development, the preservation of our natural environment, and the alleviation of poverty and hunger. Water is indispensable for human health and well being.

Arguably one of the most underappreciated challenges facing humanity today is: the availability of clean, fresh water and adequate sanitation infrastructure.

It is practical to intertwine sanitation with water supply. In many instances, clean drinking water supplies cannot be secured without adequate attention to sanitation, as waste disposal remains one of the most serious sources of drinking water contamination.

A lack of fresh water and sanitation infrastructure create ideal conditions under which various water-borne diseases thrive. Water and sanitation-related diseases remain among the biggest killers, particularly among children. Across the globe, many millions of children die every year from water-borne diseases.

The poor are more vulnerable to ill-health than are the well-off. They lack adequate supplies of safe water and safe methods of waste disposal. Study after study has shown that when a community improves its water supply, hygiene and/or sanitation then health improves. Yet unfortunately, statistics reflect a terrible story.

According to the World Health Organization, forty percent of the world's 6 billion people have no acceptable means of sanitation, and more than 1 billion people draw their water from unsafe sources.

As an industrialized nation, the United States must be a leader in addressing this challenge. H.R. 1973 makes the provision of safe water and sanitation a stated goal of U.S. foreign assistance policy. It lends a practical hand to human development and dignity. This is a noble effort, and I proudly support it.

Ms. SCHAKOWSKY. Mr. Speaker, I rise today In support of H.R. 1973, the Senator Paul Simon Water for the Poor Act. And I want to thank my colleague, the author of this

legislation, the gentleman from Oregon (Mr. BLUMENAUER) for his leadership on this critical issue and for doing great honor to the name of one of my dear departed friends. The late Senator Paul Simon, my friend from Illinois, was one of our strongest proponents of the need for U.S. leadership in addressing the global water crisis. He considered his book on this topic, Tapped Out, one of the most important works of his life. Senator Simon stated: "In our world increasing numbers of people cannot assume they will be nourished and sustained, and within a few years, a water crisis of catastrophic proportions will explode on us—unless aroused citizens in this and other nations demand of their leadership actions reflecting vision, understanding, and courage."

If Senator Simon were with us today he would certainly point out the fact that globally, over 1 billion people lack adequate access to safe drinking water and over 2 billion have no access to proper sanitation. Five million people, mostly children, die unnecessarily from water-related diseases each year. This is not just a problem that affects other countries. Three of our fastest growing states—California, Texas, and Florida—are feeling the squeeze on water supplies and will soon face major difficulties unless we take action now. In Illinois and the other Great Lakes states, we are faced with challenging resource management issues as we seek to preserve and protect our nation's largest fresh water supply and the largest free-flowing supply of fresh water on earth.

Mr. Speaker, it is in Senator Simon's memory and because of the urgency of this issue, that I support the Water for the Poor Act. As Senator Simon wrote, "No other nation has the capabilities and resources to lead." Because water is a finite resource that is essential to all forms oflife, u.S. policies should seek to ensure that all people have access to clean water to meet their basic needs. Senator Simon's wife Patty Simon is working hard to carry on his legacy and this critically important mission and each member of this body should join in that critically important effort.

The Water for the Poor Act will help to increase access to safe water and sanitation worldwide in an affordable and equitable way. It expresses the policy that the United States needs to increase the amount of funds available for water and sanitation, supports innovative funding mechanisms, greater international coordination, and better integration of water and sanitation into other development efforts. Finally, it requires the development of a strategy to meet specific goals and benchmarks on the way to halving the percentage of people without access to safe water and sanitation.

At the 2002 World Summit on Sustainable Development in Johannesburg, the United States and 185 other countries agreed to the goal of cutting in half the percentage of people without access to safe water and basic sanitation in the world by 2015. The United States should lead in meeting and exceeding that goal. The Senator Paul Simon Water for the Poor Act is the best first step in that direction. I, again, thank and commend my colleague and all of the cosponsors of this important legislation. And I urge all of my colleagues to support H.R. 1973.

Mr. BLUMENAUER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. POE. Mr. Speaker, I want to thank the gentleman from Oregon (Mr. BLUMENAUER) for sponsoring this legislation.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. STEARNS). The question is on the motion offered by the gentleman from Texas (Mr. POE) that the House suspend the rules and pass the bill, H.R. 1973, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. BLUMENAUER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

GYNECOLOGICAL RESOLUTION FOR ADVANCEMENT OF OVARIAN CANCER EDUCATION

Mr. UPTON. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 444) supporting the goals and ideals of National Ovarian Cancer Awareness Month, as amended.

The Clerk read as follows:

H. RES. 444

Resolved,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Gynecological Resolution for Advancement of Ovarian Cancer Education".

SEC. 2. FINDINGS.

The Congress finds that—

(1) ovarian cancer is a serious and underrecognized threat to women's health;

(2) ovarian cancer is the fourth leading cause of cancer death among women living in the United States;

(3) ovarian cancer is very treatable when it is detected early, but the vast majority of cases are not diagnosed until the cancer has spread beyond the ovaries;

(4) only 19 percent of ovarian cancer cases in the United States are diagnosed in the early stages;

(5) in cases where ovarian cancer is detected before it has spread beyond the ovaries, more than 94 percent of women will survive longer than five years;

(6) many people do not know that ovarian cancer often presents with persistent symptoms such as abdominal pressure, bloating, discomfort, nausea, indigestion, constipation, diarrhea, frequent urination, abnormal bleeding, unusual fatigue, unexplained weight loss or gain, and shortness of breath;

(7) many people do not know that certain women are at higher risk for developing ovarian cancer if they have risk factors, including increasing age, a personal or family history of ovarian, breast, or colon cancer, and not having had children;

(8) raising public awareness of ovarian cancer by educating doctors and women about the disease will save lives;

(9) ovarian cancer research is needed to develop early detection tools, prevention methods, enhanced therapies, and a cure;

(10) there are still large gaps in knowledge on key scientific aspects of the disease;

(11) there is still no reliable and easy-to-administer screening test for ovarian cancer;

(12) President George W. Bush proclaimed September 2005 as National Ovarian Cancer Awareness Month; and

(13) during the month of September, the Ovarian Cancer National Alliance and its 46 State and regional groups held hundreds of events across the country to increase public awareness of the disease.

SEC. 3. SENSE OF CONGRESS.

The House of Representatives supports the goals and ideals of National Ovarian Cancer Awareness Month, and it is the sense of the House of Representatives that—

(1) awareness and early recognition of ovarian cancer symptoms are currently the best way to save women's lives; and

(2) ovarian cancer research should be well-funded so that a reliable screening test can be developed and a cure can be found.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from Oregon (Mr. DEFAZIO) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. UPTON).

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Res. 444.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H. Res. 444, the Gynecological Resolution for Advancement of Ovarian Cancer Education, or "GRACE's Resolution." I would like to thank the gentleman from Texas (Mr. BARTON) and the gentleman from Georgia (Mr. DEAL) of the Energy and Commerce Committee, as well as the leadership, for bringing this bill directly to the floor today. I would also like to commend the author of this legislation our friend, Mr. HALL, for his work in Congress to improve health care for all Americans. I know that this is a very personal issue that hits so close to home for him, and I fully support him in his efforts.

It is an unfortunate fact that ovarian cancer affects one out of 57 women. In 2005, it is expected that more than 22,000 women will be diagnosed with the disease and an estimated 16,000 will die from it.

In my own State of Michigan, there are an average of 515 deaths per year from ovarian cancer and an average incidence rate of 760 people per year.

Ovarian cancer is the fourth leading cause of cancer death among women in the United States. Fifty percent of women diagnosed with ovarian cancer die from it within 5 years. However, if it is detected early, the disease, in fact, is very treatable. In cases where ovarian cancer is detected before it has spread beyond the ovaries, more than 90 percent of women will survive longer than 5 years. But sadly, only 19 percent of ovarian cancer cases in the United

States are diagnosed in the early stages.

Unfortunately, ovarian cancer does not share the same positive statistics as other cancers. In the most recent report put out by the American Cancer Society, the Centers for Disease Control and Prevention, the National Cancer Institute, and the North American Association of Central Cancer Registries, there were many great developments in cancer trends. Among men, the incidence rates of all cancers were stable from 1995 through 2002. Among women, however, the rates increased by 0.3 percent annually from 1987 to 2002. However, death rates for men and women decreased 1.1 percent during that same period of time.

While death rates decreased for many cancers, they have stayed consistently high for ovarian cancer. As the National Cancer Institute statistics demonstrate, a woman's risk of dying from ovarian cancer is not less today than it was 10 years ago.

Education is the key to detecting this cancer early. Currently, 86 percent of women state that they have little to no knowledge of gynecological cancers. Forty-five percent of women are unaware of risk factors associated with developing a gynecologic cancer, and 47 percent are unable to name any symptoms of gynecological cancers. Perhaps most startling, 43 percent of women believe that they are not at risk of developing gynecological cancer. As the resolution states, ''Awareness and early recognition of ovarian cancer symptoms are currently the best way to save women's lives.''

Early detection of ovarian cancer is possible. In a national study done by Dr. Barbara Goff of ovarian cancer patients, 95 percent of women had experienced symptoms prior to their diagnosis. We need national awareness among the medical community and among women themselves that ovarian cancer is not a silent disease, the label that it was given many years ago. There are symptoms that can lead to early diagnosis when the disease is beatable and obviously then treatable.

Ovarian cancer often presents with persistent symptoms such as abdominal pressure, bloating, discomfort, nausea, indigestion, constipation, abnormal bleeding, unusual fatigue, unexplained weight loss or gain, and shortness of breath. There are also groups of women who are at higher risk of developing the disease. They include women of increasing age, women who have a personal or family history of ovarian, breast, or colon cancer, and women who have not had children.

Since these symptoms are so common, ovarian cancer is often a missed diagnosis. There are several reasons for patient-related delays in diagnosis, including a lack of pain, fear, and ignorance regarding cancer symptoms. Additionally, doctors often attribute the symptoms to stress, gastritis, irritable bowel syndrome, or depression. Thirty percent of women are treated first for another condition before they find out that they have ovarian cancer.

One of the reasons the survival rate for ovarian cancer remains low is that, so far, there is not a reliable test to detect the disease. Researchers have determined that the disease is related to the BRCA gene, and that women who inherit the BRCA 1 mutated gene have a 20 to 40 percent chance of developing ovarian cancer.

□ 1500

Family members diagnosed with ovarian cancer can get a blood test to determine if they have the BRCA-mutated gene.

Researchers around the country, as well as the National Cancer Institute, have been working towards a solution; but progress is slow. More ovarian cancer research is needed to develop early detection tools, prevention methods, enhanced therapies, and obviously a cure.

There are still large gaps in knowledge on key scientific aspects of the disease. For example, we still do not know if all ovarian cancers are the same disease. There is still no reliable and easy-to-administer screening test for ovarian cancer like the pap smear for cervical cancer or the mammogram for breast cancer. Healthy women have no alternative for screening but to be aware of the ovarian cancer symptoms.

Research on ovarian cancer is underfunded relative to the high mortality rate. In 2002, the National Cancer Institute allocated only about one-fifth as much money to ovarian cancer research, $93 million, as to breast cancer, $522 million, and one-third as much to prostate cancer, $278 million, two diseases whose mortality rates are proportionately lower than ovarian cancer.

I am heartened to see that we are battling these other diseases and winning the war over them. We need still to pay a lot of attention to the needs of ovarian cancer patients.

Once again, I would like to commend my friend from Texas (Mr. HALL) and all the other cosponsors for bringing this resolution to the floor today increasing our awareness of this deadly disease. I would encourage my colleagues to adopt this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. DEFAZIO. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. LEVIN).

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, I rise in support of this resolution, and I am glad we are doing so. My colleague has described what the major problem is.

We have a predicament. Early detection of ovarian cancers most often leads to treatment and successful treatment, while late diagnosis makes treatment exceptionally difficult.

We have today 80,000 women who are diagnosed with gynecological cancers and about a third or a little more with ovarian cancer; and every year about 27,000 women die from the gynecological cancers, and about half of those, a little more, from ovarian cancer.

We need very much to step up to the plate on this vital, vital need; and this resolution is important because it helps to call attention to this need.

I do want to point out the need also for us to go further than this. A number of us have been working for a number of years to provide some Federal resources behind our good intentions.

The bill, which is called Johanna's Law, would set aside some Federal moneys for a national public awareness campaign and also would provide grants to local entities and to national groups to help educate women, physicians, insurance companies, and everybody else about the need, the importance, and the feasibility of early detection of ovarian cancer.

I hope today will be another step towards not only recognition but also action. I congratulate the sponsors of this resolution and all who are talking in favor of it.

Mr. UPTON. Mr. Speaker, I yield 4½ minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I thank the gentleman from Michigan for yielding, and I rise today in support of H. Res. 444, the Gynecological Resolution for Advancement of Ovarian Cancer Education, or Grace's Resolution, as the acronym goes. I would like to thank Chairman BARTON and Chairman DEAL of the Energy and Commerce Committee, as well as the leadership, for bringing the resolution to the floor today.

Mr. Speaker, in America, ovarian cancer is the fourth leading cause of cancer death in women. It afflicts one out of every 57 women, and more than 22,000 will be diagnosed with the disease in 2005. Out of these 22,000 women, more than 16,000 will die from the disease.

While Americans have made much progress toward decreasing the mortality rate for many other women's cancers, such as cervical, uterine and breast cancer, the numbers have remained stubbornly high for ovarian cancer. For example, the 5-year survival for breast cancer is 98 percent; uterine cancer, 96 percent; cervical cancer, 73 percent. Unfortunately, the ovarian cancer 5-year survival rate lags at 44 percent, Mr. Speaker.

If it is detected early, the disease is very treatable. In cases where ovarian cancer is detected before it has spread beyond the ovaries, more than 94 percent of women will survive longer than 5 years; but, unfortunately, only 19 percent of ovarian cancer cases in the United States are diagnosed in the early stages. Ovarian cancer has the highest mortality rate of all gynecological cancers. As the National Cancer Institute statistics demonstrate, a woman's risk of dying from ovarian cancer is not less today than it was 10 years ago.

The resolution on the floor today stresses the need for more ovarian cancer education. Education is the key to detecting this cancer early. Currently, 86 percent of women state that they have little to no knowledge of gynecologic cancers. Forty-five percent of women are unaware of risk factors associated with developing a GYN cancer, and 45 percent are unable to name any symptoms of gynecological cancers. Perhaps most startling, 43 percent of women believe that they are not at risk of developing gynecological cancer.

Fortunately, researchers have discovered several common symptoms of the disease; but, Mr. Speaker, unfortunately, ovarian cancer often first presents with little or no symptoms. Persistent symptoms such as abdominal pressure, bloating, discomfort, nausea, indigestion, constipation, abnormal bleeding, unusual fatigue, unexplained weight loss or gain, and shortness of breath usually occur and they increase over time; but these are all particularly late in the disease process.

There are also groups of women who are at higher risk of developing the disease. They include women over the age of 50, women who have a personal or a family history of ovarian, breast, or colon cancer and women who have had children after the age of 30 for the first time.

Ovarian cancer, however, is often a missed disease by patients and doctors alike. While a woman can have a mammography to detect breast cancer and they can have a pap smear to detect cervical cancer, there is currently no reliable, reasonably priced and readily accessible screening test for ovarian cancer. There are still large gaps in knowledge on key scientific aspects of the disease. At present, healthy women, their best alternative for screening is to be aware of ovarian cancer symptoms and to have an annual physical and pelvic exam done by their physician.

This resolution commends men and women across the country who are working to increase awareness of this disease. President Bush proclaimed September as National Ovarian Cancer Awareness Month; and during that month, 46 States and local groups held hundreds of events across the country to increase public awareness of the disease. It also stresses that ovarian cancer research should be well funded so that a reliable screening test can be developed and a cure can be found.

I especially want to thank the gentleman from Texas (Mr. HALL) for bringing the resolution to the floor today.

Mr. DEFAZIO. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of H. Res. 444. Grace Warren is our colleague and long-time legislative director to the gentleman from Texas (Mr. HALL). He is my friend, and she is my friend.

Grace's struggle and the struggle of her family and friends remind us that everyone can be touched by a woman's disease.

My college roommate, a great friend, a caring friend, Catholic Irish, young, blue-eyed girl, strong in her faith, a wonderful mother, devoted wife, lost her battle with ovarian cancer in 2001.

As the gentleman stated earlier, according to the Centers for Disease Control and Prevention, more than 22,000 women will be newly diagnosed with ovarian cancer in 2005. As the House considers H. Res. 444 today, approximately 44 women will die of ovarian cancer.

Despite being the fourth leading cause of cancer deaths among women, the battle against ovarian cancer is handicapped by a lack of public information, gaps in scientific knowledge, and an NIH research budget funding increase in 2005 that does not even keep up with inflation.

I come before my colleagues today because I strongly believe in research, and not only is this a colleague and friend, but as a nurse and cancer survivor I feel very strongly about this resolution. It makes it known that Congress recognizes the hopes and fears of ovarian cancer patients everywhere.

In all things, education is the key to our future. For the one woman in every 58 women in this country who is at risk of developing ovarian cancer in her lifetime, public awareness and early diagnosis are the keys to her survival.

The Members of this body work daily to ensure the health and well-being of the citizens who have chosen them to represent them. Surely, we can join together with the gentleman from Texas (Mr. HALL) to acknowledge the value of medical research, health education and public awareness of ovarian cancer in saving the lives of so many.

My prayers and best wishes go to Grace Warren, and I urge my colleagues to support this most worthy resolution.

Mr. DEFAZIO. Mr. Speaker, I yield myself such time as I may consume.

I think some of the statistics that have been spoken here on the floor do bear repeating because they are not widely known either in the medical community or among the citizenry of our country.

Ovarian cancer is more common than many believe. One out of 57 women will have an occurrence. It is expected that 22,200 will be diagnosed with the disease this year, again, something that is not widely known, near epidemic proportions here.

It is, as those speakers who preceded me have said, difficult to diagnose because of subtle symptoms, and they can be confused with other diseases.

It is key that we better inform the medical community, key that we begin to invest more money in research toward a test which could more reliably detect the cancer; and if we are successful there, we will dramatically increase survival rates. Early detection causes a dramatic chance in a woman's minimum 5-year survival possibility.

It is key that we invest in those areas, and we are not. Ovarian cancer is rather dramatically underfunded relative to its high mortality rate.

In 2004, the National Cancer Institute allocated only about 20 percent as much funding to ovarian cancer research as to breast cancer research, not that breast cancer should be minimized, but I think we should be investing more in both for humane purposes and for avoiding huge medical costs and complications as these diseases progress to more serious stages. Unfortunately, there was only about a third as much as was allocated to prostate cancer, again, not that we should reduce prostate cancer research, but we should increase ovarian cancer research and the others.

□ 1515

These are investments we are making in the health and well-being of the American people. They ultimately will be not only lifesaving, but cost saving. They are good investments to make, even in tough economic and budgetary times.

So I am hopeful that the passage of this resolution will lead not only to more education among our populace, but more education in the medical community, better diagnostic tools and more money invested in research.

To paraphrase former Vice President Gore, this is not just a women's disease. Everyone has a grandmother or a mother. It is someone's spouse or sister or aunt or friend who are afflicted by this disease, and in that we all cannot feel their pain, but we understand how life changing or how horrible this disease can be for the individuals and for their families.

With that, I urge my colleagues to urge the resolution, and in the near future to support increases in funding for finding better ways to detect and cure this disease.

Mr. Speaker, I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I yield 4 minutes to the gentleman from Texas (Mr. HALL), a member of the Energy and Commerce Committee and the sponsor of the legislation.

Mr. HALL. Mr. Speaker, I thank the chairman for yielding me time, and I thank the gentleman from Oregon for his kind and informative information.

I, of course, rise in support of H. Res. 444. I refer to it as ''Grace's Resolution.'' It has been so referred to several times. I thank Chairman BARTON, Chairman DEAL, Ranking Member SHERROD BROWN and all the leadership for bringing this very important bill directly to the floor and the attention of all Members.

This fall, the American public has been engaged in quite a few public awareness campaigns for cancer related to women, including breast and cervical cancer. During September, the

Nation also recognized Ovarian Cancer Awareness Month, and groups held hundreds of events across the country to increase public awareness of this terrible disease.

While it is heartening to see that Americans' risk of dying from cancer continues to decline every year, it is unfortunate that ovarian cancer does not follow this trend. In fact, the Ovarian Cancer Institute statistics demonstrate a woman's risk of dying from ovarian cancer is no less today than it was 10 years ago.

It is an unfortunate fact that ovarian cancer is the fourth leading cause of cancer death among women in the United States. Currently, 50 percent of the women diagnosed with ovarian cancer do not make it for 5 years. The disease is very treatable when detected early, but 81 percent of cases are diagnosed late, after the cancer has spread beyond the ovaries. There are still large gaps in knowledge on key aspects of the disease and there is not a reliable screening test that can help diagnose the disease at an earlier stage.

The resolution before the House today outlines common symptoms of the disease, including abdominal pressure, nausea, indigestion, unusual fatigue and unexplained weight loss or gain. Women are more at risk if they have a personal or family history of ovarian, breast or colon cancer, have not had children or are of increasing age.

The resolution supports further research to develop early detection tools, prevention methods, therapies and a cure. Unfortunately, funding for ovarian cancer research decreased from fiscal year 2003 to fiscal year 2004 by $7 million. Other than a $1 million decrease for prostrate cancer, no other cancer received a decrease in the same period.

As a Nation, we need to turn these grim statistics around. I would like to call on appropriators to adequately fund ovarian cancer research, and I would like to see the National Cancer Institute step up their efforts to find an early detection test.

I have a very personal interest in making ovarian cancer research a top priority. My long-time legislative director, Grace Warren, my friend, friend of my wife's, friend of our family's, is battling this terrible disease. Many on Capitol Hill have worked with Grace Warren and know that I have always referred to her as ''Amazing Grace.'' Some even said that the Baptists had named a song about ''Amazing Grace.'' I am not sure.

Grace was with me some 24 years, with Ray Roberts, my predecessor, 19 years, and I have always thought she worked for Mr. Rayburn, but I was afraid to ask her.

Grace devoted her entire career to Capitol Hill. She walked right off the high school stage on to Capitol Hill when she was 18 years old and has been here and given her life to it. Her specialty is health care policy, and all those who are familiar with the work of the Health Subcommittee on the Energy and Commerce Committee know Grace as both a policy expert and as a friend.

Grace's battle with ovarian cancer has been going on for 2 years now, and she has taken up the call for advocacy, even in retirement and as she undergoes treatment. She is working with South Carolina and national ovarian cancer awareness groups to bring this disease to the forefront of our attention and to call for affirmative action.

For Grace and all the women who fight this disease every day, I say to you that we will keep fighting. I ask my colleagues to support this goal and to support increased funding, and I ask all of those who know me to join in prayer for her recovery and recovery for those who suffer the same illness.

Mr. UPTON. Mr. Speaker, I have no further speakers and am prepared to yield back, with one brief comment to my friend from Texas.

I am sure that everybody here in this Chamber does know somebody who has suffered with ovarian cancer. Hopefully this bill, the ''Grace Bill,'' will make it a few less down the road. We appreciate the gentleman's leadership and her continued charge for this legislation as well.

Mr. BURTON of Indiana. Mr. Speaker, I rise in strong support of House Resolution 444—a resolution I am proud to be a co-sponsor of—offered by my good friend Congressman RALPH HALL of Texas. H. Res. 444 is a straightforward bill which expresses the House of Representatives' support for the goals and ideals of National Ovarian Cancer Awareness Month.

Ovarian cancer is the deadliest of the gynecologic cancers, and it is the fourth leading cause of cancer death among women living in the United States. Currently, half the women diagnosed with ovarian cancer die within 5 years. This is a national tragedy, and what makes it even more tragic is the fact that many of those deaths could have been prevented if more women and their doctors knew the risk factors and recognized the early warning signs of ovarian cancer and other gynecological cancers.

When it is detected early, ovarian cancer is very treatable, unfortunately, as I mentioned, ovarian cancer is one of the most difficult cancers to diagnose because symptoms are sometimes subtle and maybe easily confused with those of other diseases. As a result, only 29 percent of ovarian cancer cases in the U.S. are diagnosed in the early stages. When the disease is detected before it has spread beyond the ovaries, more than 95 percent of women will survive longer than 5 years. But, in cases where the disease is not detected until it reaches the advanced stage, the 5-year survival rate plummets to a devastating 25 percent.

As there is still no reliable and easy-to-administer screening test for ovarian cancer, like the Pap smear for cervical cancer or the mammogram for breast cancer, early recognition of symptoms is dearly the best way to save a woman's live. Without increased education about ovarian cancer and recognition of women who are at higher risk for developing ovarian cancer, many women and their doctors will continue to ignore or misinterpret the symptoms of the disease.

Along with many of our colleagues, I know first-hand how terrible cancer can be and how easily this insidious disease can be misdiagnosed. I applaud Congressman HALL's tireless efforts to raise awareness of this terrible disease and I urge all of my colleagues to support this resolution.

I hope before this Congress adjourns for the year that we can follow-up this critically important legislation with a vote on Johanna's law, the Gynecologic Cancer Education Act—H.R. 1245. Johanna's law takes the logical next step by directing the Secretary of Health and Human Services to carry out a national campaign to increase the awareness and knowledge of women with respect to gynecologic cancers, which shall include: (1) Maintaining a supply of written materials to provide information to the public on gynecologic cancers; and (2) developing and placing public service announcements to encourage women to discuss their risks of gynecologic cancers with their physicians. The bill also requires the Secretary to award grants to nonprofit private entities to test different outreach and education strategies for increasing such awareness among women and health professionals.

With a national public service announcements campaign describing risk factors and symptoms and encouraging women to talk to their doctors about their risk of gynecological cancers, I am confident that we can increase early detection of these deadly cancers, and, when possible, help women reduce their risk of ever contracting them in the first place.

Any woman is at risk for developing a gynecologic cancer. We owe it to our mothers, our wives and our daughters to do all we can to both raise awareness of these terrible diseases and to fund the research necessary to stamp out this kind of cancer once and for all.

Mr. HONDA. Mr. Speaker, I rise today in strong support of the Gynecological Resolution for Advancement of Ovarian Cancer Education. Ovarian cancer, the deadliest of the gynecological cancers, is the fourth leading cause of cancer death among women in the U.S. About 25,000 women are diagnosed with ovarian cancer in the U.S. each year, and about 16,000 women die of ovarian cancer each year.

Early detection is the key to successful treatment of gynecologic cancers. The 5-year survival rates for the most common gynecologic cancers are 90 percent when diagnosed early, but drop to 50 percent or less for cancer diagnosed in later stages. However, the disease is difficult to detect in its early stages. Only about 29 percent of ovarian cancers are found before tumor growth spreads to tissues and organs beyond the ovaries.

Gynecologic cancers such as ovarian and endometrial cancer do not yet have a reliable screening test that can be used for the general population. Moreover, most women are still unaware of risk factors and the early symptoms of gynecologic cancers.

Women of color have worse outcomes in regard to ovarian cancer and other gynecological cancers. Better education and awareness, more funding for

research, and addressing systemic problems within the health care system are essential to consider. Reducing cancer in minority and underserved populations is facilitated by the . mobilization of professional and lay leaders in the community to address the specific cancer needs of that community as well as through coalition building among health-related, academic, and community organizations.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H. Res. 444, Gynecological Resolution for Advancement of Ovarian Cancer Education. Unfortunately, ovarian cancer is a serious and under-recognized threat to women's health. According to recent studies: Ovarian cancer, the deadliest of the gynecologic cancers, is the fourth leading cause of cancer death among women living in the U.S. Ovarian cancer occurs in 1 out of 57 women. It is expected that 22,220 women will be diagnosed with the disease in 2005. An estimated 16,210 American women will die from ovarian cancer in 2005. All females are at risk for ovarian cancer.

Fortunately, ovarian cancer is very treatable when it is detected early, but the vast majority of cases are not diagnosed until the cancer has spread beyond the ovaries. Ovarian cancer may be difficult to diagnose because symptoms are sometimes subtle and may be easily confused with those of other diseases. In cases where ovarian cancer is detected before it has spread beyond the ovaries, more than 94 percent of women will survive longer than five years. Only 19 percent of ovarian cancer cases in the U.S. are diagnosed in the early stages. The chances for five-year survival for an advanced stage diagnosis is approximately 29 percent. The overall 5-year survival rate for all stages is 44 percent.

It is important that we create additional public awareness of ovarian cancer by educating doctors and women about the disease. By doing this we can save lives. Currently, studies show that most people do not know the symptoms of ovarian cancer. Many include, abdominal pressure, bloating, or discomfort; nausea, indigestion, or gas; constipation, diarrhea, or frequent urination; abnormal bleeding; unusual fatigue; unexplained weight loss or gain; shortness of breath. Symptoms are subtle, persistent, and usually increase over time. Early recognition of symptoms is the best way to save women's lives. Without increased education about ovarian cancer, many women and their doctors will continue to ignore or misinterpret the symptoms of the disease. Recognition of women who are at higher risk for developing ovarian cancer is also important. Risk factors include: increasing age, personal or family history of ovarian, breast, or colon cancer, and not bearing a child. Ninety percent of women diagnosed do not have a family history that puts them at a higher risk for ovarian cancer.

In closing let say that research on ovarian cancer is drastically under-funded relative to its high mortality rate. In 2002, the NCI allocated only about one-fifth as much money to ovarian cancer research ($93.5 million) as to breast cancer research ($522.6 million), and one-third as much as to prostate cancer research ($278.4 million), two diseases whose mortality rates are proportionally extremely lower than ovarian cancer.

Early detection of ovarian cancer is possible. In a national study done by Dr. Barbara Goff of ovarian cancer patients, 95 percent of women had experienced symptoms prior to their diagnosis. We need national awareness among the medical community and among women themselves that ovarian cancer is not a "silent disease" the label it was given years ago—there are symptoms that can lead to early diagnosis when the disease is beatable and treatable. Yet, each and every day women with this disease are treated for incorrect conditions in the pelvic and abdominal region, with a full 30 percent being treated for the incorrect condition before receiving the eventual diagnosis of ovarian cancer

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. STEARNS). The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and agree to the resolution, H. Res. 444, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. UPTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 3 o'clock and 22 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1832

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 6 o'clock and 32 minutes p.m.

CONFERENCE REPORT ON H.R. 2862, SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Mr. WOLF submitted the following conference report and statement on the bill (H.R. 2862) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes:

CONFERENCE REPORT (H. REPT. 109–272)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2862) "making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2006, and for other purposes, namely:

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, $124,456,000, of which not to exceed $3,317,000 is for the Facilities Program 2000, to remain available until expended: Provided, That not to exceed 45 permanent positions and 46 full-time equivalent workyears and $11,821,000 shall be expended for the Department Leadership Program exclusive of augmentation that occurred in these offices in fiscal year 2005: Provided further, That not to exceed 26 permanent positions, 21 full-time equivalent workyears and $3,480,000 shall be expended for the Office of Legislative Affairs: Provided further, That not to exceed 17 permanent positions, 22 full-time equivalent workyears and $2,764,000 shall be expended for the Office of Public Affairs: Provided further, That the Offices of Legislative Affairs and Public Affairs may utilize, on a non-reimbursable basis details of career employees within the ceilings provided for the Office of Legislative Affairs and the Office of Public Affairs: Provided further, That not less than $500,000 shall be used to contract with an independent party to carry out a privacy assessment.

JUSTICE INFORMATION SHARING TECHNOLOGY

For necessary expenses for information sharing technology, including planning, development, deployment and Departmental direction, $125,000,000, to remain available until expended: Provided, That, of the funds available $10,000,000 is for the unified financial management system to be administered by the Unified Financial Management System Executive Council: Provided further, That of the funds provided, $20,000,000 is unavailable for obligation until the Department Chief Information Officer submits the plan described in section 110 of this title.

NARROWBAND COMMUNICATIONS/INTEGRATED WIRELESS NETWORK

For the costs of conversion to narrowband communications, including the cost for operation and maintenance of Land Mobile Radio legacy systems, $90,000,000, to remain available until September 30, 2007: Provided, That the Attorney General shall transfer to this account all funds made available to the Department of Justice for the purchase of portable and mobile radios: Provided further, That any transfer made under the preceding proviso shall be subject to section 605 of this Act.

ADMINISTRATIVE REVIEW AND APPEALS

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, $215,685,000.

DETENTION TRUSTEE

For necessary expenses of the Federal Detention Trustee, $1,222,000,000, of which $45,000,000 shall be derived from prior year unobligated balances from funds previously appropriated, to remain available until expended: Provided, That the Trustee shall be responsible for managing the Justice Prisoner and Alien Transportation System and for overseeing housing related to such detention: Provided further, That any unobligated balances available in prior years from the funds appropriated under the heading "Federal Prisoner Detention" shall be transferred to and merged with the appropriation under the heading "Detention Trustee" and shall be available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $68,801,000, including not to exceed $10,000 to meet unforeseen emergencies of a confidential character.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized, $11,000,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed $20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, $661,959,000, of which not to exceed $10,000,000 for litigation support contracts shall remain available until expended: Provided, That of the total amount appropriated, not to exceed $1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses: Provided further, That notwithstanding section 105 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to ''Salaries and Expenses, General Legal Activities'' from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed $6,333,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, $144,451,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, not to exceed $116,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2006, so as to result in a final fiscal year 2006 appropriation from the general fund estimated at not more than $28,451,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, $1,600,000,000: Provided, That of the total amount appropriated, not to exceed $8,000 shall be available for official reception and representation expenses: Provided further, That not to exceed $20,000,000 shall remain available until expended: Provided further, That of the funds made available under this heading, $1,500,000 shall only be available to continue ''Operation Streetsweeper''.

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, $214,402,000, to remain available until expended and to be derived from the United States Trustee System Fund: Provided, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, $214,402,000 of offsetting collections pursuant to 28 U.S.C. 589a(b) shall be retained and used for necessary expenses in this appropriation and remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2006, so as to result in a final fiscal year 2006 appropriation from the Fund estimated at $0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. 3109, $1,320,000.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, $793,031,000; of which not to exceed $6,000 shall be available for official reception and representation expenses; of which $4,000,000 for information technology systems shall remain available until expended; and of which not less than $12,000,000 shall be available for the costs of courthouse security equipment, including furnishings, relocations, and telephone systems and cabling, and shall remain available until expended.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service in United States courthouses and Federal buildings, $8,883,000, to remain available until expended.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, such sums as are necessary, to remain available until expended: Provided, That not to exceed $10,000,000 may be made available for construction of buildings for protected witness safesites: Provided further, That not to exceed $1,000,000 may be made available for the purchase and maintenance of armored vehicles for transportation of protected witnesses: Provided further, That not to exceed $9,000,000 may be made available for the purchase, installation, maintenance and upgrade of secure telecommunications equipment and a secure automated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For necessary expenses of the Community Relations Service, $9,659,000: Provided, That notwithstanding section 105 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(B), (F), and (G), $21,468,000, to be derived from the Department of Justice Assets Forfeiture Fund.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, $489,440,000, of which $50,000,000 shall remain available until expended: Provided, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States; including purchase for police-type use of not to exceed 3,868 passenger motor vehicles, of which 3,039 will be for replacement only; and not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to 28 U.S.C. 530C, $5,728,737,000; of which not to exceed $150,000,000 shall remain available until expended; of which $2,288,897,000 shall be for counterterrorism investigations, foreign counterintelligence, and other activities related to our national security; and of which not to exceed $25,000,000 is authorized to be made available for making advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, gang-related crime, cybercrime, and drug investigations: Provided, That not to exceed $205,000 shall be available for official reception and representation expenses.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including equipment for such buildings); conversion and extension of Federally-owned buildings; and preliminary planning and design of projects; $37,608,000, to remain available until expended: Provided, That $15,108,000 shall be available for the planning, design, and construction of the Federal Bureau of Investigation Center for Integrated Training and Technology Transfer in Redstone Arsenal: Provided further, That $5,000,000 shall be available for a chemical and biological evidence handling and storage facility to be co-located with comparable facilities in existence for sample, handling and receipt of hazardous material by the Department of the Army: Provided further, That $10,000,000 shall be available for equipment and associated costs for a permanent central records complex in Frederick County, Virginia.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed $70,000 to meet unforeseen emergencies of a confidential character pursuant to 28 U.S.C. 530C; expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; and purchase of not to exceed 1,043 passenger motor vehicles, of which 937 will be for replacement only, for police-type use, $1,686,457,000; of which not to exceed $75,000,000 shall remain available until expended; and of which not to exceed $100,000 shall be available for official reception and representation expenses.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, including the purchase of not to exceed 822 vehicles for police-type use, of which 650 shall be for replacement only; not to exceed $40,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, $923,613,000, of which not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by 18 U.S.C. 924(d)(2); and of which $10,000,000 shall remain available until expended: Provided, That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, within the Department of Justice, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: Provided further, That no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 178.118 or to change the definition of ''Curios or relics'' in 27 CFR 178.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: Provided further, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): Provided further, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: Provided further, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other agencies or Departments in fiscal year 2006: Provided further, That no funds appropriated under this or any other Act with respect to any fiscal year may be used to disclose part or all of the contents of the Firearms Trace System database maintained by the National Trace Center of the Bureau of Alcohol, Tobacco, Firearms and Explosives or any information required to be kept by licensees pursuant to section 923(g) of title 18, United States Code, or required to be reported pursuant to paragraphs (3) and (7) of such section 923(g), to anyone other than a Federal, State, or local law enforcement agency or a prosecutor solely in connection with and for use in a bona fide criminal investigation or prosecution and then only such information as pertains to the geographic jurisdiction of the law enforcement agency requesting the disclosure and not for use in any civil action or proceeding other than an action or proceeding commenced by the Bureau of Alcohol, Tobacco, Firearms and Explosives, or a review of such an action or proceeding, to enforce the provisions of chapter 44 of such title, and all such data shall be immune from legal process and shall not be subject to subpoena or other discovery, shall be inadmissible in evidence, and shall not be used, relied on, or disclosed in any manner, nor shall testimony or other evidence be permitted based upon such data, in any civil action pending on or filed after the effective date of this Act in any State (including the District of Columbia) or Federal court or in any administrative proceeding other than a proceeding commenced by the Bureau of Alcohol, Tobacco, Firearms and Explosives to enforce the provisions of that chapter, or a review of such an action or proceeding; except that this proviso shall not be construed to prevent the disclosure of statistical information concerning total production, importation, and exportation by each licensed importer (as defined in section 921(a)(9) of such title) and licensed manufacturer (as defined in section 921(a)(10) of such title): Provided further, That no funds made available by this or any other Act shall be expended to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code: Provided further, That no funds under this Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code: Provided further, That no funds authorized or made available under this or any other Act may be used to deny any application for a license under section 923 of title 18, United States Code, or renewal of such a license due to a lack of business activity, provided that the applicant is otherwise eligible to receive such a license, and is eligible to report business income or to claim an income tax deduction for business expenses under the Internal Revenue Code of 1986: Provided further, That of the amount provided under this heading, $5,000,000, to remain available until expended, shall be for the expenses necessary for site selection, architectural design, site preparation and the development of a total cost estimate for the construction of a permanent site for the National Center for Explosives Training and Research: Provided further, That any funds remaining shall be applied to the construction of the Center: Provided further, That the Director of the ATF, when considering site selection shall consider a site collocated with other law enforcement and Federal government entities that provide similar training and research.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For expenses necessary of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 768, of which 701 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, $4,892,649,000: Provided, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: Provided further, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: Provided further, That not to exceed $6,000 shall be available for official reception and representation expenses: Provided further, That not to exceed $50,000,000 shall remain available for necessary operations until September 30, 2007: Provided further, That, of the amounts provided for Contract Confinement, not to exceed $20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980, for the care and security in the United States of Cuban and Haitian entrants: Provided further, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses or other custodial facilities.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, $90,112,000, to remain available until expended, of which not to exceed $14,000,000 shall be available to construct areas for inmate work programs: Provided, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed $3,365,000 of the funds of the corporation shall be available for its administrative expenses, and for services as authorized by 5 U.S.C. 3109, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (''the 1994 Act''); the Victims of Child Abuse Act of 1990 (''the 1990 Act''); the Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act of 2003 (Public Law 108–21); the Juvenile Justice and Delinquency Prevention Act of 1974 (''the 1974 Act''); and the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386); $386,502,000, including amounts for administrative costs, to remain available until expended: Provided, That except as otherwise provided by law, not to exceed three percent of funds made available under this heading may be used for expenses related to evaluation, training and technical assistance: Provided further, That of the amount provided—

(1) $11,897,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

(2) $2,287,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act;

(3) $986,000 for grants for televised testimony, as authorized by Part N of the 1968 Act;

(4) $187,308,000 for grants to combat violence against women, as authorized by part T of the 1968 Act, of which—

(A) $5,100,000 shall be for the National Institute of Justice for research and evaluation of violence against women;

(B) $10,000,000 shall be for the Office of Juvenile Justice and Delinquency Prevention for the Safe Start Program, as authorized by the 1974 Act; and

(C) $15,000,000 shall be for transitional housing assistance grants for victims of domestic violence, stalking or sexual assault as authorized by Public Law 108–21;

(5) $63,075,000 for grants to encourage arrest policies as authorized by part U of the 1968 Act;

(6) $39,166,000 for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295(a) of the 1994 Act;

(7) $4,958,000 for training programs as authorized by section 40152 of the 1994 Act, and for related local demonstration projects;

(8) $2,962,000 for grants to improve the stalking and domestic violence databases, as authorized by section 40602 of the 1994 Act;

(9) $9,054,000 to reduce violent crimes against women on campus, as authorized by section 1108(a) of Public Law 106–386;

(10) $39,220,000 for legal assistance for victims, as authorized by section 1201(c) of Public Law 106–386;

(11) $4,540,000 for enhancing protection for older and disabled women from domestic violence and sexual assault, as authorized by section 40802 of the 1994 Act;

(12) $13,894,000 for the safe havens for children pilot program, as authorized by section 1301(a) of Public Law 106–386; and

(13) $7,155,000 for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402(a) of Public Law 106–386.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968, the Missing Children's Assistance Act, including salaries and expenses in connection therewith, the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108–21), the Justice for All Act of 2004 (Public Law 108–405), and the Victims of Crime Act of 1984, $233,233,000, to remain available until expended.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (''the 1994 Act''); the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act''); and the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106–386); and other programs; $1,142,707,000 (including amounts for administrative costs, which shall be transferred to and merged with the ''Justice Assistance'' account): Provided, That funding provided under this heading shall remain available until expended, as follows—

(1) $416,478,000 for the Edward Byrne Memorial Justice Assistance Grant program pursuant to the amendments made by section 201 of H.R. 3036 of the 108th Congress, as passed by the House of Representatives on March 30, 2004 (except that the special rules for Puerto Rico established pursuant to such amendments shall not apply for purposes of this Act), of which—

(A) $10,000,000 is for the National Institute of Justice in assisting units of local government to identify, select, develop, modernize, and purchase new technologies for use by law enforcement; and

(B) $85,000,000 for Boys and Girls Clubs in public housing facilities and other areas in cooperation with State and local law enforcement, as authorized by section 401 of Public Law 104–294 (42 U.S.C. 13751 note);

(2) $405,000,000 for the State Criminal Alien Assistance Program, as authorized by section 242(j) of the Immigration and Nationality Act;

(3) $30,000,000 for the Southwest Border Prosecutor Initiative to reimburse State, county, parish, tribal, or municipal governments only for costs associated with the prosecution of criminal cases declined by local United States Attorneys offices;

(4) $191,704,000 for discretionary grants authorized by subpart 2 of part E, of title I of the 1968 Act, notwithstanding the provisions of section 511 of said Act;

(5) $10,000,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106–386;

(6) $850,000 for the Missing Alzheimer's Disease Patient Alert Program, as authorized by section 240001(c) of the 1994 Act;

(7) $10,000,000 for Drug Courts, as authorized by Part EE of the 1968 Act;

(8) $7,500,000 for a prescription drug monitoring program;

(9) $18,175,000 for prison rape prevention and prosecution programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108–79), of which $2,175,000 shall be transferred to the National Prison Rape Elimination Commission for authorized activities;

(10) $10,000,000 for grants for residential substance abuse treatment for State prisoners, as authorized by part S of the 1968 Act;

(11) $10,000,000 for a program to improve State and local law enforcement intelligence capabilities including antiterrorism training and training to ensure that constitutional rights, civil liberties, civil rights, and privacy interests are protected throughout the intelligence process;

(12) $1,000,000 for a capital litigation improvement grant program;

(13) $5,000,000 for a cannabis eradication program to be administered by the Drug Enforcement Administration;

(14) $22,000,000 for assistance to Indian tribes, of which—

(A) $9,000,000 shall be available for grants under section 20109(a)(2) of subtitle A of title II of the 1994 Act;

(B) $8,000,000 shall be available for the Tribal Courts Initiative; and

(C) $5,000,000 shall be available for demonstration projects on alcohol and crime in Indian Country; and

(15) $5,000,000 for mental health courts and adult and juvenile collaboration program grants, as authorized by parts V and HH of title I of the 1968 Act:

Provided, That, if a unit of local government uses any of the funds made available under this title to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform nonadministrative public safety service.

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement ''Weed and Seed'' program activities, $50,000,000, to remain available until September 30, 2007, for inter-governmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies, non-profit organizations, and agencies of local government engaged in the investigation and prosecution of violent and gang-related crimes and drug offenses in ''Weed and Seed'' designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the ''Weed and Seed'' program strategy: Provided, That funds designated by Congress through language for other Department of Justice appropriation accounts for ''Weed and Seed'' program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: Provided further, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of ''Weed and Seed'' program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act: Provided further, That of the funds appropriated for the Executive Office for Weed and Seed, not to exceed $2,000,000 shall be directed for comprehensive community development training and technical assistance.

COMMUNITY ORIENTED POLICING SERVICES

(INCLUDING TRANSFER OF FUNDS)

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103–322) (including administrative costs), $478,300,000, to remain available until expended: Provided, That of the funds under this heading, not to exceed $2,575,000 shall be available for the Office of Justice Programs for reimbursable services associated with programs administered by the Community Oriented Policing Services Office: Provided further, That section 1703(b) and (c) of the Omnibus Crime Control and Safe Streets Act of 1968 (''the 1968 Act'') shall not apply to non-hiring grants made pursuant to part Q of title I thereof (42 U.S.C. 3796dd et seq.): Provided further, That up to $34,000,000 of balances made available as a result of prior year deobligations may be obligated for program management and administration, of which $5,000,000 shall be available for transfer to the National Institute of Standards and Technology: Provided further, That any balances made available as a result of prior year deobligations in excess of $34,000,000 shall only be obligated in accordance with section 605 of this Act. Of the amounts provided—

(1) $30,000,000 is for the matching grant program for law enforcement armor vests as authorized by section 2501 of part Y of the 1968 Act, of which not to exceed $3,000,000 may be for the National Institute of Justice to test and evaluate vests;

(2) $63,590,000 is for policing initiatives to combat methamphetamine production and trafficking and to enhance policing initiatives in ''drug hot spots'';

(3) $139,904,000 is for a law enforcement technologies and interoperable communications program;

(4) $10,000,000 is for grants to upgrade criminal records, as authorized under the Crime Identification Technology Act of 1998 (42 U.S.C. 14601);

(5) $5,000,000 is for an offender re-entry program;

(6) $108,531,000 is for a DNA analysis and capacity enhancement program, and for other State, local and Federal forensic activities, of which $4,000,000 shall be for grant programs as authorized by sections 412 and 413 of Public Law 108–405;

(7) $15,000,000 is for law enforcement assistance to Indian tribes;

(8) $40,000,000 for a national program to reduce gang violence;

(9) $4,000,000 is for training and technical assistance;

(10) $18,500,000 is for Paul Coverdell Forensic Sciences Improvement Grants under part BB of title I of the 1968 Act (42 U.S.C. 3797j et seq.);

(11) $28,775,000 is for grants, contracts and other assistance to States under section 102(b) of the Crime Identification Technology Act of 1998 (42 U.S.C. 14601); and

(12) $15,000,000 is for Project Safe Neighborhoods, of which $4,500,000 is for the National District Attorneys Association to conduct prosecutorial training by the National Advocacy Center.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 (''the Act''), and other juvenile justice programs, including salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Justice Assistance, $342,739,000, to remain available until expended, as follows—

(1) $712,000 for concentration of Federal efforts, as authorized by section 204 of the Act;

(2) $80,000,000 for State and local programs authorized by section 221 of the Act, including training and technical assistance to assist small, non-profit organizations with the Federal grants process;

(3) $106,027,000 for demonstration projects, as authorized by sections 261 and 262 of the Act;

(4) $10,000,000 for juvenile mentoring programs;

(5) $65,000,000 for delinquency prevention, as authorized by section 505 of the Act, of which—

(A) $10,000,000 shall be for the Tribal Youth Program;

(B) $25,000,000 shall be for a gang resistance education and training program; and

(C) $25,000,000 shall be for grants of $360,000 to each State and $6,640,000 shall be available for discretionary grants to States, for programs and activities to enforce State laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, prevention and reduction of consumption of alcoholic beverages by minors, and for technical assistance and training;

(6) $1,000,000 for Project Childsafe;

(7) $15,000,000 for the Secure Our Schools Act as authorized by Public Law 106–386;

(8) $15,000,000 for programs authorized by the Victims of Child Abuse Act of 1990; and

(9) $50,000,000 for the Juvenile Accountability Block Grants program as authorized by Public Law 107–273 and Guam shall be considered a State:

Provided, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: Provided further, That not more than 2 percent of each amount may be used for training and technical assistance: Provided further, That the previous two provisos shall not apply to demonstration projects, as authorized by sections 261 and 262 of the Act: Provided further, That section 702(a) of Public Law 88–352 shall apply to any grants for World Vision, described in H. Rpt. 108–792 and the statement of managers accompanying this Act, and awarded by the Attorney General.

PUBLIC SAFETY OFFICERS BENEFITS

To remain available until expended, for payments authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), such sums as are necessary, as authorized by section 6093 of Public Law 100–690 (102 Stat. 4339–4340); and $4,884,000, to remain available until expended for payments as authorized by section 1201(b) of said Act; and $4,064,000 for educational assistance, as authorized by section 1212 of the 1968 Act.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 101. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of not to exceed $60,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 102. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: Provided, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 103. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 104. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: Provided, That nothing in this section in any way diminishes the effect of section 103 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 105. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section: Provided further, That none of the funds appropriated to ''Buildings and Facilities, Federal Prison System'' in this or any other Act may be transferred to ''Salaries and Expenses, Federal Prison System'', or any other Department of Justice account, unless the President certifies that such a transfer is necessary to the national security interests of the United States, and such authority shall not be delegated, and shall be subject to section 605 of this Act.

SEC. 106. The Attorney General is authorized to extend through September 30, 2007, the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002, Public Law 107–296 (6 U.S.C. 533) without limitation on the number of employees or the positions covered.

SEC. 107. Notwithstanding any other provision of law, Public Law 102–395 section 102(b) shall extend to the Bureau of Alcohol, Tobacco, Firearms and Explosives in the conduct of undercover investigative operations and shall apply without fiscal year limitation with respect to any undercover investigative operation initiated by the Bureau of Alcohol, Tobacco, Firearms and Explosives that is necessary for the detection and prosecution of crimes against the United States.

SEC. 108. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 109. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes.

(b) The preceding sentence does not preclude the renting, maintenance, or purchase of audiovisual or electronic equipment for inmate training, religious, or educational programs.

SEC. 110. Within the funds provided under ''Justice Information Sharing Technology'', the Attorney General shall establish an investment review board, which the Deputy Attorney General shall head: Provided, That within 90 days of enactment of this Act, the Department shall submit a plan that outlines the governance structure and membership of the board: Provided further, That the Department shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives, within 90 days of enactment of this Act, the project criteria that will initiate the board's oversight, to include a listing of all projects to be reviewed during fiscal year 2006.

SEC. 111. Section 3151(b) of title 5, United States Code, is amended by—

(1) striking paragraph (2)(A) and (B);

(2) in paragraph (1) by striking ''(1)''; and

(3) redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively.

SEC. 112. Within the funds provided for the Drug Enforcement Administration, the Attorney General shall establish a Methamphetamine Task Force within the Drug Enforcement Administration which shall be responsible for improving and targeting the Federal Government's policies with respect to the production and trafficking of methamphetamine: Provided, That within 90 days of enactment of this Act, the Drug Enforcement Administration shall submit a plan that outlines the governance structure and membership of the task force: Provided further, That within 120 days the Drug Enforcement Administration shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives the membership of the task force and powers established for the task force.

SEC. 113. (a) Section 4(a) of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15603(a)) is amended—

(1) in paragraph (5), by inserting '', except as authorized in paragraph (7)'' before the period at the end; and

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

''(7) REPORTING ON CHILD ABUSE AND NEGLECT.—Nothing in sections 304 or 812 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3735, 3789g) or any other provision of law, including paragraph (5), shall prevent the Bureau (including its agents), in carrying out the review and analysis under paragraph (1), from reporting to the designated public officials such information (and only such information) regarding child abuse or child neglect with respect to which the statutes or regulations of a State (or a political subdivision thereof) require prompt reporting.''.

(b) Section 7(d)(3)(A) of the Prison Rape Elimination Act of 2003 (42 U.S.C. 15606(d)(3)(A)) is amended by striking ''2 years'' and inserting ''3 years''.

SEC. 114. The Attorney General shall waive the matching requirement for the purchase of bulletproof vests of the Bulletproof Vest Partnership Grant Act of 1998 for any law enforcement agency that purchased defective Zylon-based body armor with Federal funds pursuant to such Act between October 1, 1998, and September 30, 2005, and seeks to replace that Zylon-based body armor, provided that the law enforcement agency can present documentation to prove the purchase of Zylon-based body armor with funds awarded to it under such Act.

This title may be cited as the ''Department of Justice Appropriations Act, 2006''.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, $44,779,000, of which $1,000,000 shall remain available until expended: Provided, That not to exceed $124,000 shall be available for official reception and representation expenses: Provided further, That not less than $2,000,000 provided under this heading shall be for expenses authorized by 19 U.S.C. 2451 and 1677b(c): Provided further, That negotiations shall be conducted within the World Trade Organization to recognize the right of members to distribute monies collected from anti-dumping and countervailing duties: Provided further, That negotiations shall be conducted within the World Trade Organization consistent with the negotiating objectives contained in the Trade Act of 2002, Public Law 107–210.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, and not to exceed $2,500 for official

reception and representation expenses, $62,752,000, to remain available until expended.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 40118; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed $45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, $406,925,000, to remain available until September 30, 2007, of which $8,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: Provided, That $47,434,000 shall be for Manufacturing and Services; $39,815,000 shall be for Market Access and Compliance; $62,134,000 shall be for the Import Administration of which not less than $3,000,000 is for the Office of China Compliance; $231,722,000 shall be for the United States and Foreign Commercial Service; and $25,820,000 shall be for Executive Direction and Administration: Provided further, That negotiations shall be conducted within the World Trade Organization to recognize the right of members to distribute monies collected from antidumping and countervailing duties: Provided further, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities: Provided further, That the International Trade Administration shall be exempt from the requirements of Circular A–25 (or any successor administrative regulation or policy) issued by the Office of Management and Budget: Provided further, That negotiations shall be conducted within the World Trade Organization consistent with the negotiating objectives contained in the Trade Act of 2002, Public Law 107–210.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed $15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, $76,000,000, to remain available until expended, of which $14,767,000 shall be for inspections and other activities related to national security: Provided, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: Provided further, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, and for trade adjustment assistance, $253,985,000, to remain available until expended.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, $30,075,000: Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, $30,024,000.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, $80,304,000, to remain available until September 30, 2007.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, $198,029,000.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses related to the 2010 decennial census, $453,596,000, to remain available until September 30, 2007.

In addition, for expenses to collect and publish statistics for other periodic censuses and programs provided for by law, $160,612,000, to remain available until September 30, 2007: Provided, That none of the funds provided in this or any other Act for any fiscal year may be used for the collection of Census data on race identification that does not include ''some other race'' as a category.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), $18,068,000, to remain available until September 30, 2007: Provided, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: Provided further, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of grants authorized by section 392 of the Communications Act of 1934, $22,000,000, to remain available until expended as authorized by section 391 of the Act: Provided, That not to exceed $2,000,000 shall be available for program administration as authorized by section 391 of the Act: Provided further, That, notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the United States Patent and Trademark Office provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, $1,683,086,000, to remain available until expended: Provided, That the sum herein appropriated from the general fund shall be reduced as offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376 are received during fiscal year 2006, so as to result in a fiscal year 2006 appropriation from the general fund estimated at $0: Provided further, That during fiscal year 2006, should the total amount of offsetting fee collections be less than $1,683,086,000, this amount shall be reduced accordingly: Provided further, That not less than 657 full-time equivalents, 690 positions and $85,017,000 shall be for the examination of trademark applications; and not less than 5,810 full-time equivalents, 6,241 positions and $906,142,000 shall be for the examination and searching of patent applications: Provided further, That not more than 265 full-time equivalents, 272 positions and $37,490,000 shall be for the Office of the General Counsel: Provided further, That not more than 82 full-time equivalents, 83 positions and $25,393,000 shall be for the Office of the Administrator for External Affairs: Provided further, That any deviation from the full-time equivalent, position, and funding designations set forth in the preceding four provisos shall be subject to the procedures set forth in section 605 of this Act: Provided further, That from amounts provided herein, not to exceed $1,000 shall be made available in fiscal year 2006 for official reception and representation expenses: Provided further, That notwithstanding section 1353 of title 31, United States Code, no employee of the United States Patent and Trademark Office may accept payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an employee to attend and participate in a convention, conference, or meeting when the entity offering payment or reimbursement is a person or corporation subject to regulation by the Office, or represents a person or corporation subject to regulation by the Office, unless the person or corporation is an organization exempt from taxation pursuant to section 501(c)(3) of the Internal Revenue Code of 1986: Provided further, That in fiscal year 2006, from the amounts made available for ''Salaries and Expenses'' for the United States Patent and Trademark Office (PTO), the amounts necessary

to pay: (1) the difference between the percentage of basic pay contributed by the PTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) of basic pay, of employees subject to subchapter III of chapter 83 of that title; and (2) the present value of the otherwise unfunded accruing costs, as determined by the Office of Personnel Management, of post-retirement life insurance and post-retirement health benefits coverage for all PTO employees, shall be transferred to the Civil Service Retirement and Disability Fund, the Employees Life Insurance Fund, and the Employees Health Benefits Fund, as appropriate, and shall be available for the authorized purposes of those accounts.

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Under Secretary for Technology Office of Technology Policy, $6,000,000.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, $399,869,000, to remain available until expended, of which not to exceed $1,300,000 may be transferred to the ''Working Capital Fund''.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Hollings Manufacturing Extension Partnership of the National Institute of Standards and Technology, $106,000,000, to remain available until expended.

In addition, for necessary expenses of the Advanced Technology Program of the National Institute of Standards and Technology, $80,000,000, to remain available until expended.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c–278e, $175,898,000, to remain available until expended: Provided, That beginning in fiscal year 2007 and for each fiscal year thereafter, the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, 10 United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multiyear program cost of more than $5,000,000 and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the five subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, $2,763,222,000, to remain available until September 30, 2007, except for funds provided for cooperative enforcement which shall remain available until September 30, 2008: Provided, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: Provided further, That in addition, $3,000,000 shall be derived by transfer from the fund entitled ''Coastal Zone Management'' and in addition $67,000,000 shall be derived by transfer from the fund entitled ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'': Provided further, That of the $2,833,222,000 provided for in direct obligations under this heading $2,763,222,000 is appropriated from the General Fund and $70,000,000 is provided by transfer: Provided further, That no general administrative charge shall be applied against an assigned activity included in this Act or the report accompanying this Act: Provided further, That the total amount available for the National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed $179,036,000: Provided further, That payments of funds made available under this heading to the Department of Commerce Working Capital Fund including Department of Commerce General Counsel legal services shall not exceed $34,000,000: Provided further, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 605 of this Act: Provided further, That grants to States pursuant to sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, shall not exceed $2,000,000, unless funds provided for ''Coastal Zone Management Grants'' exceed funds provided in the previous fiscal year: Provided further, That if funds provided for ''Coastal Zone Management Grants'' exceed funds provided in the previous fiscal year, then no State shall receive more than 5 percent or less than 1 percent of the additional funds: Provided further, That the personnel management demonstration project established at the National Oceanic and Atmospheric Administration pursuant to 5 U.S.C. 4703 may be expanded by 3,500 full-time positions to include up to 6,925 full-time positions and may be extended indefinitely: Provided further, That the Administrator of the National Oceanic and Atmospheric Administration may engage in formal and informal education activities, including primary and secondary education, related to the agency's mission goals: Provided further, That, in accordance with the Federal Credit Reform Act of 1990 (2 U.S.C. 611 et seq.), within funds appropriated under this heading, $2,000,000 shall remain available until expended, for the cost of loans under section 211(e) of title II of Division C of Public Law 105–277, such loans to have terms of up to 30 years and to be available for use in any of the Bering Sea and Aleutian Islands fisheries.

In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, $1,124,278,000, to remain available until September 30, 2008, except funds provided for construction of facilities which shall remain available until expended: Provided, That of the amounts provided for the National Polar-orbiting Operational Environmental Satellite System, funds shall only be made available on a dollar for dollar matching basis with funds provided for the same purpose by the Department of Defense: Provided further, That except to the extent expressly prohibited by any other law, the Department of Defense may delegate procurement functions related to the National Polar-orbiting Operational Environmental Satellite System to officials of the Department of Commerce pursuant to section 2311 of title 10, United States Code: Provided further, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 605 of this Act: Provided further, That beginning in fiscal year 2007 and for each fiscal year thereafter, the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, 10 United States Code) an estimate for each National Oceanic and Atmospheric Administration procurement, acquisition and construction program having a total multiyear program cost of more than $5,000,000 and an estimate of the budgetary requirements for each such program for each of the five subsequent fiscal years: Provided further, That subject to amounts provided in advance in appropriations Acts, the Secretary of Commerce is authorized to enter into a lease with The Regents of the University of California for land at the San Diego Campus in La Jolla for a term not less than 55 years: Provided further, That funds appropriated for the construction of the National Oceanic and Atmospheric Administration Pacific Regional Center are an additional increment in the incremental funding planned for the Center, and may be expended incrementally, through multi-year contracts for construction and related activities, provided that obligations under any such multi-year contract shall be subject to the availability of appropriations.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, $67,500,000.

COASTAL ZONE MANAGEMENT FUND

(INCLUDING TRANSFER OF FUNDS)

Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed $3,000,000 shall be transferred to the ''Operations, Research, and Facilities'' account to offset the costs of implementing such Act.

FISHERIES FINANCE PROGRAM ACCOUNT

For the costs of direct loans, $287,000, as authorized by the Merchant Marine Act of 1936: Provided, That such costs, including the cost of modifying such loans, shall be as defined in the Federal Credit Reform Act of 1990: Provided further, That these funds are only available to subsidize gross obligations for the principal amount of direct loans not to exceed $5,000,000 for Individual Fishing Quota loans, and not to exceed $59,000,000 for traditional direct loans, of which $19,000,000 may be used for direct loans to the United States menhaden fishery: Provided further, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

OTHER

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For expenses necessary for the departmental management of the Department of Commerce provided for by law, including not to exceed $5,000 for official entertainment, $47,466,000: Provided, That not to exceed 11 full-time equivalents and $1,490,000 shall be expended for the legislative affairs function of the Department.

UNITED STATES TRAVEL AND TOURISM PROMOTION

For necessary expenses of the United States Travel and Tourism Promotion Program, as authorized by section 210 of Public Law 108–7, for programs promoting travel to the United States including grants, contracts, cooperative agreements and related costs, $4,000,000, to remain available until September 30, 2007.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), $22,758,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 203. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this or any other Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act: Provided further, That for the National Oceanic and Atmospheric Administration this section shall provide for transfers among appropriations made only to the National Oceanic and Atmospheric Administration and such appropriations may not be transferred and reprogrammed to other Department of Commerce bureaus and appropriation accounts.

SEC. 204. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 205. Funds made available for salaries and administrative expenses to administer the Emergency Steel Loan Guarantee Program in section 211(b) of Public Law 108–199 shall remain available until expended: Provided, That section 101(k) of the Emergency Steel Loan Guarantee Act of 1999 (Public Law 106–51; 15 U.S.C. 1841 note) is amended by striking ''2005'' and inserting ''2007''.

SEC. 206. Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to register, issue, transfer, or enforce any trademark of the phrase ''Last Best Place''.

SEC. 207. Notwithstanding any other provision of law, of the amounts made available elsewhere in this title to the ''National Institute of Standards and Technology, Construction of Research Facilities'', $8,000,000 is for a cooperative agreement with the Medical University of South Carolina; $20,000,000 is for the National Formulation Science Laboratory at the University of Southern Mississippi; $20,000,000 is for the University of Mississippi Research Park; $5,000,000 is for the Alabama State University Science and Education Building; $8,000,000 is for Tuscaloosa, Alabama, revitalization; $20,000,000 is for the Biomedical Research Center at the University of Alabama at Birmingham; $3,000,000 is for the Institute for Security Technology Studies; $1,000,000 is for the Thayer School of Engineering; $12,000,000 is for the WVHTCF Research Facility; and $30,000,000 is for the University of Alabama for the design and construction of the Science and Engineering Center.

SEC. 208. Of the amount available from the fund entitled ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'', $7,000,000 shall be provided to the Alaska Fisheries Marketing Board, $5,000,000 shall be available to the Southern Shrimp Alliance for its ''Wild American Shrimp Marketing Program''.

SEC. 209. Of the amounts made available under the heading ''Procurement, Acquisition and Construction, National Oceanic and Atmospheric Administration'', $27,000,000 shall be transferred to the National Aeronautics and Space Administration for the planning, design, and construction of Building 3203, for the planning and design of Buildings 3205 and 3216, and for certain infrastructure improvements.

This title may be cited as the ''Department of Commerce and Related Agencies Appropriations Act, 2006''.

TITLE III—SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601–6671), hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, not to exceed $2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, $5,564,000.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE, AERONAUTICS AND EXPLORATION

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics and exploration research and development activities, including research, development, operations, support and services; maintenance; construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control and communications activities including operations, production, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $35,000 for official reception and representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $9,761,400,000, to remain available until September 30, 2007, of which amounts as determined by the Administrator for salaries and benefits; training, travel and awards; facility and related costs; information technology services; science, engineering, fabricating and testing services; and other administrative services may be transferred to ''Exploration Capabilities'' in accordance with section 312(b) of the National Aeronautics and Space Act of 1958, as amended by Public Law 106–377.

EXPLORATION CAPABILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, in the conduct and support of exploration capabilities research and development activities, including research, development, operations, support and services; maintenance; construction of facilities including repair, rehabilitation, revitalization and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control and communications activities including operations, production, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed $35,000 for official reception and representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, $6,663,000,000, to remain available until September 30, 2007, of which amounts as determined by the Administrator for salaries and benefits; training, travel and awards; facility and related costs; information technology services; science, engineering, fabricating and testing services; and other administrative services may be transferred to ''Science, Aeronautics and Exploration'' in accordance with section 312(b) of the National Aeronautics and Space Act of 1958, as amended by Public Law 106–377.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, $32,400,000, to remain available until September 30, 2007.

ADMINISTRATIVE PROVISIONS

Notwithstanding the limitation on the availability of funds appropriated for ''Science, Aeronautics and Exploration'', or ''Exploration Capabilities'' by this appropriations Act, when any activity has been initiated by the incurrence of obligations for construction of facilities or environmental compliance and restoration activities as authorized by law, such amount available for such activity shall remain available until expended. This provision does not apply to the amounts appropriated for institutional minor revitalization and construction of facilities, and institutional facility planning and design.

Notwithstanding the limitation on the availability of funds appropriated for ''Science, Aeronautics and Exploration'', or ''Exploration Capabilities'' by this appropriations Act, the amounts appropriated for construction of facilities shall remain available until September 30, 2008.

Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn. Funding shall not be made available for Centennial Challenges unless authorized.

Funding made available under the headings ''Exploration Capabilities'' and ''Science, Aeronautics, and Exploration'' in this Act shall be governed by the terms and conditions specified in the statement of managers accompanying the conference report for this Act.

The unexpired balances of prior appropriations to National Aeronautics and Space Administration for activities for which funds are provided under this Act may be transferred to the new account established for the appropriation that provides such activity under this Act. Balances so transferred may be merged with funds in the newly established account and thereafter may be accounted for as one fund under the same terms and conditions.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), and the Act to establish a National Medal of Science (42 U.S.C. 1880–1881); services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; $4,387,520,000, to remain available until September 30, 2007, of which not to exceed $425,000,000 shall remain available until expended for Polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: Provided, That from funds specified in the fiscal year 2006 budget request for icebreaking services, such sums shall be available for the procurement of polar icebreaking services: Provided further, That the National Science Foundation shall reimburse the Coast Guard according to the existing memorandum of agreement: Provided further, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: Provided further, That to the extent that the amount appropriated is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally: Provided further, That funds under this heading may be available for innovation inducement prizes.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950, as amended, including authorized travel, $193,350,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), including services as authorized by 5 U.S.C. 3109, authorized travel, and rental of conference rooms in the District of Columbia, $807,000,000, to remain available until September 30, 2007: Provided, That to the extent that the amount of this appropriation is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally.

SALARIES AND EXPENSES

For salaries and expenses necessary in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed $9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; rental of conference rooms in the District of Columbia; and reimbursement of the General Services Administration for security guard services; $250,000,000: Provided, That contracts may be entered into under ''Salaries and Expenses'' in fiscal year 2006 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), $4,000,000: Provided, That not more than $9,000 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, as amended, $11,500,000, to remain available until September 30, 2007.

This title may be cited as the ''Science Appropriations Act, 2006''.

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed $700,000 of this appropriation), as authorized by section 801 of the United States Information and Educational Exchange Act of 1948; representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress; arms control, nonproliferation and disarmament activities as authorized; acquisition by exchange or purchase of passenger motor vehicles as authorized by law; and for expenses of general administration, $3,680,019,000: Provided, That not to exceed 71 permanent positions and $9,804,000 shall be for the Bureau of Legislative Affairs: Provided further, That of the amount made available under this heading, not to exceed $4,000,000 may be transferred to, and merged with, funds in the ''Emergencies in the Diplomatic and Consular Service'' appropriations account, to be available only for emergency evacuations and terrorism rewards: Provided further, That of the amount made available under this heading, not less than $334,000,000 shall be available only for public diplomacy international information programs: Provided further, That of the amount made available under this heading, not less than $2,000,000 shall be for a contribution to the Scholar Rescue Fund endowment: Provided further, That of the amount made available under this heading, $3,000,000 shall be available only for the operations of the Office on Right-Sizing the United States Government Overseas Presence: Provided further, That funds available under this heading may be available for a United States Government interagency task force to examine, coordinate and oversee United States participation in the United Nations headquarters renovation project: Provided further, That no funds may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China unless, at least 15 days in advance, the Committees on Appropriations of the House of Representatives and the Senate are notified of such proposed action: Provided further, That funds appropriated under this heading are available, pursuant to 31 U.S.C. 1108(g), for the field examination of programs and activities in the United States funded from any account contained in this title.

In addition, not to exceed $1,469,000 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act; in addition, as authorized by section 5 of such Act, $490,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section; in addition, as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed $6,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and, in addition, not to exceed $15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

In addition, for the costs of worldwide security upgrades, $689,523,000, to remain available until expended.

CAPITAL INVESTMENT FUND

For necessary expenses of the Capital Investment Fund, $58,895,000, to remain available until expended, as authorized: Provided, That section 135(e) of Public Law 103–236 shall not apply to funds available under this heading.

CENTRALIZED INFORMATION TECHNOLOGY MODERNIZATION PROGRAM

For expenses relating to the modernization of the information technology systems and networks of the Department of State, $69,368,000, to remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, $30,029,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (Public Law 96–465), as it relates to post inspections.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

For expenses of educational and cultural exchange programs, as authorized, $431,790,000, to remain available until expended: Provided, That not to exceed $2,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching, educational advising and counseling programs, and exchange visitor programs as authorized.

REPRESENTATION ALLOWANCES

For representation allowances as authorized, $8,281,000.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, $9,390,000, to remain available until September 30, 2007.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292–303), preserving, maintaining, repairing, and planning for buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, $598,800,000, to remain available until expended as authorized, of which not to exceed $25,000 may be used for domestic and overseas representation as authorized: Provided, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies.

In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, $910,200,000, to remain available until expended.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, $10,000,000, to remain available until expended as authorized, of which not to exceed $1,000,000

may be transferred to and merged with the ''Repatriation Loans Program Account'', subject to the same terms and conditions.

REPATRIATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $712,000, as authorized: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses necessary to carry out the direct loan program, $607,000, which may be transferred to and merged with funds in the ''Diplomatic and Consular Programs'' account.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

For necessary expenses to carry out the Taiwan Relations Act (Public Law 96–8), $19,751,000.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, $131,700,000.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Congress, $1,166,212,000: Provided, That the Secretary of State shall, at the time of the submission of the President's budget to Congress under section 1105(a) of title 31, United States Code, transmit to the Committees on Appropriations the most recent biennial budget prepared by the United Nations for the operations of the United Nations: Provided further, That the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget and cause the United Nations budget for the biennium 2006–2007 to exceed the revised United Nations budget level for the biennium 2004–2005 of $3,695,480,000: Provided further, That any payment of arrearages under this title shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: Provided further, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, $1,035,500,000, of which 15 percent shall remain available until September 30, 2007: Provided, That none of the funds made available under this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency as far in advance as is practicable): (1) the Committees on Appropriations and other appropriate committees of the Congress are notified of the estimated cost and length of the mission, the national interest that will be served, and the planned exit strategy; (2) the Committees on Appropriations and other appropriate committees of the Congress are notified that the United Nations has taken appropriate measures to prevent United Nations employees, contractor personnel, and peacekeeping forces serving in any United Nations peacekeeping mission from trafficking in persons, exploiting victims of trafficking, or committing acts of illegal sexual exploitation, and to hold accountable individuals who engage in such acts while participating in the peacekeeping mission; and (3) a reprogramming of funds pursuant to section 605 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: Provided further, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: Provided further, That none of the funds made available under this heading are available to pay the United States share of the cost of court monitoring that is part of any United Nations peacekeeping mission.

INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed $6,000 for representation; as follows:

SALARIES AND EXPENSES

For salaries and expenses, not otherwise provided for, $28,000,000.

CONSTRUCTION

For detailed plan preparation and construction of authorized projects, $5,300,000, to remain available until expended, as authorized.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103–182, $10,039,000, of which not to exceed $9,000 shall be available for representation expenses incurred by the International Joint Commission.

INTERNATIONAL FISHERIES COMMISSIONS

For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, $24,000,000: Provided, That the United States' share of such expenses may be advanced to the respective commissions pursuant to 31 U.S.C. 3324.

OTHER

PAYMENT TO THE ASIA FOUNDATION

For a grant to the Asia Foundation, as authorized by the Asia Foundation Act (22 U.S.C. 4402), $14,000,000, to remain available until expended, as authorized.

CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST FUND

For a grant to the Center for Middle Eastern-Western Dialogue Trust Fund (22 U.S.C. 2078), $5,000,000 for operation of the Center for Middle Eastern-Western Dialogue in Istanbul, Turkey.

In addition, for necessary expenses of the Center for Middle Eastern-Western Dialogue Trust Fund, the total amount of the interest and earnings accruing to such Fund on or before September 30, 2006, to remain available until expended.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204–5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2006, to remain available until expended: Provided, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A–110 (Uniform Administrative Requirements) and A–122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

ISRAELI ARAB SCHOLARSHIP PROGRAM

For necessary expenses of the Israeli Arab Scholarship Program as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2006, to remain available until expended.

EAST-WEST CENTER

To enable the Secretary of State to provide for carrying out the provisions of the Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, $19,240,000: Provided, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

NATIONAL ENDOWMENT FOR DEMOCRACY

For grants made by the Department of State to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, $75,000,000, to remain available until expended.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For expenses necessary to enable the Broadcasting Board of Governors, as authorized, to carry out international communication activities, including the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception and purchase, lease, and installation of necessary equipment for radio and television transmission and reception to Cuba, and to make and supervise grants for radio and television broadcasting to the Middle East, $641,450,000: Provided, That of the total amount in this heading, not to exceed $16,000 may be used for official receptions within the United States as authorized, not to exceed $35,000 may be used for representation abroad as authorized, and not to exceed $39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, notwithstanding any other provision of law, not to exceed $2,000,000 in receipts from advertising and revenue from business ventures, not to exceed $500,000 in receipts from cooperating international organizations, and not to exceed $1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, to remain available until expended for carrying out authorized purposes.

BROADCASTING CAPITAL IMPROVEMENTS

For the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized, $10,893,000, to remain available until expended, as authorized.

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

SEC. 401. Funds appropriated under this title shall be available, except as otherwise provided,

for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by 5 U.S.C. 3109; and for hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this title may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors in this title may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided further, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 403. None of the funds made available in this title may be used by the Department of State or the Broadcasting Board of Governors to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

SEC. 404. (a) The Senior Policy Operating Group on Trafficking in Persons, established under section 406 of division B of Public Law 108–7 to coordinate agency activities regarding policies (including grants and grant policies) involving the international trafficking in persons, shall coordinate all such policies related to the activities of traffickers and victims of severe forms of trafficking.

(b) None of the funds provided in this or any other Act shall be expended to perform functions that duplicate coordinating responsibilities of the Operating Group.

(c) The Operating Group shall continue to report only to the authorities that appointed them pursuant to section 406 of division B of Public Law 108–7.

SEC. 405. For the purposes of registration of birth, certification of nationality, or issuance of a passport of a United States citizen born in the city of Jerusalem, the Secretary of State shall, upon request of the citizen, record the place of birth as Israel.

SEC. 406. Notwithstanding any other provision of law, of the funds appropriated by this Act under the heading ''Diplomatic and Consular Programs'': $5,000,000 shall be made available for an endowment for the Center for Asian Democracy; $100,000 shall be made available for a grant to the Center for the Study of the Presidency for a public diplomacy initiative; $300,000 shall be made available for a grant to Operation Smile for a public diplomacy program; and $350,000 shall be made available for a grant to MiraMed for programs to combat human trafficking.

SEC. 407. Funds appropriated under this title for the Broadcasting Board of Governors and the Department of State may be obligated and expended notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 408. (a) Funds provided in this title for the following accounts shall be made available for programs in the amounts contained in the respective tables included in the report accompanying this Act:

''Educational and Cultural Exchange Programs''.

''National Endowment for Democracy''.

''International Broadcasting Operations''.

''Broadcasting Capital Improvements''.

(b) Any proposed increases or decreases to the amounts contained in such tables in the accompanying report shall be subject to the regular notification procedures in section 605 of this Act.

(c) The Secretary of State shall notify the Committees on Appropriations 15 days in advance of recommending the issuance of any license subject to Executive Order 13067.

SEC. 409. Notwithstanding any other provision of law, of the funds appropriated or otherwise made available in this title, not more than $1,035,500,000 shall be available for payment to the United Nations for assessed and other expenses of international peacekeeping activities.

SEC. 410. Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) is amended by striking ''October 1, 2005'' and inserting ''October 1, 2006''.

SEC. 411. None of the funds appropriated under this title may be made available to pay any contribution of the United States to the United Nations if the United Nations implements or imposes any taxation on any United States persons.

SEC. 412. It is the sense of the Congress that the amount of any loan for the renovation of the United Nations headquarters building located in New York, New York, should not exceed $600,000,000: Provided, That if any loan exceeds $600,000,000, the Secretary of State shall notify the Congress of the current cost of the renovation and cost containment measures.

SEC. 413. None of the funds made available by this title may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds that: (1) the United Nations undertaking is a peacekeeping mission; (2) such undertaking will involve United States Armed Forces under the command or operational control of a foreign national; and (3) the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

SEC. 414. (a) None of the funds appropriated or otherwise made available under this title shall be expended for any purpose for which appropriations are prohibited by section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) The requirements in subparagraphs (A) and (B) of section 609 of that Act shall continue to apply during fiscal year 2006.

SEC. 415. (a) None of the funds appropriated or otherwise made available under this title shall be expended for any purpose for which appropriations are prohibited by section 616 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

(b) The requirements in subsections (b) and (c) of section 616 of that Act shall continue to apply during fiscal year 2006.

SEC. 416. (a) Except as provided in subsection (b), a project to construct a diplomatic facility of the United States may not include office space or other accommodations for an employee of a Federal agency or department if the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required by subsection (e) of section 604 of the Secure Embassy Construction and Counterterrorism Act of 1999 (as enacted into law by section 1000(a)(7) of Public Law 106–113 and contained in appendix G of that Act; 113 Stat. 1501A–453), as amended by section 629 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005.

(b) Notwithstanding the prohibition in subsection (a), a project to construct a diplomatic facility of the United States may include office space or other accommodations for members of the Marine Corps.

SEC. 417. Ceilings and earmarks contained in this title shall not be applicable to funds or authorities appropriated or otherwise made available by any subsequent Act unless such Act specifically so directs. Earmarks or minimum funding requirements contained in any other Act shall not be applicable to funds appropriated by this title.

This title may be cited as the ''Department of State and Related Agency Appropriations Act, 2006''.

TITLE V—RELATED AGENCIES

ANTITRUST MODERNIZATION COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Antitrust Modernization Commission, as authorized by Public Law 107–273, $1,172,000, to remain available until expended.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

For expenses for the Commission for the Preservation of America's Heritage Abroad, $499,000, as authorized by section 1303 of Public Law 99–83.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, $9,048,000: Provided, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: Provided further, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days.

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

For necessary expenses for the United States Commission on International Religious Freedom, as authorized by title II of the International Religious Freedom Act of 1998 (Public Law 105–292), $3,300,000, to remain available until September 30, 2007.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94–304, $2,030,000, to remain available until September 30, 2007.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized, $1,900,000, including not more than $3,000 for the purpose of official representation, to remain available until September 30, 2007.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964 (29 U.S.C. 206(d) and 621–634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); non-monetary awards to private citizens; and not to exceed $33,000,000 for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, $331,228,000: Provided, That the Commission is authorized to make available for official reception and representation expenses not to exceed $2,500 from available funds: Provided

further, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Committees on Appropriations have been notified of such proposals, in accordance with the reprogramming provisions of section 605 of this Act.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $289,771,000: Provided, That $288,771,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2006 so as to result in a final fiscal year 2006 appropriation estimated at $1,000,000: Provided further, That any offsetting collections received in excess of $288,771,000 in fiscal year 2006 shall remain available until expended, but shall not be available for obligation until October 1, 2006: Provided further, That notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed $85,000,000 for fiscal year 2006.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses, $211,000,000, to remain available until expended: Provided, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: Provided further, That, notwithstanding any other provision of law, not to exceed $116,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: Provided further, That, notwithstanding any other provision of law, $23,000,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the Telephone Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses in this appropriation: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2006, so as to result in a final fiscal year 2006 appropriation from the general fund estimated at not more than $72,000,000: Provided further, That none of the funds made available to the Federal Trade Commission may be used to enforce subsection (e) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t) or section 151(b)(2) of the Federal Deposit Insurance Corporation Improvement Act of 1991 (12 U.S.C. 1831t note).

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, $330,803,000, of which $312,375,000 is for basic field programs and required independent audits; $2,539,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; $12,825,000 is for management and administration; $1,255,000 is for client self-help and information technology; and $1,809,000 is for grants to offset losses due to census adjustments.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2005 and 2006, respectively, and except that section 501(a)(1) of Public Law 104–134 (110 Stat. 1321–51, et seq.) shall not apply to the use of the $1,809,000 to address loss of funding due to Census-based reallocations.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92–522, $2,920,000, of which $920,000 shall remain available until September 30, 2007.

NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION

For necessary expenses of the National Veterans Business Development Corporation as authorized under section 33(a) of the Small Business Act, $1,500,000, to remain available until expended.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,000 for official reception and representation expenses, $888,117,000, to remain available until expended; of which not to exceed $10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed $100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (1) such incidental expenses as meals taken in the course of such attendance; (2) any travel and transportation to or from such meetings; and (3) any other related lodging or subsistence: Provided, That fees and charges authorized by sections 6(b) of the Securities Exchange Act of 1933 (15 U.S.C. 77f(b)), and 13(e), 14(g) and 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78m(e), 78n(g), and 78ee), shall be credited to this account as offsetting collections: Provided further, That not to exceed $863,117,000 of such offsetting collections shall be available until expended for necessary expenses of this account: Provided further, That $25,000,000 shall be derived from prior year unobligated balances from funds previously appropriated to the Securities and Exchange Commission: Provided further, That the total amount appropriated under this heading from the general fund for fiscal year 2006 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2006 appropriation from the general fund estimated at not more than $0.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 108–447, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed $3,500 for official reception and representation expenses, $313,029,000: Provided, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan servicing activities: Provided further, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations: Provided further, That $89,000,000 shall be available to fund grants for performance in fiscal year 2006 or fiscal year 2007 as authorized: Provided further, That the Small Business Administration is authorized to award grants under the Women's Business Center Sustainability Pilot Program established by section 4(a) of Public Law 106–165 (15 U.S.C. 656(l)): Provided further, That, of the amounts provided for Women's Business Centers, not less than 41 percent shall be available to continue Women's Business Centers in sustainability status.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $13,900,000.

SURETY BOND GUARANTEES REVOLVING FUND

For additional capital for the Surety Bond Guarantees Revolving Fund, authorized by the Small Business Investment Act, as amended, $2,861,000, to remain available until expended.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, $1,300,000, to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2006 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958, shall not exceed the levels established under 20(e)(1)(B)(ii) of the Small Business Act: Provided further, That during fiscal year 2006 commitments for general business loans authorized under section 7(a) of the Small Business Act, shall not exceed the levels established under 20(e)(1)(B)(i) of the Small Business Act: Provided further, That during fiscal year 2006 commitments to guarantee loans for debentures under section 303(b) of the Small Business Investment Act of 1958, shall not exceed $3,000,000,000: Provided further, That during fiscal year 2006 guarantees of trust certificates authorized by section 5(g) of the Small Business Act shall not exceed a principal amount of $12,000,000,000.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $125,307,000, which may be transferred to and merged with the appropriations for Salaries and Expenses: Provided, That, of the funds previously made available under Public Law 105–135, section 507(g), for the Delta Loan program, up to $500,000 may be transferred to and merged with the appropriation for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

From unobligated balances under this heading, in fiscal year 2006, not to exceed $9,000,000 may be transferred to and merged with appropriations for Salaries and Expenses for indirect administrative expenses, of which $1,500,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews

of disaster loans and the disaster loan program and shall be transferred to and merged with appropriations for the Office of Inspector General.

ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1992 (Public Law 102–572), $3,500,000: Provided, That not to exceed $2,500 shall be available for official reception and representation expenses.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States-China Economic and Security Review Commission, $3,000,000, including not more than $5,000 for the purpose of official representation, to remain available until September 30, 2007.

UNITED STATES INSTITUTE OF PEACE

OPERATING EXPENSES

For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, $22,350,000, to remain available until September 30, 2007.

UNITED STATES SENATE-CHINA INTERPARLIAMENTARY GROUP

SALARIES AND EXPENSES

For necessary expenses of the United States Senate-China Interparliamentary Group, as authorized under section 153 of the Consolidated Appropriations Act, 2004 (22 U.S.C. 276n; Public Law 108–99; 118 Stat. 448), $150,000, to remain available until September 30, 2007.

TITLE VI—GENERAL PROVISIONS

SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2006, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices; (6) reorganizes, programs or activities; or (7) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2006, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of $750,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

SEC. 606. Hereafter, none of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

SEC. 607. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a ''Made in America'' inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 608. The Departments of Commerce, Justice, and State, the Broadcasting Board of Governors, the National Science Foundation, the National Aeronautics and Space Administration, the Federal Communications Commission, the Securities and Exchange Commission and the Small Business Administration shall provide to the Committees on Appropriations of the Senate and of the House of Representatives a quarterly accounting of the cumulative balances of any unobligated funds that were received by such agency during any previous fiscal year.

SEC. 609. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 610. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 611. None of the funds appropriated pursuant to this Act or any other provision of law may be used for—

(1) the implementation of any tax or fee in connection with the implementation of subsection 922(t) of title 18, United States Code; and

(2) any system to implement subsection 922(t) of title 18, United States Code, that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from possessing or receiving a firearm no more than 24 hours after the system advises a Federal firearms licensee that possession or receipt of a firearm by the prospective transferee would not violate subsection (g) or (n) of section 922 of title 18, United States Code, or State law.

SEC. 612. Notwithstanding any other provision of law, amounts deposited or available in the Fund established under 42 U.S.C. 10601 in any fiscal year in excess of $625,000,000 shall not be available for obligation until the following fiscal year.

SEC. 613. For additional amounts under the heading ''Small Business Administration, Salaries and Expenses'', $1,000,000 shall be available for the Adelante Development Center, Inc., NM; $850,000 shall be available for the Alabama Department of Archives and History, Montgomery, AL; $500,000 shall be available for the Alabama Humanities Foundation for a Statewide Initiative; $1,500,000 shall be available for Alabama State Docks Economic Development; $200,000 shall be available for the Alaska Small Business Development Center; $1,000,000 shall be available for the Alcorn State University Judicial Threat Analysis Center; $775,000 shall be available for Ben Franklin Technology Partners Translational Action Research Boards, Philadelphia, PA; $1,000,000 shall be available for the Bring Back Broad Street Initiative, Mobile, AL; $450,000 shall be available for the City of Guin, AL, Industrial Development Initiative; $250,000 shall be available for the City of Monroeville, AL, Community Enrichment Project; $300,000 shall be available for the City of Oneonta, AL, for industrial development; $500,000 shall be available for the City of Richland Revitalization Project; $100,000 shall be available for community development in Randolph County, AL; $275,000 shall be available for the Community Development Project, Huntsville, AL; $500,000 shall be available for economic development in Lamar County, AL; $100,000 shall be available for the Great Lakes Business Growth and Development Center at Lorain County Community College; $200,000 shall be available for the Greenville Waterfront Industrial Enhancement Project; $50,000 shall be available for the Houston Community College Multi-Cultural Business Center; $75,000 shall be available for the Idaho Virtual Incubator at Lewis-Clark State College; $500,000 shall be available for Industrial Infrastructure in Hartselle, AL; $5,000,000 shall be available for the Industrial Outreach Service at Mississippi State University; $450,000 shall be available for infrastructure development in Chambers County, AL; $200,000 shall be available for the Investnet/Technology Venture Center partnership for Alaska and Montana; $200,000 shall be available for the Knoxville College Small Business Incubator Program; $350,000 shall be available for the LeFleur Lakes Flood Control/Pearl River Watershed project; $750,000 shall be available for the Manufacturing Technology Initiative at Mississippi State University; $500,000 shall be available for the Mississippi Children's Museum; $1,000,000 shall be available for the Mississippi Film Enterprise Zone; $1,250,000 shall be available for the Mississippi Technology Alliance Economic Development Plan; $500,000 shall be available for the Mitchell Memorial Library for the digitization of special collections; $500,000 shall be available for the

Montgomery, AL, Downtown Revitalization Project; $650,000 shall be available for the New Product Development and Commercialization Center for Rural Manufacturers; $2,100,000 shall be available for the Oak Ridge National Laboratory for the Southeastern fiber optic project (Lambda Rail); $500,000 shall be available for the Old Fort McClellan Economic Development Initiative, Anniston, AL; $75,000 shall be available for the Pro-Tech Program at the College of Southern Idaho; $500,000 shall be available for the Shelby County, AL, Environmental Education Center; $2,000,000 shall be available for Small Business Development Centers in Mississippi; $100,000 shall be available for the South Carolina International Center for Automotive Research Park Innovation Center; $250,000 shall be available for the Technology Venture Center, MT; $25,000 shall be available for the Town of Millry, AL, for community development; $1,000,000 shall be available for the Toxin Alert Development Project at the University of Southern Mississippi; $500,000 shall be available for the Troy University Center for International Business and Economic Development; $900,000 shall be available for the Tuck School of Business/MBDA Partnership; $150,000 shall be available for the University of Alabama Community Development project; $350,000 shall be available for the University of West Alabama Regional Center for Community and Economic Development; $1,000,000 shall be available for the Women's Entrepreneurship Initiative at the Mississippi University for Women; $500,000 shall be available for the Montana Department of Administration for spatial data to enable economic development; $500,000 shall be available for the City of Fort Wayne, Indiana for the Institute for Orthopedic Biomaterials Research; $1,000,000 shall be available for the New Mexico State University Arrowhead Center; $1,000,000 shall be available for the New Mexico Community Development Loan Fund/WESSTCorp. Cooperative; $1,500,000 shall be available for the Inland Northwest Regional GigaPop Network Connectivity project; $300,000 shall be available for the Brooklyn, NY Chamber of Commerce for the Brooklyn Goes Global program; $500,000 shall be available for the Institute for Technology and Business Development at Central Connecticut State University; $500,000 shall be available for the Iowa Department of Economic Development for the Entrepreneurial Venture Assistance Project; $400,000 shall be available for the New Ventures Center in Davenport in Iowa; $400,000 shall be available for the Pappajohn Higher Education Center in Des Moines, Iowa; $250,000 shall be available for the University of Vermont Small Enterprise Research Initiative; $200,000 shall be available for the Genesis of Innovation in Rapid City, South Dakota; $500,000 shall be available for the Wisconsin Security Research Consortium, a collaboration between the University of Wisconsin System and the Wisconsin Technology Council; $500,000 shall be available for the Rowan University Technology Center and Business Incubator; $1,500,000 shall be available for the Vermont Center for Emerging Technologies; $500,000 shall be available for the Vermont Employee Ownership Center; $820,000 shall be available for the Central Michigan University Center for Applied Research and Technology; $500,000 shall be available for the Nanotechnology Economic Development Program at the University of Arkansas at Little Rock; $1,100,000 shall be available for the University of Arkansas' Research and Technology Park; $600,000 shall be available for the Maryland Technology Development Corporation for the Minority R&D Initiative; $1,000,000 shall be available for the University of West Florida's Statewide Small Business Development Center Network; $200,000 shall be available for the Nevada's Commission on Economic Development; $1,000,000 shall be available for the Clark County Department of Aviation, Las Vegas, Nevada to study and operate the international air trade show; $250,000 shall be available for the Corona-Elmhurst Center for Economic Development, New York; $180,000 shall be available for the Sephardic Angel Fund, New York City; $500,000 shall be available for the Detroit Economic Growth Business Attraction Program; $250,000 shall be available for the Oregon Department of Consumer and Business Services' One-Stop Permitting Portal; $250,000 shall be available for the Fossil Bed Park and Ancient Lands Field House; $100,000 shall be for a grant to Cedar Creek Battlefield Foundation; $100,000 shall be for a grant to Belle Grove Plantation; $250,000 shall be for a grant to Shenandoah University for a facility; $100,000 shall be for a grant to Winchester-Frederick Convention and Visitor Bureau; $2,000,000 shall be for a grant to Virginia Community College System for a web portal; $200,000 shall be for a grant to Americans at War; $500,000 shall be for a grant to Warren County, Virginia, for a community enhancement project; $2,000,000 shall be available for the United States-China Economic and Security Review Commission for projects to study Chinese policies and practices and their impacts on American interests, the American economy, and small businesses; $200,000 shall be for a grant to the Myrtle Beach International Trade and Convention Center; $575,000 shall be for a grant to the Innovation and Outreach Center at the University of Mississippi; $500,000 shall be for a grant to Competetive Manufacturing through Innovation Management at the University of Wisconsin Oshkosh; $200,000 shall be for a grant to Business and Industrial Incubator in Cushing, Oklahoma; $500,000 shall be for a grant to Patrick Henry Community College for a workforce development program; $500,000 shall be for a grant to Danville Community College for a workforce development program; $500,000 shall be for a grant to Advanced and Applied Polymer Processing Institute; $1,000,000 shall be for a grant to the Industrial Development Authority of Halifax, VA; $1,000,000 shall be for a grant to the University of Illinois for the Information Trust Initiative; $1,000,000 shall be for a grant to Aurora, IL, for construction and other activities related to community development; $200,000 shall be for a grant to Carnegie Mellon University for a Community-Based Demonstration Project; $500,000 shall be for a grant to REI Rural Business and Resource Center in Seminole, Oklahoma; $1,000,000 shall be for a grant to Appalachian State University; $1,000,000 shall be for a grant to Western Carolina University for a computer engineering program; $1,000,000 shall be for a grant to International Small Business and Trade Institute; $500,000 shall be for a grant to the Illinois Institute for Technology to examine and assess advancements in biotechnologies; $3,000,000 shall be for a grant to the Southern and Eastern Kentucky Tourism Development Association; $2,500,000 shall be for a grant to the Southern and Eastern Kentucky Economic Development Corporation; $1,000,000 shall be for a grant to the National Center for Community Renewal; $250,000 shall be for a grant to Advanced Business Technology Incubator at College of the Canyons; $250,000 shall be for a grant to the Applied Competitive Technologies Program of the California Community Colleges; $250,000 shall be for a grant to Adirondack Champlain Fiber Network; $100,000 shall be for a grant to Amoskeag Business Incubator; $500,000 shall be for a grant to the Montana World Trade Center; $1,000,000 shall be for a grant to the Fairplex Trade and Conference Center; $220,000 shall be for a grant to Virtual Business Incubator in Southeast Pennsylvania; $250,000 shall be for a grant to the Rochester Tooling and Machining Association; $600,000 shall be for a grant to Wittenberg University to expand business education; $500,000 shall be for a grant to Experience Works to expand opportunities for older workers; $1,000,000 shall be for a grant to Innovation Center in Peoria, Illinois; $1,250,000 shall be for a grant to North Iowa Area Community College business incubator; $1,000,000 shall be for a grant to University of Redlands for development of a center to assist small business; $500,000 shall be for a grant to McHenry County Economic Development Corporation; $300,000 shall be for a grant to Rockford Area Ventures in Rockford, Illinois; $1,100,000 shall be for a grant to Ohio Ready to Work program; $530,000 shall be for a grant to Michigan State University for the Institute for Trade in the Americas; $500,000 shall be for a grant to Bridgeport Regional Business Council for an economic integration initiative; $100,000 shall be for a grant to Cedarbridge Development Corporation for a redevelopment initiative; $100,000 shall be for a grant to the Heart of Florida Regional Coalition; $150,000 shall be for a grant to Syracuse, NY, for a small business community support program; $500,000 shall be for a grant to the Connect the Valley initiative; $500,000 shall be for a grant to the Chattanooga Enterprise Center for a demonstration project; $150,000 shall be available for a grant to St. Jerome Church for their community center project and programs in the Bronx, New York; $50,000 shall be available for a grant to establish the Tito Puente Legacy Project at Hostos Community College in New York; $150,000 shall be available for a grant to the Bronx Council on the Arts for its Arts Cultural Corridor Project to promote local arts initiatives; $50,000 shall be available for a grant to the South Bronx Action Group to provide housing related services to the community; $100,000 shall be available for a grant to Pro Co Technology, Inc. for their programs in the Bronx, New York; $150,000 shall be available for a grant to Bronx Shepherds for community programs; $200,000 shall be available for a grant to HOGAR, Inc. in the Bronx, New York; $50,000 shall be available for a grant to the Promesa Foundation to provide financial assistance to New York area families under a youth sports and recreational initiative; $100,000 shall be available for a grant to Promesa Enterprises in New York for infrastructure program support; $100,000 shall be available for a grant to Presbyterian Senior Services for capital costs for their Grandparent Family Apartments project in the Bronx, New York; $50,000 shall be available for a grant to World Vision's Bronx Storehouse for services in the community; $50,000 shall be available for a grant to the Bronx River Alliance for its services in the Bronx, New York; $600,000 shall be available to the Downtown Huntsville Small Business Enhancement Initiative; $150,000 shall be available for the Rhode Island College for the Project FLIP (Financial and Functional Literacy Incentive Program); $750,000 shall be available for the Rhode Island School of Design in Providence, Rhode Island; $100,000 shall be available for the Newport County Chamber of Commerce for the Aquidneck Island Corporate Park Capital Program; $700,000 shall be available for the American Cities Foundation (ACF) Economic Development Initiative; $300,000 shall be available for CAP Services in Stevens Point, WI; $500,000 shall be available for the Northwest Regional Planning Commission; $400,000 shall be available for the Wisconsin Procurement Institute; $250,000 shall be for the JARI Workforce Development Program; $250,000 shall be for the JARI Small Business Technology Center; $400,000 shall be for the Economic Growth Connection Procurement Assistance Program; $300,000 shall be for the Franklin County, Massachusetts Community Development Corporation for a rural economic growth program; $1,870,000 shall be available for a grant to the MountainMade Foundation to fulfill its charter purposes and to continue the initiative developed by the NTTC for outreach and promotion, business and sites development, the education of artists and craftspeople, and to promote small businesses, artisans and their products through market development, advertisement, commercial sale and other promotional means; $1,000,000 shall be available for the INNOVA small business incubator; $30,000 shall be available for the

Town of Hambleton for upgrades and renovations to the town hall; $100,000 shall be available for the Parsons Revitalization Organization for planning purposes; $100,000 shall be available for Rowlesburg Revitalization Committee for neighborhood revitalization; $500,000 shall be available for the Institute for Entrepreneurship, Small Business Development and Global Logistics at California State University at Dominguez Hills, California; $300,000 shall be available for Brooklyn Economic Development Corporation in Brooklyn, New York to support and expand the Initiative for a Competitive Brooklyn; and $200,000 shall be available for the Local Development Corporation of East New York for the Brooklyn Enterprise Center.

SEC. 614. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

SEC. 615. All disaster loans issued in Alaska or North Dakota shall be administered by the Small Business Administration and shall not be sold during fiscal year 2006.

SEC. 616. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 617. The Departments of Commerce, Justice, and State, the Securities and Exchange Commission and the Small Business Administration shall, not later than two months after the date of the enactment of this Act, certify that telecommuting opportunities have increased over levels certified to the Committees on Appropriations for fiscal year 2005: Provided, That, of the total amounts appropriated to the Departments of Commerce, Justice, and State, the Securities and Exchange Commission and the Small Business Administration, $5,000,000 shall be available to each only upon such certification: Provided further, That each Department or agency shall provide quarterly reports to the Committees on Appropriations on the status of telecommuting programs, including the number and percentage of Federal employees eligible for, and participating in, such programs: Provided further, That each Department or agency shall maintain a ''Telework Coordinator'' to be responsible for overseeing the implementation and operations of telecommuting programs, and serve as a point of contact on such programs for the Committees on Appropriations.

SEC. 618. With the consent of the President, the Secretary of Commerce shall represent the United States Government in negotiating and monitoring international agreements regarding fisheries, marine mammals, or sea turtles: Provided, That the Secretary of Commerce shall be responsible for the development and interdepartmental coordination of the policies of the United States with respect to the international negotiations and agreements referred to in this section.

SEC. 619. The National Aeronautics and Space Administration and the National Science Foundation shall, not later than two months after the date of the enactment of this Act, certify that telecommuting opportunities are made available to 100 percent of the eligible workforce: Provided, That, of the total amounts appropriated to the National Aeronautics and Space Administration and the National Science Foundation, $5,000,000 shall be available to each agency only upon such certification: Provided further, That both agencies shall provide quarterly reports to the Committees on Appropriations on the status of telecommuting programs, including the number of Federal employees eligible for, and participating in, such programs: Provided further, That both agencies shall designate a ''Telework Coordinator'' to be responsible for overseeing the implementation and operations of telecommuting programs, and serve as a point of contact on such programs for the Committees on Appropriations.

SEC. 620. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 605 of this Act.

SEC. 621. (a) Tracing studies conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives are released without adequate disclaimers regarding the limitations of the data.

(b) The Bureau of Alcohol, Tobacco, Firearms and Explosives shall include in all such data releases, language similar to the following that would make clear that trace data cannot be used to draw broad conclusions about firearms-related crime:

(1) Firearm traces are designed to assist law enforcement authorities in conducting investigations by tracking the sale and possession of specific firearms. Law enforcement agencies may request firearms traces for any reason, and those reasons are not necessarily reported to the Federal Government. Not all firearms used in crime are traced and not all firearms traced are used in crime.

(2) Firearms selected for tracing are not chosen for purposes of determining which types, makes or models of firearms are used for illicit purposes. The firearms selected do not constitute a random sample and should not be considered representative of the larger universe of all firearms used by criminals, or any subset of that universe. Firearms are normally traced to the first retail seller, and sources reported for firearms traced do not necessarily represent the sources or methods by which firearms in general are acquired for use in crime.

SEC. 622. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change its rules or regulations for universal service support payments to implement the February 27, 2004 recommendations of the Federal-State Joint Board on Universal Service regarding single connection or primary line restrictions on universal service support payments.

SEC. 623. None of the funds appropriated or otherwise made available under this Act may be used to issue patents on claims directed to or encompassing a human organism.

SEC. 624. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 625. Of the amounts made available in this Act, $393,616,321 from ''Department of State''; $27,938,072 from ''Department of Justice''; $14,107,754 from ''Department of Commerce''; $426,314 from ''United States Trade Representative''; $575,116 from ''Broadcasting Board of Governors''; $291,855 from ''National Aeronautics and Space Administration''; and $79,754 from ''National Science Foundation'' shall be available for the purposes of implementing the Capital Security Cost Sharing program.

SEC. 626. None of the funds made available to NASA in this Act may be used for voluntary separation incentive payments as provided for in subchapter II of chapter 35 of title 5, United States Code, unless the Administrator of NASA has first certified to Congress that such payments would not result in the loss of skills related to the safety of the Space Shuttle or the International Space Station or to the conduct of independent safety oversight in the National Aeronautics and Space Administration.

SEC. 627. Notwithstanding 40 U.S.C. 524, 571, and 572, the Administrator of the National Aeronautics and Space Administration may sell the National Aeronautics and Space Administration-owned property on the Camp Parks Military Reservation, Alameda County, California.

SEC. 628. (a) IN GENERAL.—The President of the United States through his designee the Administrator of the National Aeronautics and Space Administration and in consultation with other Federal agencies shall develop a national aeronautics policy to guide the aeronautics programs of the Administration through 2020.

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

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

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

(3) the facilities and personnel needed to carry out the program through fiscal year 2011; and

(4) the budget assumptions on which the national aeronautics policy is based.

(c) CONSIDERATIONS.—In developing the national aeronautics policy, the President shall consider the following questions, which shall be discussed in the policy statement—

(1) the extent to which NASA should focus on long-term, high-risk research or more incremental research or both and the expected impact on the U.S. aircraft and airline industries of those decisions;

(2) the extent to which NASA should address military and commercial needs;

(3) how NASA will coordinate its aeronautics program with other Federal agencies; and

(4) the extent to which NASA will fund university research and the expected impact of that funding on the supply of U.S. workers for the aeronautics industry.

(d) CONSULTATION.—In developing the national aeronautics policy, the Administrator shall consult widely with academic and industry experts and with other Federal agencies. The Administrator may enter into an arrangement with the National Academy of Sciences to help develop the national aeronautics policy.

(e) SCHEDULE.—The Administrator shall submit the new national aeronautics policy to the House and Senate Committees on Appropriations and to the House Committee on Science and the Senate Committee on Commerce, Science, and Transportation within one year of enactment of this Act. The Administrator shall make available to the Congress any study done by a non-governmental entity that was used in the development of the national aeronautics policy.

SEC. 629. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding $500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada, or

(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

(C) articles for export from Canada to another foreign destination.

(c) In accordance with this section, the District Directors of Customs and postmasters shall

permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

SEC. 630. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR Sec. 478.112 or .113, for a permit to import United States origin ''curios or relics'' firearms, parts, or ammunition.

SEC. 631. None of the funds made available in this Act may be used to include in any new bilateral or multilateral trade agreement the text of—

(1) paragraph 2 of article 16.7 of the United States-Singapore Free Trade Agreement;

(2) paragraph 4 of article 17.9 of the United States-Australia Free Trade Agreement; or

(3) paragraph 4 of article 15.9 of the United States-Morocco Free Trade Agreement.

SEC. 632. Of the funds appropriated to the Federal Trade Commission by this Act, not less than $1,000,000 shall be used by the Commission to conduct an immediate investigation into nationwide gasoline prices in the aftermath of Hurricane Katrina: Provided, That the investigation shall include (1) any evidence of price-gouging by companies with total United States wholesale sales of gasoline and petroleum distillates for calendar 2004 in excess of $500,000,000 and by any retail distributor of gasoline and petroleum distillates against which multiple formal complaints (that identify the location of a particular retail distributor and provide contact information for the complainant) of price-gouging were filed in August or September, 2005, with a Federal or State consumer protection agency, (2) a comparison of, and an explanation of the reasons for changes in, profit levels of such companies during the 12-month period ending on August 31, 2005, and their profit levels for the month of September, 2005, including information for particular companies on a basis that does not permit the identification of any company to which the information relates, (3) a summary of tax expenditures (as defined in section 3(3) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(3)) for such companies, (4) the effects of increased gasoline prices and gasoline price-gouging on economic activity in the United States, and (5) the overall cost of increased gasoline prices and gasoline price-gouging to the economy, including the impact on consumers' purchasing power in both declared State and National disaster areas and elsewhere: Provided further, That, in conducting its investigation, the Commission shall treat as evidence of price-gouging any finding that the average price of gasoline available for sale to the public in September, 2005, or thereafter in a market area located in an area designated as a State or National disaster area because of Hurricane Katrina, or in any other area where price-gouging complaints have been filed because of Hurricane Katrina with a Federal or State consumer protection agency, exceeded the average price of such gasoline in that area for the month of August, 2005, unless the Commission finds substantial evidence that the increase is substantially attributable to additional costs in connection with the production, transportation, delivery, and sale of gasoline in that area or to national or international market trends: Provided further, That in any areas of markets in which the Commission determines price increases are due to factors other than the additional costs, it shall also notify the appropriate State agency of its findings: Provided further, That the Commission shall provide information on the progress of the investigation to the Senate and House Appropriations Committees, the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Energy and Commerce every 30 days after the date of enactment of this Act, shall provide those Committees a written interim report 90 days after such date, and shall transmit a final report to those Committees, together with its findings and recommendations, no later than 180 days after the date of enactment of this Act: Provided further, That the Commission shall transmit recommendations, based on its findings, to the Congress for any legislation necessary to protect consumers from gasoline price-gouging in both State and National disaster areas and elsewhere: Provided further, That chapter 35 of title 44, United States Code, does not apply to the collection of information for the investigation required by this section: Provided further, That if, during the investigation, the Commission obtains evidence that a person may have violated a criminal law, the Commission may transmit that evidence to appropriate Federal or State authorities: Provided further, That nothing in this section affects any other authority of the Commission to disclose information.

SEC. 633. Section 302 of the Universal Service Antideficiency Temporary Suspension Act is amended by striking ''December 31, 2005,'' each place it appears and inserting ''December 31, 2006,''.

SEC. 634. None of the funds made available in this Act may be used to send or otherwise pay for the attendance of more than 50 employees of agencies or departments of the United States Government who are stationed in the United States, at any single international conference occurring outside the United States, unless the Secretary of State determines that such attendance is in the national interest: Provided, That for purposes of this section the term ''international conference'' shall mean a conference attended by representatives of the United States Government and representatives of foreign governments, international organizations, or nongovernmental organizations.

SEC. 635. (a) MODIFICATION OF RESPONSIBILITIES.—Notwithstanding any provision of section 1238 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), or any other provision of law, the United States–China Economic and Security Review Commission established by subsection (b) of that section shall investigate and report exclusively on each of the following areas:

(1) PROLIFERATION PRACTICES.—The role of the People's Republic of China in the proliferation of weapons of mass destruction and other weapons (including dual use technologies), including actions the United States might take to encourage the People's Republic of China to cease such practices.

(2) ECONOMIC TRANSFERS.—The qualitative and quantitative nature of the transfer of United States production activities to the People's Republic of China, including the relocation of high technology, manufacturing, and research and development facilities, the impact of such transfers on United States national security, the adequacy of United States export control laws, and the effect of such transfers on United States economic security and employment.

(3) ENERGY.—The effect of the large and growing economy of the People's Republic of China on world energy supplies and the role the United States can play (including through joint research and development efforts and technological assistance) in influencing the energy policy of the People's Republic of China.

(4) ACCESS TO UNITED STATES CAPITAL MARKETS.—The extent of access to and use of United States capital markets by the People's Republic of China, including whether or not existing disclosure and transparency rules are adequate to identify People's Republic of China companies engaged in harmful activities.

(5) REGIONAL ECONOMIC AND SECURITY IMPACTS.—The triangular economic and security relationship among the United States, Taipei, and the People's Republic of China (including the military modernization and force deployments of the People's Republic of China aimed at Taipei), the national budget of the People's Republic of China, and the fiscal strength of the People's Republic of China in relation to internal instability in the People's Republic of China and the likelihood of the externalization of problems arising from such internal instability.

(6) UNITED STATES-CHINA BILATERAL PROGRAMS.—Science and technology programs, the degree of non-compliance by the People's Republic of China with agreements between the United States and the People's Republic of China on prison labor imports and intellectual property rights, and United States enforcement policies with respect to such agreements.

(7) WORLD TRADE ORGANIZATION COMPLIANCE.—The compliance of the People's Republic of China with its accession agreement to the World Trade Organization (WTO).

(8) FREEDOM OF EXPRESSION.—The implications of restrictions on speech and access to information in the People's Republic of China for its relations with the United States in the areas of economic and security policy.

(b) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—Subsection (g) of section 1238 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 is amended to read as follows:

''(g) APPLICABILITY OF FACA.—The provisions of the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the activities of the Commission.''.

SEC. 636. Section 635 of division B of Public Law 108–447 is amended by striking ''balance'' and inserting ''and unexpended balances''.

SEC. 637. None of the funds made available in this Act may be used to pay expenses for any United States delegation to any specialized agency, body, or commission of the United Nations if such commission is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)), has provided support for acts of international terrorism.

(RESCISSION)

SEC. 638. (a) There is hereby rescinded an amount equal to 0.28 percent of the budget authority provided for in fiscal year 2006 for any discretionary account in this Act.

(b) Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in subsection (a); and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports for the relevant fiscal year covering such account or item, or for accounts and items not included in appropriation Acts, as delineated in the most recently submitted President's budget).

TITLE VII—RESCISSIONS

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

WORKING CAPITAL FUND

(RESCISSION)

Of the unobligated balances available under this heading, $2,500,000 are rescinded.

LEGAL ACTIVITIES

ASSETS FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, $102,000,000 are rescinded.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

(RESCISSION)

Of the unobligated balances available under this heading, $25,000,000 are rescinded.

OFFICE OF JUSTICE PROGRAMS

(RESCISSION)

Of the unobligated balances available under this heading, $110,500,000 are rescinded.

COMMUNITY ORIENTED POLICING SERVICES

(RESCISSION)

Of the unobligated balances available under this heading, $86,500,000 are rescinded.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

(RESCISSION)

Of the unobligated balances available in accounts under this heading from prior year appropriations, $25,000,000 are rescinded.

RELATED AGENCIES

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

Of the unobligated balances available under this heading, $25,300,000 are rescinded.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

Of the unobligated balances available under this heading, $12,000,000 are rescinded.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

Of the unobligated balances available under this heading, $920,000 are rescinded.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

(RESCISSION)

Of the unobligated balances available under this heading, $3,000,000 are rescinded.

BUSINESS LOANS PROGRAM ACCOUNT

(RESCISSION)

Of the unobligated balances available under this heading, $4,000,000 are rescinded.

This Act may be cited as the ''Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006''.

And the Senate agree to the same.

That the Senate recede from its amendment to the title of the bill.

FRANK R. WOLF,
CHARLES H. TAYLOR,
MARK STEVEN KIRK,
DAVE WELDON,
VIRGIL GOODE, Jr.,
RAY LAHOOD,
JOHN ABNEY CULBERSON,
RODNEY ALEXANDER,
JERRY LEWIS,
ALAN B. MOLLOHAN,
JOSÉ E. SERRANO,
BUD CRAMER,
PATRICK J. KENNEDY,
CHAKA FATTAH,
Managers on the Part of the House.

RICHARD C. SHELBY,
JUDD GREGG,
TED STEVENS,
PETE V. DOMENICI,
MITCH MCCONNELL,
KAY BAILEY HUTCHISON,
SAM BROWNBACK,
KIT BOND,
THAD COCHRAN,
BARBARA MIKULSKI,
DANIEL K. INOUYE,
PATRICK LEAHY,
HERB KOHL,
PATTY MURRAY,
TOM HARKIN,
BYRON L. DORGAN,
ROBERT C. BYRD,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2862), ''making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes'', submits the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report.

The legislative intent in the House and Senate versions in H.R. 2862 is set forth in the accompanying House report (H. Rpt. 109–118) and the accompanying Senate reports (S. Rpt. 109–88 and S. Rpt. 109–96).

The Senate amended the House bill with two amendments. The Senate amendment to the text deleted the entire House bill after the enacting clause and inserted the Senate bill. The conference agreement includes a revised bill.

The Senate amended the title of the House bill. The conference agreement adopts the title of the bill as proposed by the House.

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $124,456,000 for General Administration, Salaries and Expenses, as proposed by the House, instead of $116,936,000 as proposed by the Senate.

The conference agreement includes $31,250,000 for the Office of Intelligence Policy and Review. This is an increase of $8,289,000 above fiscal year 2005 and is equal to the budget request.

The conference agreement includes necessary sums to continue efforts to replace locks used to store classified information.

The conference agreement adopts, by reference, language included in the House report concerning the excessive delay in the issuance of regulations governing the recognition of asylum claims from women fleeing honor killings, trafficking, sexual slavery and domestic violence. The conferees expect the Departments of Justice and Homeland Security to issue regulations to govern gender-based asylum claims.

The conference agreement adopts, by reference, language included in the House directing the Attorney General, in cooperation with the Director of National Intelligence, to submit a report, not later than 120 days after enactment of this Act, on the practicality of integrating the Drug Enforcement Administration, or a portion thereof, into the Intelligence Community.

The conference agreement adopts, by reference, language included in the House report encouraging the Attorney General to ensure that every contract the Department enters into that contemplates the exchange of personal data between a contractor and the Department includes a provision requiring that entity to have a security policy in place that contains procedures to promptly notify any individual whose personal information was, or is reasonably believed to have been, lost or acquired by an unauthorized person. Notification may be delayed or may not occur if it would impede a law enforcement investigation or jeopardize national security.

The conference agreement adopts, by reference, language included in the House report directing the Department to submit a report on its efforts to share intelligence relating to large, violent gangs with State and local law enforcement officials. The report should address specific gangs, drug trafficking organizations, the regions in which they operate, and the Federal resources allocated to containing these gangs.

The conference agreement adopts, by reference, language included in the Senate report requiring the Department to provide a report to the Committees on Appropriations, no later than 30 days after the date of enactment of this Act and quarterly thereafter, on all administrative, E-Gov, and centralized training service charges to all components of the Department. The report shall include: (1) how costs are derived; (2) the specific activities paid for; (3) the savings achieved by having a centralized service or E-Gov implementation; (4) all data used to compute savings; (5) how often the charges are administered; (6) a breakout of all centralized services rolled into the General Administration account or any other account, as well as in each bureau's budgets. Future budget submissions to the Committees on Appropriations shall include this detailed breakout.

The conference agreement includes $500,000, as proposed by the Senate, for a third party privacy assessment. The Department is the repository of large amounts of personal information, much of it related to counterterrorism initiatives. With this comes the responsibility of managing and protecting this personal information. The party chosen to undertake this third party assessment should have knowledge of all applicable privacy laws, including the Privacy Act of 1974 (Public Law 93–579), the E-Government Act of 2002 (Public Law 107–347), the privacy provisions of the 2004 Omnibus Appropriations Act (Public Law 108–199), and related Office of Management and Budget regulations. This assessment should provide the framework for implementation of a comprehensive privacy program across the Department.

The conference agreement adopts, by reference, language included in the Senate report directing that, within 90 days of enactment of this Act, the Department submit a report to the Committees on Appropriations that identifies the cost and use of executive aircraft for senior official transport. The report should also address whether fractional aircraft ownership is a more cost-effective method.

The conferees commend the Department for the creation of a National Sex Offender Public Registry. The conferees encourage the Department to continue to enhance the capabilities of this useful tool, including the possibility of a search function by radius to allow a user to enter an address and find all registered sex offenders within a specified distance of their neighborhood, regardless of zip code, county or State borders.

The conferees remain concerned about the failure of convicted child molesters to register with State and local law enforcement agencies when they move into a jurisdiction, as required by the laws of many States. According to the National Center for Missing and Exploited Children, more than 100,000 convicted sex offenders have failed to register. The wide disparity among the State

programs in both registration and notification procedures permits sex offenders to forum shop to get around reporting. The Attorney General is directed to report to the Committees on Appropriations, within 90 days of enactment of this Act, on suggested legislative changes necessary to address the gaps and loopholes that may exist in the current State registration and reporting systems.

Information Sharing Systems Available to Federal, State, and Local Law Enforcement.—The conferees are concerned about the prollferatlon and the growing costs of information sharing services available to Federal, State, and local law enforcement. To ensure that these efforts are coordinated, cost efficient, and not duplicative of each other, the conferees direct that within 90 days of enactment of this Act, the Chief Information Officer shall provide a report to the Committees on Appropriations that reviews the numerous information technology sharing services available to law enforcement. This report shall include recommendations on methods to ensure coordination and functionality to provide comprehensive services to law enforcement. The services to be considered in the study shall include but not be limited to the Regional Information Sharing System, the Criminal Information Sharing Alliance Network, Nationwide Pegasus Program, Law Enforcement Online, and the Department's N-DEX and R-DEX systems.

Radiation Exposure Compensation.—The conferees direct the Department to submit a report, within 90 days of enactment, to the Committees on Appropriations detailing those actions that the Department and the Congress can take to implement the recommendations of the National Academy of Sciences' report on the coverage of affected populations by the Radiation Exposure Compensation Act (Public Law 108–375).

Reducing the Number of Alien Absconders.—The conferees recognize the importance of reducing the rate of aliens who do not comply with Orders of Removal, known as absconders. However, the ability to address this situation is not fully within the control of one Federal department. Both the Department of Homeland Security (DHS) and Department of Justice (DOJ) must work closely together to achieve this goal. The conferees direct DOJ, in conjunction with DHS, to study existing apprehension, detention, appeal, and removal policies and procedures. The conferees direct DHS and DOJ to jointly submit a report to the Committees on Appropriations by February 18, 2006, on the efforts each Department will take to reduce the absconder rate, including proposed changes to existing policies, procedures, and laws to further assist in reducing the absconder population.

Office of Privacy and Civil Liberties.—The conference agreement adopts, by reference, language included in the House report expressing disappointment in the Department's inability to complete the initial report on the establishment of this Office. The conferees direct the Department to submit the initial report, as soon as possible, and to provide subsequent annual reports by January 30 of each year. Of the funds provided for the Departmental Leadership Program, not less than $690,000 shall be available for the Office of Privacy and Civil Liberties and for no other purpose.

JUSTICE INFORMATION SHARING TECHNOLOGY

The conference agreement provides $125,000,000 for this account, instead of $135,000,000 as proposed by both the House and Senate.

The conference agreement includes $10,000,000 for the Unified Financial Management System and not less than $5,000,000 for the Public Key Infrastructure and Secure Communications program.

Information Technology Governance Board.—Given the Department's recent high profile information technology (IT) failures and the large amount of resources devoted to these programs, the conferees direct the Department to set up an Investment Review Board to be led by the Deputy Attorney General to oversee the development of all critical IT infrastructure acquisitions and improvements. The Investment Review Board shall review the completeness of the initial business case and cost justification, ensure the creation of realistic project performance metrics that measure compliance with the projects' stated scope, costs, schedule, performance and quality. The Attorney General shall, within 90 days of enactment of this Act, submit to the Committees on Appropriations for approval, a plan that includes the organization and membership of the Board and the operating agreement defining how the Board governs.

Automated Biometric Identification System/Integrated Automated Fingerprint Identification System (IDENT/IAFIS).—The conferees understand that the Secretary of Homeland Security announced in July, 2005, the adoption of the biometric standard for identification and verification that was recommended by the National Institute of Standards and Technology and supported by DOJ. The conferees are pleased that Administration officials are finally beginning to address the IDENT, IAFIS, U.S.-VISIT interoperability issue. The conferees direct the DOJ to submit an update on its efforts to make the IDENT, IAFIS, and U.S.-VISIT systems fully interoperable no later than 180 days after enactment of this Act.

The conference agreement adopts, by reference, language included in the House report directing that the Office of the Chief Information Officer manage the Department's participation in e-government initiatives and Federal Investigation Case Management System.

NARROWBAND COMMUNICATIONS/INTEGRATED WIRELESS NETWORK

The conference agreement provides $90,000,000 for this account, as proposed by the Senate, instead of $70,874,000, as proposed by the House.

ADMINISTRATIVE REVIEW AND APPEALS

The conference agreement provides $215,685,000 for this account, as proposed by the House, instead of $216,286,000, as proposed by the Senate.

The conference agreement adopts, by reference, language included in the House report concerning guidelines for the adjudication of unaccompanied aliens and training for judges and pro bono attorneys.

The conference agreement adopts, by reference, language included in the House report urging the Office of Immigration Review to explore with the DHS the possibility of expanding the Legal Orientation Program, which is funded by the DHS.

DETENTION TRUSTEE

The conference agreement provides $1,222,000,000 for the Detention Trustee, as proposed by both the House and the Senate. This funding level assumes the use of $45,000,000 of prior year unobligated balances.

The conference agreement adopts, by reference, language included in the Senate report requiring a quarterly report on the Federal detainee population. The conference agreement adopts, by reference, language included in the House report regarding the Detention Trustee's efforts to develop automated systems to reduce detention time.

The Detention Trustee shall notify the Committees on Appropriations 90 days prior to soliciting any contract for new detention facilities.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides $68,80–1,000 for the Office of Inspector General (OIG), instead of $66,801,000 as proposed by the House and $70,431,000 as proposed by the Senate.

The conference agreement adopts, by reference, language included in the Senate report directing the OIG to review and assess how well the investigations conducted by the Drug Enforcement Administration's Mobile Enforcement Teams, the Federal Bureau of Investigation's Safe Street Task Forces, the United States Marshals Service's Fugitive Task Forces, and Bureau of Alcohol, Tobacco, Firearms and Explosives' Violent Crimes Impact Teams are coordinated.

The conferees direct the OIG to compile and present to the Committees on Appropriations an inventory of all major Department information technology systems and planned initiatives. This inventory will include the system name, system description, component, cost, and implementation status. The OIG shall also provide a report that details all research, plans, studies, and evaluations that the Department has produced, or is in the process of producing, concerning IT systems, needs, plans, and initiatives. This shall include an analysis that will identify the depth and scope of the problems DOJ has experienced in the formulation of its IT plans.

Sentinel Oversight.—The conference agreement provides an additional $2,000,000 to continue to build the OIG's IT oversight capacity and to provide the OIG with an enhanced capability to conduct ongoing oversight of the Department's IT project acquisition and management practices.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

The conference agreement provides $11,000,000 for the United States Parole Commission, as proposed by the Senate instead of $11,200,000, as proposed by the House.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The conference agreement provides $661,959,000 for General Legal Activities, instead of $665,821,000, as proposed by the House, and $648,245,000, as proposed by the Senate. The distribution of funding provided is as follows:

GENERAL LEGAL ACTIVITIES

[Dollars in thousands]

	2005 appropriation
Office of the Solicitor General	$8,399
Tax Division	81,548
Criminal Division	144,957
Civil Division	195,359
Environment and Natural Resources Division	93,974
Office of Legal Counsel	5,937
Civil Rights Division	110,447
Interpol U.S. National Central Bureau	20,852
Office of Dispute Resolution	486
Total	661,959

Within the level of funding provided, $250,000 shall be to enforce subsections (a) and (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

Criminal Division.—The conference agreement provides a $9,612,000 increase for the Criminal Division, of which $1,000,000 and 8 positions (7 attorneys) are for gang investigations and prosecutions. These additional resources shall be applied to enhance the Department's coordination of gang investigations across judicial districts and with international law enforcement partners, and to

assist U.S. Attorneys offices that need additional resources and expertise to effectively prosecute complex gang cases.

The recommendation for the Criminal Division also provides a $1,000,000 increase for the Criminal Division to target, prosecute, and seize the assets of those who commit crimes against the youngest and most vulnerable members of our society.

Civil Rights Division.—The conference agreement fully funds the Civil Rights Division's efforts to combat human trafficking. The conferees expect the Department to continue submitting yearly updates regarding efforts to address human trafficking.

Civil Division.—The conferees recognize the increased workload of the Office of Immigration Litigation and expect the Civil Division to make increases to the on-board staffing for this office a priority within the resources provided.

The conference agreement includes bill language carried in previous appropriations acts allowing the Attorney General to provide additional resources to the Civil Division, if emergent circumstances warrant, through transfers of funds from other Department sources, subject to the requirements of section 605 of this Act. The conferees expect the Department to submit a reprogramming for costs associated with continuing tobacco and other litigation activities, should funding be warranted.

THE NATIONAL CHILDHOOD VACCINE INJURY ACT

The conference agreement includes a reimbursement of $6,333,000 from the Vaccine Injury Compensation Trust Fund to DOJ, as proposed by both the House and Senate.

SALARIES AND EXPENSES, ANTITRUST DIVISION

The conference agreement provides $144,451,000 for the Antitrust Division, as proposed by House and Senate.

SALARIES EXPENSES, UNITED STATES ATTORNEYS

The conference agreement provides $1,600,000,000 for the United States Attorneys instead of $1,626,146,000 as proposed by the House, and $1,572,654,000 as proposed by the Senate.

The conference agreement includes $1,500,000 to continue and expand task force activities associated with Operation Streetsweeper.

The conference agreement adopts, by reference, language included in the Senate report designating $10,000,000 for Cybercrime and Intellectual Property Enforcement and requiring a report to be submitted to the Committees on Appropriations not later than April 30, 2006, on the number, type, and location of copyright prosecutions undertaken in the previous year.

The conference agreement includes not less $27,000,000 for the investigation and prosecution of identity theft.

Within the level of funds provided, the conferees expect U.S. Attorneys to make the prosecution of human smugglers, referred to as ''coyotes'', a priority.

UNITED STATES TRUSTEE SYSTEM FUND

The conference agreement provides $214,402,000 for the United States Trustee System Fund, as proposed by both the House and Senate.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

The conference agreement provides $1,320,000 for this account, instead of $1,220,000 as proposed by the House, and $1,270,000 as proposed by the Senate.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

The conference agreement provides $793,031,000 for the United States Marshals Service (USMS), Salaries and Expenses account, instead of $800,255,000 as proposed by the House and $764,199,000 as proposed the Senate.

In addition to inflationary and other required base adjustments, the conference agreement includes the following program changes: (1) an increase of $100,000 for an intelligence analyst to be assigned to the National Gang Intelligence Center to coordinate USMS anti-gang fugitive activities with other law enforcement agencies; (2) an increase of $758,000 for information technology enhancements; (3) an increase of $2,500,000 for 25 additional deputy marshals for security associated with high-risk cases and the growing number of prisoners awaiting trial or sentencing; (4) an increase of $100,000 and one position for the Witness Security Program; (5) a reduction of $1,745,000 for savings associated with travel and training; (6) an increase of $9,000,000 for the establishment of a Gulf Coast Fugitive Task Force; (7) an increase of $2,185,000 to support the five existing regional fugitive task forces, including $425,000 for State and local overtime, training, equipment, communication, vehicles, contractor support and support to District Fugitive Task Forces and $1,760,000 for 12 additional positions; (8) an increase of $210,000 for two additional positions for the Criminal Information Branch; (9) an increase of $1,063,000 for the Technical Operations Group, including $600,000 for 4 additional positions and $463,000 for equipment, maintenance and increased circuit costs; and (10) an increase of $575,000 for courthouse security equipment.

The conferees are concerned that workloads in local USMS offices exceed current staffing levels, raising questions regarding the distribution of funds to local offices, current restrictions on overtime pay, and staffing levels. The conferees direct the USMS to submit a report no later than March 31, 2006, detailing how funds are allocated to local USMS offices, how full time equivalents and other positions are distributed among these offices, and all policies regarding restrictions on overtime pay.

Under the Interagency Crime and Drug Enforcement account, the conference agreement does not include the requested $2,72,000 increase for the USMS.

Courthouse Security Equipment.—The conference agreement provides $12,000,000 for the preventive maintenance and repair of courthouse security equipment to be allocated to the USMS's highest priority needs. The conference agreement USMS to report to the Committees on Appropriations within 30 days of enactment of this Act on the allocation of this funding.

The conferees are concerned with the long-term courthouse security equipment requirements of the USMS. The conferees expect the USMS to develop long-term plans to address these requirements and expect future budget requests to include sufficient resources to address USMS equipment deficiencies.

Regional Fugitive Task Forces.—The conference agreement provides $27,683,000 for Regional Fugitive Task Forces. Of these funds, $18,683,000 is provided for the existing five regional task forces, including $16,498,000 for base resources, $1,760,000 for 12 new positions, and $425,000 for State and local overtime, training, equipment, communication, vehicles, contractor support and support to District Fugitive Task Forces. Within the funds provided, the conference agreement includes $9,000,000 for the establishment of a new Gulf Coast Regional Fugitive Task Force to be headquartered in Birmingham, Alabama; with additional offices in Montgomery, Alabama; Mobile, Alabama; Jackson, Mississippi; and Oxford, Mississippi. Funds are provided to support 37 new positions (22 in Alabama and 10 in Mississippi) and 19 full-time equivalent positions, and $3,528,000 is provided for other start-up and operational costs.

Criminal Information Branch.—The conference agreement provides $1,050,000 for the Criminal Information Branch, of which $840,000 is for base resources and $210,000 is for two additional analysts and support personnel.

Technical Operations Group.—The conference agreement provides $17,450,000 for the Technical Operations Group, of which: $16,387,000 is for base resources; $463,000 is for equipment, maintenance, and increased circuit costs; and $600,000 is for four new full-time equivalent positions.

Criminal Information Systems.—The conference agreement provides $2,650,000 in base resources for Criminal Information Systems.

International Fugitives.—The conference agreement provides 4,380,000 in base resources for the International Fugitive Apprehension Program.

Special Operations Group.—The conference agreement provides $4,414,000 in base resources for the Special Operations Group.

Central Courthouse Management Group.—The conference agreement provides $4,433,000 in base resources for the Central Courthouse Management Group.

Emergency Supplemental.—The Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–13) appropriated $11,935,000 to increase judicial security outside of courthouse facilities. The conferees understand that there is a disagreement between the Department and the Federal Judiciary over how future costs for home intrusion detection systems should be funded. The conferees expect the executive and judicial branches of government to work out their differences before submission of the fiscal year 2007 budget request. The safety of judges and the efficient use of appropriated funds demands improved cooperation and coordination between the executive and judicial branches.

CONSTRUCTION

The conference agreement provides $8,883,000 for this account instead of no funding as proposed by the House and $12,000, 000 as proposed by the Senate.

The conference agreement provides funding for construction in space controlled, occupied, or utilized by the USMS in United States courthouses and Federal buildings, including but not limited to the creation, renovation, and expansion of prisoner movement areas, elevators, sallyports, staff offices, and other law enforcement and court security support space. As in prior years, the conferees' intent is to provide for all construction activity to support the mission of the USMS in protection of the Federal judiciary and other law enforcement activities. The conferees understand that, due to the inherent nature of construction, slippages may occur in the construction schedule. As in the past, funds may be directed to other locations as needed. However, USMS is directed to notify the Committees on Appropriations of such slippages and of the plans to redirect such funds prior to the expenditure of those funds, in accordance with section 605 of this Act.

The conference agreement includes $3,000,000 for the establishment of the Gulf Coast Regional Fugitive Task Force. These funds will support the rent and/or construction of office space in five locations, a local area network and high-speed communications link, and office furnishings.

The remaining funds shall be allocated to the USMS' highest priority construction needs. The conference agreement directs the

USMS to report to the Committees on Appropriations within 30 days of enactment of this Act on the allocation of this funding.

The conferees are concerned with the long-term construction requirements of the USMS. The conferees expect the USMS to develop long-term plans to address these requirements and expect future budget requests to include sufficient resources to address USMS facility deficiencies.

FEES AND EXPENSES OF WITNESSES

The conference agreement includes $168,000,000 for Fees and Expenses of Witnesses, as proposed by both the House and Senate.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

The conference agreement provides $9,659,000 for the Community Relations Service, as proposed by both the House and Senate.

ASSETS FORFEITURE FUND

The conference agreement includes $21,468,000 for the Assets Forfeiture Fund, as proposed by both the House and Senate.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

The conference agreement provides $489,440,000 for this account, instead of $506,940,000 as proposed by the House and $440,197,000 as proposed by the Senate. The conference agreement provides the following amounts to reimburse agencies for their costs of participating in these task forces:

REIMBURSEMENT BY AGENCY

[Dollars in thousands]

	Amount
Department of Justice Agencies:	
Drug Enforcement Administration	$196,410
Federal Bureau of Investigation	136,678
United States Marshals Service	7,022
Bureau of Alcohol, Tobacco, Firearms and Explosives	11,318
United States Attorneys	128,084
Criminal Division	2,702
Tax Division	984
Administrative Office	6,242
Total	489,440

The conference agreement does not adopt the Administration's proposal to transfer $50,000,000 and 365 Federal Bureau of Investigation (FBI) agents from the FBI's salaries and expenses budget to this account. The conferees believe this proposal unnecessarily limits the FBI's ability to allocate resources to the highest priority threats such as terrorism, counterintelligence, cyber crime and gang enforcement.

The conference agreement does not transfer the High Intensity Drug Trafficking Areas program from the Office of National Drug Control Policy to this account, as proposed in the budget request.

The conferees direct the Department to use prior year unobligated balances available in this account to fund the operations of the Drug Fusion Center.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

The conference agreement provides $5,728,737,000 for the Federal Bureau of Investigation (FBI) Salaries and Expenses account, instead of $5,741,132,000 as proposed by the House, and $5,295,513,000 as proposed by the Senate.

The conference agreement does not adopt the Administration's proposal to transfer $50,000,000 and 365 agents from this account to the Organized Crime and Drug Enforcement Task Forces account. This proposal would unnecessarily limit the FBI's ability to allocate resources to the highest priority and emerging threats such as terrorism, counterintelligence, cyber crime and gang enforcement.

The conference agreement includes an increase of $163,211,000 for adjustments to base to support the current operating level and provides the following program changes: (1) a $26,317,000 increase for intelligence program development, training, and employee recruitment; (2) a $36,373,000 increase for 329 additional intelligence analyst and intelligence support positions; (3) a $26,299,000 increase and an additional 274 positions for the foreign language program; (4) a $25,000,000 increase for additional Top Secret/Sensitive Compartmented Information Operational Network connectivity; (5) a $70,000,000 increase and an additional 61 positions for the Terrorist Screening Center (TSC); (6) a $8,000,000 increase for the Law Enforcement On-Line program; (7) a $6,023,000 increase and an additional 7 positions for the Terrorist Explosive Device Analytical Center (TEDAC); (8) a $69,810,000 increase and an additional 396 national security investigations personnel; (9) a $14,297,000 increase and an additional 10 positions to improve IT program management; (10) a $10,000,000 increase for additional access to SBUNet; (11) a $13,260,000 increase and an additional 42 positions for legal attaché expansion and IT infrastructure; (12) a $4,929,000 increase and an additional 40 positions to increase the FBI's surveillance capabilities; (13) a $35,000,000 increase for counterterrorism operations; (14) a $14,295,000 increase and an additional 68 positions for the Critical Incident Response Group; (15) a $20,000,000 increase for renovations to the FBI Academy; (16) a $2,690,000 increase and an additional 22 positions for the Innocent Images National Initiative; (17) a $1,604,000 increase and an additional 10 positions for child exploitation and obscenity investigations; (18) a $5,000,000 increase for pay and benefit enhancements to continue the implementation of the new pay authorities; (19) a $5,000,000 increase for training programs; (20) a $20,000,000 increase to accelerate the expansion of secure facilities in FBI field offices; (21) a $9,700,000 increase for gang enforcement; (22) a $5,000,000 increase for 100 additional administrative personnel; (23) a $5,125,000 increase for the Hazardous Devices School; (24) a $20,000,000 increase for the Special Technologies and Applications Section; (25) a $3,173,000 increase for Child Abduction Rapid Deployment Teams; (26) a $16,796,000 general reduction; (27) a $5,404,000 and 42 position reduction in lower priority criminal programs; and (28) a $4,674,000 reduction for electronic government efficiencies.

The conference agreement adopts, by reference, language included in the House report on the FBI Transformation and the continuation of quarterly updates.

The conferees are supportive of the Administration's efforts to implement the recommendations of the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction (WMD Commission) including the creation of a National Security Branch within the FBI and a National Security Division at the DOJ. The conferees direct the Attorney General to submit a report, not later than 60 days after enactment of this Act, on the actions taken to implement the recommendations of the WMD Commission.

Infrastructure.—The conferees are concerned that the FBI has been neglecting its national security infrastructure over the past several years. While the FBI has requested and received significant personnel increases since September 11, 2001, the FBI has not taken adequate steps to ensure that these new personnel have the tools to perform their duties efficiently. Specifically, the FBI has indicated that it does not possess sufficient Sensitive Compartmented Information Facilities (SCIF) to equip and house its counterintelligence and counterterrorism personnel. To address this shortfall, the conferees have included an additional $20,000,000 for SCIFs in the field divisions and resident agencies with the greatest need. This is in addition to the $20,500,000 in base funding for SCIFs. Should additional funding become available, the conferees would support a reprogramming of resources for additional SCIFs, subject to section 605 of this Act.

The conferees also direct the FBI to submit a report to the Committees on Appropriations and Committees on Intelligence that details its plan, including projected growth, schedule, and costs, for providing adequately equipped SCIFs in all field divisions and resident agencies conducting national security investigations. The report should be submitted no later than February 15, 2006.

In addition to deficiencies in secure space, the conferees note that reports by the National Academy of Public Administration (NAPA) and the OIG have identified shortfalls in the FBI's capability to fill all of their analyst and support positions, to implement effective analytical training programs, and effectively use IT. Therefore, the conference agreement reduces the amount of funding requested for additional staff from 2,044 positions to 1,317 positions in order to provide additional funding to address these infrastructure deficiencies. The conference agreement provides increases above the request for IT program management ($7,297,000), training programs, including the FBI Academy and the Hazardous Devices School ($15,125,000), IT network connectivity ($7,321,000), administrative staff ($5,000,000), recruitment and retention ($5,000,000), and, as discussed above, expanded secure space ($20,000,000).

Staffing Increases.—The conference agreement provides staffing increases for various requested enhancements including national security investigations, surveillance specialists, intelligence analysts, the TSC, the TEDAC, the CIRG, and legal attache offices. The conferees direct the FBI to provide the Committees on Appropriations with a report on how these additional staffing resources will be allocated based on position type and program to address the highest priority threats.

Information Technology.—The conferees are disappointed that the implementation of the Virtual Case Files (VCF) program has been unsuccessful, wasting tax payers' dollars and leaving agents and analysts without the necessary IT tools. However, the conferees note that the FBI has made certain notable improvements in its IT program. First, the FBI brought in a skilled Chief Information Officer (CIO) and granted him the authority and independence to effectively oversee IT throughout the FBI. Second, under the CIO's leadership, Sentinel, the FBI's new replacement case management system, seems to address many of the problems that led to VCF's failure, such as independent verification of requirements and cost estimates, phased in development and deployment, and commercial off-the-shelf rather than custom software.

To help ensure success, the FBI must have program management ''bench strength'' as Sentinel moves forward. Therefore, the conference agreement includes an increase of $14,297,000 to enhance the Office of the CIO. The conferees expect the FBI to use the enhanced pay authorities provided in fiscal year 2005, as well as the new authority provided this year regarding the Senior Executive Service, to enhance and stabilize the Office of the CIO.

The conferees direct the OIG to provide the Committees on Appropriations with regular updates during fiscal year 2006 on the financial and programmatic status of Sentinel.

The conference agreement provides no funding for Sentinel. The FBI is expected to reprogram existing resources, subject to section 605 of this Act, to fund Sentinel costs during fiscal year 2006.

Training.—Within the increases provided for intelligence program development and national security personnel, the conference agreement includes the requested amounts of $5,197,000 for intelligence training and $2,500,000 for national security training. In addition, the recommendation provides a $20,000,000 increase to perform necessary renovations to the FBI Academy, which is $5,000,000 above the request. The conferees encourage the FBI to quickly develop and implement a plan to renovate the FBI Academy to improve its training capabilities. Finally, the conference agreement includes an additional $5,000,000 above the request to accelerate training enhancements to the FBI's intelligence, counterterrorism, and counterintelligence training programs.

The conference agreement adopts, by reference, language included in the House report concerning coordination of hiring and availability of training; joint training with agents, analysts and other Intelligence Community agencies; the expansion of the University Education Program, the Sabbatical Program, the Fellows Program, and the use of the Foreign Service Institute; and working with NAPA to improve training programs for first-line supervisors, mid-level managers and executives.

Support and Administrative Staff.—The conference agreement provides a $5,000,000 increase for an additional 100 support staff. The conference agreement adopts, by reference, language included in the House report regarding support and administrative staff including: directing the FBI to focus its hiring efforts on filling vacant support and administrative positions in order to improve agent and analyst performance and job satisfaction; and re-evaluating the staffing model for the number of administrative staff required to support new agents and analysts.

Recruitment and Retention.—Within the increases provided for intelligence program development and national security personnel, the conference agreement includes the requested program increase of $9,200,000 for intelligence analyst relocation, bonuses, and college loan repayments, and the requested increase of $4,192,000 for special agent transfers. In addition, the conference agreement includes $5,000,000 above the request to provide additional retention and recruitment opportunities. The conference agreement adopts, by reference, language included in the House report regarding recruitment and retention, including working with NAPA to ensure that the FBI's new personnel authorities are used effectively.

Human Resources.—The conference agreement adopts, by reference, language included in the House report regarding human resources including working with NAPA to develop a comprehensive leadership development strategy and the submission of a report on the creation of an Office of Human Resources. The report describing the responsibilities of this new office shall be submitted not later than 90 days after enactment of this Act and shall describe, at a minimum, how this office will: (1) ensure that employee rating systems match the FBI's priorities, including intelligence and security; (2) ensure the new pay authorities and funding provided to attract and retain staff are effectively utilized; (3) develop leadership and succession planning programs; and (4) consider ways to give FBI field offices more flexibility in hiring administrative staff. In addition, this report shall outline how the FBI intends to ensure that hiring decisions and training availability are coordinated.

Legal Attaché Expansion and Information Technology Infrastructure.—The conference agreement includes an increase of $9,925,000 and 39 positions for legal attaché office expansions including a new office in Tashkent, Uzbekistan, and office expansions in Abu Dhabi, United Arab Emirates; Canberra, Australia; London, United Kingdom; Nairobi, Kenya; New Delhi, India; Ottawa, Canada; Port of Spain, Trinidad; and Rabat, Morocco. This includes increases of $986,000 and 14 positions for headquarters support, $5,696,000 for 25 field positions, and $3,243,000 for non-personnel infrastructure requirements. In addition, the conference agreement provides an increase of $3,335,000 and 3 positions to establish a legal attaché office in San Salvador, El Salvador.

Gang Enforcement.—The conference agreement includes a $5,000,000 increase to establish 20 additional Safe Streets Task Forces, and a $4,700,000 increase for additional National Gang Intelligence Center and task force needs. As discussed earlier, the conference agreement includes an increase of $3,335,000 to create a legal attaché office in San Salvador, El Salvador. This office is established to enhance cooperation in gang investigations with international law enforcement partners.

Security Clearances.—Within the increase provided for intelligence program development, the conference agreement includes the requested program increase of $3,526,000 for additional contract adjudicators to ensure the FBI has the most trustworthy workforce available and to increase its capability to recognize applicants who have been directed to seek employment with the FBI by hostile organizations or groups. The conferees encourage the FBI to use information technology tools, as appropriate, to reduce the amount of time required to perform background checks and promote reciprocity between government agencies.

Cyber Investigations.—The conference agreement includes a $20,000,000 increase for the Special Technologies and Applications Section (STAS) for recurring operational needs. These funds may be used for personnel funding for additional Special Agent and other personnel to meet the needs of the program.

The conferees direct the FBI to establish a cyber crime task force in Birmingham, AL. The FBI shall report to the Committees on its progress within 60 days of the enactment of this Act.

The conference agreement provides an increase of $2,690,000 for the Innocent Images National Initiative (IINI) to expand field training programs, strengthen interagency partnerships with law enforcement partners, and provide increased operational support to the field. IINI is an intelligence-driven, proactive, multi-agency investigative initiative to combat the proliferation of child pornography and child sexual exploitation facilitated by an online computer. The IINI provides centralized coordination and analysis of case information that by its very nature is national and international in scope, requiring unprecedented coordination throughout the FBI, as well as with State, local, and international governments.

Child Exploitation and Obscenity Investigations.—In coordination with the DOJ Criminal Division's Child Exploitation and Obscenity Section (CEOS) and the National Center for Missing and Exploited Children (NCMEC), the FBI has implemented the ''Innocent Lost'' initiative, which is intended to address the growing problem of domestic child prostitution. The FBI provides the investigative aspect of the initiative, while DOJ–CEOS commits the prosecutorial resources and the NCMEC provides training for the participating field offices. The conference agreement includes an additional $1,604,000 to more aggressively identify, investigate, and prosecute crimes of this nature.

Criminal Justice Information Services Division.—The conference agreement includes $395,700,000, including fee collections, for the Criminal Justice Information Services Division (CJIS). As in previous years, under no circumstances is the FBI to divert funding collected through the CJIS user fee for any purpose other than CJIS, its refreshment plan, or a subsequent modernization plan for the current facility.

Next Generation Integrated Automated Fingerprint Identification System (IAFIS.)—The conferees support the FBI's efforts to improve the speed and accuracy of IAFIS, expand the data available in the system, and improve its latent print capabilities. The conferees direct the FBI to use excess user fee collections from various Criminal Justice Information Services' programs to fully fund the Next Generation IAFIS project in fiscal year 2006 including the $16,808,000 requested program increase.

Hazardous Devices School.—The Hazardous Devices School (HDS) trains bomb technicians from around the world to locate, identify, render safe, and dispose of improvised explosive devices, as well as learn to use specialized equipment and protective clothing needed for the safe disposal of explosive materials. To ensure HDS has leading edge technology to match this critical mission, the conference agreement includes a $5,125,000 increase to develop, produce, and deploy a simulated training module that will enhance its training program.

Intellectual Property Rights.—Industrial espionage, by both erstwhile friends and obvious foes, has become the growth industry in the counterintelligence world. The struggle for domination among major powers is now played out in largely economic terms. Ideas and innovation are the sinews of national strength. Within available resources, $9,000,000 shall be available to combat industrial espionage and other threats to the intellectual property rights of manufacturers and researchers in the United States.

The conferees are also concerned about identity theft and encourage the FBI to work with the U.S. Attorneys to increase investigations and prosecutions in this area.

National Name Check Programs.—The conferees understand there is a significant backlog in the processing of background checks for petitions and applications pending before the United States Citizenship and Immigration Service (USCIS). The FBI is reimbursed for the cost of these background checks by USCIS. The conferees direct the FBI to ensure that current fees paid by USCIS are directed solely toward completion of USCIS background checks and prevention of future backlogs of USCIS background checks. The FBI is further directed to submit a report to Congress identifying current use of funds submitted by USCIS for purposes of background checks and to include in that report a fee review to determine whether current fees accurately reflect cost savings that have been developed as a result of transition to an electronic rather than paper-based system.

The conference agreement adopts, by reference, language included in the House report concerning information sharing, the records management center, the correctional intelligence initiative, and enforcement of export laws.

CONSTRUCTION

The conference agreement provides $37,608,000 for FBI construction, instead of

$20,105,000 as proposed by the House and $25,213,000 as proposed by the Senate.

The conference agreement includes funding for the following projects: (1) $5,000,000 for a chemical and biological evidence handling and storage facility to be co-located with comparable facilities in existence for sampling, handling, and receipt of hazardous material by the Department of the Army; (2) $7,500,000 for Critical Incident Response Group facility needs; (3) $10,000,000 for equipment and other necessary costs associated with establishing a permanent records management facility; and (4) $15,108,000 for the FBI Center for Integrated Training and Technology Transfer at Redstone Arsenal. The Center will provide training areas including secure space, classrooms, and practical problem areas for both FBI personnel and State and local bomb technicians.

DRUG ENFORCEMENTS ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement appropriates $1,686,457,000 for the Drug Enforcement Administration (DEA), instead of $1,716,173,000 as proposed by the House and $1,647,142,000 as proposed by the Senate.

The conference agreement does not adopt the Administration's proposal to reduce Mobile Enforcement Teams or to eliminate the Demand Reduction program. The conference agreement funds these programs at their current services level. The conferees direct the DEA to focus these programs on combating methamphetamine (meth) production, trafficking and abuse.

The conference agreement includes an increase of $215,000 for 2 intelligence analysts to be assigned to the National Gang Intelligence Center to coordinate DEA anti-gang activities with other law enforcement agencies.

The conferees direct the DEA to focus the remaining funding increase on its highest priority programs such as combating heroin trafficking in Afghanistan and Central Asia, and enhancing its intelligence capabilities.

Within the total level of funding provided in this bill and in prior years, the conferees expect DEA to establish a presence in Dubai, United Arab Emirates to help combat the movement of proceeds from heroin trafficking.

In addition, the conference agreement includes $20,000,000 under the Office of Justice Programs for DEA to assist State and local law enforcement with proper removal and disposal of hazardous materials at clandestine meth labs and to initiate a container program, including funding for training, technical assistance and purchase of equipment to adequately remove and store hazardous material. Within the level of funding provided, DEA shall dedicate three positions to manage and oversee this program.

Air Assets.—DEA's mission is to disrupt and dismantle the major drug trafficking organizations responsible for supplying the bulk of illegal drugs that enter the United States. The conferees strongly support this mission, but are concerned about the lack of air assets available to DEA agents stationed in key transit countries. To be most effective in these locations, DEA must be able to react quickly to traffickers' movements to intercept and deny large shipments of drugs bound for the United States. Due to other pressing demands, the air assets of the Defense Department and other law enforcement agencies are not generally available for DEA's use, leaving DEA unable to respond to important enforcement opportunities. The conferees direct the DEA to provide a report by April 1, 2006, on the availability of air assets, both its own and those of other agencies, to meet its demands for squad-size deployments of DEA agents in key transit zone countries.

Diversion Control Fee Account.—The conference agreement includes $201,673,000 for this account, which is $47,457,000 above fiscal year 2005. The conference agreement includes the following increases: (1) $11,735,000 for inflationary and other base adjustments; (2) $8,726,000 to annualize the fiscal year 2005 transfer of the Drug and Chemical Diversion Control Decision Unit to the Diversion Control Fee Account; (3) $13,435,000 transferred from the Salaries and Expenses account to more accurately reflect DEA's actual diversion control activities; (4) $8,857,000 and 41 positions to improve intelligence analysis supporting diversion investigations; and (5) $4,704,000 and 23 positions for additional agents to conduct diversion investigations.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

The conference agreement provides $923,613,000 for the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) as proposed by the House, instead of $923,700,000 as proposed by the Senate.

The conference agreement includes the following changes: (1) $13,314,000 increase for inflationary and other base adjustments; (2) $20,000,000 increase for Violent Crime Impact Teams (VCIT); (3) $966,000 reduction for savings in travel and training; (4) $6,000,000 increase for the Terrorist Explosive Device Analysis Center; (5) $1,500,000 increase for the National Arson Laboratory; (6) $300,000 increase for 2 intelligence analysts to be assigned to the National Gang Intelligence Center to coordinate ATF anti-gang activities with other law enforcement agencies; and (7) $5,000,000 increase for the National Center for Explosives Training and Research.

The conference agreement does not adopt the Administration's proposal to transfer $500,000 and 2 positions to the Department's Office of Legislative Affairs.

Terrorist Explosive Device Analysis Center (TEDAC).—The conference agreement provides an increase of $6,000,000 for ATF's participation in the TEDAC. The conference agreement adopts, by reference, language included in the Senate report requiring the submission of a report to the Committees on Appropriations no later than 30 days after enactment of this Act, that identifies: (1) the number of IEDs recovered and submitted to the TEDAC; (2) the dates the devices were recovered and sent to the TEDAC; (3) the dates the devices were technically and forensically exploited; (4) the number of completed examinations; (5) the dates the results of examinations were disseminated to State and local first responders; and (6) a detailed summary of the information provided in those reports. In addition, this report shall provide a spending plan detailing how the $6,000,000 increase will be allocated.

National Center for Explosives Training and Research.—The conference agreement provides an additional $5,000,000 for site selection, architectural design, site preparation and a total cost estimate for the construction of a permanent site for the National Center for Explosives Training and Research. In considering site selection, the ATF shall consider a site co-located with other law enforcement and Federal government entities that provides similar training and research. The dynamic of these collective resources will provide a unique opportunity to leverage assets, knowledge, and expertise in the field, providing Federal, State and local law enforcement explosives expertise at a single location.

Violent Crime Impact Teams.—VCITs are ATF-led task forces that are established in locations with high or increasing rates of violence and include participants from State and local law enforcement and other Federal law enforcement entities such as U.S. Attorneys, the U.S. Marshals Service, and the Drug Enforcement Administration. The conference agreement includes a $20,000,000 increase for VCITs including funding for special agents, inspectors, technical support staff and operations.

Proposed Fees to Fund Existing Law Enforcement Operations.—The conferees are disappointed by the Department's legislative proposal of a $120,000,000 fee on the explosives industry and a permit fee on users to fund existing base operations and programs of the ATF. The conferees understand the legislative proposal for the fee has yet to be transmitted to Congress and that if this fee were enacted today, it would take two years to put the regulatory structure in place before any funds could be collected. The conferees find it irresponsible to budget for ongoing fiscal year 2006 law enforcement operations with funds that do not exist. These types of creative financing schemes could ultimately lead to a disruption to the Department's law enforcement programs.

The conferees encourage ATF to continue to assess the utility of new ballistic imaging products to ensure that the National Integrated Ballistic Information Network program continues to meet the technological and programmatic needs of its State and local law enforcement partners.

Conversion of Records.—The conferees recognize the need for ATF to complete the conversion of tens of thousands of existing Federal firearms dealer out-of-business records from film to digital images at the ATF National Tracing Center. Once the out-of-business records are fully converted, search time for these records will be reduced significantly. The conference agreement includes $4,200,000 for the ATF to hire additional contract personnel to continue the conversion and integration of records.

The conference agreement adopts, by reference, language included in the House report regarding multiple handgun sales reports and forfeiture actions.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The conference agreement provides $4,892,649,000 for the salaries and expenses of the Federal Prison System (FPS), instead of $4,895,649,000 as proposed by the House and $4,889,649,000 as proposed by the Senate.

The conferees remain concerned about the annual budget requests for the FPS. The conferees are disturbed by the Administration's fiscal year 2006 proposal to rescind prison construction funds at a time when the inmate population is expected to steadily increase and over-crowding is expected to remain a significant problem. The conferees encourage the Administration to more accurately report the needs of the FPS in future budget requests.

The funds provided for the salaries and expenses of the FPS shall be distributed as shown below and any deviation from this distribution is subject to the reprogramming requirements of section 605 of this Act.

SALARIES AND EXPENSES

[Dollars in thousands]

Inmate Care and Programs	$1,762,523
Institution Security and Administration	2,256,037
Contract Confinement	691,867
Management and Administration	182,222
Total	4,892,649

Activations and Expansions of Prisons.—The conferees include an increase of $85,017,000 for the activation of three new facilities and the expansion of two existing facilities. In addition, the second year activation costs of

the Coleman, FL, facility are included within the base funding provided. The conferees define ''activation'' as open and receiving prisoners.

ACTIVATION OF NEW PRISON FACILITIES

[Dollars in thousands]

Activation of New Prison Facilities:	
United States Penitentiary, Tucson, AZ	$37,647
Federal Correctional Institution, Butner, NC	29,190
Hazelton, WV, Secure Women's Facility	10,297
Activation of Expanded Prison Facilities:	
United States Penitentiary, Florence, CO, Special Housing Unit	1,242
Sandstone, MN, Housing Unit Expansion	6,641
Total	85,017

Within the amounts provided, the conference agreement provides the full requested amount for Beckley Federal Correctional Institution, Gilmer Federal Correctional Institution, and United States Penitentiary in Hazelton.

The conference agreement adopts, by reference, language included in the House report on the following: expanding intergovernmental agreements; continuing drug treatment programs; pursuing a reimbursable agreement; assigning an intelligence analyst; supporting cost saving initiatives with consideration for current employees; requiring a report on programs for mentally-ill offenders; and encouraging marksmanship training. The conference agreement adopts, by reference, language included in the House report on inmate correspondence and revises the report due date to February 1, 2006. The conference agreement adopts, by reference, language included in the House and Senate reports on sexual abuse. The conference agreement incorporates, by reference, language included in the Senate report concerning interaction with the National Center for Missing and Exploited Children.

Contract Confinement.—In order to meet bedspace needs in a cost effective manner, the conferees adopt, by reference, language included in the House and Senate reports supporting contracting.

Cost Comparison.—The conferees request that the Government Accountability Office conduct a review of low and minimum security facilities that compares the following: (1) the costs of housing inmates in Federally-owned prisons; (2) the costs of using State and local prisons and jails obtained through Intergovernmental Agreements; and (3) the costs of using privately-managed facilities. The report shall include all costs associated with operating these facilities.

Residential Re-entry.—The conference agreement includes an increase of $3,000,000 to expand faith-based re-entry programs to at least three institutions.

BUILDINGS AND FACILITIES

The conference agreement provides $90,112,000 for construction, modernization, maintenance, and repair of prison and detention facilities housing Federal prisoners, instead of $70,112,000 as proposed by the House and $222,112,000 as proposed by the Senate. The conferees understand that the Federal Prison System ended fiscal year 2005 with significant carryover balances for maintenance and repair projects; therefore, new funding has been reduced accordingly.

The conference agreement adopts, by reference, language included in the House and Senate reports expressing concern over prison safety if construction funds are rescinded. The conferees reject the proposed rescission of $314,000,000 of construction balances.

The conference agreement provides $3,000,000 for site planning and further development of a medium or high security facility or facilities at Yazoo City, MS, $15,000,000 for site planning and further development of another medium or high security facility or facilities in the Aliceville, AL, area, and an additional $5,000,000 for site planning and development of a Federal Correctional Institution in Letcher County, KY.

The conference agreement adopts, by reference, language in the Senate report concerning projections of the Federal prison population, construction of additional facilities on the site of existing facilities, and housing of geriatric inmates.

The conferees note that any reallocation of funds within this account, including carryover balances, is subject to section 605 of this Act.

FEDERAL PRISON INDUSTRIES, INCORPORATED

(LIMITATION ON ADMINISTRATIVE EXPENSES)

The conference agreement includes language regarding a limit on administrative expenses of $3,365,000 for Federal Prison Industries, Incorporated (FPI).

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

The conference agreement provides $386,502,000 for violence against women prevention and prosecution programs, instead of $389,497,000 as proposed by the House and $371,997,000 as proposed by the Senate. The following table outlines the funding provided in the conference agreement.

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

(Dollars in thousands)

Program	*Conference agreement*
STOP Grants	$187,308
(National Institute of Justice—R&D)	(5,100)
(Safe Start Program)	(10,000)
(Transitional Housing Assistance)	(15,000)
Grants to Encourage Arrest Policies	63,075
Rural Domestic Violence Assistance Grants	39,166
Violence on College Campuses	9,054
Civil Legal Assistance	39,220
Elder Abuse Grant Program	4,540
Safe Haven Project	13,894
Education & Training for Disabled Female Victims	7,155
CASA (Special Advocates)	11,897
Training for Judicial Personnel	2,287
Grants for Televised Testimony	986
Training Programs	4,958
Stalking Database	2,962
Total	386,502

Native American/Native Alaskan Liaison Office.—The conferees understand that Native American and Native Alaskan women experience a higher rate of violence compared to any other group in the United States. These individuals lack a comprehensive community response to address their needs in breaking the cycle of violence. Last year, a liaison office was created to address this concern. The conference agreement includes $6,700,000 for the Native American/Native Alaskan Liaison Office to continue their work in Alaska, of which $950,000 is for the rural domestic violence prosecution unit; $5,000,000 is for the State of Alaska Sexual Assault/Domestic Violence Program; and $750,000 is for the Victims for Justice in Alaska.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

The conference agreement provides $233,233,000 for Justice Assistance. The conferees do not adopt the Administration's proposal to consolidate all Office of Justice Programs (OJP) activities under this heading. The following table outlines the funding provided in the conference agreement.

JUSTICE ASSISTANCE

[Dollars in thousands]

Program	*Conference agreement*
National Institute of Justice	$55,000
Bureau of Justice Statistics	35,000
State Automated Victim Notification	9,000
Justice for All	2,000
National White Collar Crime	9,000
Regional Information Sharing System	40,233
Management and Administration	35,000
Missing Children Programs	48,000
Total	233,233

National Institute of Justice.—The conference agreement provides $55,000,000 for the National Institute of Justice. This funding supports counterterrorism research and development, the Office of Science and Technology, social science research and evaluation, and the National Law Enforcement and Corrections Technology Centers.

The conference agreement includes $21,000,000 for the National Law Enforcement and Corrections Technology Centers, which shall be distributed equally among the Centers. Within the amounts provided for the National Institute of Justice (NIJ), $3,000,000 is for the Center for Rural Law Enforcement Technology and Training and $2,800,000 is for the Office of Law Enforcement Technology Commercialization, Inc. The conferees support the Border Research and Technology Center and recognize the important technology assistance and technical information it has provided to Federal, State, and local law enforcement operations in the border region.

The conference agreement adopts, by reference, language included in the House report requiring a report on the various forensic centers that have received previous grant funding. The due date for the report is modified to January 15, 2006.

The conference agreement adopts, by reference, language included in the Senate report concerning a comprehensive comparison of privately-operated prisons and Federal institutions. The conferees understand that this report is in its final stages and should be delivered within 90 days of enactment of this Act and shall meet the requirement in the Senate report language.

The conferees are aware of NIJ's efforts to assist local units of government to identify, select, develop, modernize and purchase new technologies, and support NIJ's work to develop less-lethal portable systems for evaluation by local law enforcement and corrections agencies.

Victim Notification.—The conference agreement includes $9,000,000 for the Bureau of Justice Assistance to continue the State Automated Victim Notification grant program to allow States to join the National Victim Notification Network. No funding may be utilized from within the Victims Assistance Program for this initiative and funds provided under this heading shall require a 50 percent match from State, local, and private sources.

Justice for All.—The conference agreement includes $2,000,000 for the activities authorized by section 103(b)(4) of the Justice for All Act, Public Law 108–405, for the support of the National Crime Victim Law Institute and its clinic organizations that provide legal counsel and support services for victims in criminal cases for the enforcement of crime victims' rights in Federal jurisdictions.

Missing Children Programs.—The conference agreement includes $48,000,000 for Missing Children Programs, as follows:

MISSING CHILDREN PROGRAMS

[Dollars in thousands]

Program	*Conference agreement*
National Center for Missing and Exploited Children	$24,000
Jimmy Ryce Law Enforcement Training Center	3,000
Internet Crimes Against Children Task Force	14,500
Missing and Exploited Children Office	1,500
AMBER Alert Program	5,000
Total	48,000

Coordination with U.S. Attorneys.—To ensure a viable partnership between Federal, State, and local law enforcement agencies and prosecutors, recipients of Internet Crimes Against Children (ICAC) grants are encouraged to coordinate their investigations and initiatives with the U.S. Attorneys in their communities.

National Center for Missing and Exploited Children (NCMEC).—The conferees strongly support the NCMEC's nationwide services for the prevention of abduction, endangerment, and sexual exploitation of children. The conferees commend the leadership of NCMEC for their dedication to these issues. The conference agreement adopts, by reference, language included in the House report regarding Internet service providers.

Management and Administration.—The conference agreement include $35,000,000 for the management and administration of OJP. In addition, consistent with prior practice, reimbursable funding for management and administration costs will be made available from programs administered by OJP from the ''Community Oriented Policing Services'' account. Further, the conferees note that remaining management and administration funding will be made available from the ''Juvenile Justice Programs'' and the ''State and Local Law Enforcement Assistance'' accounts, and that these funds will be transferred to and merged with the ''Justice Assistance'' account.

The conferees direct that any action taken by OJP relating to the Office of Management and Budget's Circular A–76 shall be subject to the requirements of section 605 of this Act.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

The conference agreement provides $1,142,707,000 for this account, instead of $1,069,244,000 as proposed by the House and $1,353,350,000 as proposed by the Senate. The following table outlines the funding provided in the conference agreement.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

[Dollars in thousands]

Program	*Conference agreement*
Byrne Memorial Justice Assistance Grants	$416,478
(Boys and Girls Clubs)	(85,000)
(National Institute of Justice)	(10,000)
State Criminal Alien Assistance	405,000
Southwest Border Prosecutor Program	30,000
Indian Assistance	22,000
(Tribal Prison Construction Program)	(9,000)
(Indian Tribal Courts Program)	(8,000)
(Alcohol and Substance Abuse)	(5,000)
Byrne Discretionary Grants	191,704
Victims of Trafficking Grants	10,000
State Prison Drug Treatment	10,000
Drug Courts	10,000
Prescription Drug Monitoring	7,500
Prison Rape Prevention and Prosecution	18,175
Intelligence State and Local Training	10,000
Missing Alzheimer's Patients	850
Capital Litigation	1,000
Cannabis Eradication	5,000
Mentally-Ill Offender Act Programs	5,000
Total	1,142,707

Edward Byrne Memorial Justice Assistance Grants program.—The conference agreement includes $416,478,000. The conference agreement is $416,478,000 above the budget request.

As in fiscal year 2005, this program consolidates the Local Law Enforcement Block Grant program and the Byrne Formula program. Funding under this program is authorized for: (a) law enforcement programs; (b) prosecution and court programs; (c) prevention and education programs; (d) corrections and community corrections programs; (e) drug treatment programs; and (f) planning, evaluation, and technology improvement programs. Funding under this program is not available for: (a) vehicles, vessels, or aircraft; (b) luxury items; (c) real estate; or (d) construction projects.

The formula used for distributing funds under this program allocates 50 percent of funding based on population, and 50 percent based on violent crime rates. The formula allocates 60 percent of funding to States and 40 percent to units of local government. Of the amount provided, $85,000,000 is for Boys and Girls Clubs and $10,000,000 is for NIJ to assist local units of government to identify, select, develop, modernize, and purchase new technologies for use by law enforcement.

Indian Country Grants.—The conference agreement includes $22,000,000 for Indian Country grants. The conferees acknowledge the success that the Comprehensive Indian Resources for Community Law Enforcement (CIRCLE) initiative is having and urges the Department to continue to work on ways to expand CIRCLE. The conference agreement includes $7,000,000 for construction of the Choctaw Justice Center in Mississippi.

Edward Byrne Discretionary Grants.—The conference agreement includes $191,704,000 for discretionary grants under this account.

Within the amounts provided, OJP is expected to review the following proposals, provide grants if warranted, and report to the Committees on Appropriations regarding its intentions:

Edward Byrne Discretionary Grants
(Dollars in Thousands)

Project	Amount
National Association of Town Watch's National Night Out crime prevention program	$ 300
National Citizens Crime Prevention Campaign	4,500
SEARCH Group, Inc. and the National Technical Assistance and Training Program to assist States, such as West Virginia, Alabama, and Virginia	2,000
Pacific Institute for Research and Evaluation, International Institute for Alcohol Awareness, for a training and technical assistance program for State and local law enforcement regarding liquor law enforcement	500
National Sheriff's Association Pegasus Program	1,000
Point Coupee Parish, LA, Sheriff's Office	300
Texas Department of Public Safety	100
Texas Border Sheriffs Coalition	5,000
Center for Immigration Studies	100
Cook County, IL, Cold Case Unit	1,000
Waukegan, IL, for an anti-gang initiative	100
Women in Need Growing Stronger in Palatine, IL	200
Peoria, IL, for a court automation project	150
Yancey County, NC, Sheriff's Office for law enforcement programs	500
Drug Free Clay County in NC	300
American Prosecutors Research Institute for an anti-gang prosecution program	400
Gospel Rescue Ministries	350
Mothers Against Drunk Driving	2,500
National Obscenity Law Center	150
National Institute on State Policy on Trafficking of Women and Girls	500
Paul and Lisa Foundation	600
National Law Center for Children and Families	1,000
Shared Hope International for domestic trafficking program	1,000
Northern Virginia Criminal Justice Academy	500
Securing Emergency Resources Through Volunteer Efforts (SERVE) for a re-entry program	250
Virginia Community Policing Institute	660
Northern Virginia Regional Gang Task Force	2,500
Northwest Virginia Regional Drug Task Force	587
City of Manassas Park, VA, Police Department for a neighborhood task force	150
Pre-release and post-incarceration services programs for Commonwealth of Virginia	2,100
Court programs in the Commonwealth of Virginia to combat drug use and drug related crime	1,500
Virginia Attorney General's Office for a computer crime unit and the Triad program	235
William and Mary College's Courtroom 21 project	500

Center for Criminal Justice Technology	1,985
Enough is Enough	500
Protecting Children Against Sex Offenders in Fairfax County, VA	1,250
Tahirih Justice Center in Falls Church, VA	300
The Women's Center in Vienna, VA	300
Washington Metropolitan Area Drug Enforcement Task Force	1,250
Rape, Abuse and Incest National Network	500
Case Western Reserve University School of Law	250
Jewish Institute for National Security Affairs	50
Tarleton State University for rural law enforcement training programs	500
Advance Law Enforcement Rapid Response Training (ALERRT) by Texas State University	200
Central Texas Phoenix House	100
Texas State Technical College	200
Carlsbad, CA, for a law enforcement initiative	100
University of Central Oklahoma for a law enforcement initiative	100
Oakland County, MI, Sheriff's Department for an offender reentry program	500
Midwest Forensics Resource Center, IA	1,150
Regional Law Enforcement Training Program at Iowa Central Community College	350
Center for Court Innovation	1,000
Prisoner reentry program in Louisville, KY	25
Center for Women and Families, KY	146
Drug Abuse Resistance Education (DARE) program	900
Law enforcement initiatives in the State of Montana	500
The Doe Fund's Ready, Willing & Able program	1,125
Operation UNITE for a drug enforcement, treatment and education program	8,000
Washington County, NY, for law enforcement initiatives	250
Phoenix House in Upstate New York	50
Criminal Justice Training Assessment Project	150
Delaware County, NY, for law enforcement initiatives	50
Counties of Essex, Greene, Rensselaer, Washington, Dutchess, and Saratoga, NY	50
Kansas Attorney General's Office	750
School resource officers program in Wichita, KS	250
National Clearinghouse for Science and the Law at Stetson University College of Law	1,400
National Forensic Science Technology Center in Largo, FL	1,000
St. Petersburg College for law enforcement training	1,985
Mentally ill jail diversion program in Pinellas County, FL	500
Elder Justice Information Center at Stetson University College of Law	100
City of Cumberland, MD, Department of Police	150
Crime Communications Initiative in Salt Lake City, UT	150
East Central University for law enforcement initiatives	200

Office of the Sheriff, Fort Bend County, TX	1,000
Southwest Center for Public Safety Technology in Houston, TX	1,000
City of Springfield, MO, law enforcement forensic initiative	1,500
Los Angeles County, CA, Sheriff's Department	1,000
National Association for Court Management	250
Kane County, IL, mental health courts	250
Kane County, IL, drug rehabilitation court	200
Phoenix House in Dallas, TX	300
Ascension Parish Law Enforcement Training Center	150
DuPage County, IL, Drug Court program	150
National Institute of Justice's Cyberscience Laboratory in Rome, NY	1,500
City of Hemet, CA, to combat crime and gang activity	150
Low Country Information Technology Improvement Project in SC	100
Miami County, IN, Sheriff's Department for a law enforcement initiative	25
Utah Valley State College for law enforcement research	150
Town of Culpeper, VA, Police Department for law enforcement initiatives	50
City of Richmond, VA, for law enforcement initiatives	1,450
Page County, VA, for law enforcement initiatives	50
Culpeper County, VA, for law enforcement initiatives	50
Nashville, TN, Drug Court	500
Orange County, CA, Integrated Law and Justice System	25
Shoshone and Arapaho Tribal Courts	150
Action in the Community through Service in Prince William County, VA	100
An Achievable Dream in Newport News, VA	500
Taylor, AL, Police Department	105
Louisville, AL, Police Department	90
Geneva, AL, Police Department	90
Slocomb, AL, Police Department	70
Hartford, AL, Police Department	70
Petersburg, VA, for gang suppression activities	100
City of Winston-Salem and Forsyth County for law enforcement technologies	150
Ventura County, CA, for law enforcement initiatives	100
I-LEAD in Norristown, Reading, and Cotesville, PA	200
Montgomery County, PA, for law enforcement initiatives	500
Operation Blue Ridge Thunder	250
Northwest Interagency Team Response Operation in Cameron, MO	200
Parkville, MO, for domestic violence programs	100
Vincennes University Center in Vincennes, IN, for law enforcement initiatives	500
Charlotte, NC, for Gang of One	150
Partnership for Fingerprint Pattern Research at the University of Connecticut	175
San Diego County Sexual Assault Felony Enforcement Task Force	200

San Diego Family Justice Center	150
California Western School of Law for a Pre-Arraignment Services Program	150
Rural Justice Institute at Alfred University in Alfred, NY	300
Regional Training Center in Sioux Center, IA	1,000
Hickory, NC, for a law enforcement training program	150
Spokane County, WA, Sheriff's Office for law enforcement programs	150
Larimer County, CO, for law enforcement and prosecutorial initiatives	250
Weld County, CO, for law enforcement initiatives	250
Kristen's Act	150
Whiteclay, NE, for law enforcement initiatives	100
Navajo Nation, AZ, for law enforcement initiatives	100
Monroe County, NY, for law enforcement equipment and research	100
Cleburne County Sheriff's Department	50
Orange County, CA, District Attorney Office for law enforcement technologies	150
Germantown, WI, Police Department for advanced technologies	150
Check'Em Out Program	150
Laporte County, IN, Sheriff's Department	25
Anti-gang program in Columbus, OH	300
Delaware County Community College Municipal Police Academy	150
Colorado State University-Pueblo Western Forensic Law Enforcement Training Center	250
Colorado Digital Trunked Radio System	250
Northern Utah Fiber Redundancy Project	250
Prisoner Re-Entry Pilot Program in St. Louis, MO	50
Missouri Department of Corrections Education and Vocational Software Demonstration Partnership Project	350
Montana Supreme Court's Case and Document Management System	430
Smithfield Police Department Mobile Data System	150
University of Mississippi National Center for Justice and the Rule of Law	3,000
Mississippi State University Regional Cyber Crime Center	2,500
Hattiesburg, MS - Court Teams for Change	340
University of Southern Mississippi Forensic Teaching Laboratory	2,000
Alcorn State University Judicial Threat Analysis Center and Prisoner Photographic Database	1,500
Lee County, MS, Sheriff's Department	500
University of Southern Mississippi - Family Network Partnership	500
Tri County Coastal Command Center, MS	1,000
Enhanced Spanish Communication Training, TX	225
Idaho-Montana Lewis and Clark Bi-State Safety Project	300
Geauga County Prosecutor's Office	175

Bernalillo County Metropolitan Court, NM, for a mental health program	500
Ridge House, Reno, NV	225
Chattanooga Reentry Consortium, TN	225
Leadership Institute in Judicial Education at the University of Memphis	500
Project Return Adult Offender Program in Nashville, TN	200
The University of Tennessee Law Enforcement Innovation Center	2,500
Crisis Intervention Team Program at University of Tennessee	1,000
Tennessee Bureau of Investigation Statewide Crime Tracking System	1,000
Consolidated Advanced Technologies Lab at the University of New Hampshire	3,000
Operation Streetsweeper	1,100
J-ONE Information Sharing System, NH	3,000
New Hampshire Child Protection Training	500
New Hampshire Cyber Crime Initiative	660
New Hampshire Regional Prosecutors Program	300
Texas Medical Center Operations for a law enforcement initiative	450
Sam Houston State Center for Forensic Science, TX	400
Texas Tech University Forensic Science Program	200
Center for Excellence-Criminal Justice, OK	100
Marcus Institute	225
Orland, FL, Regional Healthcare Healing Tree Program for	225
Montgomery County, PA, CLEAN Program	211
Advanced Sexual Offender Search Technology, AL	3,000
National Center for Victims of Crime INFOLINK	1,000
Central Alabama Regional Planning and Development Commission	400
City of Huntsville, AL, for police gang intervention	200
City of Bessemer, AL, Crime Abatement	250
Alabama Board of Pardons and Paroles for GPS offender monitoring	300
Alabama Center for Law and Civic Education's Play by the Rules: Alabama Laws for Youth Program	250
Marshall County, AL, Commission's Safehavens program	350
Alabama Criminal Justice Information Center Enterprise Law Enforcement Integration Project	1,250
Alabama Criminal Justice Information Center's ShareTECH program	1,250
Alabama Department of Public Safety ABI Case Management System	1,000
Faulkner University Elder Law Clinic and Resource Center, AL	750
Simon Wiesenthal Center for the Tools for Tolerance Program	2,000
University of Alabama for the School of Law Domestic Violence Clinic	1,000

Drug Court Pilot Program, Meth Abusers; Washington County, Oregon	75
East Stroudsburg University, PA, Cyber Crime Forensics Institute Technology Upgrade	1,000
Erie County, PA, Regional Training Institute	350
RAND Corporation, Pittsburgh, PA, Research Center on Police Practice	500
Alcohol interdiction in Alaska for bootlegging crimes	1,000
Training Village Public Safety Officers in Alaska	1,200
Alaska Rural Prosecution Unit	1,800
Alaska Native Justice Center	1,100
Alaska Partners for Progress	400
Alaska Statewide DARE coordinator	210
Alaska Community in Schools Mentoring Program	750
Justice Center Equipment in Mammoth Hot Springs, Wyoming	250
Anticorruption Initiative in Southeast Louisiana	250
Blackfeet Tribe, MT, for the Blackfeet Justice Center	150
Missoula County Sheriff's Office for the Public Safety Operations and Training Center	350
Indiana State Police Department for their Methamphetamine Initiative	300
National Domestic Violence Hotline for technology upgrades	200
Santa Fe Rape Crisis Center, New Mexico	300
Whatcom County, WA, for the Criminal Justice System	350
City of Tacoma, WA, Family Justice Center	750
University of Delaware Center for Drug and Alcohol Studies	65
Educational Programs at Bedford Hills Correctional Facility and Marymount Manhattan College, New York	150
Office of the Queens County District Attorney for Combating Exploitation of the Elderly	250
Project COPE, New York	350
Turtle Mountain Community College, North Dakota, Project Peacemaker	350
Native Americans into Law Program at the University of North Dakota	300
North Central Correctional and Rehab Center in Rugby, North Dakota	400
Camden County Mental Health Court	200
National Child Protection Training Center at Winona State University, Minnesota	300
Cook County Sheriff's Office for technology upgrades for courthouses	850
University of Illinois at Chicago to expand Ceasefire, a community-based prevention, intervention, treatment and advocacy initiative	950
San Joaquin Valley Rural Crime Prevention Program in California	200
City of San Jose Gang Prevention Anti-Violence Public Outreach Campaign	400

California Department of Justice for Gang Suppression Enforcement Teams	1,000
City of Los Angeles for the Project on Violence Prevention	1,000
A health justice assistance project in Iowa	300
Oglala Sioux Tribe for law enforcement, courts, and detention equipment and operations on the Pine Ridge Indian Reservation	1,000
Equipment and programming for a Prison Liaisons Office on the Rosebud Sioux Indian Reservation	85
South Dakota Network Against Family Violence & Sexual Assault	175
Design of a Sisseton Wahpeton Sioux Tribe Detention Facility	200
Wisconsin District Attorney's Office for the Methamphetamine Prosecution Project in St. Croix County	55
West Central Wisconsin Drug Task Force	75
Legal Action of Wisconsin Domestic Violence Assistance	250
Milwaukee Community Partners Program	300
University of Wisconsin - Milwaukee's Center for Addiction and Behavioral Research (CABHR)	400
Tulane University Domestic Violence Law Institute	500
Fairleigh Dickenson University Cyber Crime Program	200
New Jersey Institute of Technology Child-Safe Personalized Handgun (Smart Gun) Project	400
Vermont Center for Crimes Victims Services for the Parallel Justice Demonstration Project	200
Champlain College, VT, for the Cyberforensic Training Initiative	650
Prince George's County for the Prisoner Re-Entry Program	250
City of Baltimore for the Employment Connections for Ex-Offenders Program	500
Statewide anti-gang initiative in Maryland	2,000
Montgomery/Prince George's Counties Maryland Regional Gang Initiative	2,000
Las Vegas Metropolitan Police Department for equipment and technology	700
Douglas County, NV, Sexual Assault Response Team (SART)	20
Mentally Ill Offender Housing Pilot Project, Washoe County, Reno, Nevada	50
National Parent Helpline	50
S.A.F.E. House Elderly Domestic Violence Abuse Prevention Project in Henderson, Nevada	75
City of Reno's Graffiti Abatement Program	80
City of Las Vegas, NV, EVOLVE program	100
Pyramid Lake Paiute Tribal Police	100
University Nevada Las Vegas (UNLV), Boyd School of Law Immigration Clinic for the Nevada Immigrant Resource Project	100
University of Nevada Reno (UNR) Grant Sawyer Center Justice Education Program	150

Henderson, Nevada Community Foundation Amber Alert System	165
National Judicial College located in Reno, Nevada	550
Central Mountain Training Foundation, Colorado	300
Suffolk County, NY, to establish a communication management system	1,000
Detroit Police Department for Operation Take Back	250
Thin Blue Line of Michigan	250
Teens, Crime, and the Community Program	750
I-SAFE	1,000
Advanced Science and Technology Adjudication Resource Center	1,000
Drug Policy alliance of New Mexico for methamphetamine prevention education programs in secondary schools	500
Winchester, VA, Edgehill	300
Salve Regina	500
National White Collar Crime Center	1,500
National Housing Development Council	500
Glenville State College Criminal Justice Program	770
City of Rialto, CA, Preparedness Project	55
A Child is Missing, Clarke County, GA	50
City of Las Vegas Safety Training Center	75
Albany, GA, Prisoner Reentry Programs	25
Office of the Sheriff, Columbus, GA, A Child is Missing	25
State of Iowa, Prescription Drug/Over Counter Alert System	50
Jacksonville, FL, Reentry Center	100
Boston, MA, St. Francis House re-entry services	100
Local Initiatives Support Corporations Community Safety Initiative	500
Hawaii's State Interagency Council on Intermediate Sanctions	50
Eastern Kentucky Justice and Safety	50
Orangeburg, SC, Forensic DNA laboratory	300
Kingstree, SC, Law enforcement training	250
Center for Rural Violence and Prevention	100
Madison, AL, Drug Court	100
Community Crime Stoppers	100
San Marcos, TX, Advanced Law Enforcement Rapid Response Training	100
Webb County, TX	50
Urban Criminal Research and Training Institute	100
MD, Enhanced Community Policing Initiatives	100
Matthew House, Ex-offender Reentry Services	150
Westside services for ex-offenders	100
Project for Violence Prevention	50
Denver, CO, Rescue Mission	100
Barnstable County, MA, Drug Court Treatment Program	200
Henry C. Lee Institute of Forensic Science National Cold Case Center	500
Doddridge County, WV, Sheriff's Office	75
City of Tacoma, WA, Family Justice Center	550

Center for Collaborative Network Security Development	200
Austin, TX, Regional Law Enforcement Training Center	150
Steganography Analysis and Research Center	1,000
WV High Technology Consortium Foundation	4,500
Pittsburgh, PA, Downtown Partnership's Public Safety Program	200
Pittsburgh, PA, Community Law Enforcement training	100
Stop the Offenders Program, TX	100
Taylor County, WV, Sheriff's Office	75
County of San Mateo, Forensic Laboratory	100
Salinas & Monterey, CA, Joint gang drug task forces	500
Philadelphia, PA, FDRC	300
Northwest Fund Community Enhancement Program	300
Philadelphia, PA, West Mt. Airy Against Drugs (MANAD)	100
Second Chance Prisoner Reentry Program	250
San Diego, CA, Crisis Intervention Response Team	50
Illinois State Police	75
Palm Beach County, FL, Gang violence program	150
SD, Forensic Interviewing Centers	100
The CHILD Project, SD	50
Grant County, WV, Sheriff's Office	75
Independence/Polk County, OR, Drug Enforcement Team	100
Prince George's County, MD, Domestic Violence Unit	200
Prince George's County, MD, Firearms Reduction Education Program	60
National Corrections and Law Enforcement Training and Technology Center	2,000
Wetzel County, WV, Sheriff's Office	75
Maryland Crime Victim's Center	200
King County , WA, Sheriff's Office	100
Suffolk and Commack, NY	100
Enhanced Supervision of Domestic Offenders	50
Long Island, NY, Community Outreach	100
Texas Security Modernization	200
Safer Foundation	100
Hope Center	100
Lucas County, OH, Communications	200
Toledo, OH, Domestic Violence Prevention	200
Justice System Training and Research Institute	200
Sexual Assault and Trauma Resource Center	150
Tyler County, WV, Sheriff's Office	75
Warwick, RI, Interoperability	150
Oakland, CA, Men of Valor	100
Fulton County, GA, Sheriff's Department Security Improvements	300
City of Atlanta, GA, Conflict Resolution Program	200
Georgia State Inmates Reentry Program	100
Atlanta, GA, Department of Corrections	100
Pleasants County, WV, Sheriff's Office	75
Westchester and Rockland County, NY, Crime Prevention Programs	300
Bronxville, NY, Security Upgrades	155

Harrison, NY, Police Department Security System	110
Village of Elmsford, NY, Security Upgrade	10
Women's Justice Center, NY	50
Bedford Hills Women's Correctional Facility	100
Ritchie County, WV, Sheriff's Office	75
Middlesex, MA, Sheriff's Office	150
City of Everett, MA	200
St. Francis House Prisoner Re-entry program, MA	200
Melrose Officer Program	100
Albany Law Center	100
Criminal Justice Training Assessment Project	250
Maine Interoperability Technology	100
COPS, CA	50
Mineral County, WV, Sheriff's Office	75
Rush Center	1,000
Self-defense training, KS	100
Neighborhood Preservation Initiative	150
Thomas Edison Criminal Justice	50
John Jay Center for Crime Prevention	100
Barbour County, WV, Sheriff's Office	75
Corrections Learning Environment	3,000
Waynesburg, PA, Electronic Crime Prevention and Investigation	500
Westfield, MA, Law Enforcement Training Program	100
Fond du Lac, MN, Tribal and Community Law Enforcement Program	400
9th Judicial District of Wisconsin, pro se litigation model	200
Portage County, Wisconsin, Justiceworks Program	300
Barron County, Wisconsin, Restorative Justice Programs	200
Wisconsin Alliance for Children and Families	750
Gardner, MA, Law Enforcement Program	450
A Child is Missing, MA	240
Developing Justice Program	500
New Jersey State Police "Cops-in-Shops"	100
Phoenix, AZ - Interoperable communications	200
Gilmer County, WV, Sheriff's Office	75
NJ, Legal services	300
San Francisco, CA, Ex-Offender Reentry Services	800
Calhoun County, WV, Sheriff's Office	75
Native Americans into Law	50
Durham County, NC	100
Orange-Person-Chatham Area, NC	100
The Fortune Society's Community Re-entry, NY	150
Bergen County, NJ, Justice Center Security Enhancements	250
NJ, Computer Forensic Security	100
Violence and Drug Resistance Training	100
Heritage Community ex-offender societal reentry program	150
Minneapolis, MN, Computer Security and Forensics	200
Minneapolis, MN, Tubman Family Alliance	250
South Gate Officer Program, CA	100
Orange County Anti-trafficking Task Force	200

Mclennan County, TX, Police Department	150
Citizens Advice Bureau	100
Alliance for Community Service, NY	100
CONNECT - Community Empowerment Program	100
Urban Justice Center, NY	300
Ogemaw County, MI, County Sheriff's Office	100
Solano County, CA, Probation Department	100
Family Justice, NY	200
Jefferson County, AR, Sheriff's Department	25
Garland County, AR, Sheriff's Department	50
South Central Arkansas Drug Task Force	110
Forensic Law Enforcement Training Center, CO	150
Detroit Community Police	200

Harold Rogers Prescription Drug Monitoring Program.—The conference agreement includes $7,500,000 to assist States in building or enhancing prescription drug monitoring systems, facilitating the exchange of information between States, and providing technical assistance and training on establishing and operating effective prescription drug monitoring programs.

Prison Rape Prevention and Prosecution.—The conference agreement provides $18,175,000 for implementation of the Prison Rape Elimination Act of 2003 (Public Law 108–79). The conference agreement includes the following: $15,000,000 for the collection of statistics, data and research as authorized by section 4 of the Act; $1,000,000 for the National Institute of Corrections for a national clearinghouse, training and education as authorized by section 5 of the Act; and $2,175,000 to be transferred to the National Prison Rape Elimination Commission. Because of the delay in awarding previous years' funding, no new funds are provided for the grant program authorized by section 6 of the Act. The conferees expect DOJ to award the existing funds as soon as possible.

Improving State and Local Law Enforcement Intelligence Capabilities.—The conference agreement includes $10,000,000 for the implementation of the National Criminal Intelligence Sharing Plan and the efforts of the Global Justice Information Sharing Initiative. The conferees direct this funding to be used to support training for State and local law enforcement on the intelligence process including planning, collection, analysis, dissemination and reevaluation. This program should continue to provide support for training in the use of intelligence as a tool in identifying pre-incident indicators. This training should ensure that law enforcement officials are protecting individuals' privacy, civil rights, civil liberties, and constitutional rights within the intelligence process. The conferees also expect some funding to be available to promote the use of information technology standards among law enforcement to ensure that the data can be exchanged across disparate information systems.

Mentally-Ill Offenders.—The conferees are concerned about the effects of the criminal justice system on the mentally-ill. The conference agreement includes $5,000,000 for programs authorized by the Mentally Ill Offender Act of 2004.

WEED AND SEED PROGRAM FUND

The conference agreement provides $50,000,000 for the Weed and Seed program as proposed by the House, instead of $50,280,000 as proposed by the Senate.

COMMUNITY ORIENTED POLICING SERVICES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $478,300,000 for Community Oriented Policing Services (COPS) programs, instead of $566,557,000 as proposed by the House and $534,987,000 as proposed by the Senate. The following table outlines the funding provided in the conference agreement.

COMMUNITY ORIENTED POLICING SERVICES

[Dollars in thousands]

Program	*Conference agreement*
Training and Technical Assistance	$4,000
Tribal Law Enforcement	15,000
Meth Hot Spots	63,590
Law Enforcement Technologies and Interoperable Communications Program	139,904
Bullet-Proof Vests	30,000
Criminal Records Upgrade	10,000
DNA Initiative	108,531
Paul Coverdell Forensic Science	18,500
Crime Identification Technology Act	28,775
Gang Violence Program	40,000
Project Safe Neighborhoods	15,000
Offender Re-Entry	5,000
TOTAL	478,300

Methamphetamine Enforcement and Clean-Up.—The conference agreement includes $63,580,000 for State and local law enforcement programs to combat methphetamine (meth) production and distribution, to target drug ''hot spots'' and to remove and dispose of hazardous materials at clandestine methamphetamine lab.

Within the amount provided, the conference agreement include $20,000,000 to reimburse the Drug Enforcement Administration (DEA) for assistance to State and local law enforcement for proper removal and disposal of hazardous materials at clandestine methamphetamine labs and to initiate container programs, including funds for training, technical assistance, and purchase of equipment to adequately remove and store hazardous waste.

In addition, within the amount provided, the conferees expect the COPS Program Office, in consultation with DEA, to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committees on Appropriations on its intentions for each proposal:

Methamphetamine Enforcement and Clean-Up Grants
(Dollars in Thousands)

Project	Amount
Grant Parish, LA, Sheriff's Office	$ 300
Virginia State Police, of which $175,000 shall be for the Northwest Virginia Regional Drug Task Force, and $175,000 shall be for the Harrisonburg Drug Task Force to assist their efforts in combating methamphetamine	600
Partnership for a Drug Free America to address methamphetamine	3,000
Rutherford County, NC, methamphetamine initiative	250
California Methamphetamine Strategy (CALMS)	1,500
South Central Missouri Drug Task Force	250
Southeast Missouri Drug Task Force	125
Mineral Area Drug Task Force	125
City of Tucson, AZ, Police Department	250
TEMPEST for on-going anti-meth activities in PA	125
Bradford County, PA, Sheriffs Department for methamphetamine	250
Pennsylvania Attorney General for anti-meth activities	125
Polk County, FL, methamphetamine initiative	300
Metropolitan Drug Enforcement Team in the Kanawha Valley, WV	250
West Tennessee Methamphetamine Task Force	200
Arkansas Meth Hot Spots Initiative	255
FIVCO Area Drug Enforcement Task Force, KY	150
Franklin County, MO, Sheriff's Department for Operation CHEM	150
Daviess County Regional Methamphetamine Eradication	150
Oklahoma State Bureau of Narcotics and Dangerous Drug Control	150
Louisiana Methamphetamine Task Force	150
Fresno County, CA, Methamphetamine Initiative	100
Nebraska State Patrol for methamphetamine initiative	100
Southwest Mississippi Narcotics Enforcement Unit	150
Northern Arizona Regional Drug Coalition	1,000
Cherokee County, AL, for a Drug & Violent Crime Task Force	100
Clay County, AL, for a drug task force	100
Talladega County, AL, Drug Task Force	50
Southeastern Illinois Regional Planning & Development Commission for meth initiatives	150
Integrating Systems Against Methamphetamine Abuse project	150
City of Ottawa, IL, antidrug coalition	150
Pennyrile Narcotics Task Force	350
Jefferson County, CO, Methamphetamine Interdiction and Response initiative	150
Uintah Basin Methamphetamine Project	400
MoSmart methamphetamine initiative	1,750
Kansas Methamphetamine Prevention Project	100

Northern Kentucky Drug Strike Force	100
Methamphetamine Treatment Demonstration Project - MT	200
Liquid Chromatography Tandem Mass Spectrometry Instruments, Georgia Bureau of Investigation	50
Southwest Mississippi Narcotics Enforcement Unit	150
Jackson County Sheriff's Department	250
City of Greenville - Methamphetamine Policing Initiative	1,000
Asheville Metro Area Methamphetamine Laboratory Enforcement Initiative	175
Tennessee Statewide Methamphetamine Task Force	3,000
City of Sioux City, IA	75
Methamphetamine Enforcement and Response, Lab Enhancement, Drug Court Treatment and Prevention	225
Salt Lake City COPS Methamphetamine Initiative	200
Update of U.S. Mexico Border Counties Coalition	150
State of Indiana Methamphetamine Treatment	40
University of Kentucky Rural Drug Prosecution Assistance Project	1,500
Alabama Department of Economic and Community Affairs for a methamphetamine program for local police departments	1,000
Alabama Sheriff's Association Methamphetamine Enforcement Project	1,000
Alabama Association of District Attorneys Methamphetamine Prosecution Program	2,900
Lincoln County Methamphetamine Initiative; Lincoln County, Oregon	50
Cass County, MO, Drug Court	25
James River, MO, Charities Substance Abuse Program	50
Polk County, MO, Drug Court Interface Partners	50
Stockton, MO Southwest Missouri Major Case Squad Drug Task Force	100
New Mexico Department of Public Safety for methamphetamine clean-up equipment	150
Methamphetamine Treatment Program at the Lesbian & Gay Community Services Center, New York	250
Minot State University for the Rural Methamphetamine Education Demonstration	1,750
Kids Hope United, IL, for family preservation services for meth-affected families	150
Illinois Sheriff's Association for their Methamphetamine Awareness Campaign	180
Anhydrous Ammonia Tanks-A-Lock project in Iowa	300
Methamphetamine Jail Treatment Project in Iowa	800
Methamphetamine Clandestine Lab Task Force in Iowa	1300
Comprehensive Methamphetamine Response Program in Hawaii	2000
Prairie View Prevention Services for the Methamphetamine Awareness and Prevention Project	150
Wisconsin Department of Justice for the Methamphetamine Law Enforcement Initiative	1500

Vermont Department of Public Safety for the Vermont Drug Task Force	1750
Washington State Methamphetamine Initiative	2000
Criminal Justice Institute, University of Arkansas for the Methamphetamine Educational Training Project	250
Comprehensive Methamphetamine Initiative at The Center, NY	500
Lane County, OR, for the Methamphetamine Abatement Initiative	200
Marion County Sheriff's Office, OR, for the Breaking Meth Addiction Program	450
Portland, OR, Methamphetamine Initiative	100
Iowa Methamphetamine Demand and Diversion Reduction	50
City of Columbia, SC, Gang Intervention/Methamphetamine Initiative	50
Williamsburg County, SC, Sheriff's Department	50
Town of Santee, SC, Police Department	50
Williamson County's, IL, Sheriff Department	100
Morgan County, AL, Sheriff's Department	100
City of Scottsboro, AL, Police Department	50
Cities of Manchester and Tullahoma, TN, Methamphetamine	150
Methamphetamine Education and Prevention Campaign	100
South Coast Interagency Narcotics Team, OR	100
Mantua Against Drugs (MAD)	100
Middle Tennessee Methamphetamine Task Force	300
Tennessee Methamphetamine Detection and Remediation Research	360
MAPP-SD, Meth Awareness and Prevention Project, ND	100
New York City - The Center	75
Northeast Law Enforcement Administrator's Council	200
St. Croix Valley Drug Task Force, Balsam Lake, Wisconsin	300
Barron/Rusk Drug Task Force, Ladysmith, Wisconsin	300
White Earth Reservation Tribal Nations, MN	150
Rural Methamphetamine Enforcement and Treatment	200
Lincoln County, OR, Methamphetamine Initiative	50
Los Angeles, CA, Phoenix House	200
Jackson County, MI, Sheriff's Office	200
Woodland, CA, Methamphetamine Enforcement	100
Minnesota METH Hot Spots	225
Schuylkill County Drug Education	50

The conferees direct the Partnership for a Drug Free America to focus the efforts of its Methamphetamine Demand Reduction Program on regions adversely impacted by the abuse, production and trafficking of meth, as well as regions likely to experience meth-related problems. When identifying regions to deploy this program, program coordinators shall consider national tracking data systems that monitor the abuse of methamphetamine, such as the Monitoring the Future study; drug-related emergency room admission data; meth lab seizure data; and other national, State and local data sources. The conferees expect the Partnership to work to incorporate the State of Indiana into this program.

Law Enforcement Technologies and Interoperable Communications Program.—The conference agreement includes $139,904,000 for the COPS Law Enforcement Technologies and Interoperable Communications Programs. Within the funds provided, $10,000,000 is for the COPS program to continue its competitive interoperable communications grant program. The conferees understand the critical need for minimum standards for law enforcement communications equipment and strongly support the standards being designed and implemented by the COPS office, in consultation with the National Institute of Justice's Office of Science and Technology (OS&T), as well as the Bureau of Justice Assistance. Coordination of Federal efforts is critical. Therefore, OS&T should continue to assist COPS in incorporating existing minimum standards into the formulation of this grant program. The conferees have allowed $5,000,000 from prior year deobligated balances to be transferred to NIST to continue the efforts of the Office of Law Enforcement Standards (OLES) towards developing a comprehensive suite of minimum standards for law enforcement communications.

The inability to apply open standards to communications equipment purchased under the COPS Interoperable Communications Grant Program, as well as other Federal grant programs continues to be of great concern to the conferees. In fiscal year 2005, the conferees directed OLES, working with the National Institute of Justice's CommTech Program and SAFECOM within the Department of Homeland Security (DHS), to consider, in the absence of published Project 25 standards, the issuance of interim standards that could be used to specify the required functionality and testing validation for an Inter-RF-Subsystem Interface (ISSI), Console Interface, and Fixed Station Interface for land mobile radio systems. The conferees direct that within 30 days of the enactment of this Act, OLES shall submit a report to the Committees on Appropriations detailing the process by which interim standards will be identified, as well as a timeline for issuance this fiscal year. The conferees also direct that, within this report, OLES identify a process to ensure that equipment procured using Federal grant dollars complies with the requirements of the identified standard(s). At a minimum, the Office of Interoperability and Compatibility (OIC) within DHS should consider working with NIST and DOJ to require that all grant dollars for interoperable communication be used for Project 25 compliant equipment that meets the requirements of a conformity assessment program.

Within the amounts provided, the conferees expect the COPS office to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committees on Appropriations on its intentions for each proposal:

Law Enforcement Technology and Interoperability Grants
(Dollars in Thousands)

New Roads, LA, Police Department	$ 250
Southside Virginia law enforcement agencies	700
Lake County, IL	250
Northwest Chicago, IL	200
Peoria County, IL	750
Logan County, IL	250
Clarke County, VA, Sheriff's Office	125
Fairfax County, VA, Police Department	100
Fauquier County, VA, Sheriff's Department	75
City of Fairfax, VA	75
Frederick County, VA, Police Department	75
Leesburg, VA, Police Department	75
Loudoun County, VA, Sheriff's Department	100
Herndon, VA, Police Department	90
City of Manassas, VA	75
City of Manassas Park, VA, Police Department for video equipment for police vehicles	80
Prince William County, VA	100
Warren County, VA, Sheriff's Department	75
Winchester, VA, Police Department	75
Statewide records management system for Virginia law enforcement	1,500
Integrated Criminal Justice Information System for the State of Virginia	2,100
Law enforcement communications planning in the State of Virginia	800
Law enforcement technologies for the Middle Rio Grande Border Region of Texas	2,000
Jacksonville, FL, Sheriff's Office	700
San Diego County, CA, Sheriff's Department for automation infrastructure upgrades	250
City of Roseville, CA, Police Department	250
Placer County, CA	250
Nevada County, CA	100
Sierra County, CA, Sheriff's Department	100
Grass Valley, CA, Police Department	50
Morris County, NJ, Police Department	1,000
Sussex County, NJ, Police Department	100
Somerset County, NJ, Police Department	100
West Essex Portion of Essex County, NJ, Police Department	100
Law enforcement technologies for Clark, Greene, Fayette, and Pickaway Counties, OH	1,000
Law enforcement technologies for the Ohio State Highway Patrol	500
Law enforcement technologies for the State of Oklahoma	1,000
Lanier County, GA, Sheriff's Department	500
Long County, GA	100
Atkinson County, GA	100

Oakland County, MI, Sheriff's Department	2,000
Law enforcement technologies for the City of Tucson, AZ, Police Department and Pima County, AZ, Police Department	500
Cochise County, AZ, Sheriff's Department for law enforcement technologies	250
Iowa State University for a cyber crime program	150
Howard County, IA, Sheriff's Department	150
San Bernardino County, CA, and Riverside County, CA Sheriffs Departments for a regional fingerprint identification project	2,000
East Valley Community Justice Center	1,000
City of San Bernardino, CA, Police Department for mobile data terminals	400
San Bernardino County, CA, for an electronic crime reporting system	500
Redlands, CA, Police Department for a crime mapping program	500
Louisville, KY, Metropolitan Government for mobile data terminals	810
Shively, KY, Police Department	35
Stark County, OH, Sheriff's Department	1,000
Law enforcement technologies for Wyoming and Lackawanna, PA	750
City of Hudson, NY, Police Department	100
Onondaga County, NY, Sheriff's Office	750
City of Syracuse, NY, Police Department	500
Electronic filing system for the Three Rivers Planning District, MS	750
Webb City, MO	200
Polk County, MO	200
Greene County, MO	1,000
Jasper County, MO	100
City of Ozark, MO	80
Berkeley County, WV, Sheriff's Department	150
Harpers Ferry, WV, Police Department	100
Bartow County, GA	65
Kane County, IL	1,000
Naperville and Aurora, IL	250
Klickitat County, WA, Sheriff's Department	500
City of Pleasant Grove, AL, Police Department for a records management system	20
City of Arlington, TX	150
Pasco County, FL, Sheriff's Office	150
Team Focus Mentoring and Education Program for at-risk youth	150
Calcasieu Parish, LA	500
Hernando County, FL, for an integrated criminal history project	93
City of Denton, TX, Police Department	150
City of Corona, CA, Police Department	150
Page County, VA, Sheriff's Office	75

City of Cincinnati, OH, Police Department for a records management system	150
City of Mishawaka, IN	400
Starke County, IN	50
Galveston, IN, Police Department	126
San Angelo, TX, Police Department	150
City of Odessa, TX, for law enforcement technologies	150
City of High Point, NC, Police Department	150
West Pottsgrove Township, PA	25
Wilson Borough, PA, Police Department	20
Northhampton Borough, PA, Police Department	40
Fountain Hill, PA, Police Department	25
Emmaus Borough, PA, Police Department	25
Child Abuse Center in Norfolk, VA	250
Norfolk, VA, Police Department	100
Virginia Beach, VA, Police Department	200
Accomack County, VA, Sheriff's Office	25
Northampton, VA, Sheriff's Office	25
City of Luverne, AL, Police Department for an automated fingerprint identification system	100
Florida Law Enforcement Consortium	150
Borough of Flemington, NJ, Police Department	30
Bridgewater, NJ	30
South Bound Brook, NJ	30
Township of Branchburg, NJ	30
Borough of Bound Brook, NJ, Police Department	30
Bristol Borough, PA	250
Bucks County, PA	250
Hendry County, FL, Sheriff's Department	200
City of Chesapeake, VA	100
City of Suffolk, VA, for law enforcement technologies	100
Chesterfield County, VA	100
Isle of Wight County, VA	50
Nebraska State Patrol for law enforcement technologies	500
Municipality of Fajardo, PR	125
Municipality of San Sebastian, PR	125
Municipality of Bayamon, PR	125
Municipality of Guaynabo, PR	125
Iredell County, NC, Sheriff's Office	150
City of Glendale, AZ	150
Ventura County, CA, Sheriff's Department	150
Warren County, NJ	150
Sandusky County, OH	150
Shenandoah County, VA	100
Hardee County, FL	50
Sarasota County, FL	100
Cabarrus County, NC	200
Cumberland County and City of Fayetteville, NC	200
Mesa, AZ, Police Department	150
Sevier County, TN, Sheriff's Department and the Sevierville, Gatlinburg, and Pigeon Forge, TN, Police Departments	150

Jefferson Parish, LA, Sheriff's Office	150
Village of Bethany, IL, Police Department	100
CriMNet in Minnesota	500
Russell Township, OH, Police Department for the Chargin Valley Enforcement Group	76
County of Calaveras, CA, Sheriff's Department	150
Technology enhancements for law enforcement agencies in Northwest Illinois	200
City of Brenham, TX, Police Department for mobile data terminals	150
Putnam County, FL	150
Technology upgrades for law enforcement agencies in Macomb County, MI	150
City of Rancho Santa Margarita, CA, Police Department	19
Rio Hondo College for law enforcement technologies	150
Kansas Bureau of Investigation for law enforcement technologies	150
Allegheny County, PA, for in-car video camera project	475
Penn Hills, PA, Police Department for mobile data terminals	25
City of Monroe, NC, Police Department	150
Bosque Farms, NM, Police Department	55
Delaware County, IN	150
Lancaster City, PA, Police Department for law enforcement technologies	250
York, PA, Police Department for in-car video equipment	150
Beyond Missing	150
Contra Costa County, CA, for the ARIES Integrated Justice System	150
Columbus, OH, Police Department for in-car cameras	150
City of Sonora, CA, for law enforcement technologies	150
San Carlos Apache Tribe in Arizona	100
Wyoming County, NY	100
Genesee/Fingers Lakes region	100
Tallapoosa County, AL, Sheriffs Department	50
Key West, FL, Police Department	250
Neosho County, KS, for the Southeast Kansas regional in-car digital video project	200
Stamford, CT	250
Shelton, CT	100
Bedford County, PA, Police Department	150
Town of Old Say Brook, CT	250
Town of Clinton, CT	96
Brick Township, NJ	100
Manchester Township, NJ	100
City of Gainesville and Alachua County, FL	150
Kern County, CA, Sheriff's Department for mobile data terminals	200
San Luis Obispo County, CA, Sheriff's Department	106
Kalamazoo, MI, Justice Integrated Information Management System	150

Umatilla County, OR, for a rural law enforcement technology project	150
Wasilla, AK, Police Department	150
Kankakee County, IL, Sheriff's Office	150
Bernalillo County, NM	500
Southeast Law Enforcement Center for law enforcement technologies	150
Utah Real Time Notification System	250
Rural County Utah Law Enforcement Technology Program	157
800 MHz Emergency Services Radio Interoperability Upgrade in Kansas	200
Public Safety Equipment Program, Sedwick County, KS, Sheriff's Office	50
Statewide Communications Network, MT	1,000
Missoula County & City Public Safety Operations Technology and Equipment, MT	200
Chippewa Cree Law Enforcement Technology Upgrade, MT	250
Wireless Data Network, City of Winston-Salem, NC	225
National Center for Biodefense Communications, MS	3,100
City of Madison & City of Ridgeland - Public Safety Communications System, MS	1,500
Mistral Security Non-Toxic Drug Detention and Identification Aerosol Technology, MS	750
Criminal Information Sharing Alliance Network / Idaho State Police	750
National Consortium of Offender Management Systems Software Development / ID Dept of Corrections	25
South Dakota Attorney General for Technology Improvements	100
800 MHz Communication Project for Public Safety in Anderson County, SC	150
Sandoval County, NM, Communications Equipment	240
New Mexico State Police Satellite Mobile Data Terminal Equipment	75
Wyoming's Statewide Public Safety Interoperable Radio Communications Project (WyoLink)	250
City of Memphis and Shelby County Public Safety Radio System, TN	700
Gibson County Visual Intelligence Tool, TN	500
Mobile Data Terminal - City of Jackson, Tennessee	600
City of Clinton, IA	100
Statewide implementation of public safety technology in New Hampshire	1,500
New Hampshire Department of Safety technology upgrades	500
Advanced IP Enabled Infrastructure Development Project,TX	100
Fort Worth Law Enforcement Data Technology Initiative, TX	100
Austin Police Department Technology, TX	100

Basic Immigration Training for State, Local, and Tribal Law Enforcement Demonstration Project, OK	150
City Of Chandler Law Enforcement Management, AZ	40
City of Tucson, AZ, Technology	40
Phoenix Police Department/City Prosecutor-criminal records	40
Maricopa County, AZ, Department of Management	40
Cities of Tempe, Phoenix and Mesa interoperability	40
Phoenix Police Department/City Prosecutor-software	40
Wireless data link for Mesa Police	40
Delaware County law enforcement upgrade, IN	50
Edmonson County, KY, Sheriff's Department Law Enforcement Technology Project	200
Montgomery County, KY, CAD Acquisition Project	200
City of New Castle, PA, Police Department Technology	325
Alabama Department of Public Safety for a feasibility study of a statewide interoperable communications system	1,000
City of Montgomery, AL, for county courthouse security systems	250
Jefferson County, AL, Commission for a regional video conferencing system	1,000
Mobile County Commission for a full frequency system/spectrum interoperabilty public safety radio system	1,000
Alabama Department of Public Safety system upgrades	1,000
Alabama Pardons and Parole Board for its CrimeTrax Alabama project	300
City of Atmore, AL, for police department technology improvements	160
City of Auburn, AL, for police department technology improvements	400
City of Madison, AL, for a mobile data project	640
City of Mobile, AL, for consolidation of voice and data communications	1,000
City of Opelika, AL, for mobile data terminals and police department equipment upgrades	700
City of Robertsdale, AL, for police department technology improvements	150
Etowah County, AL, for a visual intelligence tool	750
Jefferson County, AL, Sheriff's Office for a surveillance support unit	100
Lee County, AL, Commission for mobile data terminals for law enforcement	300
Alabama Department of Corrections for an electronic systems initiative	3,400
Alabama Bureau of Investigation Shotspotter	1,000
Beaver County, PA, Communications Upgrade	350
Meadville City, PA, Police Department Communications Upgrade	50
Alaska Land Mobile Radio migration for multi agency communications network	5,000

City of St. Joseph, MO, Law Enforcement Communications System	25
Minnehaha County, SD, Sheriff's Office request for Law Enforcement Technology Grant	90
Indianapolis Police Department for law enforcement technology upgrades	200
City of Albuquerque Police Department for the Comprehensive Information Project	300
Espanola City Police Department for law enforcement technology upgrades	400
Digital in-car video systems in law enforcement vehicles, West Virginia	3,000
Delaware State Police for the Enhanced Automated Fingerprint Identification System	1,000
Delaware's Department of Homeland Security for Intelligence Analysis Center technology upgrades	800
Rockland and Westchester County, NY, for law enforcement upgrades	500
Town of Babylon, NY, for law enforcement technology updates	500
Grand Forks Public Safety Training Campus, Grand Forks, ND	250
Phase II Hudson County, NJ, for law enforcement technology upgrades	200
City of Waterbury for law enforcement technology upgrades	500
Springfield Police Department in Illinois for impairment screening devices	100
Jefferson County Sheriff's Department for technology upgrades, Mt. Vernon, Illinois	250
City of Modesto/Stanislaus County, CA for law enforcement technology upgrades	400
Police technology grants for Bennington, Brattleboro, Newport, Northfield, Rutland, and St. Albans Counties, Vermont	450
Middlesex Community College, Lowell, MA, for a regional technology training law enforcement collaborative	500
Essex County, MA, for the Law Enforcement Information Sharing Project	250
Massachusetts Law Enforcement Technology & Training Support Center	750
Northcentral Wisconsin Drug Enforcement Group (NORDEG) for law enforcement communications upgrades	225
City of Madison Police Department, WI, for law enforcement communications upgrades	500
Wisconsin Office of Justice Assistance for the "Justice Gateway" Project	500
Orleans Parish Information Sharing & Integrated System (OPSIS)	1,000
Vermont Department of Public Safety for law enforcement technology upgrades	750

Upper Peninsula Interoperable Communications Consortium, Michigan	750
City of Hartford for law enforcement technology upgrades	1,700
Snohomish County for law enforcement communications upgrades	1,500
Florida Department of Corrections for Tracking Registered Sex Offenders	2,000
Tri-County In-Car Video Camera Project for the DuPage, Kane, and Kendall Counties Sheriff's' Offices in Illinois	500
Charlestown Police Department for law enforcement technology upgrades	300
Eureka County Nevada Sheriffs Office for equipment and technology	10
North Las Vegas Police Department's mobile communications equipment	250
Nye County Nevada Sheriff's Office for law enforcement communications equipment	500
Grand Junction, Alamosa, and Durango Police Department for In-Car Video Equipment	200
Downriver Community Conference for the Mutual Aid System Preparedness Technology Upgrades	750
Macomb County Communications Consortium	600
St. Clair County, MI, for the Communications Infrastructure Project	250
Law Enforcement Information Network, MI, for technology upgrades	250
Outagamie County Law Enforcement Domestic Violence Prosecution Initiative for law enforcement technology equipment	500
Somerdale Borough, NJ, Police Department	25
County of San Bernardino, CA, Identity Theft Prevention and Prosecution	25
Downey, CA, Police Department	50
City of Ontario, CA - Interoperability Project	50
City of Fontana, CA - Advanced Communications Network	50
Sun Prairie, WI, Police Dept Records System	175
Columbus, WI, Police Department - Interoperable Communications	75
Child Project, WI	50
Crittenden County, AR, Radio system	150
City of Jonesboro, AR, Interoperable communications	150
Miller County, GA, Communications	15
Southampton Village, NY, Radio System	25
Guam Police Department Forensic Science Division	50
Lorain County, OH, Sheriff's Office Computer Project	100
Greater Akron, OH, Regional Law Enforcement	100
Anne Arundel County, MD, Communications	100
Baltimore City, MD, Police Dept	100
City of Stockton, CA, Communication Equipment	50
Harrodsburg, KY, Police Department	50
Virgin Islands, crime fighting equipment	50
Sumter County, SC, Sheriff's Office	50

Walterboro, SC, Colleton County Sheriff's Office	50
Hudson-Alpha Institute	750
Madison County, AL, Sheriff's Department	400
City of Madison, AL, Police Department	250
Town of North Courtland, AL, Police Department	50
Town of Anderson, AL, Police Department	50
Town of Lexington, AL, Police Department	50
Decatur, AL, Police Department	100
Jourdanton, TX, Police Department	26
WV High Technology Consortium Foundation	1,750
Hillsborough, FL, Community Oriented Police Training Facility equipment	100
San Diego, CA, Mobile Law Enforcement Technology	100
Curry County, OR, Sheriff's Office CHILD Project equipment	25
Linn County, OR, Sheriff's Office CHILD Project equipment	50
Lane County, OR, Communication	200
Ohio County, WV, Sheriff's Office for screening technology	500
Kitsap County, WA, Sheriff's Department	250
Hancock County, WV, Sheriff's Office	100
Phoenix, AZ, Technology to Combat Crime and Terrorism	500
City of Flat Rock, MI, Video Surveillance	200
Preston County, WV, Sheriff's Office	75
Allegheny County, PA, Computer-Aided Dispatch System	300
Grimes County, TX, Police Mobile Data Terminals and Mobile Radios	400
Wake County, NC, Interoperable Communications	100
Cumberland County, NC, Communications equipment	100
Forensic Science Education and Training equipment in NC	100
City of Milan, IL, Police Department Communication Equipment	100
Rock Island, IL, Police Department Mobile Data Terminal Computers	10
City of Middletown, NY	65
Town of Vestal, NY, Police Department	220
Cameron County, TX, law enforcement interoperability	200
Susquehanna Township Police Department, Dauphin County, mobile video recorder program	60
Laureldale, PA, Police Department computer system	20
Borough of Helmetta, NJ	40
Borough of Oceanport, NJ	30
West Linn, OR, Police Department technology improvements	50
Brooke County, WV, Sheriff's Office	100
Gladstone, OR, Police Department	50
St. Mary's County, MD, Office of the Sheriff - Mobile Data Terminals	500
Prince George's County, MD, Police Department	200
Prince George's County, MD, Bomb squad equipment	300
Kitsap County, WA, Integrated Biometric Identification System Equipment	200
East Hazel Crest, IL, South Suburban	300
Matteson, IL, SouthCom	150

Ohio County, WV, Sheriff's Office	100
Dallas, TX, Police Department	300
Monroe County, PA	200
Lackwanna County, PA	200
Lorain County, OH, Sheriff's Department	200
Town of Warren, RI, Police Department	150
City of Providence, RI, equipment	200
Smithfield, RI, Police equipment	150
Michigan Central Communications	200
Genesee County/Flint, MI, Interoperability Project	200
City of Parma - Cuyahoga Valley, OH	100
Island County, WA, Sheriff Technology Improvement Program	150
Marshall County, WV, Sheriff's Office	100
Roseville, Fraser, St. Clair Shores & Eastpoint, MI, Interoperable Communications	300
Oak Park, MI, accountability tracking devices	25
Village of Hometown, IL, Hometown Police Department	50
Wood County, WV, Sheriff's Office	100
Jasper County, GA, Sheriff's Dept Automated Fingerprint Identification System	30
Colquitt County, GA, Sheriff's Department Live Fingerprint Scan	25
City of Moultrie, GA, Police Department Wireless Mapping	45
City of Warwick, GA, Police Department	20
Newton County, GA, Sheriff's Department Communications Upgrade	50
City of Poulan, GA	40
Sandy City, UT	150
Town of Cedarhurst, NY	25
Maplewood, MN, Police Department	25
Mounds View, MN, Police Department	25
North Saint Paul, MN, Police Department	25
White Bear Lake, MN, Police Department	25
Saint Paul's Park, MN, Police Department	25
In-Car Video Camera Initiative, WA	100
Holliston, MA	100
Brunswick County, NC, Communication System	750
Northeast Regional Forensic Institute New York Center for Forensic Excellence	100
Marion County, WV, Sheriff's Office	100
City of Opa-Locka, FL, police equipment	100
Woodbridge Township, NJ, Radio Interoperability Project	300
Harrison County, WV, Sheriff's Office	100
New Jersey Interoperability Project	200
Maine Bureau of Warden Service for search and rescue equipment	100
ARIES Countywide Integrated Justice System, CA	300
Johnson County, KS, Trace Evidence Laboratory	50
Albert V. Bryan Federal District Court, VA - security enhancements and modernization	75
Southwestern Law Enforcement Technologies	2,000

City of Pomona, CA, Interagency Communications Interoperability System	100
Montebello, CA, Police Dept	100
Price County, WI, Sheriff's Department	450
North Worcester County, MA, Regional Technology Data Sharing	500
Southwick, MA, Police Department	250
Red Lake Band of Chippewa Indians, MN	200
Mahnomen, MN, County Sheriff's Department	200
Orange County and Hillsborough, NC	100
Cary, NC, Police Department	100
Huntington, WV, Transportation Institute law enforcement technology	500
El Paso Regional Lab	200
El Paso, TX, Police Department	100
Secaucus, NJ, Police Department Dispatch System Upgrade	50
Edgewater, NJ, Police Communications System	50
Asian Pacific American Legal Center	80
Bell Gardens, CA, Police Department communications technology systems	150
Hennepin County, MN, Sheriff's Dept - IBIS	500
Grand Junction, CO, Police Department In-car Video System	100
Montgomery County, PA, Public Safety and Educational Training Center	50
Rockledge Borough, PA, Police Department	50
New Hanover Township, PA, Police Department	50
Griffin, GA, Police Department	50
Monroe County, NY, Computer Forensic/Digital Evidence Module	300
Tucker County, WV, Sheriff's Office	75
Valley Cities Regional Wireless Network	100
Covina, CA, Communications Network	100
West Covina, CA, Communications Network	200
York County/Rock Hill , SC, Communications	300
Fremont, CA, Mobile Patrol Computing Program	100
Preston County, WV, Sheriff's Office	75
Charlevoix-Cheboygan, MI	200
Chippewa County, MI, Interoperable Communications Project	200
Monongalia County, WV, Sheriff"s Office	100
Fairfield, CA, Police Department	100
Solano County, CA	50
Gaithersburg, MD, Police Department	50
East Chicago, IN, Police Department	300
Hammond, IN, Police Department	200
Gary, IN	200
City of Inglewood, CA	200
City of Gardena, CA, Police equipment	100
City of Gardena, CA, Police Department	100
Santa Monica, CA, Upgrade central Public Safety Facility	250

Santa Ana, CA Police Dept. Ballistic Lab	100
Novato, CA, law enforcement technology	200

Crime Identification Technology Act.—The conference agreement includes $28,775,000 for the Crime Identification Technology Act program. Within the amounts provided, the conferees expect OJP to examine each of the following proposals, to provide grants if warranted, and to submit a report to the Committees on Appropriations on its intentions for each proposal:

Crime Identification Technology Act Grants
(Dollars in Thousands)

Project	Amount
National Center for Audio/Video Forensics at Colorado University at Denver	$ 150
Mississippi Automated System Project (MASP), University of Southern Mississippi (USM)	3,200
City of Jackson, MS - Law Enforcement Forensic Technology	1,500
Mississippi Supreme Court case management system	650
Ohio Bureau of Criminal Identification - Forensic Crime Lab Improvement Project	125
Ohio Bureau of Criminal Identification - Palmprint AFIS Program	140
Continued Regional Pictometry Initiative, Nashua, NH	500
El Paso Police Department Automated Fingerprint Identification	100
City of Gulf Shores, AL, for law enforcement upgrades	250
University of Alabama at Birmingham for the Integrated Computer Forensics Laboratory	1,000
Jefferson County, AL, Sheriff's Office for an integrated law enforcement records management system	1,500
Alabama District Attorneys Association for the Alabama Computer Forensics Laboratory	1,000
Talladega, AL, police technology	250
Alabama Department of Forensic Sciences for DNA case backlog	2,000
Alaska Public Safety Information Network	1,000
San Mateo Sheriff's Office for the Forensics Lab Improvement Initiative	500
Marshall University's Computer Forensics Initiative	710
West Virginia University's Forensic Science Initiative	4,000
Marshall University's Forensic Science Program	4,500
Washington Association of Sheriffs and Police Chiefs for the DNA Stranger Rape Pilot Program	750
Forensic DNA Analysis Lab at North Dakota State University	1,500
San Francisco District Attorney for the Cold Case Unit	400
Arkansas State Police for the Automated Fingerprint Identification System	750
University of Baltimore, Maryland for the Forensic Studies Crime Laboratory	2,000
Villa Julie College in Stevenson, Maryland for the Forensic Science Laboratory	300

Bulletproof Vest Program.—Within the $30,000,000 provided, the conferees expect that funds will be dedicated to OLES at NIST to continue support for the ballistic resistant and stab resistant material compliance testing programs, as well as for other technical support related to public safety weapons and protective systems.

DNA and Forensics.—The conference agreement includes $108,531,000 for a DNA analysis and capacity enhancement program including eliminating casework backlogs, eliminating offender backlogs, strengthening crime lab capacity, training of the criminal justice community and identifying missing persons. Within the amounts provided, $5,000,000 shall be for OLES to continue working with the COPS office to develop minimum standards for equipment and testing for forensic science labs.

In addition, the conference agreement provides $18,500,000 for Paul Coverdell Forensic Sciences Improvement Grants. Within the amounts provided for Paul Coverdell Forensic Sciences Improvement Grants, $1,500,000 is for the National Academy of Sciences to conduct a study on forensic science, as described in the Senate report.

Anti-Gang Program.—The conference agreement provides $40,000,000 for a new anti-gang initiative modeled on the Project Safe Neighborhoods program. The conferees appreciate and support the Attorney General's efforts to strengthen Department-wide efforts to combat gang violence and the appointment of an Assistant U.S. Attorney in each judicial district as an anti-gang coordinator to prepare a comprehensive, district-wide strategy (in consultation with partners from Federal and local law enforcement, social services providers, and community and faith-based groups) to coordinate anti-gang activity. The conference agreement includes $40,000,000 for grants to implement these strategies. The funding is intended to support additional enforcement and prevention activities.

Project Safe Neighborhoods.—The conference agreement provides $15,000,000 for a national program to reduce gun violence. Of the amounts provided, $4,500,000 is for State and local prosecutor training.

JUVENILE JUSTICE PROGRAMS

The conference agreement includes $342,739,000 for Juvenile Justice Programs, instead of $333,712,000 as proposed by the House and $352,000,000 as proposed by the Senate. The following table outlines the funding provided in the conference agreement:

JUVENILE JUSTICE PROGRAMS

[Dollars in thousands]

Program	*Conference agreement*
Part A—Coordination of Federal Efforts	$ 712
Part B—State Formula	80,000
Part E—Demonstration Projects	106,027
Juvenile Mentoring Program	10,000
Big Bothers/Big Sisters	(7,000)
Title V—Incentive Grants	65,000
Tribal Youth	(10,000)
Gang Prevention	(25,000)
Enforcing Underage Drinking Laws Program	(25,000)
Secure Our Schools Act	15,000
Victims of Child Abuse Programs	15,000
Juvenile Accountability Block Grant	50,000
Project Childsafe	1,000
Total	342,739

Discretionary Grants.—The conference agreement includes $106,027,000 for part E programs. Within the amounts provided, OJP is expected to review the following proposals, provide grants if warranted, and report to the Committees on Appropriations on its intentions:

Juvenile Justice Discretionary Grants
(Dollars in Thousands)

Project	Amount
Police Athletic League for an anti-gang initiative in FL, NM, NJ, and CA	$ 750
Boys and Girls Town, U.S.A.	1,500
National PAL	1,000
National Character Education Foundation	200
National Council of Juvenile and Family Court Judges	1,750
Eisenhower Foundation	4,000
Southern Virginia Child Advocacy Center	10
Illinois Institute for Addiction Recovery	200
Brevard Neighborhood Development Coalition	135
Hamilton Fish National Institute on School and Community Violence	2,000
World Vision	1,500
Learning for Life	650
Memorial Child Guidance Clinic's Child SAVE program	160
Virginia Attorney General's Office for Class Action and other educational programs in Virginia schools	350
Association of Christian Community Computer Centers	750
Metro Chicago Youth for Christ's Juvenile Justice program	50
Law-related education	1,000
Youth for Tomorrow	500
All Kids Count	25
Juvenile outreach program for Northern Virginia	250
National Hispanic Juvenile Delinquency Prevention Program - Self-Reliance Foundation	500
IMPACT/Night Light program in San Bernardino County, CA	350
Phoenix House San Diego County, CA	100
Parents Anonymous	1,250
Stark County, OH, for a juvenile pre-trial services program	250
Buckhorn Children and Family Services	150
ACA-NY for an anti-drinking program for teenagers	250
Children's Advocacy Center in Hamilton County, TN	250
Delinquency prevention programs in Suncoast and Greater St. Petersburg, FL	500
Florida Venture Foundation Youthbuild Outreach	300
ARISE	250
Miami-Dade Juvenile Assessment Center	50
Dupage County, IL, Children's Advocacy Center	500
Inner Harbor for Children and Families	100
Shelby County, AL, Children's Advocacy Center	150
New Hampshire Division for Juvenile Justice Services	250
Miami County, IN, Sheriff's Department for a law enforcement initiative	25
County of Culpeper, VA, for gang violence prevention	50
Youth Emergency Services in Gillette, WY	150
Residential Care Consortium in Easton, PA	360
Neighborhood First Program, Inc., in Pennsylvania	250

NYANA Young Adult Offender Reentry Program	300
Court Team in Allegheny County, PA	100
DuPage County, IL, Youth Mentoring Program	160
KidsPeace in Westchester/Rockland, NY	150
ACA of New York for an anti-gang program	150
Iowa Drug Endangered Children	500
York County, PA, Child Advocacy Center	50
A Child is Missing in Nevada	100
Minnesota Teen Challenge for at-risk youth	150
King County, WA, Sheriff's Office for a school resource officer program	300
A Child Is Missing in Michigan	200
University of Connecticut at-risk youth study	400
A Child is Missing in Florida	700
Boysville Inc. in San Antonio, TX, for delinquency prevention programs	150
Crossroad Children's Home in Fort Wayne, IN, for programs to help at-risk youth	150
A Child is Missing in Oklahoma	150
EXCEL Program for at-risk youth	150
"I Have a Dream" Foundation	100
Regent University's Juvenile Delinquency Prevention Project, VA	150
National Center for Missing and Exploited Children in Kansas City	250
Multi-County Juvenile Facility Study in Jasper County, MO	150
Big Brothers Big Sisters Mentoring Program for At-Risk Youth in Kansas	250
GoGirlGo Initiative for Johnson and Wyandotte Counties, KS	300
Family Tree Center - Billings, MT	250
Court Assessment Program's Family and Youth Drug Courts in Montana	270
Montana Safe Schools Project	200
A Child Is Missing -- Georgia	225
Jackson County, MS, drug prevention and crisis counseling	215
Boys and Girls Club of Central Mississippi	400
City of Jackson Mississippi - YMCA	315
Lawrence County, MS, School District - Juvenile Justice Program	450
City of Jackson, MS - Juvenile Justice and Delinquency Prevention	430
Child Protection Program / Nez Perce Tribe, Lapwai, ID	150
Community Foundation of Southern New Mexico	475
Teen Anti-Drinking Initiative, NM	85
San Juan County, NM, Juvenile Services	150
State of New Mexico Care for Juvenile Offenders	25
Daniel Webster Boy Scout Council for outdoor education	250
Cal Ripken Sr. Foundation	3,000
New Hampshire Youth Safe Havens	655

Girl Scouts of the USA Adult Volunteer Hispanic Outreach, TX and NM	100
Western Kentucky University Juvenile Delinquency Prevention Project	1,750
YouthFriends At-Risk Youth Mentoring in KS	223
A Child is Missing, Inc. in Alabama	200
City of Gadsden, AL, for the Family Success Center	250
City of Montgomery, AL for the Cleveland Avenue YMCA Program for At Risk Youth	400
City of Orange Beach AL for an after school teen activity program	300
Family Connection, Inc., for the Family Connection Counseling Center, AL	100
Girl Scouts of America for Project Anti-Violence Education	1,000
Girl Scouts of America's Beyond Bars program	1,000
KidsPeace for Alabama foster care and family services programs	700
Mobile County, AL, Commission for the Mobile County Youth Justice Program	1,000
Team Focus, Inc., mentoring and education program, AL	1,000
The Citizenship Trust for the Southeastern Governors Citizenship Trust Youth Legacy program	500
University Of Alabama for the West Alabama Youth Violence Initiative	950
University of Mobile's RamKids at risk youth intervention program	750
University of South Alabama for youth violence prevention research	1,000
National Fatherhood Initiative	3,000
Shelby County AL District Attorneys Office for the Children's Advocacy Center	150
Life Skills Initiative	3,000
American Village Youth Liberty Program, AL	500
University of West Alabama REACH program	500
Girls Inc of Alabama	250
City of Philadelphia, Youth Violence Reduction Partnership	1,250
Community Empowerment Association, Inc., Pittsburgh, PA Truancy Intervention Project	200
Food for All, Inc., Glenside, PA Tracking Children of Prisoners Project	300
Child Advocacy Center - Alaska	2,000
Alaska Mentoring Demonstration Project	500
Friends of the Alaska Children's Trust-child abuse prevention program	450
Alaska Youth Courts	400
ChildSafeNet	100
Hawaii's Department of the Attorney General for the Juvenile Justice Information System (JJIS)	680
Silver City Consolidated School District for the Secure School Program	300
Children & Families First of Delaware, Inc.	435

Pace Women's Justice Center for the Teen Dating Violence Institute, New York	75
Reaching Out Teen Center in Orange County, NY	90
Fulton County YMCA, New York for juvenile delinquency programs	150
Sugar Maples Center for Arts and Education Arts Program for At-Risk Children, NY	150
St. John's University School of Law for the Child Advocacy Clinic	300
Red River Children's Advocacy Center, Fargo, ND	250
Eisenhower Foundation for the Irvington Youth Safe Haven Police Mini-Station Model	100
City Year, Chicago for the Young Heroes program	200
Uhlich Children's Advantage Network for School-based Violence Prevention and Mentoring, Chicago, IL	300
Public Allies, Chicago for leadership training for at-risk young men	125
City of Long Beach, CA Gang Intervention Program	400
Iowa Community Based Juvenile Intervention Project	800
Hawaii Rural Youth Outreach Program	3,000
Vermont Out-of-School-Time Network Delinquency Prevention Program	50
South Dakota Children's Home Society	300
Urban League of Eastern Massachusetts for the After School Program	250
New England Amer-I-Can Program for the Safe Schools Initiative	750
Milwaukee Summer Stars program	250
Louisiana Center Against Poverty for the Save Our Sons & Daughters Program for at-risk youth	200
Orleans Parish Juvenile Court's Early Childhood Program	325
Reconcile New Orleans Youth Workforce Development Program	500
At-Risk Early Intervention Program for the 16th Judicial District, Louisiana	700
Cyberskills Vermont for the IT Works for Youth Initiative	200
Meeting Waters YMCA in Brattleboro, VT, for at-risk youth programs	200
Chittenden County Mentoring Initiative in Burlington, VT	250
Wayne County Juvenile Mentoring Program in Michigan	250
Klingberg Family Centers' Delinquency Prevention Initiative	100
City of Bridgeport for its Lighthouse Program to prevent youth crime	100
Kennedy Kreiger Institute in cooperation with the Casey Foundation for the Juvenile Interventions Program	750
Crossroads Community Center in Maryland	375
Latin America Youth Center, Langley Park, MD, for the Maryland Gang Intervention Project	375
Latin American Youth Center for the reduction of youth violence in Prince George's County, Maryland	375
Goucher College for the Community Service Center	500

Safe and Sound in Baltimore, MD, for the After School Strategy Program	1,000
City of Baltimore, MD, for the Multisystemic Therapy Program	1,000
Muckleshoot Indian Tribe Gang Intervention Program	250
City of Omaha for the After School Expanded Learning Opportunities Program	2,000
Pulaski County Council for Children and Youth Services for the Our Club Program	250
Caritas Adolescent Substance Abuse Program	200
ASTA, Rhode Island	250
Henderson, NV, Underage Drinking Program	50
Nevada Alliance for Drug Endangered Children	50
Clark County, NV, Department of Juvenile Justice Services for the Restitution Earned Accountability Learned for at-risk youth	100
Richard Steele Boxing Club, Henderson, Nevada	100
Youth Advocate Program to provide juvenile justice services in Clark County, Nevada	150
Family Development Foundation of Nevada	650
Christian Community Benevolent Association, NY, for Project Excel	500
Agudath Israel of America Youth Mentoring Program	150
Honolulu, HI, Youth Services Center	100
Camden County, NJ, Collaborative Drug Intervention Committees	75
San Bernardino County, CA, Youth Violence Prevention Program	50
City of Colton, CA, Police Activities League Program	50
Anahuak Youth Association, CA	25
AIP, CA	25
South Los Angeles, CA, BT for at-risk youth	50
Hollywood Los Angeles BT for at-risk youth, CA	50
Ramona Hall Community Center, CA	25
Exodus Urban Academy, CA	25
P.F. Bersee Foundation	25
Soledad Enrichment Action, CA	75
Search to Involve Pilipino Americans, CA	35
San Fernando Valley, CA, Partnership's underage drinking and delinquency prevention program	500
L.A.'s will power to youth program, CA	50
Van Nuys, CA Community Court, Volunteer Center of Los Angeles	50
Americus, GA - Southwestern Georgia Judicial Circuit, Court Appointed Special Advocates	50
Building Toward Wellness, INC	50
Columbus, GA, Junior Marshall's Program	25
Ft. Gaines, GA, Clay County Teens	25
Columbus, GA, Youth Advocacy Program	50
James Barnes Community Development teen drug prevention and mentoring	25
Albany, GA, Communities in Schools	50

Colquitt County, GA, South Georgia Youth Program	25
Sumter County, GA, Communities in Schools	25
Bainbridge, GA, Teen program	25
Thomasville, GA, Reaching You	25
Georgetown, GA, Quitman County Board of Ed	25
Valdosta, GA, at-risk teens program	50
Crisp County, GA - Westside Youth	25
Suffolk County, NY, Internet Crimes Against Children Prevention Program	25
Des Moines, IA, Creative Visions	50
Des Moines, IA, Urban Dreams rehabilitative support for at-risk youth	50
Des Moines, IA, Rock in Prevention	50
Orange County, FL, RecNRoll Program	100
Black Ministerial Alliance of Greater Boston, MA, Victory Generation Program	50
Indianapolis, IN, KidsPeace	100
Florence Crittenton of South Carolina	200
Darkness to Light, SC	50
Eisenhower Foundation	50
Ezelle Center	100
Provident Counseling	100
City of Huntsville, AL, Police Dept. Gang Intervention Program	50
St. Raymond, NY, Community Comprehensive Program	100
Langston Hughes Library, NY	50
Latin Technologies educational center, NY	100
Soundview Community in Action	100
Baltimore, MD, "Teens Night In" program	100
Vision Appalachia	100
MountainMade Foundation	300
Exodus to Excellence Mentoring Program	100
Chicago, IL, Early Childhood Policy Center	100
Chicago, IL, Jesuit Academy	100
North Star United	50
Metro Chicago, IL, Youth	50
Camp Hope	50
Promoting Positive Youth Development Aboard Amistad	100
Public Allies Leadership, CT	100
Texas A & M, Juvenile Justice Program	300
Wheeling, WV, Florence Crittenton	500
Chicago, IL, Women's Treatment Center - Parent's and Children Together (PACT)	100
Bronx, NY, Cluster Delinquency Prevention Services	200
Ohel Children's Home	100
County of San Mateo, Youth Services Center - Girls Ranch	200
Santa Clara PALS	100
Chatham County, NC, Partnership for Children's Safe Start Demonstration Project	150
Project Success of Decatur and Macon County, IL	150

Rock Island County Council on Addiction, Youth Mentoring Program	150
Philadelphia, PA, Philadelphia's College Opportunity Resources for Education Initiative (C.O.R.E)	1000
Connection Training Services Juvenile Reentry Program	350
San Antonio, TX, GoGirlGo! San Antonio Initiative	200
Chicago, IL, Life Directions	100
Los Angeles, CA, Phoenix Academy	200
Duchess County, NY, YMCA at-risk youth program	40
Kingston-Newburgh, NY, Enterprise Corporation's Youth at Risk Program	150
Poughkeepsie - Bardavon, NY, at-risk youth program	50
Human Services - Family Group Conferencing Community Expansion project	300
Harrisburg Institute - "Youth Empowerment Initiative"	200
Monmouth County, NJ, Child Advocacy Center	100
2nd Floor Youth Helpline/180 Turning Lives Around	100
Gilroy, CA, Gang Task Force Youth Center	100
Long Island, NY, Youth counseling	100
Martin Luther King, Jr. Community Center, TX	100
Chicago, IL, "Safe Zone" program	100
Harvey, IL- Restoration Ministries	100
Sullivan House	50
Sauk Village, IL,- summer youth program	100
Town of Tiverton, RI	150
Woonsocket, RI Boys and Girls Club	200
Rhode Island Family Court for a mental health court	200
North Flint & Beecher, MI, Community Outreach for Family and Youth (COFY)	50
Detroit, MI, Citizens and Youth Academies	200
Wayne County, MI, Juvenile Electronic Monitoring Program	100
Oakland, CA, Martin Luther King, Jr. Freedom Center for youth violence prevention	100
Oakland, CA, Mentoring Center to expand Transition Program	175
County of Santa Clara, CA, Juvenile Detention Reform Initiative	200
Carver Center Teen Outreach Program, NY	50
Suffolk,MA, Juvenile Justice Center	150
Green, Inc. - AGI	100
FSSA	100
The Fortune Society, NY	250
A B T at-risk youth Program	100
Saving Teens in Crisis Collaborative	100
Granite School District, UT	250
NY, Youth Development Initiative	200
Hispanic Brotherhood of Rockville Center, Inc., NY	50
Roosevelt, NY, Nassau County Police Athletic League (PALS)	80
Hempstead, NY, Operation Get Ahead, Inc.	100
Long Island Crisis Center	30

Worchester, MA, TechMission Youth Programs	200
Lake Waccamaw, NC, Boys and Girls Homes of North Carolina	100
GRADS Foundation, NY	100
City Parks Foundation, NY	75
Assumption Parish, LA, Safe School Program	100
New Hoboken Community Center, NJ	200
Maine Juvenile Drug Treatment Court	100
The Hispanic Committee of Virginia	175
Los Angeles, CA, Safer City	100
Fairfax County, VA, The Partnership for Youth	100
NW Alabama Children's Advocacy Center, Florence, AL	175
The Challenge Program of Western Pennsylvania, PA	750
New York City, Roundabout TC youth program	100
South Brooklyn Youth Consortium, Inc.	75
AAD Foundation	100
Western Massachusetts, Phoenix House Treatment Continuum	400
KidsPeace, Washington, DC	75
GALA youth program, DC	40
North Quabbin, MA, Bystander Training Program	200
Texas A & M Corpus Christi Adjudicated Youth Program	250
Southwest Key Program, La Esperanza Home for Boys, TX	250
Prospect Park Alliance, NY	100
Central Brooklyn Martin Luther King Commission, NY	100
Weeksville Society, NY	100
Ifetayo Cultural Arts Facility's Youth Development Program, NY	50
BAM, NY - Juvenile Justice Delinquency Prevention Program	100
College for Teens, NJ	100
Bloomfield Security Upgrades	100
Operation Quality Time	300
San Francisco, CA, Visitation Valley and Mission District Safe Streets Project youth violence prevention	450
Project Avary	250
San Francisco City, CA, Attorney's Family Reunification Program for Neglected Children	400
Leadership Institute for Minority Males Juvenile Mentoring Program	100
M.L. Wilson Boys and Girls Club of Harlem, NY	100
Community Outreach and Development Efforts Save (CODES)	200
Armory Foundation	100
Alianza Dominicana's Youth Development Programs, NY	100
New Heights Development Center for Disconnected Youth, NY	50
Wired Kids Teen Angels Program	50
Training equipment for youth, CA	250
Warren, OH, Rebecca Williams Center Crime/High School Drop Out Prevention program	50

School of International Training for At-risk Youth Crime Prevention Programs	60
State of Vermont, youth crime prevention programs	220
A Child is Missing, VT	130
Burbank, CA, We Care for Youth high school violence prevention program	50
Pasadena, CA, Day One - drug-free activities for youth	50
Pasadena, CA, Future Success/Future Visions	50
Hillside Altadena Family Center, CA, Teen Leadership Institute	75
Black History Museum and Cultural Center of Virginia	100
Southeastern Tidewater Opportunity Project, Inc. and Newport News Office of Human Affairs	100
Richmond, VA, youth program	100
Peninsula Marine Institute, VA	100
Portsmouth, VA, Jail Diversion Program for the Mentally Ill	100
South Bronx, NY, Association Tepeyac de New York South Bronx Community Center	80
Mount Hope, NY, Housing Company Project READY	400
Highbridge Voices, NY	50
Health Resource Consortium, Inc. Youth Leadership Project, NY	100
Mary Mitchell Family and Youth Center, NY	100
The Point Community Development Corporation	150
Youth Ministries for Peace and Justice, NY	150
El Museo del Barrio's Educational Programs in the Bronx, NY	75
Sistas and Brothas United, NY	75
City Parks Foundation Bronx Programs, NY	50
BMA Family Programs, NY	100
Latino Pastoral Action Center, NY	300
Sports Foundation, Inc. - programs for at-risk youth, NY	100
Bronx, NY, Casita Maria	100
Devonshire, CA, Area PALS Youth Community Center	100
New Directions for Youth	100
Old Fort Niagara program for at risk youth	300
Mayor Thomas P. Ryan Community Center, NY	100
Pierce County Youth Assessment Center, A Chance to Change	100
Pulaski County, AR, Juvenile Services Step One Alternative/Day School	100
El Monte and South El Monte, CA, support groups for teenagers in abusive relationships	100
Alameda County, CA, Children's Assessment Center	300
Essex County, MA, Sheriff's Dept. - Education and outreach on the effects of Heroin and Oxycontin	200
City of Lynn/North Shore Community College Gang Prevention Initiative, MA	200
Brooklyn, NY, Institute for Student Achievement	125
Local Development Corporation of East New York to launch a Youth Entrepreneurship Program	200

Brooklyn, NY, Education and Community Engagement Program for at risk youth	125
Karamu House Cultural Arts Education After-School Program for At-Risk Children, OH	150
Fathers and Families Together Program, OH	100
New Mexico Dept. of Children, Youth and Families Reducing Recidivism through Foster Care	300
Hancock County, WV, Family Connections	100
University Settlement for at-risk youth, NY	100
City Parks Foundation, NY	100
North Brooklyn YMCA for Youth Park Empowerment Project, NY	100
Gary, IN, at-risk youth program	100
Miami Beach Police Dept., FL, Gang and Drug Prevention	50
Santa Monica, CA, outreach efforts to prevent gang violence	250
Ohel At-Risk Youth and Child Abuse Prevention Program, NY	100
Intercept's Drug Prevention Program for At-Risk Youth, NY	100

Gang Prevention.—The conference agreement provides $25,000,000, within Title V grants, for OJP to administer a gang resistance and education program, known as GREAT. The GREAT program is a school-based, law enforcement officer-instructed classroom curriculum. The program's primary objective is prevention and is intended as an immunization against delinquency, youth violence, and gang membership. The conferees support the work of this program as part of an integrated anti-gang strategy of prevention, enforcement, and interdiction. These funds shall be available to develop comprehensive community strategies to address gangs, including anti-gang education programs and coordination with Federal, State and local law enforcement.

Victims of Child Abuse Act.—The conference agreement includes $15,000,000 for the various programs authorized under the Victims of Child Abuse Act (VOCA). The conference agreement provides the following:

$3,000,000 for Regional Children's Advocacy Centers, as authorized by section 213 of VOCA;

$9,500,000 for local Children's Advocacy Centers, as authorized by section 214 of VOCA;

$250,000 for the National Children's Advocacy Center in Huntsville, AL, to implement a training program;

$850,000 for the National Children's Alliance for technical assistance and training, as authorized by section 214a of VOCA; and

$1,400,000 for the National Center for Prosecution of Child Abuse for specialized technical assistance and training programs to improve the prosecution of child abuse cases, as authorized by section 214a of VOCA.

PUBLIC SAFETY OFFICERS BENEFITS

The conference agreement includes $72,948,000 for this account, including $64,000,000 for death benefits, $4,884,000 for disability benefits, and $4,064,000 for education benefits.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

The conference agreement includes the following general provisions for the Department of Justice:

Section 101 provides language making up to $60,000 of the funds appropriated to the Department of Justice available to the Attorney General for reception and representation expenses.

Section 102 provides language, included in prior Appropriations Acts, which prohibits the use of funds to perform abortions in the Federal Prison System.

Section 103 provides language, included in previous Appropriations Acts, which prohibits use of the funds in this bill to require any person to perform, or facilitate the performance of, an abortion.

Section 104 provides language, included in previous Appropriations Acts, which states that nothing in the previous section removes the obligation of the Director of the Bureau of Prisons to provide escort services to female inmates who seek to obtain abortions outside a Federal facility.

Section 105 provides language allowing the Department of Justice, subject to the Committees' reprogramming procedures, to transfer up to 5 percent between any appropriation, but limits to 10 percent the amount that can be transferred into any one appropriation. The provision also prohibits transfers of funds from the Federal Prison Systems, Buildings and Facilities account unless the President certifies that such a transfer is necessary to the national security interests of the United States, and such authority shall not be delegated, and shall be subject to section 605 of this Act.

Section 106 provides for the extension of the Personnel Management Demonstration Project for the Bureau of Alcohol, Tobacco, Firearms and Explosives.

Section 107 provides authority for the Bureau of Alcohol, Tobacco, Firearms and Explosives to use confiscated funds during undercover operations.

Section 108 limits the placement of maximum or high security prisoners to appropriately secure facilities.

Section 109 restricts Federal prisoner access to certain amenities.

Section 110 provides for the establishment of an investment review board led by the Deputy Attorney General.

Section 111 enhances the ability of the Federal Bureau of Investigation and the Drug Enforcement Administration to recruit qualified candidates for critical positions, as proposed by the Senate.

Section 112 provides for the establishment of a methamphetamine task force.

Section 113 contains changes regarding the Prison Rape Elimination Act of 2003.

Section 114 directs the Attorney General to waive the matching requirements for the purchase of bulletproof vests. The conferees intend for law enforcement agencies to replace Zylon-based bulletproof vests with vests of comparable value.

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

The conference agreement includes $44,779,000 for the Office of the United States Trade Representative (USTR) as proposed by the House, instead of $40,997,000 as proposed by the Senate.

The conference agreement includes, by reference, language in the House report regarding China and World Trade Organization (WTO) compliance, Chinese intellectual property violations, the submission of a spending plan and obligation reports, a report on using outside counsel, and international standards.

The conferees note that the fiscal year 2005 Act included direction to create the position of Chief Negotiator for Intellectual Property Enforcement. The conferees direct the USTR to report on the impact of this position no later than February 3, 2006.

The conference agreement includes bill language, and adopts by reference report language, as proposed by the Senate, regarding negotiations within the WTO.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $62,752,000 as proposed by the House and Senate for the International Trade Commission (ITC). The conferees note that the ITC submitted a revised budget estimate subsequent to the President's budget request, which included a reduced requirement for fiscal year 2006. The conference agreement fully funds this revised budget estimate. The conference agreement includes, by reference, language in the House report regarding the submission of a spending plan and obligation reports.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

The conference agreement includes $406,925,000 in total resources for the programs of the International Trade Administration (ITA) as proposed by the House, instead of $404,625,000 as proposed by the Senate. Of this total, $8,000,000 is to be derived from fee collections as proposed by the Senate, instead of $13,000,000 as proposed by the House. The conference agreement makes funding available for two fiscal years.

The conference agreement includes bill language designating the amounts available for each unit within ITA. The conferees remind ITA that any deviation from the funding distribution provided in the bill and report, including carryover balances, is subject to reprogramming procedures set forth in section 605 of this Act. In addition, ITA is directed to submit to the Committees on Appropriations, not later than 60 days after the enactment of this Act, a spending plan for all ITA units that incorporates any carryover balances from prior fiscal years.

The conference agreement includes bill language, and adopts by reference report language, as proposed by the Senate, regarding negotiations within the World Trade Organization.

Within the funding provided, the conference agreement includes $13,000,000 for the National Textile Centers, $3,500,000 for Textile/Clothing Technology Corporation, $500,000 for the continuation of the international competitiveness program, $500,000 for the Textile Marking System, and $1,500,000 for Auburn University for advanced research and development of novel polymetrics. The conference agreement also includes $1,000,000 for the Rural Export Initiative.

The conference agreement includes language designating $3,000,000 for the Office of China Compliance, as proposed in the House bill, and includes, by reference, language in the House report on this office. The conferees direct ITA to submit a report to the Committees no later than January 1, 2006, describing the resources, accomplishments, and fiscal year 2006 workplan for the office.

The conference agreement adopts, by reference, language in the House report regarding Capital Security Cost Sharing, USIPO offices in Beijing and Moscow, China and Middle East Business Centers, establishing programs on intellectual property, and documenting cases of intellectual property infringement. The conference agreement adopts, by reference, language in the Senate report regarding the Appalachian-Turkish Trade Project and BISNIS.

The conferees wish to reaffirm that drawback adjustments in antidumping cases are to be granted by the Department of Commerce only to the extent necessary to offset import duties that are paid on inputs used in the production of merchandise sold in the home market. The conferees understand that the Department is currently reviewing the existing policy and has published a request for comments in the Federal Register. The conferees expect the Department to ensure that current rules are adhered to until a new policy is established.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

The conference agreement provides a total operating level of $76,000,000 for the Bureau of Industry and Security instead of $77,000,000 as proposed by the House and Senate.

The conference agreement adopts, by reference, House report language containing program guidance. The conferees have provided $14,767,000 for inspection and other activities related to national security as proposed by the House instead of $7,200,000 as proposed by the Senate.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

The conference agreement provides $253,985,000 for Economic Development Assistance Programs instead of $200,985,000 as

proposed by the House and $483,985,000 as proposed by the Senate. The distribution of these funds is as follows: $160,381,000 for Public Works Grants, $27,000,000 for Planning Assistance, $13,000,000 for Trade Adjustment Assistance, $44,794,000 for Economic Adjustment Grants, $8,322,000 for Technical Assistance, and $488,000 for Research. The conference agreement does not include $200,000,000 as an emergency requirement as proposed by the Senate.

The conference agreement adopts, by reference, House report language concerning coal industry downturns, assistance to applicants for planning, and targeting the most severely distressed communities. The conference agreement adopts, by reference, Senate report language concerning rightsizing, and assisting communities impacted by economic dislocations.

The conference agreement does not adopt Senate language prohibiting the implementation of EDA's interim rule published in the Federal Register on August 11, 2005. The conferees understand that based on extensive public comment between EDA and its stakeholders a compromise has been reached on the implementation of these regulations. Based on this compromise, the conferees direct EDA to make the following revisions to its Interim Final Rule (''IFR'') published on August 11, 2005 (70 FR 47002) in publishing a Final Rule. All section references below refer to the IFR. All capitalized terms have the meanings ascribed to them in the IFR.

District Organizations: Operations.—The conferees direct EDA to redraft Section 304.2(d) to clarify that the District Organization: (a) shall engage in the full range of economic development activities (e.g., coordination, implementation, research, advisory functions) necessary to develop, maintain, revise and implement its EDA-approved CEDS; and (b) *may, in its discretion* (i.e., shall not be obligated to), outsource these activities via a contract for services.

District Organizations: Formational Requirements.—

The conferees direct EDA to:

(a) Redraft Section 304.2(c)(2) to clarify that a District Organization's governing body must include at least one (1) Private Sector Representative, together with one (1) or more representatives of institutions of post-secondary education, workforce development groups, labor groups and Executive Directors of Chambers of Commerce, all of which must comprise in the aggregate a minimum of 35% of the District Organization's governing body;

(b) Redraft Section 304.2(c)(2) to clarify that the District Organization's governing body shall also have at least a simple majority of its membership who are elected officials and/or employees of a general purpose unit of local government who have been appointed to represent the government;

(c) Provide for a non-delegable waiver by the Assistant Secretary of the Private Sector Representative requirement upon a District Organization's showing of its inability to locate a Private Sector Representative to serve on its governing body following extensive due diligence; and

(d) Expand the definition of ''Private Sector Representative'' in Section 300.3 to include a designee of any senior management official or executive holding a key decision-making position in any for-profit enterprise.

District Termination.—The conferees direct EDA to add a provision to Section 304.3 to clarify that prior to terminating a District's designation (as an Economic Development District) based upon failure to execute its CEDS, EDA will: (a) consult with the District Organization; and (b) consider all facts and circumstances surrounding the District Organization's operations. EDA will clarify that it will not terminate a District's designation owing to circumstances beyond the control of the District Organization (e.g., natural disasters, plant closures, overall economic downturn, other sudden and severe economic dislocations, or other circumstances).

Performance Awards.—The conferees direct EDA to redraft Section 308.2 to better track Section 215 of PWEDA. Specifically, the provision will (a) eliminate the requirement that project performance be ''exceptional'' and (b) consistent with Section 215 of PWEDA, require that Project performance ''meets or exceeds'' performance goals. EDA will set forth in an annual Federal Funding Opportunity the requirements, qualifications, guidelines and procedures for performance awards, subject to the availability of funds.

Investment Rates for Planning Investments.—The conferees direct EDA to add a new subsection to Section 301.4 containing the following provisions:

(e) All Planning Investments will receive a minimum Investment Rate of 50%;

(f) Except as otherwise provided in Section 204(c) of PWEDA, the maximum allowable Investment Rate for Planning Investments shall be the maximum allowable Investment Rate set forth in Table 1 of Section 301.4 for the most economically distressed county or other equivalent political unit (e.g., parish) within the Region;

(g) The maximum allowable Investment Rate will not exceed eighty (80) percent; and

(h) In compelling circumstances, the Assistant Secretary may waive the requirement in paragraph (b) above. The Assistant Secretary shall not delegate the authority to grant this waiver.

Maximum Allowable Investment Rates Table 1.—EDA will revise Table 1 in Section 301.4 to show that projects located in Regions demonstrating a 24-month unemployment rate at least one percent (1%) greater than the national average or per capita income not more than 80% of the national average shall be eligible to receive a maximum allowable Investment Rate of 50%.

The conferees are aware of several proposals for economic development and urge EDA to consider the proposals as follows:

The Gateway Economic Development District's business creation and expansion program for Broadwater, Lewis and Clark, and Meagher Counties, MT; the Mississippi Blues Delta Quarter; the Development Projects, Inc., in Dayton, OH, Tech Town; the expansion of Penn Eagle Industrial Park, PA; the Ogontz Avenue Revitalization Corporation for a neighborhood redevelopment project in Philadelphia, PA; Rural Enterprises of Oklahoma to expand the International Trade Assistance Center; Oklahoma State University Rural Product Manufacturers for the New Product Development and Commercialization Center; the Phase III implementation of the Manufacturing Training and Technology Center clean room at the University of New Mexico; the Mescalero Apache Tribe fish hatchery rehabilitation project in New Mexico; Jackson State University for the Lynch Street Corridor Redevelopment; Prentiss County, MS, for the Wheeler Water and Sewer Project; the Lauderdale County, MS, Economic Development District; and the Mid-Delta Empowerment Zone ''Supersite'' Industrial Park; the Rutgers Camden Business Incubator in Camden, New Jersey; the Hawaii Capital Cultural District on the Island of Oahu; the Brooklyn Goes Global program in New York; National Association of Latino Arts and Culture in San Antonio, Texas; and the Garde Arts Center in New London, Connecticut.

SALARIES AND EXPENSES

The conference agreement provides $30,075,000 for Salaries and Expenses instead of $26,584,000 as proposed by the House and $40,939,000 as proposed by the Senate. The conference agreement does not include $10,000,000 as an emergency requirement as proposed by the Senate.

MINORITY BUSINESS DEVELOPMENT AGENCY

MINORITY BUSINESS DEVELOPMENT

The conference agreement provides $30,024,000 for the Minority Business Development Agency (MBDA) as proposed by the House instead of $30,727,000 as proposed by the Senate. Should additional funds become available, the conferees urge the MBDA to provide funds for the expansion of the Asian American and Pacific Island Commission.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

The conference agreement provides $80,304,000 for this account, as proposed by the House, instead of $81,283,000 as proposed by the Senate.

BUREAU OF THE CENSUS

The conference agreement includes a total operating level of $812,237,000 for the Bureau of the Census, as proposed by the House, instead of $727,385,000 as proposed by the Senate. The conferees direct the Bureau to submit a financial operating plan within 60 days of enactment of this Act outlining the allocation of funding provided by this Act. The operating plan shall address the Bureau's highest priority needs such as Re-engineered Design Process for the Short-Form Only Census, the American Community Survey (ACS), the Master Address File/Topologically Integrated Geographic Encoding and Referencing (MAF/TIGER) system, and necessary furniture and relocation costs associated with the Bureau's new facility.

SALARIES AND EXPENSES

The conference agreement provides $198,029,000 for this account, as proposed by the House, instead of $183,029,000 as proposed by the Senate.

The conferees direct the Bureau to continue to streamline and prioritize programs to ensure the highest priority core activities are supported. The conferees expect the Bureau to be fully reimbursed for any non-core survey conducted for any other Federal agency or private organization.

The conferees expect that key reports on manufacturing, general economic and foreign trade statistics will be maintained and issued on a timely basis.

The Bureau is directed to include socks in its quarterly Current Industrial Reports on Apparel, and to produce a one-time annual report for 2005 domestic sock production. The conference agreement includes sufficient funding for the Manufacturing and Construction Statistics Division for this purpose.

The conference agreement adopts, by reference, the House report language regarding the production of monthly Export-Import and Trade Balance statistics on a North American Industry Classification System basis, and the Advanced Technology Trade Imports, Exports, and Net Balance by Country. In addition, the conference agreement adopts, by reference, the House report language regarding the presentation of the U.S. Trade in Advanced Technology Products.

The conferees direct the Bureau to undertake a study on using prisoners' permanent homes of record, as opposed to their incarceration sites, when determining their residences. The Bureau should report back to the Committees on Appropriations on its findings within 90 days of enactment of this Act.

PERIODIC CENSUSES AND PROGRAMS

The conference agreement provides $614,208,000 for this account, as proposed by

the House, instead of $544,356,000 as proposed by the Senate. The conference agreement includes $453,596,000 for expenses related to the 2010 decennial census and $160,612,000 for expenses to collect and publish statistics for other periodic censuses and programs.

Within the level of funds provided, the Bureau shall fully fund the budget request for ACS and MAF/TIGER in the submission of its financial operating plan.

The conferees encourage the Bureau to continue its efforts to minimize the number of personal visits for non-response follow-up for Census programs. This activity is very costly and if response rates through other means can be increased, it will provide substantial cost savings in both the ongoing ACS and the 2010 Census.

The conferees expect the ACS methods panel to ensure a more comprehensive and streamlined approach to multiple data collection techniques and to ensure that any change in the language of survey questions will maximize clarity in order to elicit correct responses.

The conferees direct the Bureau to continue to submit quarterly reports, in cooperation with the General Services Administration (GSA), regarding the expenditure of funds and the project planning, design and cost decisions for the Suitland Federal Center.

No funds appropriated to the Bureau shall be available for construction and build-out costs that are the responsibility of the GSA.

MAF/TIGER.—The conferees direct the Secretary of Commerce to take all available measures to reduce the requirement of payment for information currently available from certain State and local governments. Further, the conferees direct the Secretary of Commerce to work with other Departments to gain access to currently available aerial photography. Further, the Secretary is directed to utilize global positioning system technology and aerial photography to update existing information only if these measures are shown to be a more cost effective alternative.

Subgroup Enumeration.—The conferees commend the efforts of the Bureau to work with interested parties to ensure that necessary measures will be taken to ensure accuracy in enumerating Hispanic subgroups.

The conferees appreciate the efforts of the Bureau to consider new options for reporting data reflecting all citizens of the United States, including Puerto Rico.

Bill language is continued, as proposed by the House, regarding changes to the race category for collection and dissemination purposes.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

The conference agreement includes a total of $40,068,000 for the National Telecommunications and Information Administration (NTIA), instead of $19,716,000 as proposed by the House and $62,255,000 as proposed by the Senate.

SALARIES AND EXPENSES

The conference agreement includes $18,068,000 for the Salaries and Expenses appropriation of the NTIA, instead of $17,716,000 as proposed by the House, and $20,255,000 as proposed by the Senate.

As in previous years, the conference agreement includes language allowing the Secretary of Commerce to collect reimbursements from other Federal agencies to offset a portion of the cost of coordination of spectrum management, analysis, and operations. The conferees expect the NTIA to aggressively pursue all opportunities for reimbursement, deobligations, and use of non-appropriated resources, to maximize the operating level for NTIA's mission purposes. The conferees support the requested increases for NTIA and will consider a reprogramming of resources should additional funding become available, subject to section 605 of this Act.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

The conference agreement includes $22,000,000, as proposed by the Senate, instead of $2,000,000 as proposed by the House.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

The conference agreement includes $1,683,086,000 for the United States Patent and Trademark Office (USPTO) for fiscal year 2006. This amount is $20,214,000 below the amounts proposed by both the Senate and the House due to a notification from the USPTO of a revised fee collection estimate.

In an October 18, 2005 letter to the Committees on Appropriations, the USPTO provided re-estimates of fee collections and staffing levels for fiscal year 2006. The conferees have taken this information into account and have provided appropriations commensurate with the USPTO's projected fee collections.

The conferees note their disappointment with the USPTO's inability to adhere to Public Law 108–447, which mandated staffing levels for patent and trademark examiners. The USPTO must continue to focus on hiring additional patent and trademark examiners in order to reduce patent and trademark pendency. The conference agreement therefore includes language designating full-time equivalents, positions, and funding for certain functions and requires that any deviation from those designations must be in accordance with section 605 of the Act. Furthermore, the conferees remind the USPTO that any change from the funding distribution provided in the bill and the Statement of Managers, including carryover balances, is subject to the reprogramming procedures set forth in section 605 of this Act.

The conference agreement adopts, by reference, language included in the House report regarding the National Inventor's Hall of Fame and Inventure Place, the International Intellectual Property Institute, the University of Central Florida, a training facility, and telework.

The conference agreement adopts, by reference, language included in the Senate report requiring a report on the USPTO's efforts to implement the recommendations of the June 2004 Inspector General report. The report shall be submitted by January 15, 2006.

The conferees are concerned about protecting the intellectual property rights of American inventors and urge the USPTO to take immediate steps to prevent pirating and counterfeiting by foreign entities. The USPTO shall report to the Committees on Appropriations on its efforts by March 15, 2006.

In addition, USPTO is directed to submit to the Committees on Appropriations, not later than three months after the enactment of this Act, a spending plan, which incorporates any carryover balances from previous fiscal years and any changes to the patent or trademark fee structure.

SCIENCE AND TECHNOLOGY

TECHNOLOGY ADMINISTRATION

SALARIES AND EXPENSES

The conference agreement includes $6,000,000 for necessary expenses of the Under Secretary for Technology Policy and the Office of Technology Policy, instead of $6,460,000 as proposed by the House. The Senate included funding for these expenses under the Departmental Management account.

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

The conference agreement includes $761,767,000 for the National Institute of Standards and Technology (NIST), instead of $548,744,000 as proposed by the House, and $844,500,000 as proposed by the Senate.

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

The conference agreement includes $399,869,000 for the Scientific and Technical Research and Services (core programs) of the NIST, as proposed by the Senate, instead of $397,744,000 as proposed by the House. Of the funds made available, $1,300,000 is provided for transfer to the NIST Working Capital Fund.

[Dollars in thousands]

	Conference agreement
Electronics and Electrical Engineering	$50,171
Manufacturing Engineering	22,132
Chemical Science and Technology	44,651
Physics	42,148
Materials Science and Engineering	33,064
Building and Fire Research	22,030
Computer Science and Applied Mathematics	64,572
Standards and Technology Services	15,926
National Research Facilities	37,434
National Quality Program	7,081
Research Support Activities	60,660
Total, STRS	399,869

The conference agreement includes, by reference, language in the Senate report regarding the Office of Law Enforcement Standards. The conference agreement also includes, by reference, language in the House report regarding the National Earthquake Hazards Reduction Program, and international standards negotiations.

Within the funding for Research Support Activities, the conference agreement continues funding of $2,400,000 for a telework project and $6,500,000 for a critical infrastructure program, both of which received similar funding in previous fiscal years. The conference agreement also includes $1,027,000 for the For Inspiration and Recognition of Science and Technology Program, $1,503,000 for the Nanoparticle Risk Impact and Assessment Program, and $612,000 for the Operation Safe Commerce Program. Finally, the amount for Research Support Activities includes $4,864,000 for high priority requested program increases, such as the National Nanomanufacturing and Nanometrology Facility, biosystems and health, and quantum processing initiatives.

INDUSTRIAL TECHNOLOGY SERVICES

The conference agreement includes $186,000,000 for Industrial Technology Services, instead of $106,000,000 as proposed by the House, and $246,000,000 as proposed by the Senate.

Hollings Manufacturing Extension Partnership (MEP).—The conference agreement includes $106,000,000 for MEP, as proposed by both the House and the Senate. The conference agreement adopts, by reference, language in the House report regarding the requirements for applicants seeking assistance.

Advanced Technology Program.—The conference agreement includes $80,000,000 for the Advanced Technology Program, instead of $140,000,000 as proposed by the Senate and no funding as proposed by the House. The conference agreement does not adopt bill language providing specific funding for new awards as proposed by the Senate.

CONSTRUCTION OF RESEARCH FACILITIES

The conference agreement includes $175,898,000 for construction of research facilities, instead of $45,000,000 as proposed by the House and $198,631,000 as proposed by the Senate.

The conference agreement includes $48,898,000 for maintenance, repair, construction and major renovations of the NIST campuses at Boulder, CO, and Gaithersburg, MD. The conferees provide $35,498,000 for safety, capacity, maintenance, and major repairs, including not less than $5,000,000 for Advanced Measurement Lab maintenance; $9,400,000 for central utility plant upgrades for the Boulder, CO campus; and $4,000,000 for the NIST North relocation and remediation project. The balance of funds under this heading is allocated to activities specified in section 207.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The conference agreement includes a total of $3,946,000,000 for the National Oceanic and Atmospheric Administration (NOAA), instead of $3,379,000,000 as proposed by the House and $4,476,000,000 as proposed by the Senate.

NOAA is the Nation's lead civilian agency in science, service, and stewardship for the Earth's oceans and atmosphere. The agency's mission was recently highlighted by two major national commissions: The Congressionally mandated and Presidentially appointed United States Commission on Ocean Policy and the privately funded Pew Oceans Commission. Together these commissions conducted the most comprehensive reviews of ocean policy and programs in over 35 years. The conferees note that the chairmen of the two commissions have formed the Joint Ocean Commission Initiative to encourage implementation of recommendations common to both commission reports. The conferees support NOAA's science and education programs, which were strongly endorsed in the commission reports. To that end, the conference agreement adopts, by reference, language in the Senate report regarding a reporting requirement for Ocean Commission-endorsed programs.

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement includes total direct obligations of $2,833,222,000, instead of $2,493,000,000 as proposed by the House and $3,264,983,000 as proposed by the Senate. Of the amount provided, $67,000,000 is from balances in the account entitled, ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'', and $3,000,000 is from the Coastal Zone Management Fund. The net appropriation from the General Fund is $2,763,222,000.

Language is included prohibiting any general administrative charge against an assigned activity in this Act or the accompanying report. Language is also included capping the amount provided for corporate services administrative support at $179,036,000, and capping the amount available to the Department of Commerce Working Capital Fund at $34,000,000.

The conference agreement stipulates that any deviation from the amounts designated for specific activities in the report accompanying this Act shall be subject to the procedures set forth in section 605 of this Act.

The conference agreement includes language making $2,000,000 available for subsidy costs of certain fisheries loans.

The following table identifies the activities, sub-activities, and projects funded in this appropriation:

NOAA NATIONAL OCEAN SERVICE Operations, Research, and Facitilites ($ in Thousands)	FY 2006 Conference Agreement
Navigation Services	
Mapping & Charting	
Mapping & Charting Base	38,885
Joint Hydrographic Center	7,500
Electronic Navigational Charts	4,300
Shoreline Mapping	2,448
Dune System Assessment and Shoreline Change Analysis	500
Address Survey Backlog/Contracts	21,000
EEZ Outer Continental Shelf Ocean Bottom Claims	2,200
Alaska Surveys, Current and Tide Data	3,500
MS/LA Digital Coast	1,000
Coastal Environmental Mapping Consortium	800
Vessel Time Charter	11,850
River Studies	750
Subtotal, Mapping and Charting	**94,733**
Geodesy	
Geodesy Base	20,295
National Spatial Reference System	1,971
Height Modernization Regional Expansion - NGS Implementation	233
Height Modernization Regional Expansion - NC	933
Height Modernization Regional Expansion -CA	933
Height Modernization Regional Expansion -TX	750
Height Modernization Regional Expansion - SC	467
Height Modernization Study - MS	600
Height Modernization Regional Expansion - AL	1,971
Geodetic Survey-WI	3,000
Geodetic Survey-KY	500
Geodetic Survey-AZ	500
Subtotal, Geodesy	**32,153**
Tide & Current Data	
Tide & Current Data Base	18,415
National Water Level Observation Network	2,500
PORTS	1,500
Great Lakes NWLON	2,000
Subtotal, Tide & Current Data	**24,415**
Total, Navigation Services	**151,301**
Ocean Resources Conservation and Assessment	
Ocean Assessment Program (OAP)	
Ocean Assessment Program Base	8,290
Coastal Storms	1,250
Cook Inlet Coastal Monitoring and Habitat	1,000
Coastal Services Center	23,000
Pacific Coastal Services Center	4,500
Coastal Change Analysis	500
Lake Pontchartrain	2,000
Louisiana Long Term Estuary Assessment	1,000
CREST	1,000

CI-CORE	2,500
Aquatic Research Consortium	2,500
Coop Institute for Coastal and Estuarine Enviro Tech (CICEET)	6,800
Hawaii Coral Reef Initiative	1,500
Florida Coral Reef	1,000
Puerto Rico Coral Reef	500
Coral Reef Programs	25,000
National Fish and Wildlife Foundation - NFWF	700
Ocean Health Initiative	5,000
White Water to Blue Water Ecosystem	1,000
Maritime Center of the Gulf	2,000
Lake Erie Monitoring	500
Subtotal, Ocean Assessment Program (OAP)	**91,540**
Integrated Ocean Observing System	
NOAA ICOOS	7,500
NOAA/UNH Joint Ocean Observing Technology Center	2,000
Alaska Ocean Observing System	1,700
Gulf of Maine Observing System	500
Long Island Sound Observing System	1,000
Central Gulf of Mexico Observing System	2,000
So Cal Coastal Ocean Observing System (Scripps)	1,500
Alliance for Coastal Technologies	3,000
Center for Coastal Ocean Observation and Analysis	2,500
UNCW Coastal Ocean Research and Monitoring	500
Wallops Ocean Observation Project	2,000
Oregon Ocean Observing	500
Center for Integrated Marine Technology	2,050
CARO-COOPs	2,050
SURA Coastal Ocean Observing System	2,500
Subtotal, Ocean Observing System	**31,300**
Response and Restoration	
Response and Restoration Base	10,600
Estuary Restoration Program	1,200
Damage Assessment Program	3,000
Mitigating Coastal Development Impacts	1,000
Marine Debris	4,000
Marine Debris Removal - Alaska	1,250
Center for Marine Spill Response	3,000
Pribilof Islands Cleanup and Economic Development	7,000
Aquatic Resources	4,500
Vieques	1,000
Marine Wildlife Noise Impact	500
Subtotal, Response and Restoration	**37,050**
National Centers for Coastal Ocean Science (NCCOS)	
NCCOS Headquarters	5,000
Extramural Research	10,000
Center for Coastal Environmental Health & Bimolecular Rsch	15,000
Oxford Cooperative Lab	4,500
Ctr for Coastal Fisheries Habitat Research	6,004
Center for Coastal Monitoring & Assessment	5,735
Center for Sponsored Coastal Ocean Research	3,700
Marine Env Health Research Lab - MEHRL	4,000

Subtotal, NCCOS	**53,939**
Total, Ocean Resources Conserv. & Assess.	**213,829**
Ocean and Coastal Management	
Coastal Management	
CZM Grants	67,000
CZM Program Administration	6,700
National Estuarine Research Reserve System	16,400
Baldwin Educational Program	1,000
Marine Protected Areas	1,500
Nonpoint Pollution	3,000
Subtotal, Coastal Management	**95,600**
Ocean Management	
Marine Sanctuary Program	
Marine Sanctuary Program Base	35,651
Northeast Hawaiian Islands Rsrch / HI Institute of Marine Biology	2,250
Northwest Straits Citizens Advisory Commission	1,400
Subtotal, Ocean Management	**39,301**
Total, Ocean and Coastal Management	**134,901**
TOTAL, NOAA National Ocean Service - ORF	500,031

NOAA NATIONAL MARINE FISHERIES SERVICE Operations, Research, and Facilities ($ in Thousands)	FY 2006 Conference Agreement
Marine Mammals, Marine Turtles, and Marine Protected Species (Protected Species)	
Protected Resources Research & Management Programs	**26,100**
Mammals	
Marine Mammal Protection (MMP)/NMFS Activities	8,000
Marine Mammal Initiative	5,000
North Pacific Fixed Gear Research	150
Prescott Grant Program	4,000
MS Center for Marine Education and Research	5,000
Shedd Center for the Great Lakes	250
Alaska Native Marine Mammal Co-management: Harbour Seals	150
Whales	
North Pacific Southern Resident Orca Population (PSM)	1,500
Recovery of Endangered Large Whales	500
Right Whale Activities (ESA)	6,313
Right Whale: Cooperative State Plans	1,500
Dolphins	
Bottlenose Dolphins	2,000
Bottlenose Dolphins: Institute for Marine Mammal Studies	2,500
Dolphin Encirclement	2,000
Dolphins/Yellowfin Tuna Research	235
Seals and Sea Lions	
Hawaiian Monk Seals	825
Alaska Seals & Sea Lions: Endangered Species Act	850
Subtotal, Mammals	**40,773**
Sea Turtles & Other Protected Species	
Endangerd Species Act	5,176
Hawaiian Sea Turtles	7,800
Rancho Nuevo Sea Turtles	350
Southeastern Sea Turtles	300
Endangered Species Act - Fish, Crustaceans, Mollusks	5,000
Subtotal, Sea Turtles & Other Protected Species	**18,626**
Salmon	
Atlantic Salmon	**4,435**
Pacific Salmon:	
Protected Species Activities	
ESA Recovery and Research	41,527
Endangered Species Act - Columbia River Biological Opinion (BIOP) Implementation	15,100
Western Alaska Salmon Stock Identification	200
Endangered Species Studies	300
Subtotal, Pacific Salmon:	**57,127**
Total, Marine Mammals, Marine Turtles, and Marine Protected Species (Protected Species)	**147,061**
Fisheries Research and Management	
Core Fisheries Programs	
Fisheries Research and Management Programs	125,000
Economics & Social Sciences Research	4,100
Fisheries Statistics	12,771
Fisheries Oceanography	500

Interjurisdictional Fisheries Grants	2,590
National Standard 8	1,000
Reduce Fishing Impacts on Essential Fish Habitat (EFH)	500
Anadromous Grants	2,000
Product Quality and Safety	6,724
Subtotal, Core Fisheries Programs	**155,185**
Expand Annual Stock Assessments - Improve Data Collection	**23,897**
Salmon Management Activities	
Columbia River Hatcheries	16,522
Columbia River Hatchery Reform	500
Pacific Salmon Treaty	7,000
Chinook Salmon Management	150
Chinook SalmonResearch at Auke Bay	300
Subtotal, Salmon Management Activities	**24,472**
Regional Councils and Fisheries Commissions	
Regional Councils	15,000
International Fisheries Commissions	400
Interstate Fish Commissions: 3 Commissions	750
Interstate Fish Commissions: Atlantic Cooperative Management	9,250
Subtotal, Regional Councils and Fisheries Commissions	**25,400**
Fish Information Networks:	
Atlantic States Marine Fisheries Commission	2,000
Alaska Fisheries Information Network (AKFIN)	3,200
Pacific Coastal Fisheries Information Network (PACFIN)	3,500
Recreational Fishery Information Networkk (RECFIN)	3,445
RECFIN - SC	250
Marine Fisheries Initiative (MARFIN)	2,400
Gulf Fisheries Information Network (GULF FIN)	4,250
National Fisheries Information System	2,500
Cal-COFI	900
Subtotal, Fish Information Networks:	**22,445**
Survey and Monitoring Projects:	
Bluefish/Striped Bass	692
Bluefish/Striped Bass: Chesapeake Bay	700
Bluefish/Striped Bass: Rutgers	790
Gulf of Maine Groundfish Survey	519
New England Stock Depletion	902
Red Snapper Monitoring and Research	5,000
West Coast Groundfish	4,800
Alaskan Groundfish Surveys: Calibration Studies	240
Atlantic Herring and Mackerel	198
Chesapeake Bay Multi-Species Management	500
Management of George's Bank	441
Virginia Trawl Survey	500
Highly Migratory Sharks	1,500
Subtotal, Survey and Monitoring Projects:	**16,782**
Other fisheries-related projects:	
Reducing Bycatch	2,800
Hawaii Fisheries Development	750
Groundline Exchange Pilot Program	2,000
Gulf Shrimp Bycatch and Reduction Research	1,000
Hawaii Seafood Safety and Inspections	1,500

Hawaii Stock Enhancement Program (Oceanic Institute)	500
Large Pelagics Research Program	3,000
Scallop Fishery Assessment (MFI)	1,800
Southern Shrimp Industry Fishing Effort Research	2,300
NAIB Conservation and Education Programs	1,200
Narragansett Bay Window Program	200
OREHP	500
Horseshoe Crab Research	550
Subtotal, Other fisheries-related projects:	**18,100**
Total, Fish Research and Management	**286,281**
Enforcement & Observers:	
Enforcement & Surveillance:	
Driftnet Act Implementation	1,200
NMFS Activities (Science & Technology Driftnet Act)	1,692
Enforcement & Surveillance	22,000
Cooperative Agreements w/ States	16,000
Vessel Monitoring System	9,300
Subtotal, Enforcement	**50,192**
Observers/Training	
Atlantic Coast Observers	3,348
East Coast Observers	350
Hawaii Longline Observer Program	4,000
N. Pacific Marine Resources Observers/N.Pacific Observer Program	1,500
NE Groundfish Court-Ordered Observers	5,500
National Observer Program	3,000
S. Atlantic/Gulf Shrimp Observers	800
West Coast Observers	5,000
Subtotal, Observers/Training	**23,498**
Total, Enforcement and Observers	**73,690**
Habitat Conservation & Restoration	
Sustainable Habitat Management	
Habitat Conservation	15,000
Blue Crab Advanced Research Consortium	5,000
Non-Native Oyster Chesapeake Bay Program - VA	2,000
Refine EFH Designations	100
Subtotal, Sustainable Habitat Management	**22,100**
Fisheries Habitat Restoration	
Connecticut River Partnership	400
Community-Based Restoration Grants	13,000
Mobile Bay Oyster Recovery	2,500
Oyster Restoration (Chesapeake - VIMS)	2,000
Chesapeake Bay Oyster Restoration (MD)	4,000
Lower Elwha River Habitat Restoration	280
Merrimack River fish habitat/land conservation	500
Atlantic Salmon/Penobscot River Habitat Restoration	500
Pinellas County Environmental Foundation	1,000
Bronx River Restoration	1,000
Subtotal, Habitat Restoration	**25,180**
Total, Habitat Conservation & Restoration	**47,280**

AK Composite Research and Development Program	**51,000**
Other Activities Supporting Fisheries	
Cooperative Research:	
Cooperative Research - North Pacific Research Board	2,000
National Cooperative Research	2,750
NE Cooperative Research	3,750
New England Lobster Fishery Research	3,000
Northeast Consortium	5,000
SE Cooperative Research	3,000
Subtotal, Cooperative Research:	**19,500**
Other Programs	
Antarctic Research	1,468
Chesapeake Bay Studies	3,500
Climate Regimes & Ecosystem Productivity	1,500
Computer Hardware and Software	2,000
Information Analyses & Dissemination	17,704
Marine Resources Monitoring, Assessment & Prediction Prgm (MarMap)	850
National Environmental Policy Act (NEPA)	8,000
NMFS Facilities Maintenance	4,000
Southeast Area Monitoring & Assessment Program (SEAMAP)	1,385
Subtotal, Other Programs	**40,407**
Other projects:	
Consortium for Fisheries & Wildlife Conflict Resolution (UNH/NEA/VIMS)	400
Joint Institute for Marine and Atmospheric Research (JIMAR), HI	2,500
New England Multi-Species Survey (SMAST)	3,000
Science Consortium on Ocean Research (SCORE) - FL	350
Pacific Island Regional Office/Pacific Islands Fisheries Science Center	5,000
AK Community Development Program	2,000
Subtotal, Other projects:	**13,250**
Subtotal, Other Activities Supporting Fisheries	**73,157**
Total, NOAA National Marine Fisheries Service - ORF	**678,469**

NOAA OCEANIC AND ATMOSPHERIC RESEARCH Operations, Research, and Facilities ($ in Thousands)	FY 2006 Conference Agreement
Climate Research	
Laboratories & Joint Institutes	**49,717**
Climate Observations & Services	**98,299**
Other Partnership Programs	
Arctic Research Program (SEARCH)	3,000
East Tennessee Ozone Study	300
Univ of AL Huntsville Climate Research	1,000
Drought Research Study	1,000
Coastal Vulnerability to Climate Change	1,500
Center for Urban Environmental Research	1,000
Advanced Study Institute for Environmental Prediction	1,500
Abrupt Climate Change Research	250
Climate Systems Research Center	750
Subtotal, Other Partnership Programs	**10,300**
Total, Climate Research	**158,316**
Weather & Air Quality Research	
Laboratories & Joint Institutes	**37,777**
Weather & Air Quality Research Programs	
Targeted Wind Sensing	2,000
Coordinate NASA -- NOAA Severe Storm R&D	2,000
Tornado Severe Storm Research / Phased Arrary Radar	4,000
Subtotal, Weather & Air Quality Research Programs	**8,000**
Other Partnership Programs	
Central CA Air Quality Study	375
Great Plains Center for Atmosphere and Human Health	1,000
Urbanet	6,000
New England Air Quality Study	3,000
NE Center for Atmospheric Science and Policy	1,500
AIRMAP	5,000
High Altitude Air Study	350
Risk Reduction in Weather Forecasts	2,000
Reducing Wind-Induced Damages from Storms	1,000
Remote Sensing Research (ISU/BCAL)	500
STORM (U. of N. Iowa)	650
Subtotal, Other Partnership Programs	**21,375**
Total, Weather & Air Quality Research	**67,152**
Ocean, Coastal, and Great Lakes Research	
Laboratories & Joint Institutes	**23,073**
National Sea Grant College Program	
National Sea Grant College Program Base	50,000
Fish Extension	1,500
Aquatic Nuisance Species/Zebra Mussel Research	1,000

Gulf of Mexico Oyster Initiative	1,000
National Sea Grant Law Center	1,000
Oyster Disease Research	1,000
Subtotal, National Sea Grant College Program	**55,500**
Exploration and Undersea Research	
National Undersea Research Program (NURP)	4,250
National Institute for Undersea Science and Technology	5,000
Ocean Exploration	13,850
Exploration Autonomous Underwater Vehicle	500
Subtotal, Exploration and Undersea Research	**23,600**
Invasive Species Programs	
NISA/Ballast Water Demonstrations	3,000
NISA/Alaska	1,500
Invasive Milfoil	250
HI Micronesia Invasive Species Program	500
Aquatic Invasive Species Program	1,000
Aquatic Ecosystem Canaan Valley Institute	6,000
Subtotal, Invasive Species Programs	**12,250**
Aquaculture	
Marine Aquaculture Program	4,622
Atlantic Marine Aquaculture Center (CINEMAR)	2,000
Pacific Tropical Ornamental Aquaculture	500
Center for Aquaculture Development	1,000
West Alabama Shrimp Aquaculture Program	500
Subtotal, Aquaculture	**8,622**
Partnership Programs	
Arctic Research	3,000
Atmospheric Dispersion Forecasting	1,500
Urban Coastal Institute	500
Gulf of Maine Council	750
Lake Champlain Emerging Threats	500
Lake Champlain Research Consortium	350
Center for the Environment	800
Bio-screening Technology for Imported Seafood	1,000
Subtotal, Other Partnership Programs	**8,400**
Total, Ocean, Coastal, and Great Lakes Research	**131,445**
Integrated Ocean Observing System	
ARGO	10,300
Total, Integrated Ocean Observing System	**10,300**
High Performance Computing Initiatives	**6,500**
Total, NOAA Oceanic and Atmospheric Research - ORF	**373,713**

NOAA NATIONAL WEATHER SERVICE Operations, Research, and Facilities ($ in Thousands)	FY 2006 Conference Agreement
Observations, Forecasts, and Communications	
Local Warnings and Forecasts	
Local Warnings and Forecasts Base	524,830
Tsunami Hazard Mitigation (moved from OAR)	2,291
Tsunami Warning & Environmental Obs for AK (TWEAK)	2,000
Strengthen U.S. Tsunami Warning Network	6,100
Air Quality Forecasting	3,000
Shenandoah Air Quality Forecasting	1,750
Sustain Cooperative Observer Network	1,000
Coastal & Inland Hurricane Monitoring & Prediction Program	1,500
Coastal Weather Monitoring for Catastrophic Events	475
Susquehanna River Basin Flood System	2,000
NOAA Profiler Network	2,900
Pacific Island Compact	3,500
Space Environment Center	4,000
USWRP - US Weather Research Program - THORPEX	5,000
Western Kentucky Environmental Monitoring Network	1,500
Vermont Northeast Weather & Wind Data Integration	220
Hurricane Mitigation Alliance	2,100
Subtotal, Local Warnings and Forecasts	564,166
Integrated Ocean Observing System	
National Data Buoy Center	23,240
Sea Level Monitoring & Tide Gage Network	240
TAU & PIRATA Arrays	3,000
Subtotal, Integrated Ocean Observing System	26,480
Operations and Research	
Advanced Hydrological Prediction Services	5,000
Aviation Weather	3,500
WFO Maintenance	7,390
Central Forecast Guidance	44,092
National Hurricane Center	5,800
Subtotal, Operations and Research	65,782
Weather Radio & Communications	
Weather Radio Transmitters Base	2,320
NOAA Weather Radio Transmitters - MS	200
NOAA Weather Radio Receivers - AL	50
Subtotal, Weather Radio Transmitters	2,570
Total, Observations, Forecasts, and Communications	658,998
Systems Operation & Maintenance	86,252
Total, NOAA National Weather Service - ORF	745,250

NOAA NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE Operations, Research, and Facilities ($ in Thousands)	FY 2006 Conference Agreement
Environmental Satellite Observing Systems	
Satellite Command and Control base	37,011
NSOF Operations	7,581
Product Processing and Distribution	27,628
Product Development, Readiness & Application	17,224
Product Development, Readiness & Application (Ocean Remote Sensing)	3,980
Joint Center/Accelerate Use of Satellites	3,291
Research to Ops/NOAA-NASA Partnerships	4,000
Global Wind Demo	3,700
Commercial Remote Sensing Licensing & Enforcement	1,244
Remote Sensing Center	2,000
Office of Space Commercialization	600
Total, Environmental Satellite Observing Systems	108,259
NOAA's Data Centers & Information Services	
Archive, Access & Assessment	
Archive, Access & Assessment	25,218
MD	5,500
KY	7,800
WV	7,800
Subtotal, Archive, Access & Assessment	46,318
Data & Climate Centers	
Coastal Data Development	4,576
Regional Climate Centers	3,000
International Pacific Research Center (U of H)	2,000
Integrated Environmental Applications & Information Center	3,000
Environmental Data Systems Modernization	9,384
National Climatic Data Center	2,800
Subtotal, Data & Climate Centers	24,760
Total, NOAA's Data Centers & Information Services	71,078
Total, NOAA National Environmental Satellite, Data and Information Service - ORF	179,337

NOAA WIDE PROGRAM SUPPORT Operations, Research and Facilities ($ in Thousands)	FY 2006 Conference Agreement
Corporate Services	179,036
NOAA Education Program	
NOAA Education Program / Education Initiative	6,371
JASON Education and Outreach	2,500
BWET Chesapeake Bay	3,500
BWET Hawaii	1,500
BWET California	2,000
Educational Partnership Program/Minority Serving Institutions (EPPMSI)	14,400
Hawaii Humpback Education Program	1,750
Gulf Coast Exploreum	1,000
Narragansett Bay Marine Education (Save the Bay)	500
Chesapeake Bay Interpretive Buoys	500
Total, NOAA Education Program	34,021
Facilities	11,000
Marine Operations & Maintenance	
Aircraft Services	18,625
Marine Data Acquisition	95,065
Future Healthcare Benefits for Current Officers	2,012
OE and NOAA Corps Pay Differential	1,500
Fleet Planning and Maintenance	15,163
Total, Office of Marine & Aviation Operations	132,365
Total, NOAA Wide Program Support - ORF	356,422

NATIONAL OCEAN SERVICE

The conference agreement includes a total of $500,031,000 for activities of the National Ocean Service (NOS). The conference agreement adopts, by reference, language in the House report on the hydrographic survey backlog, on Vieques Island, PR, and on the strategy for the use of private mapping services.

Within the amount provided for Pribilof Islands Cleanup and Economic Development, the conferees agree that no more than $2,000,000 shall be available for economic development activities. The conferees are encouraged by recent efforts by regional ocean observing programs to establish a federation and seek competitive funding. The conferees expect that the creation of such a program will expedite the integration of these regional systems into a system of systems, which is fundamental to the broader concept of the Integrated Ocean Observing System.

Of the funds provided for the Coastal Services Center, $3,000,000 is provided for Mississippi Digital Earth.

The conference agreement includes $1,000,000 for a White Water to Blue Water Ecosystem initiative in the Gulf of Maine.

Of the funds provided for the Center for Coastal Environmental Health & Biomolecular Research, funding is provided for high salinity studies if warranted.

NATIONAL MARINE FISHERIES SERVICE

The conference agreement includes $678,469,000 for the operations of the National Marine Fisheries Service (NMFS).

The conference agreement adopts, by reference, language in the House report regarding implementation of a West Coast in-season harvest data collection system, and a report on certain prior year balances.

The conferees agree that funding provided for Shedd in fiscal years 2005 and 2006 shall be for Shedd's Center for the Great Lakes, for conservation education activities, including exhibits, programming and community-based outreach.

The conference agreement adopts, by reference, language in the Senate report regarding by-catch reduction, Columbia River Hatcheries, and Hawaiian Hatcheries.

The conference agreement provides for the AK Composite Research and Development Program for Alaska Fisheries and Marine Mammals. Alaska's commercial fishing industry is a primary employer, providing 47 percent of private sector jobs, and is second only to the oil industry in generating revenue to the State. Two of the Nation's top three fishing ports, in terms of highest dollar value for commercial landings, are in Alaska. In 2003, Dutch Harbor-Unalaska moved the most fish of any port—908.7 million pounds for a total dollar value of $156,900,000. Kodiak, Alaska, was not far behind generating $81,500,000 for 262.9 million pounds of fish landed.

The amount and dollar value of fishery resources taken from the waters off Alaska are only half the story. The science, research, and management of these living marine resources provide for sustainable and abundance-based harvests. The North Pacific has no fisheries listed as endangered, in part due to the constant monitoring and research that this funding provides. Alaska's fisheries management requires data and research on over 900,000 square miles of ocean within the Exclusive Economic Zone off Alaska's coast. These funds are critical to provide data collection, analysis and further resource development of these fisheries in order to provide continued economic opportunity for the State of Alaska and its numerous coastal communities. NOAA is directed to provide the Committees with a spending plan for the funds provided under the AK Composite Research and Development Program no later than 30 days after the date of enactment of this Act.

OCEANIC AND ATMOSPHERIC RESEARCH

The conference agreement includes $373,313,000 for the Oceanic and Atmospheric Research (OAR) line office.

Within the amount provided for Climate Observations and Services, the conference agreement includes $68,500,000 for the Climate and Global Change program.

The conference agreement adopts, by reference, language in the House report on planning activities related to the International Polar Year.

The conference agreement includes, by reference, language in the Senate report regarding the establishment of a new joint institute and the National Sea Grant Program.

The conference agreement includes funding for Urbanet, a partnership with an existing national network of weather stations that is centrally managed with uniform instrumentation, in order to validate the benefits of integrating such technologies into weather and all hazards management.

Of the funds made available for the National Undersea Research Program (NURP), $1,125,000 is provided for the NURP Center in Alaska and $3,125,000 is provided for the NURP Center in Hawaii.

Of the funds made available for Arctic Research under the ''Ocean, Coastal, and Great Lakes'' sub-heading, $2,000,000 is provided for the International Arctic Research Center.

NATIONAL WEATHER SERVICE

The conference agreement includes $745,250,000 for the operations of the National Weather Service (NWS).

The conference agreement adopts, by reference, language in the House report regarding weather radio coverage in certain locations, a tsunami warning network in the Caribbean/Gulf of Mexico, and air quality forecasting in the Shenandoah Valley.

The conference agreement incorporates, by reference, language in the Senate report regarding the Susquehanna Flood Forecast and Warning System, tsunami modeling, and the weather radar and office in Williston, ND.

The conferees remain concerned about the expenditure of funds for single purpose observing systems and encourage NOAA to maximize efficiencies by developing multipurpose observing systems.

The conference agreement provides $6,100,000 to strengthen the U.S. Tsunami Warning Network, including $1,000,000 for reengineering and design of tsunami detection buoys at the National Data Buoy Center, $500,000 for next generation buoy research, $500,000 for tsunami warning sirens in the State of Washington and $500,000 for tsunami-readiness efforts, including warning sirens in the State of Oregon, focused on high-risk communities such as Seaside, OR.

Of the amounts made available for the National Data Buoy Center, funding is included for the operation and maintenance of the Alaskan buoys, the hurricane buoys, and the conversion of weather buoys.

The conference agreement provides an increase of not less than $500,000 for the National Hurricane Center for four new hurricane forecasters.

The conferees direct that no funds shall be used to implement a plan to consolidaste, rationalize, or reduce service hours at weather service forecast offices.

NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE

The conference agreement includes $179,337,000 for the operational and research and development programs of the National Environmental Satellite, Data, and Information Service (NESDIS).

Of the $2,800,000 provided for the National Climatic Data Center, $2,500,000 is to continue the GOES Data Archive Project and $300,000 is to develop a detailed strategy for prototyping data grids.

PROGRAM SUPPORT

The conference agreement includes $356,422,000 for Program Support.

The conference agreement adopts, by reference, language in the House report regarding a spending plan for all NOAA education programs.

The conference agreement includes funding for the Office of General Counsel in the amount provided for Corporate Services.

The conferees are concerned that funding provided to address NOAA's maintenance and facilities needs in recent years has been redirected toward the hiring of staff. Many of NOAA's facilities are in urgent need of maintenance and repair. The conference agreement provides funds to address these needs. NOAA is directed to provide the Committees with a plan for this funding within 90 days of enactment of this Act.

The conference agreement incorporates, by reference, language in the Senate report regarding marine operations and maintenance.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

The conference agreement includes $1,124,278,000 under this heading, instead of $936,000,000 as proposed by the House and $1,195,017,000 as proposed by the Senate.

The conferees remain concerned about the safety of NOAA employees at the Southwest Fisheries Science Center, and language is included providing the Secretary of Commerce the option to enter into negotiations with the University of California for a long-term lease. Any construction, however, will require future appropriation of funds. The conferees emphasize that the Administration should assess this safety issue and should include a proposal in a formal budget request, if warranted. No funds are provided in this Act for the design or construction of a new facility.

The conference agreement includes, by reference, language in the House report regarding radiosonde replacement, a report on the cost and risk implications of delays in the development of the National Polar-orbiting Operational Environmental Satellite System (NPOESS), the National Research Council report on Earth Science and Applications from Space, and the Coastal and Estuarine Land Conservation Program.

The conference agreement includes, by reference, language included in the Senate report regarding the Coastal and Estuarine Land Protection program, the Fish and Wildlife Coordination Act, NOAA ships, and NOAA aircraft and unmanned aerial vehicles.

Of the amounts provided for small boats, funding is included to procure two 51–foot highly stable craft for the Hawaiian Islands Humpback Whale National Marine Sanctuary.

The conference agreement includes language regarding the incremental construction of the NOAA Pacific Regional Center.

The following distribution reflects the activities funded within this account:

NOAA PROCUREMENT, ACQUISITION AND CONSTRUCTION ($ in Thousands)	FY 2006 Conference Agreement
NOAA National Ocean Service	
Coastal and Estuarine Land Conservation Program	
Coastal Ecosystems (Mobile & Baldwin)	5,000
Orange Beach	800
Moose Mountain	1,000
Newfields	2,000
Winnicut Headwaters	1,500
Twelve Oaks	900
Pond Brook	1,350
Grand River Big Bend	310
Eastern Shore	550
Jamestown	2,000
Sowams Property	1,000
Ferolbink Farm	500
Maquoit Bay	550
South Carolina Coastal Initiative	1,500
Babcock Ranch	3,000
Chesapeake Bay	4,000
Blackbird Creek Reserve	1,500
Tuniper's Pond	500
Detroit Riverfront West	3,000
Potter Creek/Otis Bogs	500
Piedras Blancas	500
Herring River	500
Elmer's Island	250
Tchefuncte Marsh	200
Webster Woods	750
Commencement Bay	1,550
Armand Bayou	350
Common Pasture	250
Hidalgo Park	350
Brays Bayou	400
Maumee River Basin	1,500
Oswegatchie Hills	887
Subtotal, Coastal and Estuarine Land Conservation Program	38,947
NERRS Acquisition/Construction:	
National Estuarine Research Reserve Construction & Land Acquisition	5,000
Texas NERR	4,435
Subtotal, NERRS Acquisition/Construction	9,435
Section 2 (FWCA)	
Great Bay Partnership	6,000
Village Point Park Preserve	1,000
Subtotal, Section 2 (FWCA)	7,000
Marine Sanctuaries Construction/Acquisition	
Channel Islands National Marine Sanctuary	3,000
Thunder Bay National Marine Sanctuary Exhibit	1,000
Flower Garden Banks Patrol Craft	3,200
Small Boats	5,000
Monterey Bay	1,500
Gulf of Farralones	2,500
Subtotal, Marine Sanctuary Construction/Acquisition	16,200

Other NOS Construction/Acquisition	
Gulf Coast Marine Aquaculture Laboratory	6,000
Down East Institute For Marine Research	1,000
Center for Aquatic Resource Management	6,000
Pascagoula River Basin Estuarine Center	1,500
Oxford Cooperative Lab	1,500
Conservation Institute	5,000
Subtotal, Other NOS Construction/Acquisition	21,000
Total NOAA National Ocean Service - PAC	92,582
NOAA National Marine Fisheries Service	
Systems Acquisition/Construction	
Pascagoula Improvements	2,000
Center for Ecosystem-Based Fisheries Management	5,000
Barrow Arctic Research Center	6,000
Aquatic Resources	4,500
Total, NOAA National Marine Fisheries Service - PAC	17,500
NOAA Oceanic and Atmospheric Research	
Systems Acquisition/Construction	
Research Supercomputing/ CCRI	9,500
Total, NOAA Oceanic and Atmospheric Research - PAC	9,500
NOAA National Weather Service	
NWS Systems Acquisition	69,847
Construction	
WFO Construction	13,600
NOAA Center for Weather & Climate Prediction (NCEP)	8,530
Subtotal, NWS Construction	22,130
Total, NOAA National Weather Service - PAC	91,977
NOAA National Environmental Satellite, Data and Information Service	
Systems Acquisition & Construction	
Geostationary Systems (GOES)	340,000
Polar Orbiting Systems - POES	102,673
Polar Orbiting Systems - NPOESS	320,998
EOS & Advanced Polar Data Processing, Distribution & Archiving Systems	3,000
CIP - single point of failure	2,837
Comprehensive Large Array Data Stewardship Sys (CLASS)	9,000
NPOESS Preparatory Data Exploitation	4,500
Satellite CDA Facility	2,280
Total, NOAA National Environmental Satellite, Data and Information Service - PAC	785,288
NOAA Wide Program Support	
Integrated Ocean Observing System	
NOAA ICOOS Observing Systems (NOS)	9,000
Convert NOAA Weather Bouys with NDBC (NOS)	4,000
Coastal Global Ocean Observing System (NWS)	1,497
Strengthen U.S. Tsunami Warning Network	3,480
Subtotal, Integrated Ocean Observing System	17,977
Construction	
NOAA Pacific Regional Center	20,000
Construction	27,000
Subtotal, Construction	47,000

OMAO Fleet Replacement	
Small Waterplane Area Twin Hull Vessel (SWATH)	4,000
Upgrades : NANCY FOSTER /OSCAR DYSON/HI'IALAKAI/FAIRWEATHER	3,254
Fisheries Survey Vessel Replacement #2	2,500
Fisheries Survey Vessel #3	5,500
Fisheries Survey Vessel #4	44,200
AUV Sensors	3,000
Subtotal, OMAO Fleet Replacement	62,454
Total, NOAA Wide Program Support - PAC	127,431
Total, NOAA Procurement, Acquisition and Construction	1,124,278

PACIFIC COASTAL SALMON RECOVERY FUND

The conference agreement provides $67,500,000 for Pacific Coastal Salmon Recovery, instead of $50,000,000 as proposed by the House and $90,000,000 as proposed by the Senate.

Funds provided under this heading shall be allocated as follows: $22,000,000 for Alaska; $6,500,000 for California; $1,250,000 for Columbia River Tribes; $2,250,000 for Idaho; $6,500,000 for Oregon; $4,000,000 for Pacific Coast Tribes; and $25,000,000 for Washington.

The conference agreement includes, by reference, language in the House report on program performance measurement.

Of the amounts provided to the State of Alaska, the conferees agree to the following allocation: $3,500,000 is for the Arctic Yukon-Kuskokwim Sustainable Salmon initiative; $1,000,000 is for the Cook Inlet Fishing Community Assistance Program; $500,000 is for the Yukon River Drainage Association; $500,000 is for Coffman Cove king salmon; $250,000 is for the State of Alaska to participate in discussions regarding the Columbia River hydro-system and for fisheries revitalization; $100,000 is for the United Fishermen of Alaska's subsistence program; $2,500,000 is to restore salmon fisheries in Anchorage at Ship Creek, Chester Creek, and Campbell Creek, including habitat restoration and facilities; $500,000 is for Alaska Village Initiatives to enhance salmon stocks; $700,000 is for Bristol Bay Science and Research Institute; $1,000,000 is for the Alaska Fisheries Development Foundation; $1,500,000 is for the State of Alaska for fisheries monitoring; $1,500,000 is for the Alaska SeaLife Center to restore salmon runs in Resurrection Bay; $3,000,000 is for the Southeast Revitalization Association for implementation of its fleet stabilization program; and $750,000 is for the Kenai River.

Of the amounts provided to the State of Washington, $2,500,000 is for the Washington State Department of Natural Resources and other State and Federal agencies for purposes of implementing the State of Washington's Forest and Fish report, and $2,400,000 is designated for purchasing two automated marking trailers and four manual marking trailers. In addition, $490,000 is designated for the mass marking of Puget Sound tribal fish by the Washington Department of Fish and Wildlife, and $350,000 is designated for the mass marking of fall chinook at Hood Canal and Willapa Bay hatchery facilities operated by the Washington Department of Fish and Wildlife. In addition, $1,000,000 is designated for the Washington State Pacific Coast Tribes.

Of the amounts provided to the State of Oregon, $1,100,000 is designated for conservation of mass marking at Columbia River hatcheries and $1,040,000 is for the purchase of one mass marking trailer.

COASTAL ZONE MANAGEMENT FUND

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes language allowing the transfer of up to $3,000,000 to the ''Operations, Research, and Facilities'' account for the costs of implementing the Coastal Zone Management Act, as proposed by the House and Senate.

FISHERIES FINANCE PROGRAM ACCOUNT

The conference agreement includes language proposed by the Senate providing $287,000 to subsidize up to $5,000,000 for Individual Fishing Quota loans and up to $59,000,000 for fishing capacity reduction loans, of which $19,000,000 may be used for direct loans to the United States menhaden fishery.

OTHER

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The conference agreement provides $47,466,000 for this account, as proposed by the House, instead of $44,605,000 as proposed by the Senate. The conference agreement does not provide funding for the Technology Administration within this account as proposed by the Senate.

The conference agreement adopts, by reference, language included in the House report regarding office relocations.

Legislative Affairs Function.—The conference agreement provides 11 full-time equivalents and $1,490,000 for the legislative affairs function, instead of 12 full-time equivalents and $1,621,000 as proposed by the House, and 9 full-time equivalents and $1,181,000 as proposed by the Senate.

Security Enhancements.—The conferees are aware that the Department of Commerce is planning security improvements at the Boulder, CO, facility and directs the Department to consult with the Committees on Appropriations prior to proceeding. No funding shall be redirected from other proposed construction projects at Boulder for this purpose.

Intellectual Property.—The conferees are aware that $2,000,000 was provided in fiscal year 2005 for the National Intellectual Property Law Enforcement Coordination Counsel (NIPLECC). The conferees continue to support that action and are aware that funding remains available through fiscal year 2006 to meet NIPLECC's critical operations.

Commerce Information Technology Solutions (COMMITS).—The conferees note that concerns have been raised about the fairness of the ''bid down'' approach of the COMMITS acquisition vehicle, and agree that this matter warrants further review. The conferees therefore direct the Government Accountability Office (GAO) to undertake a review of this acquisition vehicle, with particular emphasis on a provision of the vehicle's current guidelines that permits incumbent contractors who have graduated from a particular size category of small business to bid against smaller firms that still qualify for the smaller category of classification. The GAO's review should be completed within 180 days of enactment of this Act. The conferees direct that the Secretary of Commerce ensure that appropriate procedures are in place so that awards made to incumbent contractors are in the best interest of, and constitute the best value for, the government.

UNITED STATES TRAVEL AND TOURISM PROMOTION

The conference agreement provides $4,000,000 for this account instead of no funding as proposed by the House and $5,000,000 as proposed by the Senate.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $22,758,000 for the Inspector General for fiscal year 2006, as proposed by both the House and the Senate.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes the following general provisions for the Department of Commerce:

Section 201 making Department of Commerce funds available for advanced payments only upon certification of officials designated by the Secretary that such payments are considered to be in the public interest.

Section 202 making appropriations for the Department for Salaries and Expenses available for hire of passenger motor vehicles, and for services, uniforms and allowances as authorized by law.

Section 203 providing the authority to transfer funds between Department of Commerce appropriation accounts and requiring notification to the Committees of certain actions.

Section 204 providing that any costs incurred by the Department in response to funding reductions shall be absorbed within total budgetary resources available.

Section 205 regarding the Emergency Steel Loan Guarantee Program.

Section 206 regarding certain trademarks.

Section 207 designating funds for certain projects.

Section 208 designating amounts available in the ''Promote and Develop Fishery Products and Research Pertaining to American Fisheries'' fund.

Section 209 regarding a transfer of funds from NOAA to NASA for certain purposes.

TITLE III—SCIENCE

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

The conference agreement includes $5,564,000 for the Office of Science and Technology Policy (OSTP) in the Executive Office of the President, as proposed by both the House and the Senate. The conference agreement includes, by reference, language in the House report regarding the improvement of coordination among science agencies on education programs. The conferees urge the OSTP to ensure that Executive branch policy makers and budget officials understand the impact of stagnation in science and technology. In this regard, the OSTP shall submit a report to the Committees by March 1, 2006, including recommendations for improving the effectiveness and coordination of science education programs across all agencies funded under this Act.

The conferees encourage the OSTP to assess future opportunities for improving merit-based, peer-reviewed basic science to support food and agriculture research and to report their findings to the Committees.

The conferees are aware of concerns that insufficient attention and study has been directed toward the ethical dimensions of nanotechnology research. The conferees direct the OSTP to conduct such an analysis and report to the Committees no later than March 31, 2006, on ethical questions raised by the National Nanotechnology Initiative, including recommended safeguards, and methods of monitoring and tracking potential uses of nanotechnology. The conferees encourage the OSTP to use external expertise in compiling this report. The conferees direct OSTP to work with agencies receiving funds under this Act for the National Nanotechnology Initiative to set aside a portion of the funding to analyze and report on the ethical issues generated from the research and development of nanotechnology. The conferees expect OSTP to follow the pattern established for the human genome project, allocating three percent of funding to ethical, legal and social issues research.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

The conference agreement provides $16,456,800,000 for the National Aeronautics and Space Administration (NASA), instead of $16,471,050,000 as proposed by the House and $16,396,400,000 as proposed by the Senate.

All changes to the budget request are net of NASA's budget amendment that was submitted to the Congress after both the House and Senate had passed their respective bills, and hence are not included in the statement of the managers for the Science, Aeronautics and Exploration account or the Exploration Capabilities account.

The conferees are extremely disappointed in the lack of detail provided in the fiscal year 2006 congressional budget justification. NASA is reminded that the primary purpose of budget justifications is to provide needed information to the Committees on Appropriations, and therefore must be submitted in a format with the necessary level of detail

required by the Committees so that funding requests may be analyzed. In order for the budget justifications to be of value to the Committees, NASA shall present the fiscal year 2007 budget justification with detailed information on the prior year, current year, and requested funding levels for each program, project or activity funded within each division and directorate in each account, and provide detailed information on all proposed changes being requested.

The conferees do not agree to the continuation of the transfer authority in the House bill. However, to the extent necessary, NASA should use the flexibility in spending authority within each of its accounts to accommodate any funding level adjustments after first consulting with the Committees on Appropriations.

For fiscal year 2006 and thereafter, the conferees direct NASA to include the out-year budget impacts in all reprogramming requests. In addition, future reprogramming requests/operating plans should include a separate accounting of all program/mission impacts on estimated carryover funds. NASA is further directed to incorporate independent cost verification as part of the process by which contracts are selected for contracts in excess of $100,000,000. This process should be a valuable guide for assessing when costs have exceeded expectations and will help identify projects for termination.

As NASA begins the development of programs to return to the Moon, it is critical that it be able to control costs for these, and other, activities. For this purpose, NASA is directed to notify the Committees on Appropriations 30 days prior to allocating funds, modifying contracts, or extending existing contracts that are in excess of 15 percent of the original contract value at the program level. Within this notification, NASA shall justify the additional expenditure of funds. NASA shall also evaluate the new cost estimates and verify to the Committees on Appropriations the ability to complete the contract under the new funding profile. Finally, NASA shall identify the source of any required additional funds to cover the overrun.

The conferees note that NASA has, in the past few months, used its buyout authority to promote voluntary separations as a first attempt at reshaping its workforce. The conferees believe that at this early stage, NASA has been able to reshape its workforce without losing critical workforce skills. The conferees direct that NASA shall not go beyond using voluntary buyout authority until it has developed a comprehensive coordinated restructuring plan and implementation roadmap, and has provided a report to the Congress detailing the steps that will be taken in reshaping the agency's human and physical capital assets. In addition, NASA must notify the House and Senate Committees on Appropriations in advance of any planned reduction in force pursuant to section 605 reprogramming requirements.

With respect to the agency's workforce, the conferees note the impressive core competencies that exist at NASA's field centers, and direct the agency to fully utilize the competencies that reside at these field centers. NASA's field centers are an asset, and not a liability, for our nation. The conferees believe that NASA currently has, and must maintain, world-class scientists and engineers at its field centers. These scientists and engineers must continue to work at the cutting-edge of their disciplines so that they can remain world-class.

The conferees are supportive of NASA's new vision and mission for space exploration and the conference agreement includes funds for the Administration's priorities for these activities. However, the conferees remain concerned about the need to maintain the nation's leadership in science and technology. To this end, the conferees have not agreed to the Administration's proposed reductions to the aeronautics research program or science programs, and have partially restored funding to these core programs. However, given the serious nature of the budget deficit facing the nation, the conferees were forced to make a number of difficult choices in allocating the scarce resources available to NASA. The conference agreement includes a budget that supports both the new vision and NASA's other core functions.

The conferees have agreed to provide funds to the Crew Exploration Vehicle (CEV) and Crew Launch Vehicle (CLV) according to the Exploration Systems Architecture study, but are concerned about the impact the accelerated schedules for the CEV and CLV will have within the agency. NASA is directed to find an approach that will, to the maximum extent possible, mitigate the impacts within NASA of this planned redirection of funding in fiscal year 2006 and beyond for the CEV and CLV.

NASA possesses a unique capability among Federal government agencies in that it has its own television station. This station is carried nationally on cable and satellite television stations. The conferees note that this asset is significantly underutilized and could be used as a centerpiece in helping to excite the next generation of explorers in science. NASA has made numerous important discoveries in recent years as a result of such initiatives as the Hubble Space Telescope, the Mars Rovers, and the Chandra Space telescope to mention a few. NASA must take advantage of its television resources to inform and excite the public about these discoveries. NASA Television has, for the most part, been used almost exclusively as an internal communications medium. NASA must make more effective use of this capability if NASA is to be permitted to retain it. NASA is directed to develop an integrated communications plan for NASA Television in consultation with outside experts. This plan should have a major focus on educating and exciting the next generation of explorers. This plan is to be submitted to the Committees on Appropriations no later than April 15, 2006.

SCIENCE, AERONAUTICS AND EXPLORATION

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $9,761,400,000 for Science, Aeronautics and Exploration instead of $9,725,750,000 as proposed by the House and $9,761,000,000 as proposed by the Senate. Changes to the budget request include increases of $10,000,000 for the Space Interferometry Mission, $30,000,000 for the Glory Mission, $60,000,000 for the Aeronautics Research program of which $25,000,000 is for hypersonic research, $10,000,000 for the Institute for Scientific Research, $20,000,000 for the National Center for Advanced Manufacturing, $5,000,000 for the Heavy Lift Launch Vehicle, $15,000,000 for the Propulsion Research Laboratory, $15,000,000 for an earth science competitive grant program, $20,000,000 for alternative small spacecraft technologies, $50,000,000 for the Hubble Telescope servicing mission, $8,200,000 for EPSCoR, $12,200,000 for the Space Grant program, $5,000,000 for Living With a Star program, and $280,000,000 for Congressionally directed priorities. Decreases to the budget request include $25,000,000 for Exploration Systems R&T, $25,000,000 for Discovery missions, $25,000,000 for Human Systems R&T, $26,000,000 for corporate G&A, $34,000,000 for Centennial Challenges, $15,000,000 for optical communications, $200,000,000 for Project Prometheus, and $90,000,000 for a general reduction.

The conferees agree to the following:

1. The conference agreement adopts, by reference, the House report language accompanying H.R. 2862 with respect to earth-orbit crossing asteroids and the Senate report language with respect to the National Academy of Sciences Decadal Survey, EOSDIS, Centennial Challenges, and alternative small spacecraft technologies. In addition, both the House and Senate urge NASA to continue its technology and education collaboration with the American Museum of Natural History.

2. The conference agreement provides an increase of $50,000,000 above the budget request for the Hubble Space Telescope for a total of $271,000,000. The conferees have provided this increase to continue planning, preparation and engineering activities for the SM–4 servicing mission pending a final decision on the use of the space shuttle by the Administrator. The conferees reiterate their position that the Hubble Space Telescope has been one of NASA's most successful programs and remains one of the top priorities for the nation's space program. The conferees direct the Administrator to continue to take all appropriate steps to ensure Hubble's continued safe operations.

3. The conferees support the Space Interferometry Mission (SIM) and have provided an additional $10,000,000 over the budget request for this mission, for a total program level of $119,000,000. NASA's search for planets and life beyond our solar system is having increasing and dramatic success with more than 150 planets now discovered. SIM is expected to examine 2000–3000 stars for planetary systems to fulfill a critical step in the search for Earth-like planets. The conferees have provided these additional funds to ensure that SIM's important mission remains on schedule. In addition, the conferees expect that NASA will continue funding for the Terrestrial Planet Finder.

4. A key element of the nation's vision for space exploration is NASA's popular and scientifically important Mars exploration program. The Mars Exploration Rovers Spirit and Opportunity have captured the world's imagination as indicated by the more than 10 billion hits on NASA's Mars website. Therefore, the conference agreement provides $680,000,000 for the Mars program. The conferees urge NASA to continue these important programs within the context of the President's vision for space exploration.

5. The conference agreement provides $371,600,000 for the James Webb Space Telescope, the same as the budget request.

6. The conferees fully support the emphasis being placed on the development of a new Crew Launch Vehicle, understanding that this is a critical element of the Exploration Systems Architecture. Additional risk reduction activities are required to help ensure the success of this program and therefore the conference agreement provides an additional $20,000,000 to the funds provided to the National Center for Advanced Manufacturing for work to include, but not limited to, the development of a structural test article, upperstage mass simulator, main propulsion test article and mated vehicle ground vibration test article to support upperstage development; and prototype and test advanced long-term cryogenic storage tanks.

7. The conference agreement includes an additional $15,000,000 to the Propulsion Research Laboratory to conduct research and development in support of the Constellation program, including the characterization of the altitude start capability of the Space Shuttle main engine and research in nuclear systems and high energy electric propulsion.

8. The conferees note that the Heavy Lift Launch Vehicle is critical to NASA's exploration plans, and that human exploration beyond low-Earth orbit is not achievable without an operational capability. The conferees

strongly urge NASA to initiate work on critical systems earlier than is currently planned and provide an additional $5,000,000 to begin development and planning for the heavy lift vehicle proposed in the Exploration Systems Architecture. The conferees also direct NASA to submit a report to the Committees on Appropriations within 120 days of enactment of this Act with a detailed plan for ensuring that such a capability will be available for missions as soon as possible.

9. The conference agreement provides $60,000,000 above the budget request for the Aeronautics Research program for a total program level of $912,300,000, of which $25,000,000 is for the continuation of hypersonics research. The conferees direct that within 60 days of enactment of this Act NASA shall provide to the Committees on Appropriations and the legislative committees of jurisdiction in the House and Senate a plan for how it intends to allocate aeronautics research funds for fiscal year 2006. Included in this plan should be a definition of work that enhances United States competitiveness.

10. The conferees note that the National Academy of Sciences, Solar System Exploration Decadal Survey of planetary scientists concluded that the highest priority of the scientific community is an orbiter/lander mission to Jupiter's moon Europa. The Administration supported just such a mission, and had proposed that the first or second mission of the Prometheus Nuclear Systems and Technology Program would be the Jupiter Icy Moons Mission (JIMO). NASA no longer plans a JIMO mission for Project Prometheus because of funding and technical considerations, and because the NASA Administrator has determined that funding is needed to implement the President's vision for space exploration. Recognizing that these deep space missions usually take a decade to complete from design to orbit, the conferees support NASA moving forward with a conventionally powered mission to Jupiter as soon as possible. Therefore, the conferees direct NASA to begin planning for this mission and to incorporate a new start for a non-nuclear Europa mission as part of its fiscal year 2007 budget request.

11. The conferees have modified Senate language regarding the Discovery program. The conferees set a cap of $425,000,000 on all future Discovery missions beginning with the next announcement of opportunity. In addition, the conferees direct NASA to report back to the Committees on Appropriations on all future awards under this program and provide detailed information as to the cost of spacecraft, scientific instruments, launch vehicles, civil service, flight readiness, launch integration and operations, agency reviews and deep space network costs.

12. The conference agreement provides a total of $12,500,000 for NASA's Experimental Program to Stimulate Competitive Research. Additionally, the conferees recommend a total of $30,200,000 for the National Space Grant College and Fellowship Program. This amount will fund 40 grantees at $611,250 each and 12 grantees at $425,000. The conferees expect NASA to follow this distribution.

13. The conference agreement provides an increase of $15,000,000 above the budget request for the Earth Science Applications program. This funding increase will be used to support competitively selected projects. These projects will integrate the results of NASA's earth observing systems and earth system models (using observations and predictions) into decision support tools to serve applications of national priority including, but not limited to: homeland security, coastal management, agricultural efficiency, and disaster management.

14. The conference agreement provides $103,600,000 for NASA's Solar Terrestrial Probes program. The conferees urge NASA to move forward with full-scale development of the magnetospheric multiscale mission.

15. The conference agreement provides $5,000,000 above the budget request for Living With a Star program for a total program level of $239,000,000 of which $10,000,000 shall be allocated to the APL Program Office for direct program management of certain activities, including the Geospace Radiation Belt program, the Geospace Ionispheric-Therospheric program, the Solar Sentinels program and the Solar Probe Advanced Technology program. The conferees remain concerned about the Solar Dynamic Observatory's cost growth over time and expect NASA to take steps to manage it so as not to adversely impact future launch schedules of Geospace and Solar Sentinels.

16. Within the funds provided for non-programmatic construction of facilities, $10,000,000 is directed to the Institute for Scientific Research, Inc. for the continued construction of the research facility.

17. The conference agreement provides the budget request of $30,900,000 for continued operation of the Independent Verification and Validation Center in Fairmont, WV.

18. The conferees direct, to the extent possible, that education funds within this account address the education needs of women, minorities, and other historically underrepresented groups.

19. The conferees are concerned that NASA has halted environmental clean-up of the test reactor facility at NASA Plum Brook Station in Sandusky, OH. NASA has since learned that low levels of radioactive contamination have been found on and off site at this Station, but continues to delay completion of the decommissioning of the nuclear reactor. As a result, NASA is urged to reconsider its premature termination of clean-up contracts and sub-contracts. Further, the agency should report back to the Committees on Appropriations by March 30, 2006, on how it plans to address this issue, including the associated costs of such plan.

20. The conferees note that over the past several years the technological maturity of U.S. manufactured unmanned aerial vehicles (UAVs) has increased substantially. The conferees believe UAVs could offer NASA a potentially low cost alternative to traditional earth science research missions, thereby opening up new opportunities for research that do not currently exist, and possible improvements in weather and severe storm prediction capabilities. Therefore, the conferees direct the NASA Administrator, in consultation with National Oceanic and Atmospheric Administration (NOAA), to report to the Committees on Appropriations on the potential use of UAVs to operate in the near space environment for a variety of science and operational missions. The report should be completed no later than March 30, 2006.

21. The conferees support NASA's efforts to realign the Aeronautics program by redirecting resources into high-priority activities in support of core competencies in supersonic, subsonic, and hypersonic flight. The conferees urge NASA, as part of this realignment, to ensure a smooth transition of data for certification and policy recommendations from NASA's Unmanned Aerial Vehicles in the National Airspace project to the Federal Aviation Administration (FAA), so that this knowledge is fully available to the FAA for use in the certification process. The conferees direct NASA to provide a report on the findings of the UAVs in the National Air Space project to the FAA no later than February 15, 2006, with a copy of this report to be provided to the Committees on Appropriations.

22. Funding was proposed in the budget requests for NASA, the Department of the Interior's United States Geological Survey, and the NOAA for a Landsat Data Continuity Mission. The Administration proposed a Landsat-type instrument to be flown on a NOAA spacecraft. The conferees now understand that such a mission is no longer feasible for both funding and technical reasons. The conferees direct the above agencies, in consultation with the Office of Science and Technology Policy, to report back to the Committees on Appropriations within 120 days of enactment of this Act with an appropriate alternative for a Landsat mission.

23. With minor technical changes, the conferees have agreed to language included in the House report requiring the President to develop a National Aeronautics Policy no later than one year from the date of enactment of this Act. The lack of support and clear direction for NASA's Aeronautics Research program is directly related to the fact that there is no clear policy direction concerning the government's role in the civil aviation industry. The conferees are extremely concerned about the direction NASA has taken in downsizing and restructuring its Aeronautics Research program. While the United States is reducing its Federal investment in aeronautics research, our competitors are increasing their aeronautics research and development budgets and making competitiveness their number one priority. While the conferees support the development of a national aeronautics policy, such a policy should be guided by the data and policy guidance contained in the recently published National Institute of Aerospace Report, ''Responding to the Call: Aviation Plan for American Leadership''.

24. With the cancellation of the Mars Telecommunications Orbiter, the conferees are concerned about how the requirements that led to the need for this mission will be met, especially optical communications. NASA is directed to provide a report no later than March 1, 2006, on these requirements, how it intends to meet these requirements and what the impact on the overall Mars exploration programmatic risk will be.

25. NASA is directed to provide a ten-year funding plan for the Deep Space Network upgrades and maintenance as part of the fiscal year 2007 budget request.

26. The conferees agree that NASA should continue to work toward an affordable, universal and autonomous capability for rendezvous and docking in the vicinity of the Earth, the Moon, and Mars. Upon completion of the DART review board report, the conferees direct NASA, within 30 days of delivery of the board report, to report to the Committees on Appropriations with its future plans for autonomous, safe proximity operations and docking in space.

The conference agreement provides funds for the following congressional priorities. None of these funds shall be for non-NASA construction projects:

$3,000,000 MSFC Simulation Based Acquisition for Manned Space Flight Vehicle Design and Testing;

$4,000,000 Satellite Test Equivalence Principal (STEP);

$1,500,000 Alan Shepard Discovery Center at the McAuliffe Planetarium, equipment and exhibits;

$1,000,000 Ott Planetarium, education programs;

$1,000,000 Stars program at Rhoads College, TN;

$5,000,000 to be transferred to the Air Force Research Laboratory for joint NASA–AFRL research in advanced air traffic management including the development of new visualization and simulation tools;

$2,000,000 Institute for the Application of Geospatial Technology at Cayuga Community College, Inc;

$1,000,000 University of South Alabama for high strength composite research;

$1,000,000 collaborative research on innovative carbon nanotechnology between Houston Advanced Research Center and Rice University;

$750,000 Remote Sensing Initiative at California State University, Fullerton;

$700,000 space exploration education program at the McLean VA based Total Learning Research Institute;

$2,000,000 George Mason University's Center for Earth Observing Research;

$4,000,000 cooperative partnership between GSFC and Lehigh University for research and development of nanomaterials;

$500,000 cooperative education programs between Griffith Observatory and NASA's Jet Propulsion Laboratory;

$300,000 education programs at St. Thomas University;

$1,150,000 Southeast Missouri State University, Educator Resource Center;

$1,000,000 Environmental Tectonics Corporation, flight simulator pilot training human factors validation;

$500,000 National Federation of the Blind, science education programs for blind youth;

$3,000,000 Virginia Institute for Performance and Engineering;

$1,000,000 Centenary College NJ, innovative teacher training initiative;

$2,500,000 NASA-Illinois Technology Commercialization Center at DuPage Research Park;

$1,000,000 Northwestern University Institute for Proteomics and Nanobiotechnology;

$2,000,000 Pacific Northwest Regional Collaboratory WA, earth science applications;

$4,000,000 Ultra Efficient Engine Technology (UEET);

$1,000,000 Garrett Morgan Commercialization Initiative;

$2,000,000 Advanced Virtual Engine Test Cell, Springfield OH;

$750,000 Westminster College's Natural Sciences and Technology Center MO, education programs;

$1,000,000 Applied Polymer Technology Extension Consortium, LA;

$200,000 North Shore Aerospace Initiative IL;

$750,000 Museum of Science and Industry's Human Exploration program, Henry Crown Space Center, IL;

$200,000 Adler Planetarium education programs;

$500,000 Challenge Learning Center, Olean NY;

$500,000 Central Illinois Regional Museum for digital dome planetarium equipment;

$4,000,000 Loma Linda University space radiation research;

$1,000,000 University of Redlands academic programs;

$1,000,000 Oklahoma Space Technology Program;

$1,000,000 Centenary College LA, technology upgrades;

$1,000,000 Plattsburg Aeronautical Institute NY;

$1,000,000 Texas Tech University TX, development and enhancement of space flight technologies;

$500,000 University of Idaho ID, deep submicron radiation hard electronics;

$2,350,000 Jason Foundation Project;

$500,000 Embry-Riddle Aeronautical University AZ, education programs;

$1,000,000 Burlington Community College Integrated Education Center NJ, equipment;

$2,000,000 Idaho National Laboratory ID, performance, safety, and mission success tools;

$1,400,000 Indiana University solar proton radiation research;

$2,000,000 Pisgah Astronomical Research Center NC, equipment and exhibits;

$1,500,000 Regional Application Center for the Northeast;

$4,000,000 Space Alliance Technology Outreach Program;

$1,900,000 KSC Space Life Sciences Laboratory and Florida Institute of Technology FL, research program;

$2,000,000 University of South Florida National Center for Roadway Friction;

$3,000,000 Florida State University advanced turbines research;

$1,000,000 Challenger Learning Center of Southwestern Connecticut;

$2,000,000 for the development and optimization of a low-cost repairable ceramic (CeramARC) for high temperature applications such as leading edges;

$2,000,000 for the NASA In-Space Propulsion program for High-power Pulsed Inductive Thruster technology research, utilizing a vector inversion pulsed generator to preionize the propellant at an exceptionally high frequency;

$1,000,000 for on-going activities of the Goddard Institute for Systems, Software, and Technology Research, including model-based mission design tools and advanced sensors for UAVs;

$5,000,000 to establish a software research program at NASA's Independent Verification & Validation Facility to include the Code Level Metrics Data Program, IV&V of Neural Nets, and Software Legacy Research;

$900,000 for the NASA Virtual Teams Collaboration Pilot at Glenn Research Center;

$4,500,000 for the WVHTCF for research of grid-computing based evolutionary design techniques across NASA applications;

$600,000 for the WVHTCF's Network Learning Alliance;

$1,100,000 for Fairmont State University for aerospace programs, teaching labs, equipment for programs and necessary improvements and upgrades to the Fairmont State University Aerospace Education Center;

$4,000,000 for Glenville State College for laboratories, equipment, planning and programs associated with the science center;

$2,100,000 for the WVHTCF program for the Innovative Research of Technologies to Enable Next Generation Space Exploration;

$1,500,000 for the Glenn Research Center Collaborative Engineering Environment;

$100,000 for Albany Technical College in Albany, Georgia for a technology, math and engineering program;

$150,000 for Muscogee County Schools in Georgia for math and science programs;

$250,000 for Albany State University in Albany, Georgia for project ''Jump Start'' for a math and science education enhancement program;

$150,000 for Andrew College, Georgia, for a rural math, science and engineering program;

$600,000 for Richland County Challenger Learning Center for Space Education in Columbia, South Carolina;

$2,000,000 for the Sci-Quest Hands-On Science Center;

$1,400,000 for the Alabama A&M University for Advanced Propulsion Materials Research;

$800,000 for the University of Alabama in Huntsville for the Laboratory for Advanced Scintillator Materials;

$500,000 for the U.S. Space & Rocket Center for museum exhibits updates;

$2,300,000 for the Propulsion Research Laboratory at the Marshall Space Flight Center for advanced propulsion test equipment;

$1,000,000 for the Mid-Atlantic Aerospace Complex in Bridgeport;

$100,000 for the Lower Hudson Valley Challenger Center;

$3,500,000 for the Educational Advancement Alliance to support the Alliance's K–12 math, science and technology education and scholarship program;

$700,000 for Middle Tennessee State University for K–12 Science Education Enhancements;

$250,000 for the Science, Technology, Engineering and Mathematics Center at Tennessee Tech University;

$1,000,000 for the National Center of Excellence in Small Scale Systems Packaging at the State University of New York in Binghamton;

$2,500,000 for Goddard Space Flight Center for Radiance process laser dry cleaning capability;

$2,000,000 for Goddard Space Flight Center's Integrated Modeling Environment for Safety of Space Flight initiative;

$100,000 for planning associated with the Plum Brook Station Alternative Energy Development;

$250,000 for East Providence School Department, Rhode Island, for instruction labs in math and science;

$200,000 for the University of Rhode Island Engineering School;

$200,000 for the Providence School Department, Rhode Island, for instructional labs in math and science;

$1,000,000 for continuation of NASA's Science and Education Institutional collaboration between the American Museum of Natural History, New York;

$600,000 for the Chabot Space and Science Center in Oakland, California for The Future Programs for Humans in Space Education Programs;

$950,000 for the Sacramento Space Science Center at California State University;

$500,000 for the MCNC-Research and Development Institute (RDI) for continued funding for a Laboratory for Distributed Chemical and Biological Sensors;

$500,000 for North Carolina State University's Center for Sustainable Life Support;

$500,000 for the North Carolina Museum of Natural Sciences;

$1,000,000 for the University of San Francisco to acquire equipment for laboratories and upgrades to a science center;

$250,000 for the Liberty Science Center;

$500,000 for St. Peter's College, New Jersey, for enhancing physical sciences and human factors education and research;

$1,000,000 for Downey, California related to housing of a Space Shuttle mock-up;

$300,000 for the Bronx Community College Center for Sustainable Energy;

$1,000,000 for Ball State University, Indiana, Human Performance Laboratory;

$750,000 for the University of Massachusetts at Amherst for the U.S./Mexico large millimeter telescope project;

$4,500,000 for the California Academy of Sciences to support technologies and educational programming for the Morrison Planetarium;

$200,000 to Coppin State University for the Middle Passage Project to support the Geospatial Sciences Laboratory

$1,000,000 for the Dole Scholarship Program;

$1,500,000 for weather mapping in Alaska;

$3,500,000 for the Biodefense Research Infrastructure Project at St. Louis University;

$4,000,000 for the Stennis Commercial Technology Program (CTP);

$500,000 for the AgCam Science Applications Team, Montana State University, Bozeman, Montana;

$2,000,000 for the University of South Alabama to develop a high peak power plasmoid thruster;

$1,000,000 for the University of Louisville Rejuvenating Injured Tissues for Enhanced Wound Healing Project;

$100,000 for the La Rouche College Chemistry Initiative;

$300,000 for the Stroud Water Research Center;

$1,000,000 for the Delaware AeroSpace Education Foundation, Kent County, Delaware;

$3,500,000 for Auburn University to develop high efficiency, free piston stirling converters;

$250,000 for the Space Foundation's Integrated Science, Technology, Engineering, and Mathematics (STEM) Education Program;

$200,000 for the Colorado Consortium for Earth and Space Science Education Challenger Learning Center of Colorado Springs;

$350,000 for the Center for Science and Technology at Dominican University, San Rafael, California;

$300,000 for the Sun-Climate and Extra solar Planets Research Program at Tennessee State University;

$750,000 for the Digital Image Archive Center at Utah State University;

$2,500,000 for the Composites Technology Institutes, Marshall University, Huntington, West Virginia;

$1,750,000 for the Ultra-Long-Duration Balloon Program at New Mexico State University;

$200,000 for the Adventure Science Center—Bridges to the Universe;

$500,000 for the GeoInformatics Training, Research, Education and Extension Center (GeoTREE) for emergency planning and management;

$4,000,000 for the Chesapeake Information Based Aeronautics Consortium, Baltimore, Maryland of which $1,000,000 is for a demonstration of the Navy's JATDI program into civilian applications;

$750,000 for the University of Colorado Institute for Micro/Nano Technology for Engineering and Life Sciences;

$1,000,000 for the North Alabama Science Center's Alabama Nature Center interactive immersive-reality science laboratory;

$2,000,000 for Constellation University for the CU Research Program;

$1,000,000 for Philadelphia University for the Scientific Reasoning-Inquiry Based Education Initiative;

$2,000,000 for the University of Rochester, Rochester, New York for optics research;

$2,000,000 for the University of Louisville Space Flight Exploration Project;

$2,500,000 for the National Space Science and Technology Center to develop high power thin disk lasers;

$4,000,000 for the Alliance for NanoHealth;

$3,000,000 for the Northern Great Plains Space Sciences Technology Center at the University of North Dakota, Grand Forks;

$1,100,000 for the Glenn Research Center for research and technology programs in advanced aeronautics programs, including turbine engine research;

$1,000,000 for the Pittsburgh Tissue Engineering Initiative;

$2,000,000 for the development of a prototype systems integration node for secure data storage at MSFC;

$100,000 for the Franklin & Marshall Life Sciences Facility;

$1,000,000 for the University of Mississippi to expand the National Center for Air and Space Law (NCASL) mission;

$1,500,000 for the Houston Advanced Research Center;

$500,000 for the University of Idaho for Radiation-Tolerant Ultra-Low-Power (RTULP) electronics;

$800,000 for the Combined Positron Emission Tomography (PET) and Computed Tomography (CT) Scanner at Colorado State University;

$3,000,000 to the Mauna Kea Discovery Center, Hilo, Hawaii;

$2,750,000 for the Glenn Research Center for research and technology programs in electric power and propulsion, including photo voltaics, solar power, fuel cells, and other forms of energy storage;

$1,000,000 for the Nuclear Systems Initiative at the Propulsion Research Lab for a modeling and simulation test bed environment;

$500,000 for Wheelock College, Boston, Massachusetts, for K–6 science teacher education;

$1,250,000 for the Astromaterials Institute at University of New Mexico;

$500,000 for the Manned Space Flight Education Foundation;

$600,000 for the Sci-Port Discovery Center, Shreveport, Louisiana;

$500,000 for the Temporal Land Cover Change Research Program at Idaho State University;

$1,000,000 for the Mississippi Coastal Disaster Inventory Initiative;

$1,000,000 for the Advanced Computing Center at the University of Vermont, Burlington, Vermont;

$5,000,000 for the Autonomous Rendezvous and Docking Center of Excellence;

$4,000,000 for the Micro Satellite Development program at the National Space, Science and Technology Center in coordination with NASA's Systems Development, Integration and Test Division;

$50,000 for the Denver Museum of Nature and Science Space Odyssey Initiative;

$2,500,000 for the Saturn V Rocket restoration at the U.S. Space and Rocket Center;

$1,000,000 for the Center for Space and Planetary Sciences at the University of Arkansas, Fayetville;

$1,000,000 for the Space Dynamics Laboratory Calibrations Standards Initiative at Utah State University;

$1,250,000 for Compact Laser Sensors at Montana State University;

$400,000 for the Glenn Research Center for Human Health and Performance in Space;

$600,000 for the Central Nebraska Planetarium at the University of Nebraska at Kearney;

$3,000,000 to develop and demonstrate an Airport Operations Virtual Systems Laboratory;

$500,000 for the Space Engineering Institute at Texas A&M University;

$3,000,000 for the National Technology Transfer Center at Wheeling Jesuit University, Wheeling, West Virginia for the HEALTHeWV program;

$750,000 for the Glenn Research Center for applied research in nuclear power and propulsion systems,

$2,000,000 for the Institute for NanoBio Technology at Johns Hopkins University, Baltimore, Maryland;

$1,000,000 for a Methane Propellant Viability Assessment and Program Plan to be conducted within the Rocket Propulsion Test Program;

$2,000,000 for continued operation of the Classroom of the Future at Wheeling Jesuit University, Wheeling West Virginia;

$5,000,000 for the Propulsion Research Lab for the development of a Crew Launch Vehicle Integrated Health Monitoring Fault Detection and Correction system;

$4,000,000 for infrastructure upgrades at the Wallops Island Flight Facility to accommodate unmanned aerial vehicles at existing hangars as well as the creation of ground support facilities for medium and high altitude UAV's and the definition and development of end to end concept of operations including payload-air vehicle integration and developing a standardized UAV design for civilian agencies;

$250,000 for the Geospatial Extension Specialist program at Utah State University;

$2,000,000 for high end computing capability at the Goddard Space Flight Center;

$4,000,000 for MSFC for the development of a knowledge management integrated data environment;

$500,000 for the Mid-Atlantic Regional Spaceport to study the expansion of the Wallops Island Flight Facility into a next-generation, commercial cargo spaceport;

$1,250,000 for Spaceflight Health Monitoring Technology at Montana State University;

$2,000,000 for the Pacific Northwest National Laboratory in Richland, Washington;

$400,000 for Applied Technology Center at Montana State University-Northern;

$1,500,000 for the NASA Langley Visitor Center for the ''Space Bound'' campaign;

$750,000 for the Aerospace Propulsion Particulate Emissions Reduction Program at the University of Missouri;

$5,000,000 for the High Altitude Deployment Demonstration (HADD) within the Planetary Aircraft Risk Reduction program (PARR) for integrating existing aircraft critical sub systems and conducting a flight-testing program using a full size prototype aircraft;

$1,000,000 for the Manufacturing Research Center at Southern Methodist University;

$3,500,000 for the Maryland Institute for Dexterous Space Robotics at the University of Maryland, College Park;

$2,000,000 for the Bio-Info-Nano Research and Development Institute at NASA Ames Research Center to be operated in conjunction with University of California at Santa Cruz;

$600,000 for the Montana Technology and Innovation Partnership;

$2,000,000 for continued operations of the National Technology Transfer Center (NTTC) at Wheeling Jesuit University, Wheeling, West Virginia;

$2,000,000 for the Maryland Department of Business and Economic Development for broadband connection to the Wallops Island Flight Facility;

$1,000,000 for the Mitchell Institute, Portland, Maine for educational purposes; and

$375,000 for the Challenger Foundation for education software.

EXPLORATION CAPABILITIES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $6,663,000,000 for Exploration Capabilities instead of $6,712,900,000 as proposed by the House and $6,603,000,000 as proposed by the Senate. Changes to the budget request include an overall reduction for International Space Station of $80,000,000, of which $60,000,000 is for crew cargo services, a reduction of $10,000,000 for space communications, and $10,000,000 as a general reduction. The conferees have addressed funding and policy direction for the aeronautics research program under the Science, Aeronautics and Exploration account.

The conferees agree to the following:

1. The conference agreement provides a funding level for the International Space Station crew and cargo services program of $198,000,000, which includes $98,000,000 in carryover funds from fiscal year 2005 as well as $100,000,000 appropriated in this Act. This funding level should be sufficient to address NASA's needs in this area.

2. NASA is encouraged to utilize, to the fullest extent possible, commercially developed domestic cargo resupply and, ultimately, crew rotation capabilities for the International Space Station. This should be a priority for NASA. Utilizing the market offered by the International Space Station's requirements for cargo and crew will help to spur true competition in the private sector, result in savings that can be applied elsewhere in the program, and promote further commercial opportunities in the aerospace sector.

3. The conferees are concerned that construction of facilities projects that have been planned and deferred by NASA in the

past have not been readdressed in a satisfactory manner. One such project is building 4601 at the Marshall Space Flight Center. The conferees direct NASA to begin construction of building 4601, beginning in fiscal year 2006, from within funds provided for the construction of facilities. Furthermore, construction funds should not be taken from the general and administrative services account to cover this activity.

4. NASA is reminded that it must request a reprogramming, in writing, to move or alter the purpose of any funds related to the Shuttle program, and that NASA must include the out-year impacts on all activities involved in such a reprogramming. In addition, NASA is directed to consult with the Committees on Appropriations on all proposed changes to investments in the Shuttle program. These consultations should occur before any final decisions are made.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides $32,400,000 for the Office of Inspector General as proposed by both the House and Senate. The conference agreement includes bill language proposed by the Senate that extends the availability of funds until September 30, 2007.

ADMINISTRATIVE PROVISIONS

The conferees agree to the following:

1. Bill language is included as proposed by the House making minor technical changes to the language dealing with environmental compliance and restoration activities. The Senate bill had similar language.

2. Bill language is included as proposed by the House making minor technical changes to the language dealing with the availability of funds for construction of facilities. The Senate bill had similar language.

3. Bill language is included as proposed by the Senate dealing with prizes. Funding for the Centennial Challenge is not available for obligation unless authorized. The House bill had no similar language.

4. Bill language is included as proposed by the Senate that allows the merging of unexpired balances that are transferred to the new account established under this Act. The House bill had no similar language.

5. Bill language is included as proposed by the House that incorporated by reference the program, projects, and activities included in the statement of the managers accompanying this Act. The Senate bill had no similar language.

6. Bill language is not adopted as proposed by the House that would have allowed for the transfer of funds between appropriations accounts. The Senate bill had no similar provision.

NATIONAL SCIENCE FOUNDATION

The conference agreement includes $5,653,370,000 for the six appropriations accounts of the National Science Foundation (NSF), instead of $5,643,370,000 as proposed by the House and $5,530,959,000 as proposed by the Senate.

RESEARCH AND RELATED ACTIVITIES

The conference agreement includes $4,387,520,000 for the Research and Related Activities account, instead of $4,377,520,000 as proposed by the House and $4,345,213,000 as proposed by the Senate.

The conference agreement includes language allowing funds under this heading to be available for polar icebreaking services. The conferees expect the NSF to reimburse the United States Coast Guard for such services pursuant to a memorandum of agreement. The conference agreement includes, by reference, language in the House report regarding the submission of a report on alternatives for long-term icebreaking needs and future options for supporting the United States presence in the Antarctic.

The conference agreement includes, by reference, language in the House report on innovation inducement prizes. The conference agreement also includes, by reference, language in the Senate report on the Plant Genome Research program and radio astronomy.

The conferees agree that funding for the Children's Research Initiative research centers program shall continue at least at the fiscal year 2005 level. The conferees commend NSF for its Silicon Nanoelectronics and Beyond program and its partnership with the Nanoelectronics Research Initiative, which involves the sponsorship of research in the areas of information technology and electronics. The conferees encourage NSF to continue its support for such research in fiscal year 2006 at the same level as fiscal year 2005.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

The conference agreement includes $193,350,000 for the Major Research Equipment and Facilities Construction (MREFC) account, as proposed by the House and Senate. In addition, the conferees are aware that unobligated balances of at least $14,880,000 are available from fiscal year 2005, resulting in a total funding availability of $208,230,000 under this account. The conferees agree to the following distribution of available resources, which fully funds all requested MREFC projects for fiscal year 2006:

[Dollars in thousands]

	Conference agreement
Atacama Large Millimeter Array	$49,240
EarthScope	50,620
IceCube Neutrino Observatory	50,450
Scientific Ocean Drilling Vessel	57,920
Total, MREFC	208,230

EDUCATION AND HUMAN RESOURCES

The conference agreement includes $807,000,000 for the Education and Human Resources (EHR) account as proposed by the House, instead of $747,000,000 as proposed by the Senate. The conferees agree to the following distribution of funds under this account for fiscal year 2006:

[Dollars in thousands]

	Conference agreement
Math and Science Partnerships	$64,000
EPSCoR	100,000
Elementary, Secondary & Informal Education	172,500
Undergraduate Education	146,000
Graduate Education	155,000
Human Resource Development	120,000
Research, Evaluation and Communication	49,500
Total, EHR	807,000

Within the amount provided for Human Resource Development, the conferees agree that $25,800,000 shall be for the Louis Stokes Alliance for Minority Participation program and $35,800,000 shall be for the Historically Black Colleges and Universities Undergraduate Program. In addition, the amount provided for Human Resource Development continues funding for the Tribal Colleges and Universities program, and the HBCU-Research University Science and Technology initiative within the Center of Research Excellence in Science and Technology program.

NSF plays a significant role in attracting more of the best and brightest students in the Nation into the science, mathematics, engineering, and technology fields. The conferees urge NSF to work towards increasing the number of women, minorities, and other underrepresented groups to the greatest extent possible.

Within the amount provided for Undergraduate Education, the conference agreement continues funding for the Robert Noyce Scholarship program and the Advanced Technological Education program.

The conference agreement includes, by reference, language in the Senate report regarding the Math and Science Partnership (MSP) program.

Within the funding provided under this account, the conferees direct the NSF to initiate a demonstration program to provide seed money for new projects with the goal of increasing the pool of individuals pursuing science, technology, engineering and mathematics careers through programs that catalyze and maintain interest of K–8 students in math and science. The projects must stimulate interest and provide exciting but challenging educational experiences in math and science that are continuous and seamless from initial contact and throughout high school. The conferees agree that the NSF shall conduct a merit-based peer review process to select projects for funding, and that each project shall involve sustainable coalitions of industry/business, colleges of education, and educational agencies.

SALARIES AND EXPENSES

The conference agreement includes $250,000,000 for the Salaries and Expenses account as proposed by the House, instead of $229,896,000 as proposed by the Senate. The conference agreement includes full requested funding for 23 new positions, and includes, by reference, guidance in the House report regarding priority areas for the allocation of additional personnel. The conferees agree that at least three positions shall be allocated to the Office of the Deputy Director of Large Facility Projects to improve oversight of large research facility projects.

OFFICE OF THE NATIONAL SCIENCE BOARD

The conference agreement includes $4,000,000 for the Office of the National Science Board, as proposed by the House and Senate. The conference agreement includes, by reference, language in the House report regarding the establishment of a Board commission on science education.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $11,500,000 for the Office of Inspector General as proposed by the House and Senate.

TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY

In total, the conference agreement includes $9,685,574,000 for the Department of State and the Broadcasting Board of Governors. Of the total amount provided, $9,553,874,000 is derived from general purpose discretionary funds and $131,700,000 is scored as mandatory spending. The conference agreement includes $1,599,723,000 to continue worldwide security activities, including the design and construction of replacement facilities for the most vulnerable overseas posts.

For purposes of this title and relevant related agencies in title V of this Act, the language set forth in House Report 109–118 and Senate Report 109–96 should be complied with unless specifically addressed in the accompanying bill and statement of the managers to the contrary. The statement of the managers, while repeating some report language for emphasis or clarification, does not intend to negate the language in either the House or Senate reports unless expressly addressed herein.

DEPARTMENT OF STATE

The conference agreement includes a total of $9,033,231,000 for the Department of State. Of the total amount provided, $8,901,531,000 is derived from general purpose discretionary funds and $131,700,000 is scored as mandatory spending.

The conference agreement includes a total of $6,517,365,000 for the discretionary appropriation accounts under Administration of

Foreign Affairs; $2,201,712,000 for International Organizations; $67,339,000 for International Commissions; and $115,115,000 for other activities. The conferees' priorities for the Department of State are described in the following paragraphs.

The conferees agree with the direction of the Senate with respect to submission of a report on proposals to improve budget justification materials submitted with the fiscal year 2007 budget request. The Department of State should submit proposals to both the House and Senate Committees on Appropriations no later than December 15, 2005.

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement includes $4,369,542,000 for the Diplomatic and Consular Programs account, instead of $4,436,641,000 as proposed by the House and $4,444,641,000 as proposed by the Senate. The conference agreement includes $689,523,000 to continue funding for worldwide security upgrades, and $334,000,000 for public diplomacy programs. The conference agreement includes $930,610,000 for the border security program, including $74,213,000 in appropriated funds, $672,097,000 in Machine Readable Visa (MRV) fees, and $184,300,000 in Enhance Border Security Program fees and Visa Fraud fees.

The conference agreement adopts, by reference, language as proposed in the House report regarding: the detail of a diplomatic security agent to the FBI's National Gang Intelligence Center; follow-on efforts related to an external review of public diplomacy programs; the American Corners program; the microscholarships program; diplomatic efforts to support the expansion of audiences for U.S. international broadcasting; international book programs; reporting on MRV fee collections; the diversity visa program; fingerprint technology standards; minority recruitment and hiring; overseas American schools; security of classified material; an export control process plan; war crimes in West Africa; right-sizing the U.S. overseas presence; presence in China; intellectual property rights enforcement; and intercountry adoption. The conference agreement also includes, by reference, language in the House and Senate reports regarding the Office of the Special Coordinator for Tibetan Issues.

The conferees expect that within the planned personnel complement for Baghdad, Iraq, that one Senior Foreign Service Officer who reports directly to the Ambassador will be assigned as the lead human rights official in Baghdad. This officer should be tasked with encouraging incorporation of human rights principles during Iraq's constitutional and legal reconstruction, and especially to secure for all individuals strong human rights provisions, including freedom of thought, conscience, religion or belief, and due process of law, through the Iraqi legal system and the implementation of the Iraqi constitution.

The conference agreement includes a program increase of $150,000 and two additional positions for the Office to Monitor and Combat Trafficking in Persons. The conferees support the efforts of the Office to further strengthen the annual reporting process and those of the Department-led Senior Policy Operating Group to coordinate interagency activities to implement the Trafficking Victims Prevention Act of 2000.

The conferees urge the Department of State to ensure that no later than 30 days after the date of issuance by the U.S. mission in a foreign country, the Trafficking in Persons Report and the International Religious Freedom Report be translated into the official language of that country. The translated report should be posted on the Web site of the U.S. Embassy in that country. The conferees strongly believe that translation of the reports is critical to accomplishing the purpose of the U.S. Congress in requiring these reports.

The conferees direct that not later than February 15, 2006, the Secretary of State shall submit to the Committees on Appropriations a report setting forth the number of personnel of the Department of State performing legislative liaison or legislative affairs functions as of January 1, 2006. The report shall include the following: the number of personnel of the Department of State assigned to full-time legislative liaison or affairs functions, shown by organizational entity, and the number of personnel of the Department of State either in a part time or support function. The report shall include a description of each position, including those unfilled as of January 1, and a summary comparing the total cost to the Department for all legislative affairs functions for fiscal year 2006 and the justification of funds contained in the fiscal year 2007 budget request.

The conferees continue to follow the development of the ePassport and are aware that the Department of State is working to select a microchip technology that will be embedded in next-generation passports. The conferees direct the Department to submit a report no later than 30 days after the enactment of this Act to the Committees on Appropriations describing the selection criteria for production of these chips and how it will provide for domestic integration and personalization of ePassports in a secure facility.

The conference agreement includes $3,000,000 for the Ambassador's Fund for Cultural Preservation for grants to preserve objects, sites, and forms of cultural expression, as proposed by the Senate.

The conference agreement includes $1,000,000 for the Cultural Antiquities Task Force, as proposed by the Senate. The Task Force is directed to continue initiatives begun in prior years to protect and preserve archeological collections and sites.

The conference agreement includes $2,000,000 for a contribution to the endowment of the Scholar Rescue Fund. The conferees understand this contribution will be exceeded by private donations to assist scholars to leave their home countries if their personal safety or academic freedom is threatened. Any interest income earned on the contribution may be retained by the Fund endowment.

CAPITAL INVESTMENT FUND

The conference agreement includes $58,895,000 for the Capital Investment Fund, as proposed by the Senate, instead of $69,121,000 as proposed by the House. The conference agreement includes two separate accounts for the Department of State's information technology (IT) programs. As in fiscal year 2005, the Capital Investment Fund will continue to provide funding only for new investments in IT, and the Centralized IT Modernization Program account will provide funding for the maintenance of the Department's IT infrastructure, including hardware and software refreshment and upgrades. The conferees expect that an additional amount estimated at $116,000,000 in expedited passport fee collections will be used for technology investments in fiscal year 2006.

The conference agreement includes $7,740,000 for public key infrastructure requirements as described in the House report, and adopts, by reference, language included in the House report regarding the State Messaging and Archive Retrieval Toolset program, and language in the Senate report on payroll consolidation.

CENTRALIZED INFORMATION TECHNOLOGY MODERNIZATION PROGRAM

The conference agreement includes $69,368,000 for the Centralized IT Modernization Program account, instead of $74,105,000 as proposed by the Senate. The House did not provide funding under this heading.

The conferees remind the Department of State of the requirement to annually update the automation replacement and modernization plan report that was initiated in fiscal year 2005.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $30,029,000 for the Office of Inspector General (OIG), instead of $29,983,000 as proposed by the House and $33,000,000 as proposed by the Senate.

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

The conference agreement includes a total of $431,790,000 under this heading, instead of $410,400,000 as proposed by the House and $440,200,000 as proposed by the Senate. The following chart displays the conference agreement on the distribution of funds by program or activity under this account:

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

[Budget authority in thousands of dollars]

	Conference agreement
Academic Programs:	
Fulbright	$185,136
Regional Graduate Fellowships	25,342
Educational Advising and Student Services	5,000
English Language Programs	14,556
American Overseas Research Centers	3,316
South Pacific Exchanges	500
Timor Leste Exchanges	750
Mobility Exchange Clearinghouse	500
Benjamin Gilman International Scholarship Program	3,712
George Mitchell Fellowship Program	500
Tibet Fulbright Exchanges	500
Hemispheric Program	500
Abraham Lincoln Study Abroad Fellowship	400
Subtotal, Academic Programs	240,712
Professional and Cultural Programs:	
International Visitor Program	68,000
Citizen Exchange Programs	57,950
Congress Bundestag Youth Exchange	3,256
Mike Mansfield Fellowship Program	1,877
Irish Institute	800
Leadership program for emerging democracies	1,000
Atlantic Corridor	250
Ngwang Choephel Fellows (Tibet)	600
Youth Science Leadership Institute of the Americas	150
Africa Workforce Development	400
Institute for Representative Government	500
SIFE	250
Rule of Law Forum	850
Northern Forum	400
Arctic Council	175
Permafrost Conference	500
Kosovo Foundation for Medical Development	850
Global Perspectives Project	750
Project Children	200
International Leadership Training Program	70
World Scholar and Athlete Games	500
International Forum on Democracy	900

	Conference agreement
Pakistan Literacy Training Program	250
Empower Peace	500
William Joiner Fellowship in War & Social Consequences	500
Law program for leaders from transitional democracies	700
Karelia Sustainable Development Exchange	350
International Leadership Program with sub-Saharan Africa	150
Leaders in Education Initiative	2,000
Tolerance Foreign Exchange Program	150
University Consortium	1,000
Concordia Arabic Language Exchange	250
Subtotal, Professional and Cultural Exchanges	146,078
Exchanges Support	45,000
Total	431,790

Deviations from this distribution of funds will be subject to the normal reprogramming procedures under section 605 of this Act.

The conference agreement includes, by reference, language in the House report regarding Fulbright exchanges with Tibet, Traditional Public/Private Partnership grants, artistic and cultural exchanges, and religious freedom exchanges. The conference agreement also includes, by reference, language in the Senate report requiring an assessment of exchange capacity between and among developing countries and the United States, and on the Timor-Leste Scholarship Program.

The conference agreement does not include language, proposed by the Senate, providing $13,500,000 for educational and cultural exchanges with the People's Republic of China. The conferees direct that not less than $10,000,000 be provided for such activities, including for an American studies program. The conferees request the Department of State to consult with the Committees on Appropriations on the use of these funds.

The conference agreement does not include $5,000,000 under this heading for the Center for Asian Democracy. Instead, the conference agreement includes section 406 designating $5,000,000 for such purpose from the Diplomatic and Consular Programs account.

The conferees support the Special Olympics and recommend that the Department of State continue to fund this program.

Within amounts specified in the chart, the conference agreement includes $15,500,000 for Future Leaders Exchange Program, $2,200,000 for Teaching Excellence Awards, and last year's funding level for Muskie Graduate Fellowships, including the Muskie Ph.D. program, and for Junior Faculty Development Program exchanges, including Southeast Europe. Within the amount for educational advising, $1,600,000 is for Eurasia. Within Regional Fellowships, $2,000,000 is for the Cooperative Fellowships Program for Eastern Europe and Eurasia.

The conference agreement includes $1,000,000 for an undergraduate international exchange program involving a consortium of the Virginia Military Institute, Christopher Newport University, the College of William and Mary, Shenandoah University, and James Madison University.

The conference agreement includes, by reference, language in the Senate report regarding proposals from Morehouse College and other universities to expand exchange programs, particularly for minority students.

REPRESENTATION ALLOWANCES

The conference agreement includes $8,281,000 for representation allowances as proposed by the House and Senate. The conference agreement includes, by reference, language in the House report regarding the submission of a quarterly report on expenditures under this account.

PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

The conference agreement includes $9,390,000 under this heading as proposed by the House and the Senate, and makes the funding available for two fiscal years as proposed by the House. The conference agreement includes, by reference, language in the House report regarding the Department of State's treatment of reimbursement requests and the submission of a report on budgeting for protection expenses in light of heightened security measures. The conferees believe that local jurisdictions incurring such costs must submit a certified billing for such costs in accordance with program regulations. The conferees expect the Department to treat such submissions diligently and provide reimbursement for valid claims to local jurisdictions on a timely basis. The conferees recognize that, in those instances where a local jurisdiction will realize a financial benefit from a visit by a foreign dignitary through increased tax revenues, such circumstances should be taken into account by the Department in assessing the need for reimbursement under this program.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The conference agreement includes a total appropriation of $1,509,000,000 for Embassy Security, Construction, and Maintenance, instead of $1,513,710,000 as proposed by the House and $1,499,000,000 as proposed by the Senate. The conference agreement designates $910,200,000 as available only for priority worldwide security upgrades, acquisition, and construction, the full amount requested for such activities.

The conference agreement includes $910,320,000 for worldwide security upgrades, including $810,320,000 to continue the capital security program for constructing new secure replacement facilities for the Department's most vulnerable embassies and consulates. Within the funds made available under this category, the conferees expect the Department to undertake new office building projects from among the highest priority facilities listed in the Long Range Overseas Buildings Plan. Projects funded under this account must follow a rigorous rightsizing methodology.

The conference agreement includes, by reference, language in the House report regarding the submission of a spending plan, compound security, right-sizing, Capital Security Cost Sharing, and assets management.

The conferees direct the Department of State to consult with the Committees on Appropriations prior to initiating any embassy construction projects in Thailand, including the sale of any properties or assets (specifically the Rajadamri compound). The conferees request the Department to report to the Committees on Appropriations not later than 90 days after enactment of this Act on options to utilize the Rajadamri compound.

EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $10,000,000 under this heading as proposed by the House, instead of $13,643,000 as proposed by the Senate. The conference agreement anticipates that significant carryover balances will be available for obligation in fiscal year 2006.

REPATRIATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $712,000 for the subsidy cost of repatriation loans and $607,000 for administrative costs of the program as proposed by the House and Senate.

PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

The conference agreement includes $19,751,000 under this heading as proposed by the House and Senate. The conference agreement includes, by reference, language in the House report regarding the submission of a spending plan, except that such plan shall be submitted by February 3, 2006.

PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

The conference agreement includes $131,700,000 under this heading, as proposed by the House and the Senate.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The conference agreement includes $1,166,212,000 under this heading as proposed by the Senate, instead of $1,144,264,400 as proposed by the House.

The conference agreement includes, by reference, language in the House report regarding reassessment of U.S. membership in certain international organizations, assessment rate equity, reform and budget discipline, the UN Regular Budget, and American employment levels in the UN System.

The House and Senate bills did not include language that was included in the budget request authorizing the United States Government to use funds for the payment of interest costs to the United Nations for a loan for the renovation of its headquarters. The conferees are concerned with the estimated costs of the renovation, and are aware that the U.N. Under Secretary General for Management is currently reviewing the estimated cost of the renovation. The conferees direct the Department of State to provide the Committees on Appropriations a report of the results of these findings. The conference agreement includes section 412 expressing the sense of the Congress that the loan amount for the headquarters renovation should not exceed $600,000,000.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The conference agreement includes $1,035,500,000 for Contributions for International Peacekeeping Activities as proposed by the House and Senate.

The conference agreement includes, by reference, language in the House report regarding sexual exploitation and abuse in UN peacekeeping missions; UN peacekeeping in Western Sahara; UN peacekeeping reform; benchmarks for mission performance and termination; and the Office of Internal Oversight Services. The allocation of funds under this account to specific missions shall be subject to the reprogramming requirements in section 605 of this Act.

The conference agreement includes section 409, which limits payments for UN peacekeeping to $1,035,500,000 from funds made available by this Act. The conferees expect the Department of State to evaluate and prioritize United States participation in, and support for, UN peacekeeping missions. In a climate of limited resources the conferees continue to insist that the Department live within appropriated amounts, prioritize as necessary according to policy goals, take steps as necessary to conclude or withdraw support from lower priority missions, and refrain from entering into new commitments without identifying offsetting savings or requesting supplemental appropriations.

INTERNATIONAL COMMISSIONS

INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

The conference agreement includes a total of $33,300,000 for the International Boundary

and Water Commission, United States and Mexico (IBWC). The total amount provided includes $28,000,000 for Salaries and Expenses and $5,300,000 for Construction. The conference agreement includes language authorizing not to exceed $6,000 for representation expenses.

SALARIES AND EXPENSES

The conference agreement for the Salaries and Expenses account includes $28,000,000, instead of $27,000,000 as proposed by the House and $28,700,000 as proposed by the Senate. The conference agreement includes, by reference, language in the House report regarding the use of surplus operations and maintenance funding through reprogramming.

CONSTRUCTION

The conference agreement includes $5,300,000 under this heading, as proposed by both the House and the Senate.

The conference agreement includes $1,200,000 for Boundary-wide Construction; $3,700,000 for the Water Quantity Program; and $400,000 for the Water Quality Program.

Within the amount for the Water Quantity Program, the conferees recommend that the Commission increase funding for the Lower Rio Grande Flood Control Project above the $2,200,000 contained in the budget request. Studies by the U.S. Section of the IBWC conclude that Rio Grande Valley levees are deficient in height, geologically flawed, and structurally unsound. The conferees expect the Administration, in the upcoming budget cycle, to request sufficient funds to address these needs. Also, the conferees direct that $250,000 be made available for the Rio Grande Canalization project.

The conferees encourage the IBWC to attempt, if possible, to achieve greater secondary treatment of Mexican sewage within current funding levels under this account, including carryover balances.

Any obligation of carryover balances available under this heading, including any new project starts, shall be subject to the reprogramming process described in section 605 of this Act.

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

The conference agreement includes $10,039,000 under this heading, instead of $9,500,000 as proposed by the House and $10,400,000 as proposed by the Senate. This amount includes $1,429,000 for the International Boundary Commission; $2,110,000 for the Border Environment Cooperation Commission; and $6,500,000 for the International Joint Commission including $300,000 for the Lake Champlain Basin Program.

INTERNATIONAL FISHERIES COMMISSIONS

The conference agreement includes $24,000,000 under this heading, instead of $22,000,000 as proposed by the House and $25,623,000 as proposed by the Senate. The conferees direct that the following amounts be provided: $2,072,000 for the Inter-American Tropical Tuna Commission; $3,029,000 for the Pacific Salmon Commission; $300,000 for the Western and Central Pacific Fisheries Commission; $3,079,000 for the International Pacific Halibut Commission; $85,000 for the North Pacific Marine Science Organization; and $14,937,000 for the Great Lakes Fisheries Commission. The conferees expect the Department of State to allocate the balance of funds in the conference agreement, and, through the regular reprogramming process, any additional funds that may become available, to priority commissions.

The conference agreement includes $500,000 within the amount provided for the Great Lakes Fisheries Commission (GLFC) for eradication of lampreys in Lake Champlain, as proposed by the Senate. The GLFC is directed to give priority to States that have provided matching grants when distributing lampricide funds.

The conferees expect the Department of State to take immediate action to evaluate and prioritize United States participation in, and funding for, international fisheries commissions. In a climate of limited resources the conferees continue to insist that the Department operate within appropriated amounts, prioritize as necessary among commissions according to policy goals, take steps as necessary to withdraw from lower priority commissions, and refrain from entering into new commitments.

OTHER

PAYMENT TO THE ASIA FOUNDATION

The conference agreement includes $14,000,000 under this heading, instead of $10,000,000 as proposed by the House and $15,000,000 as proposed by the Senate. The conference agreement includes, by reference, language in the House and Senate reports regarding certain Foundation programs. The conferees continue to strongly support the programs and activities of TAF.

CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE TRUST FUND

The conference agreement includes $5,000,000 under this heading to be deposited in the International Center for Middle Eastern-Western Dialogue Trust Fund (as authorized by 22 U.S.C. 2078) for the perpetual operations of the Center in Istanbul, Turkey, instead of $7,000,000 as proposed by the Senate. The House did not propose funding in this account. The interest and earnings accruing to the Trust Fund, estimated at $1,000,000, shall be available for the steering committee, chaired by the Council of American Overseas Research Centers (CAORC), for the operations of the Center.

EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

The conference agreement includes an appropriation of interest and earnings from the Eisenhower Exchange Fellowship Program Trust Fund, expected to total $500,000. The conference agreement includes, by reference, language in the House report regarding geographical priorities and the selection of fellows.

ISRAELI ARAB SCHOLARSHIP PROGRAM

The conference agreement includes an appropriation of interest and earnings of the Israeli Arab Scholarship Endowment Fund, expected to total $375,000.

EAST-WEST CENTER

The conference agreement includes $19,240,000 for the East-West Center, instead of $6,000,000 as proposed by the House and $20,000,000 as proposed by the Senate. The conferees direct that the Center spend no less than $3,874,000 on programs related to the People's Republic of China, the same level as fiscal year 2005. The conferees strongly encourage the Center to focus on successful programs in the Pacific Rim and Southeast Asia, in lieu of starting new programs in South Asia.

NATIONAL ENDOWMENT FOR DEMOCRACY

The conference agreement includes $75,000,000 for the National Endowment for Democracy (NED), instead of $50,000,000 as proposed by the House and $88,800,000 as proposed by the Senate.

The conference agreement allocates funds to the following activities:

NATIONAL ENDOWMENT FOR DEMOCRACY

[Budget authority in thousands of dollars]

	Conference agreement
Africa	$9,000
Asia	10,000
Middle East/North Africa	22,550
Central and Eastern Europe	4,000
Independent States of the Former Soviet Union	8,000
Latin America/Caribbean	7,700
Multiregional	4,000
Other:	
Democratic Activities	1,500
Administration	8,250
Total	75,000

The conference agreement adopts, by reference, language in the House report regarding the International Center for Democratic Transition, and language reaffirming NED's duty to ensure that all sponsored activities adhere to core NED principles and requiring a report on NED activities in Venezuela.

The conferees note the need for a systematic effort to evaluate the impact of democracy programs and the process by which strategic priorities are determined and funds are allocated to advance democracy and U.S. national interests. In light of the significant increase in NED resources, the conferees believe that a thorough program review will improve program results. In this regard, the conferees expect NED to submit a report to the Committees by March 1, 2006 outlining the methodologies proposed to evaluate NED democracy-promotion programs, to measure results, and to guide future resource allocation decisions.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

The conference agreement includes $641,450,000 to carry out United States International Broadcasting Operations, instead of $620,000,000 as proposed by the House and $603,394,000 as proposed by the Senate. The conference agreement includes funding for Broadcasting to Cuba under this account, at the requested level, instead of in a separate account as proposed by the Senate.

The conference agreement allocates funding under this account to the following activities:

INTERNATIONAL BROADCASTING OPERATIONS

[Budget authority in thousands of dollars]

	Conference agreement
International Broadcasting Bureau (IBB):	
VOA	$168,994
Engineering and Technical Services	161,000
Agency Direction	25,500
Management	46,000
Program Support	16,800
Subtotal, IBB	418,294
Independent Grantee Organizations:	
RFE/RL	76,200
(Farda)	(4,500)
(Afghan)	(3,905)
(Iraq)	(1,858)
(Moldova)	(938)
(Russian)	(9,615)
(Ukrainian)	(2,260)
(News/Current Affairs)	(4,069)
RFA	30,200
Middle East Broadcasting Networks	79,100
Subtotal, Grantees	185,500
Broadcasting to Cuba	37,656
Total	641,450

The conference agreement adopts, by reference, House language regarding Arabic broadcasting, broadcasting to Africa, language service review, anti-jamming efforts, cooperation with the Department of Defense, Radio Free Asia broadcasting in Uyghur, Korean and Cantonese, and programming on religious freedom.

The conferees recommend a total of $11,160,000 for the VOA Persian Service and a

total of $4,500,000 for RFE/RL's Radio Farda, increases similar to those recommended by the Senate.

The conference agreement includes funding under Engineering and Technical Services and under VOA to support increased programming, and increased medium wave and FM transmission of U.S. International Broadcasting in Pashto to the Afghanistan-Pakistan border region. The conferees expect the Broadcasting Board of Governors (BBG) to report to the Committees 60 days after enactment of this Act on an implementation plan for this initiative.

Within the amount for Engineering and Technical Services, the conferees expect that current efforts to enable satellite television broadcasting to China will be continued.

The conferees are concerned that funds allocated for the establishment of radio transmitters for BBG programs overseas remain unexpended as a result of lengthy negotiations with host governments over permission to erect and operate transmitters. The conferees direct the Department of State, no later than 60 days after enactment of this Act, and every 90 days thereafter until September 30, 2006, to report to the Committees on Appropriations on the status of any ongoing negotiations with foreign governments for permission to install and operate BBG transmitters. The report should also include: the proposed locations of planned BBG transmitters; the history of negotiations with the host country (and developments in the interim between reports); the rank and position of the Department of State personnel conducting the negotiations; the rank and position of the host nation officials participating in the negotiations; the reasons cited by the host country for the lack of progress; and the anticipated date that the transmitters will be fully operational.

BROADCASTING CAPITAL IMPROVEMENTS

The conference agreement includes $10,893,000 for broadcasting capital improvements, as proposed by the House and Senate.

The conferees expect the Board to keep the Committees on Appropriations informed on the status of its efforts to acquire additional transmission capabilities in the Middle East, including Egypt.

The conference agreement allocates funding under this account to the following activities:

BROADCASTING CAPITAL IMPROVEMENTS

[Budget authority in thousands of dollars]

	Conference agreement
Maintenance, Improvements, Replace and Repair:	
Continuing Maintenance and Repair	$4,902
VOA TV	769
Security	2,047
Subtotal, MIRR:	7,718
Upgrade of Existing Facilities	2,375
Satellite and Terrestrial Program Feeds	800
Total, BCI:	10,893

GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY

The conference agreement includes section 401, permitting the use of funds for allowances, differentials and transportation.

The conference agreement includes section 402 dealing with transfer authority.

The conference agreement includes section 403 prohibiting the use of funds by the Department of State or the Broadcasting Board of Governors to provide certain assistance to the Palestinian Broadcasting Corporation.

The conference agreement includes section 404 on the responsibilities of the Senior Policy Operating Group on Trafficking in Persons. The conferees understand that the Operating Group has been actively meeting and performing its designated functions since enactment of Section 406 of division B of Public Law 108–7. The conferees agree that all anti-trafficking policies, grants and grant policies shall be covered by the provisions of Section 406 of division B of Public Law 108–7. The conference agreement also includes language clarifying that the Senior Policy Operating Group and its chairman are the coordinating body (and official) accountable for federal anti-trafficking policies, grants and grant policies. The language also makes clear that the coordinating responsibilities of the Operating Group are not intended to supercede the decision making authority of the constituent members of the Task Force to Monitor and Combat Trafficking in Persons, to whom Operating Group members continue to report. The Operating Group is, and was intended to serve as, the forum for interagency coordination of anti-trafficking policies, even as final decisions regarding any such policies are necessarily vested with the President and the senior officials who comprise the Task Force. The conferees agree that the Senior Operating Group and its chair have successfully performed the coordinating functions assigned to them.

The conference agreement includes section 405 regarding the recording of place of birth on certain passport applications.

The conference agreement includes section 406 designating funding for certain purposes in the Diplomatic and Consular Programs account.

The conference agreement includes section 407 waiving certain authorization requirements.

The conference agreement includes section 408 regarding tables included in the Statement of the Managers accompanying the Act, and describing certain notification requirements.

The conference agreement includes section 409 limiting the amount available under this title for payment to the United Nations for expenses of international peacekeeping.

The conference agreement includes section 410 extending the authorization for the U.S. Advisory Commission on Public Diplomacy. The conferees direct the Department of State to submit to the Committees on Appropriations not later than 120 days after enactment of this Act a report that justifies continued funding for the United States Advisory Commission on Public Diplomacy and a detailed analysis of the accomplishments of the Commission, to include its impact on the formulation and conduct of United States foreign policy.

The conference agreement includes section 411 prohibiting funds to pay contributions to the United Nations if the United Nations imposes any taxation on United States persons. The conferees remain concerned with proposals by international organizations to interfere with the sovereign right of jurisdictions to pursue low-tax policies and direct the Department of State to consider such behavior when reporting whether continued participation in that international organization serves the interests of the United States.

The conference agreement includes section 412 expressing a sense of Congress regarding the renovation of the United Nations headquarters building.

The conference agreement includes section 413 prohibiting the use of funds for any United Nations peacekeeping mission that involves U.S. Armed Forces under the command or operational control of a foreign national unless the President certifies that the involvement is in the national security interest.

The conference agreement includes section 414 prohibiting the use of funds to expand the U.S. diplomatic presence in Vietnam beyond the level in effect July 11, 1995, unless the President makes a certification that several conditions have been met regarding Vietnam's cooperation with the United States on POW/MIA issues.

The conference agreement includes section 415 extending the prohibition on the use of funds to issue a visa to any alien involved in extrajudicial and political killings in Haiti, including exemption and reporting requirements.

The conference agreement includes section 416 regarding Capital Security Cost Sharing.

The conference agreement includes section 417 regarding ceilings and earmarks of funding.

The conference agreement does not include language adopted by the House regarding administration of the State Department Rewards for Justice Program. Absent the capture or death of Osama Bin Laden and other top Al Qaeda terrorists, the conferees direct the Department to report to the Committees by March 31, 2006, on ways to strengthen the administration and optimize the results of the State Department Rewards for Justice Program as it applies to the senior leadership of Al Qaeda, including the modifications included in the language adopted by the House. This report shall be prepared in consultation with the Department of Defense and the National Security Council.

The conference agreement does not include some provisions included in the House bill that prohibit the use of funds in violation of existing law. The House included such language regarding child abduction, torture, and HIV/AIDS policy. However, the conferees wish to highlight that none of the funds in this Act are available to be used in contravention of section 212(a) of the Immigration and Nationality Act, of laws and regulations to implement the United Nations Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, or of subsections (e) and (f) of section 301 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003.

The conference agreement does not include a sense of the Senate provision concerning abusive child labor practices in the cocoa industry. The House did not address this matter. However, the conferees are concerned with forced child labor in cocoa plantations in West Africa and urge the cocoa industry, the Department of State and others to meet the recommendations contained in the Senate provision.

The conference agreement does not include a House provision regarding the denial of visas to citizens of countries that deny or unreasonably delay accepting the return from the United States of citizens, subjects, nationals, and residents of that country. The Senate did not address this matter. The conferees urge the Department of State to exercise the authorities that already exist under Section 243(d) of the Immigration and Nationality Act.

The conference agreement does not include a Senate provision requiring a report on assistance to victims of crime in foreign countries. The House did not address this matter. The conferees encourage the Department of State to track the number of United States citizens who were victims of violent crime and to review current services to assist those citizens and determine if additional services are required.

TITLE V—RELATED AGENCIES

ANTITRUST MODERNIZATION COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $1,172,000 for the Antitrust Modernization Commission, as proposed by the House. The

Senate did not propose funding for this Commission.

COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD

SALARIES AND EXPENSES

The conference agreement includes $499,000 for the Commission as proposed in the House and Senate bills.

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

The conference agreement includes $9,048,000 for the salaries and expenses of the Commission on Civil Rights, instead of $9,096,000 as proposed by the House and $9,000,000 as proposed by the Senate.

The conferees are concerned about the financial mismanagement that has occurred at the Commission in previous years but are encouraged by the Commission's recent efforts to embrace the Government Accountability Office's (GAO) recommendations for improving agency operations. The conferees expect the Commission to submit, thirty (30) days after the end of each quarter, reports detailing: (1) expenditures by object classification; (2) all existing staff vacancies; and (3) any hiring that occurred during the preceding quarter.

The conferees expect the Commission to submit a detailed budget justification concurrent with the President's annual budget request, which is due on or before the first Monday in February pursuant to 31 U.S.C. 1105 (a).

COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

SALARIES AND EXPENSES

The conference agreement includes $3,300,000 for the Commission on International Religious Freedom, instead of $3,200,000 as proposed by the House and $1,000,000 as proposed by the Senate. The conference agreement makes funds appropriated under this heading available until September 30, 2007.

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SALARIES AND EXPENSES

The conference agreement includes $2,030,000 for the Commission on Security and Cooperation in Europe as proposed in the House and Senate bills. The conference agreement makes funds appropriated under this heading available until September 30, 2007.

CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

SALARIES AND EXPENSES

The conference agreement includes $1,900,000 for the Congressional-Executive Commission on the People's Republic of China as proposed in the House and Senate bills. The conference agreement makes funds appropriated under this heading available until September 30, 2007.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $331,228,000, as proposed by both the House and the Senate. The amount provided is the same as the budget request.

The conference agreement adopts, by reference, language in the House report requiring a quarterly accounting of expenditures, including any changes resulting from repositioning activities.

The conference agreement adopts, by reference, language in the Senate report regarding salaries and staffing, and an analysis of investigation and enforcement levels. The conferees direct the EEOC to continue to work to resolve concerns regarding the pending repositioning plan.

The conferees remind the EEOC of the reprogramming requirements of section 605 of this Act.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $289,771,000 for the salaries and expenses of the Federal Communications Commission, as proposed by the House instead of $297,370,000 as proposed by the Senate. Of the amounts provided, $288,771,000 is to be derived from offsetting fee collections, resulting in a net direct appropriation of $1,000,000.

The conference agreement includes a limitation on expenditures to administer spectrum auctions, as proposed by the Senate.

The conference agreement adopts, by reference, language in the House report regarding the FCC's budget presentation, acceptance of travel payments, and the Universal Service Fund. The conference agreement adopts, by reference, language in the Senate report regarding broadcast television standards.

The conferees understand that the FCC plans to convene a panel of experts from the public safety and communications industry to perform an independent review and make recommendations on ways to improve disaster preparedness, network robustness and reliability, and public safety operations. The conferees support this concept and encourage the FCC to work with its Federal partners at the Departments of Justice, Homeland Security, and Commerce to best address public safety needs, especially in the wake of a natural disaster or terrorist attack. The FCC should report to the Committees on Appropriations by March 1, 2006, on the work of this panel.

In September of 2005, the FCC announced a planned reorganization. The conferees were surprised that this announcement was made prior to submission of a reprogramming notification to the Committees on Appropriations, as required by section 605 of this Act and previous Departments of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Acts. The conferees remind the FCC that the Committees on Appropriations take very seriously the statutory requirement of advanced notification before any reorganization is implemented. The conferees direct the FCC to immediately submit its reorganization plan.

The conferees note that in a hearing before the House Committee on Appropriations, the FCC stated that an incremental approach to renovating the Columbia, Maryland, laboratory was being considered. The conferees expect the FCC to provide a final recommendation on this project by January 30, 2006.

The conferees are aware that the FCC has initiated a pilot program to modernize its radiation monitoring equipment. Specifically, the FCC is testing selective radiation meters (SRMs) with an evaluation of the pilot program expected in April, 2006. The conferees support this effort. If the FCC determines the pilot project is successful, the conferees encourage the FCC to include sufficient funding in future budget submissions to complete the modernization of its monitoring systems. The conferees also agree to consider a reprogramming of fiscal year 2006 funds to accelerate the transition to the new technology if the FCC determines it is warranted.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $211,000,000 for the Federal Trade Commission (FTC), as proposed by both the House and the Senate. Of the amounts provided, $116,000,000 is derived from Hart-Scott-Rodino premerger filing fees, $23,000,000 is derived from Do-Not-Call fees, and $72,000,000 is derived from discretionary appropriations. The amount provided fully supports the budget request.

The conference agreement incorporates, by reference, language in the Senate report regarding the exposure of children to violent entertainment, the Children's Online Privacy Protection Act, and childhood obesity.

In section 632 of this Act, the conferees provide $1,000,000 for the FTC to conduct an investigation into nationwide gas prices, as proposed by the Senate.

The conferees strongly support the continued occupancy of the FTC in its current building, the FTC Building, located at 600 Pennsylvania Avenue, Northwest, in the District of Columbia. The conferees are concerned that moving the Commission out of its current location could raise rent costs and therefore unnecessarily increase must-pay bills. In addition, the FTC building, which was originally designed and built for the agency in 1938, is well-suited for the Commission's essential functions. In particular, the three large ceremonial courtrooms continue to serve the needs of the Commission to meet and adjudicate competition and consumer protection cases. For these reasons, the conferees are troubled by a recent effort to relocate the Commission and expect the FTC to provide updates to the Committees on Appropriations on any further consideration of this matter.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

The conference agreement includes $330,803,000 for the payment to the Legal Services Corporation, the same as proposed by the House, instead of $358,527,000 as proposed by the Senate.

The conference agreement includes $312,375,000 for basic field programs, to be used for competitively awarded grants and contracts, $12,825,000 for management and administration, $1,255,000 for client self-help and information technology, $2,539,000 for the Office of the Inspector General, and $1,809,000 for grants to offset losses due to census adjustments.

The conferees incorporate, by reference, language in the House report regarding rent costs.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

The conference agreement includes bill language to continue the terms and conditions included under this section in previous Appropriations Acts.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $2,920,000 for the Marine Mammal Commission, instead of $1,865,000 as proposed by the House and $2,000,000 as proposed by the Senate.

NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION

The conference agreement includes $1,500,000 for the National Veterans Business Development Corporation, instead of $2,000,000 as proposed by the Senate and $1,000,000 as proposed by the House (via transfer from Small Business Administration, Salaries and Expenses).

The conferees note that fiscal year 2004 was the last year the Corporation was authorized to receive appropriated funds, but that start-up of the Corporation was delayed. The conferees encourage the Corporation to make its operations self-sustaining by fiscal year 2007.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $888,117,000 for the Securities and Exchange

Commission (SEC), as proposed by the House and the Senate. The amount provided fully supports the budget request.

The conference agreement includes $10,000 to fund a permanent secretariat for the International Organization of Securities Commissions, as proposed by the House instead of $13,000 as proposed by the Senate.

The conference agreement incorporates, by reference, language in the Senate report requiring quarterly updates on the health of financial markets and supporting continued hiring. The conference agreement incorporates, by reference, language in the House report regarding protecting Americans from investing in companies with ties to terrorism and human rights violations.

The conferees note that during fiscal year 2005, the SEC identified unbudgeted costs of approximately $48,000,000, resulting from misestimates and omissions of costs associated with the construction of its new facilities in Washington, DC, and improvements in its new leased facilities in New York, NY, and Boston, MA. The Government Accountability Office (GAO) submitted a report on this matter on October 20, 2005. The conferees urge the SEC to immediately implement the recommendations of the GAO report, namely: to establish accountability at both the staff and management levels to oversee the formulation of budgets; to create regular reporting and review procedures related to the three construction and lease improvement projects; to improve communication and consultation with operating units; to evaluate options for budget and facilities management; and complete the hiring of new positions in the Office of Administrative Services and the Office of Financial Management. The conferees direct the SEC to submit a report to the Committees on Appropriations on the implementation of these GAO recommendations within 90 days of enactment of this Act.

SMALL BUSINESS ADMINISTRATION

The conference agreement provides a total of $456,397,000 for the five appropriations accounts of the Small Business Administration (SBA). Detailed guidance for the five SBA appropriation accounts is contained in the following paragraphs.

SALARIES AND EXPENSES

The conference agreement provides $313,029,000 for the salaries and expenses account of the SBA, instead of $304,588,000 as proposed by the House and $336,084,000 as proposed by the Senate. Of the amounts provided under this heading, $184,529,000 is for operating expenses of the SBA. In addition, a total of $134,807,000 from other SBA accounts may be transferred to and merged with the salaries and expenses account, resulting in a total availability for salaries and expenses of $319,336,000. The additional amount consists of $125,807,000 from the Business Loans Program account and $9,000,000 from the Disaster Loans Program account for the administrative expenses related to those accounts.

The conferees understand that the Administration is phasing out the Low Documentation Processing (Low-Doc) program but that no jobs will be lost. Staff that previously worked in the Low-Doc program will now process other business loan applications. The conferees understand that small business borrowers will continue to have access to streamlined loan applications through the SBA Express program. The conferees expect the SBA to continue to help small businesses adapt to a paperless procurement environment and assist small businesses with regulatory compliance issues through the Small Business Compliance Alliance. The conferees expect SBA to continue to enhance opportunities for small businesses to partner with the manufacturing sector. The conferees continue to support the defense transition program.

The conferees adopt, by reference, the House report language concerning information technology systems and language requiring a report on the Small Business Development Centers, Women's Business Centers (WBC), and the Service Corps of Retired Executives (SCORE). The conferees adopt, by reference, House and Senate language regarding modifications to the HUBZone program. The SBA shall report to the Committees on Appropriations on proposed changes to the HUBZone program no later than 30 days after enactment of this Act.

Non-Credit Programs.—The conferees expect that no less than the following amounts shall be dedicated to these non-credit programs of the SBA:

Veterans Programs	$750,000
7(j) Technical Assistance Programs	1,500,000
Small Business Development Centers	89,000,000
SCORE	5,000,000
Women's Business Centers	12,500,000
Women's Business Council	750,000
Native American Outreach	1,000,000
Drug-free Workplace Program	1,000,000
Microloan Technical Assistance	13,000,000
PRIME Technical Assistance	2,000,000
HUBZones	2,000,000
Total, non-credit programs	128,500,000

In addition, the conferees expect that the Advocacy Research, National Ombudsman, United States Export Assistance Centers, 8(a), and Office of Women's Business Ownership programs receive no less than the fiscal year 2005 level of funding. The conferees adopt, by reference, the Senate language regarding the Small Disadvantaged Business Program.

The conference agreement includes bill language allowing WBCs in sustainability status to continue to receive grants and designates 41 percent of the total WBC funding for centers in sustainability status.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides $13,900,000 for the Office of Inspector General of the Small Business Administration, instead of $13,500,000 as proposed by the House and $14,500,000 as proposed by the Senate. The conferees recognize that because of the high number of recent Federal disaster declarations, the Office of Inspector General must conduct vigorous oversight of the disaster loan program to eliminate waste, fraud, and abuse in the disaster loan program. For this reason, the conference agreement includes language allowing an additional $1,500,000 to be transferred to this account from the Disaster Loans Program Account.

SURETY BOND GUARANTEES REVOLVING FUND

The conference agreement provides $2,861,000 under this account, as proposed by the House, instead of $3,000,000 as proposed by the Senate.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement provides $126,607,000, consisting of $1,300,000 for subsidies for direct business loans and $125,807,000 for administrative expenses related to business loan programs. The amount provided for administrative expenses may be transferred to and merged with the appropriation for SBA Salaries and Expenses to cover the common overhead expenses associated with business loans. The conference agreement also includes a provision allowing $500,000 of prior year balances to be transferred to the Salaries and Expenses account.

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The conference agreement includes no new funding for the Disaster Loans Program Account, in accordance with the amendment to the President's Budget that was submitted to the Congress on July 15, 2005.

The conference agreement includes bill language transferring $9,000,000 of prior year balances to the Salaries and Expenses account for indirect administrative expenses and $1,500,000 to the Office of Inspector General account for oversight of the disaster loan program.

The conferees understand that the emergency appropriations provided in response to natural disasters at the end of fiscal year 2004 greatly exceeded the actual need for loans to affected businesses and individuals. In fact, over $600,000,000 was carried forward into fiscal year 2006; therefore, the conferees expect that carryover balances shall be applied to meet the disaster loan program's needs. For this reason, the conference agreement does not provide an additional appropriation for fiscal year 2006. The conferees request that the SBA continue to provide a monthly status report on disaster loan activity to the Committees on Appropriations.

ADMINISTRATIVE PROVISION-SMALL BUSINESS ADMINISTRATION

The conference agreement includes bill language allowing transfers between accounts.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

The conference agreement provides $3,500,000 for the State Justice Institute (SJI), instead of $2,000,000 as proposed by the House and $5,000,000 as proposed by the Senate.

The conferees expect that successful applicants for new and continuing SJI grants will provide a cash match of not less than 50 percent of the total cost of the project. In addition, the conferees support SJI's grant requirements and remind grantees that adherence to grant guidelines is required in order to receive further Federal funding.

UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $3,000,000 for the United States-China Economic and Security Review Commission, instead of $4,000,000 as proposed by the House and $2,800,000 as proposed by the Senate.

UNITED STATES INSTITUTE OF PEACE

OPERATING EXPENSES

The conference agreement includes $22,350,000 for the United States Institute of Peace, instead of $22,850,000 as proposed by the House and $21,850,000 as proposed by the Senate. The conference agreement makes funds appropriated under this heading available until September 30, 2007.

Within the amount provided, the conferees expect the Institute to continue high priority activities with regard to Sudan and Iraq, as well as follow-on activities related to the recommendations in the report of the Institute's Task Force on the United Nations.

UNITED STATES SENATE-CHINA INTERPARLIAMENTARY GROUP

SALARIES AND EXPENSES

The conference agreement includes $150,000 for the United States Senate-China Interparliamentary Group as proposed by the Senate. The House bill did not include funding for this activity.

TITLE VI—GENERAL PROVISIONS

The conference agreement includes the following General Provisions:

Sec. 601.—The conference agreement includes section 601 regarding the use of appropriations for publicity and propaganda purposes.

Sec. 602.—The conference agreement includes section 602 regarding the availability of appropriations for obligation beyond the current fiscal year.

Sec. 603.—The conference agreement includes section 603 regarding the use of funds for consulting purposes.

Sec. 604.—The conference agreement includes section 604 providing that should any provision of the Act be held to be invalid, the remainder of the Act would not be affected.

Sec. 605.—The conference agreement includes section 605 regarding the policy by which funding available to the agencies funded under this Act may be reprogrammed for other purposes.

Sec. 606.—The conference agreement includes section 606 prohibiting funds in the bill from being used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission (EEOC) similar to proposed guidelines covering harassment based on religion published by the EEOC in October 1993.

Sec. 607.—The conference agreement includes section 607 regarding the purchase of American made products.

Sec. 608.—The conference agreement includes section 608 that requires agencies to provide quarterly reports to the Committees on Appropriations regarding unobligated balances.

Sec. 609.—The conference agreement includes section 609 requiring agencies and departments funded in this Act to absorb any necessary costs related to downsizing or consolidation within the amounts provided to the agency or department.

Sec. 610.—The conference agreement includes section 610 regarding the sale or export of tobacco or tobacco products.

Sec. 611.—The conference agreement includes section 611 that prohibits a user fee from being charged for background checks conducted pursuant to the Brady Handgun Control Act of 1993, and prohibits implementation of a background check system which does not require or result in destruction of certain information.

Sec. 612.—The conference agreement includes section 612 regarding amounts available under the Crime Victims Fund.

Sec. 613.—The conference agreement includes section 613 providing additional amounts for the Small Business Administration.

Sec. 614.—The conference agreement includes section 614 prohibiting the use of Department of Justice funds for programs that discriminate against, denigrate, or otherwise undermine the religious beliefs of students participating in such programs.

Sec. 615.—The conference agreement includes section 615 regarding the Small Business Administration Disaster Loans Program.

Sec. 616.—The conference agreement includes section 616 regarding transfers of funds.

Sec. 617.—The conference agreement includes section 617 regarding the implementation of telecommuting programs.

The conference agreement includes language requiring certain agencies funded in this Act to certify to the Committees on Appropriations that telecommuting opportunities have increased over the levels reported in fiscal year 2005.

The Government Accountability Office (GAO) recently concluded a review of these agencies' efforts on telework and found inconsistencies among them, both in identifying the telework-eligible population and in reporting. The conferees expect the agencies to work diligently to address both of these issues and to report on their progress in their quarterly reports.

The conferees expect each of the agencies to do the following: Expand telework-eligible population; put in place telework agreements for all eligible employees; and actively promote telework opportunities. In order to eliminate any negative perceptions about staff who choose to telework, agencies should consider providing training to managers on the benefits of telework arrangements.

The conferees are troubled that many of the agencies' telework programs do not even have a standardized manner in which to report participation. The conferees expect each of these agencies to implement time and attendance systems that will allow more accurate reporting.

Finally, the conferees expect the agencies' quarterly reports to highlight the following: (1) The agency population eligible to telework, including a comparison to the previous fiscal year; (2) the actual participation rate of the eligible population, including permanent, ad hoc, and episodic arrangements; and (3) the expansion of the eligible population.

Sec. 618.—The conference agreement includes section 618 regarding the negotiation or reevaluation of international agreements.

Sec. 619.—The conference agreement includes section 619 regarding the implementation of telecommuting programs.

Sec. 620.—The conference agreement includes section 620 regarding E-government initiatives.

Sec. 621.—The conference agreement includes section 621 regarding firearms tracing studies.

Sec. 622.—The conference agreement includes section 622 prohibiting the Federal Communications Commission to change rules governing the Universal Service Fund regarding single connection or primary line restrictions.

Sec. 623.—The conference agreement includes section 623 regarding patents.

Sec. 624.—The conference agreement includes section 624 that prohibits the use of funds to support or justify the use of torture.

Sec. 625.—The conference agreement includes section 625 regarding Capital Security Cost Sharing.

Sec. 626.—The conference agreement includes section 626 prohibiting funds for certain separation payments.

Sec. 627.—The conference agreement includes section 627 regarding a certain land sale.

Sec. 628.—The conference agreement includes section 628 regarding the development of a national aeronautics policy.

Sec. 629.—The conference agreement includes section 629 regarding the export of firearms.

Sec. 630.—The conference agreement includes section 630 regarding the use of funds to process permits to import certain products.

Sec. 631.—The conference agreement includes section 631 prohibiting funds to include certain language in new trade agreements.

Sec. 632.—The conference agreement includes section 632 designating funding for a Federal Trade Commission investigation on gasoline prices.

Sec. 633.—The conference agreement includes section 633 extending a certain exemption for the Universal Service Fund.

Sec. 634.—The conference agreement includes section 634 limiting attendance at international conferences.

Sec. 635.—The conference agreement includes section 635 regarding the responsibilities of the United States-China Economic and Security Review Commission.

Sec. 636.—The conference agreement includes section 636 regarding certain balances.

Sec. 637.—The conference agreement includes section 637 prohibiting funds for United States delegations to United Nations entities in certain circumstances.

(RESCISSION)

Sec. 638.—The conference agreement includes section 638 regarding amounts provided in this Act.

TITLE VII—RESCISSIONS

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

WORKING CAPITAL FUND

(RESCISSION)

The conference agreement includes a rescission of $2,500,000 from unobligated balances in this account.

LEGAL ACTIVITIES

ASSETS FORFEITURE FUND

(RESCISSION)

The conference agreement includes a rescission of $102,000,000 from unobligated balances in this account, instead of $62,000,000 as proposed by the House and $82,000,000 as proposed by the Senate.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

(RESCISSION)

The conference agreement includes a rescission of $25,000,000 from unobligated balances in this account, instead of $103,502,000 as proposed by the Senate.

OFFICE OF JUSTICE PROGRAMS

(RESCISSION)

The conference agreement includes a rescission of $110,500,000 from unobligated balances available to the Office of Justice Programs from prior year appropriations. The conferees direct the Department not to rescind funding from the State Criminal Alien Assistance Program, Prison Rape Prevention and Prosecution Programs, gang prevention programs, or from the Victims of Trafficking program.

COMMUNITY ORIENTED POLICING SERVICES

(RESCISSION)

The conference agreement includes a rescission of $86,500,000 from the unobligated balances available in this account, as proposed by the House.

DEPARTMENT OF COMMERCE

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

(RESCISSION)

The conference agreement includes a rescission of $25,000,000 from the unobligated balances available under this heading.

RELATED AGENCIES

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

The conference agreement includes a rescission of $25,300,000 from the unobligated balances available in this account.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

The conference agreement includes a rescission of $12,000,000 from the unobligated balances available in this account.

MARINE MAMMAL COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

The conference agreement includes a rescission of $920,000 from the unobligated balances available in this account.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

(RESCISSION)

The conference agreement includes a rescission of $3,000,000 from the unobligated balances available in this account.

BUSINESS LOANS PROGRAM ACCOUNT

(RESCISSION)

The conference agreement includes a rescission of $4,000,000 from the unobligated balances available in this account.

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2006 recommended by the Committee of Conference, with comparisons to the fiscal year 2005 amount, the 2006 budget estimates, and the House and Senate bills for 2006 follow:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2005	$62,939,025
Budget estimates of new (obligational) authority, fiscal year 2006	64,158,909
House bill, fiscal year 2006	61,293,285
Senate bill, fiscal year 2006	63,209,272
Conference agreement, fiscal year 2006	61,797,098
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2005	−1,141,927
Budget estimates of new (obligational) authority, fiscal year 2006	−2,361,811
House bill, fiscal year 2006	+503,813
Senate bill, fiscal year 2006	−1,412,174

FRANK R. WOLF,
CHARLES H. TAYLOR,
MARK STEVEN KIRK,
DAVE WELDON,
VIRGIL GOODE, Jr.,
RAY LAHOOD,
JOHN ABNEY CULBERSON,
RODNEY ALEXANDER,
JERRY LEWIS,
ALAN B. MOLLOHAN,
JOSÉ E. SERRANO,
BUD CRAMER,
PATRICK J. KENNEDY,
CHAKA FATTAH,
Managers on the Part of the House.

RICHARD C. SHELBY,
JUDD GREGG,
TED STEVENS,
PETE V. DOMENICI,
MITCH MCCONNELL,
KAY BAILEY HUTCHISON,
SAM BROWNBACK,
KIT BOND,
THAD COCHRAN,
BARBARA MIKULSKI,
DANIEL K. INOUYE,
PATRICK LEAHY,
HERB KOHL,
PATTY MURRAY,
TOM HARKIN,
BYRON L. DORGAN,
ROBERT C. BYRD,
Managers on the Part of the Senate.

DISCHARGING COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE FROM FURTHER CONSIDERATION OF HOUSE JOINT RESOLUTION 69, RELATING TO A NATIONAL EMERGENCY DECLARED BY THE PRESIDENT ON SEPTEMBER 8, 2005

Mr. GEORGE MILLER of California. Madam Speaker, I offer a privileged motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. George Miller of California moves that the Committee on Transportation and Infrastructure be discharged from further consideration of House Joint Resolution 69.

MOTION TO TABLE OFFERED BY MR. KILDEE

Mr. KILDEE. Madam Speaker, I move to table the motion.

The SPEAKER pro tempore. Without objection, the motion to table the motion to discharge is adopted and, without objection, a motion to reconsider is laid on the table.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Con. Res. 260, by the yeas and nays;

H.R. 1973, by the yeas and nays;

H. Res. 444, by the yeas and nays.

The first and third electronic votes will be conducted as 15-minute votes. The second vote in this series will be a 5-minute vote.

RECOGNIZING THE 40TH ANNIVERSARY OF THE SECOND VATICAN COUNCIL'S DECLARATION ON THE RELATION OF THE CHURCH TO NON-CHRISTIAN RELIGIONS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 260, as amended.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. POE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 260, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 349, nays 0, not voting 84, as follows:

[Roll No. 570]

YEAS—349

Abercrombie
Aderholt
Akin
Alexander
Allen
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Capito
Capps
Cardoza
Carnahan
Carson
Carter
Castle
Chabot
Chandler
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Hall
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Holt
Honda
Hooley
Hostettler
Hoyer
Hunter
Hyde
Inglis (SC)
Inslee
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Linder
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Melancon
Menendez
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Oxley
Pastor
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Spratt

Stearns
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weller
Westmoreland
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—84

Ackerman
Andrews
Baca
Becerra
Berman
Bishop (NY)
Boswell
Boustany
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Cantor
Capuano
Cardin
Case
Chocola
Conyers
Crowley
Cummings
Davis (TN)
Doyle
Ford
Gibbons
Gordon
Gutierrez
Gutknecht
Harris
Hastings (FL)
Hinchey
Hoekstra
Holden
Hulshof
Israel
Istook
Jenkins
Johnson (CT)
Jones (OH)
Kilpatrick (MI)
Kirk
LaHood
Lantos
Leach
Lee
Lewis (KY)
Lipinski
Marchant
McCarthy
McKinney
Meeks (NY)
Millender-McDonald
Murtha
Neal (MA)
Norwood
Owens
Pallone
Pascrell
Payne
Pomeroy
Price (NC)
Rangel
Reyes
Rush
Ryan (WI)
Sánchez, Linda T.
Schwarz (MI)
Scott (VA)
Serrano
Sherman
Shimkus
Slaughter
Solis
Souder
Stark
Strickland
Stupak
Taylor (NC)
Terry
Towns
Velázquez
Waters
Weldon (FL)
Weldon (PA)
Whitfield
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1855

Mr. HONDA changed his vote from ''nay'' to ''yea.''

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title of the concurrent resolution was amended so as to read: ''Concurrent resolution recognizing the 40th anniversary of the Second Vatican Council's promulgation of Nostra Aetate, the declaration on the relation of the Roman Catholic Church to non-Christian religions, and the historic role of Nostra Aetate in fostering mutual interreligious respect and dialogue.''.

A motion to reconsider was laid on the table.

SENATOR PAUL SIMON WATER FOR THE POOR ACT OF 2005

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 1973, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. POE) that the House suspend the rules and pass the bill, H.R. 1973, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 319, nays 34, not voting 80, as follows:

[Roll No. 571]

YEAS—319

Abercrombie
Aderholt
Akin
Alexander
Allen
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Capito
Capps
Cardoza
Carnahan
Carson
Carter
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Cole (OK)
Cooper
Costa
Costello
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goodlatte
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Hall
Harman
Hart
Hastings (WA)
Hayworth
Hefley
Herseth
Higgins
Hinojosa
Hobson
Holt
Honda
Hooley
Hoyer
Hunter
Hyde
Inglis (SC)
Inslee
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (IL)
Johnson, E. B.
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Linder
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Melancon
Menendez
Mica
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Myrick
Nadler
Napolitano
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Oxley
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Poe
Pombo
Porter
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Scott (GA)
Sessions
Shaw
Shays
Sherwood
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Spratt
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NAYS—34

Bartlett (MD)
Coble
Conaway
Davis (KY)
Deal (GA)
Duncan
Feeney
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Goode
Hayes
Hensarling
Herger
Hostettler
Johnson, Sam
Jones (NC)
King (IA)
McHenry
Miller (FL)
Miller (MI)
Miller, Gary
Musgrave
Neugebauer
Paul
Pence
Petri
Price (GA)
Sensenbrenner
Shadegg
Sodrel
Stearns
Westmoreland

NOT VOTING—80

Ackerman
Andrews
Baca
Becerra
Berman
Bishop (NY)
Boswell
Boustany
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Cantor
Capuano
Cardin
Case
Conyers
Crowley
Davis (TN)
Doyle
Ford
Gibbons
Gordon
Gutierrez
Gutknecht
Harris
Hastings (FL)
Hinchey
Hoekstra
Holden
Hulshof
Israel
Istook
Jenkins
Johnson (CT)
Jones (OH)
Kilpatrick (MI)
Kirk
LaHood
Leach
Lee
Lewis (KY)
Lipinski
Marchant
McCarthy
McKinney
Meeks (NY)
Millender-McDonald
Murtha
Neal (MA)
Norwood
Owens
Pallone
Pascrell
Payne
Pomeroy
Price (NC)
Rangel
Reyes
Rush
Ryan (WI)
Sánchez, Linda T.
Schwarz (MI)
Scott (VA)
Serrano
Sherman
Shimkus
Slaughter
Solis
Souder
Stark
Strickland
Stupak
Taylor (NC)
Terry
Towns
Velázquez
Waters
Weldon (FL)
Whitfield
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1909

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GYNECOLOGICAL RESOLUTION FOR ADVANCEMENT OF OVARIAN CANCER EDUCATION

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 444, as amended.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and agree to the resolution, H.

Res. 444, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 348, nays 0, not voting 85, as follows:

[Roll No. 572]

YEAS—348

Abercrombie
Aderholt
Akin
Alexander
Allen
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Capito
Capps
Cardoza
Carnahan
Carson
Carter
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Cooper
Costa
Costello
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Hall
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Holt
Honda
Hooley
Hostettler
Hoyer
Hunter
Hyde
Inglis (SC)
Inslee
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (IL)
Johnson, E. B.
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Levin
Lewis (CA)
Lewis (GA)
Linder
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Markey
Matheson
Matsui
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Melancon
Menendez
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Oxley
Pastor
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Scott (GA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Spratt
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (PA)
Weller
Westmoreland
Wexler
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NOT VOTING—85

Ackerman
Andrews
Baca
Becerra
Berman
Bishop (NY)
Boswell
Boustany
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Cantor
Capuano
Cardin
Case
Conyers
Crowley
Davis (TN)
Doyle
Ford
Franks (AZ)
Gibbons
Gordon
Gutierrez
Gutknecht
Harris
Hastings (FL)
Hinchey
Hoekstra
Holden
Hulshof
Israel
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Jones (OH)
Kilpatrick (MI)
Kirk
LaHood
Larson (CT)
Leach
Lee
Lewis (KY)
Lipinski
Marchant
Marshall
McCarthy
McKinney
Meeks (NY)
Millender-McDonald
Murtha
Neal (MA)
Norwood
Owens
Pallone
Pascrell
Payne
Pomeroy
Price (NC)
Rangel
Reyes
Rush
Ryan (WI)
Sánchez, Linda T.
Schwarz (MI)
Scott (VA)
Serrano
Sherman
Shimkus
Slaughter
Solis
Souder
Stark
Strickland
Stupak
Taylor (NC)
Terry
Towns
Velázquez
Waters
Weldon (FL)
Whitfield
Wilson (SC)
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BIGGERT) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1926

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. KILPATRICK of Michigan. Mr. Speaker, personal reasons require my absence from legislative business scheduled for today, Monday, November 7, 2005. Had I been present, I would have voted "yea" on H. Con. Res. 260, a resolution recognizing the 40th anniversary of the Second Vatican Council's Declaration on the Relation of the Church to Non-Christian Religions, etc. (rollcall No. 570); "yea" on H.R. 1973, Water for the Poor Act of 2005 (rollcall No. 571); and "yea" on H. Res. 444, the Gynecological Resolution for Advancement of Ovarian Cancer Education (rollcall No. 572).

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained and missed 3 rollcall votes. Had I been present, I would have voted "yea" on H. Con. Res. 260, H.R. 1973, and H. Res. 444.

PERSONAL EXPLANATION

Mr. ANDREWS. Mr. Speaker, I regret that I missed three votes on November 7th, 2005. Had I been present, I would have voted "yea" on H. Con. Res. 260 (Recognizing the 40th anniversary of the Second Vatican Council's Declaration on the Relation of the Church to Non-Christian Religions, Nostra Aetate, and the continuing need for mutual inter-religious respect and dialogue); "yea" on H.R. 1973 (Water for the Poor Act of 2005); and "yea" on H. Res. 444 (Gynecological Resolution for Advancement of Ovarian Cancer Education).

PERSONAL EXPLANATION

Mr. GUTKNECHT. Mr. Speaker, I was unavoidably absent from the House on November 7, 2005 due to an important meeting I had with the New Zealand Ambassador in St. Paul, Minnesota. During this meeting, the Ambassador and I discussed agricultural trade issues.

Had I been present in the House, I would have voted "yea" on the following bills: H. Con. Res. 260, H.R. 1973, and H. Res. 444.

PERSONAL EXPLANATION

Mr. PASCRELL. Mr. Speaker, I rise to offer a personal explanation. Earlier today, I was unavoidably detained on rollcall votes 570, 571, and 572 due to a prior obligation in my district. Had I been present, I would have voted "yea" on rollcall vote 570 (H. Con. Res. 260, Recognizing the 40th anniversary of the Second Vatican Council's Declaration on the Relation of the Church to Non-Christian Religions, Nostra Aetate, and the continuing need for mutual inter-religious respect and dialogue), "yea" on rollcall vote 571 (H.R. 1973, The Water for the Poor Act of 2005) and "yea" on rollcall vote 571 (H. Res. 444, Gynecological Resolution for Advancement of Ovarian Cancer Education).

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4228

Mr. LARSEN of Washington. Madam Speaker, I ask unanimous consent to have the gentleman from Michigan (Mr. LEVIN) removed as a cosponsor of H.R. 4228.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

CONFERENCE REPORT ON H.R. 2419, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2006

Mr. HOBSON submitted the following conference report and statement on the bill (H.R. 2419) making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes:

CONFERENCE REPORT (H. REPT. 109–275)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2419) ''making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2006, for energy and water development and for other purposes, namely:

TITLE I

CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, shore protection and storm damage reduction, aquatic ecosystem restoration, and related purposes.

INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection and storm damage reduction, aquatic ecosystem restoration, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by law, surveys and detailed studies and plans and specifications of projects prior to construction, $164,000,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, within the funds provided under this heading, $1,000,000 shall be available for planning assistance to the state of Ohio for Stark County watershed basin study:

Provided further, That using $8,000,000 of the funds provided herein, the Secretary of the Army, acting through the Chief of Engineers, is directed to conduct a comprehensive hurricane protection study at full federal expense to develop and present a full range of flood, coastal and hurricane protection measures exclusive of normal policy considerations for south Louisiana and the Secretary shall submit a feasibility report for short-term protection within 6 months of enactment of this Act, interim protection within 12 months of enactment of this Act and long-term comprehensive protection within 24 months of enactment of this Act: Provided further, That the Secretary shall consider providing protection for a storm surge equivalent to a Category 5 hurricane within the project area and may submit reports on component areas of the larger protection program for authorization as soon as practicable: Provided further, That the analysis shall be conducted in close coordination with the State of Louisiana and its appropriate agencies.

CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood control, shore protection and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); $2,372,000,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104–303; and of which such sums as are necessary pursuant to Public Law 99–662 shall be derived from the Inland Waterways Trust Fund, to cover one-half of the costs of construction and rehabilitation of inland waterways projects, (including the rehabilitation costs for Lock and Dam 11, Mississippi River, Iowa; Lock and Dam 19, Mississippi River, Iowa; Lock and Dam 24, Mississippi River, Illinois and Missouri; Lock 27, Mississippi River, Illinois; and Lock and Dam 3, Mississippi River, Minnesota) shall be derived from the Inland Waterways Trust Fund; and of which $12,000,000 shall be exclusively for projects and activities authorized under section 107 of the River and Harbor Act of 1960; and of which $500,000 shall be exclusively for projects and activities authorized under section 111 of the River and Harbor Act of 1968; and of which $7,000,000 shall be exclusively for projects and activities authorized under section 103 of the River and Harbor Act of 1962; and of which $40,000,000 shall be exclusively available for projects and activities authorized under section 205 of the Flood Control Act of 1948; and of which $15,000,000 shall be exclusively for projects and activities authorized under section 14 of the Flood Control Act of 1946; and of which $300,000 shall be exclusively for projects and activities authorized under section 208 of the Flood Control Act of 1954; and of which $30,000,000 shall be exclusively for projects and activities authorized under section 1135 of the Water Resources Development Act of 1986; and of which $30,000,000 shall be exclusively for projects and activities authorized under section 206 of the Water Resources Development Act of 1996; and of which $5,000,000 shall be exclusively for projects and activities authorized under sections 204 and 207 of the Water Resources Development Act of 1992 and section 933 of the Water Resources Development Act of 1986: Provided, That the Chief of Engineers is directed to use $11,250,000 of the funds appropriated herein for the Dallas Floodway Extension, Texas, project, including the Cadillac Heights feature, generally in accordance with the Chief of Engineers report dated December 7, 1999: Provided further, That the Chief of Engineers is directed to use $1,500,000 of the funds provided herein for the Hawaii Water Management Project: Provided further, That the Chief of Engineers is directed to use $13,000,000 of the funds appropriated herein for the navigation project at Kaumalapau Harbor, Hawaii: Provided further, That the Chief of Engineers is directed to use $4,000,000 of the funds provided herein for the Dam Safety and Seepage/Stability Correction Program for seepage control features and repairs to the tainter gates at Waterbury Dam, Vermont: Provided further, That $600,000 of the funds provided herein for the Dam Safety and Seepage/Stability Correction Program shall be available for Dover Dam, Ohio: Provided further, That the Chief of Engineers is directed to use $9,500,000 of the funds appropriated herein for planning, engineering, design or construction of the Grundy, Buchanan County, and Dickenson County, Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River Project: Provided further, That the Chief of Engineers is directed to use $5,600,000 of the funds appropriated herein for planning, engineering, design or construction of the Lower Mingo County, Upper Mingo County, Wayne County, McDowell County, West Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River Project: Provided further, That the Chief of Engineers is directed to use $5,600,000 of the funds appropriated herein for planning, engineering, design or construction of the Lower Mingo County, Upper Mingo County, Wayne County, McDowell County, West Virginia, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River Project: Provided further, That the Chief of Engineers is directed to continue the Dickenson County Detailed Project Report as generally defined in Plan 4 of the Huntington District Engineer's Draft Supplement to the section 202 General Plan for Flood Damage Reduction dated April 1997, including all Russell Fork tributary streams within the County and special considerations as may be appropriate to address the unique relocations and resettlement needs for the flood prone communities within the County: Provided further, That the Secretary of the Army, acting through the Chief of Engineers, is directed to use $16,000,000 of the funds appropriated herein for the Clover Fork, City of Cumberland, Town of Martin, Pike County (including Levisa Fork and Tug Fork Tributaries), Bell County, Harlan County in accordance with the Draft Detailed Project Report dated January 2002, Floyd County, Martin County, Johnson County, and Knox County, Kentucky, detailed project report, elements of the Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River: Provided further, That the Chief of Engineers is directed to proceed with work on the permanent bridge to replace Folsom Bridge Dam Road, Folsom, California, as authorized by the Energy and Water Development Appropriations Act, 2004 (Public Law 108–137), and, of the $15,000,000 available for the American River Watershed (Folsom Dam Mini-Raise), California, project, $10,000,000 of those funds be directed for the permanent bridge, with all remaining devoted to the Mini-Raise: Provided further, That $300,000 is provided for the Chief of Engineers to conduct a General Reevaluation Study on the Mount St. Helens project to determine if ecosystem restoration actions are prudent in the Cowlitz and Toutle watersheds for species that have been listed as being of economic importance and threatened or endangered: Provided further, That $35,000,000 shall be available for projects and activities authorized under 16 U.S.C. 410–r–8: Provided further, That the Secretary is directed to use $2,000,000 of the funds appropriated herein to provide a grant to the City of Caliente, Nevada, for the City to expend for the purpose of purchasing construction equipment to be used by the City in constructing local flood control measures.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for the flood damage reduction program for the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, $400,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund: Provided, That the Chief of Engineers is directed to use $20,000,000 of the funds provided herein for design and real estate activities and pump supply elements for the Yazoo Basin, Yazoo Backwater Pumping Plant, Mississippi: Provided further, That the Secretary of the Army, acting through the Chief of Engineers is directed to use $9,000,000 appropriated herein for construction of water withdrawal features of the Grand Prairie, Arkansas, project, of which such sums as are necessary to cover the Federal share of operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; for providing security for infrastructure owned and operated by, or on behalf of, the United States Army Corps of Engineers

(the ''Corps''), including administrative buildings and facilities, laboratories, and the Washington Aqueduct; for the maintenance of harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; and for surveys and charting of northern and northwestern lakes and connecting waters, clearing and straightening channels, and removal of obstructions to navigation, $1,989,000,000, to remain available until expended, of which such sums to cover the Federal share of operation and maintenance costs for coastal harbors and channels, and inland harbors shall be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662 may be derived from that fund; of which such sums as become available from the special account for the Corps established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l–6a(i)), may be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available under section 217 of the Water Resources Development Act of 1996, Public Law 104–303, shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which fees have been collected: Provided, That utilizing funds appropriated herein, for the Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland, the Chief of Engineers, is directed to reimburse the State of Delaware for normal operation and maintenance costs incurred by the State of Delaware for the SR1 Bridge from station 58+00 to station 293+00 between October 1, 2005, and September 30, 2006: Provided further, That the Chief of Engineers is authorized to undertake, at full Federal expense, a detailed evaluation of the Albuquerque levees for purposes of determining structural integrity, impacts of vegetative growth, and performance under current hydrological conditions: Provided further, That using $275,000 provided herein, the Chief of Engineers is authorized to remove the sunken vessel State of Pennsylvania from the Christina River in Delaware.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $160,000,000, to remain available until expended.

REVOLVING FUND

None of the funds in title I of this Act or otherwise available to the Corps of Engineers shall be available for the rehabilitation and lead and asbestos abatement of the dredge McFarland.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, $140,000,000, to remain available until expended.

GENERAL EXPENSES

For expenses necessary for general administration and related civil works functions in the headquarters of the United States Army Corps of Engineers, the offices of the Division Engineers, the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center, $154,000,000, to remain available until expended: Provided, That no part of any other appropriation provided in title I of this Act shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: Provided further, That the Secretary is directed to use $4,500,000 of the funds appropriated herein to conduct, at full federal expense and in close cooperation with state and local governments, comprehensive analyses that examine multi-jurisdictional use and management of water resources on a watershed or regional scale.

OFFICE OF ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS)

For expenses necessary for the Office of Assistant Secretary of the Army (Civil Works), as authorized by 10 U.S.C. 3016(b)(3), $4,000,000.

ADMINISTRATIVE PROVISION

Appropriations in this title shall be available for official reception and representation expenses not to exceed $5,000; and during the current fiscal year the Revolving Fund, Corps of Engineers, shall be available for purchase not to exceed 100 for replacement only and hire of passenger motor vehicles.

GENERAL PROVISIONS, CORPS OF ENGINEERS—CIVIL

SEC. 101. (a) None of the funds provided in title I of this Act, or provided by previous appropriations Acts to the agencies or entities funded in title I of this Act that remain available for obligation or expenditure in fiscal year 2006, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project or activity;

(3) increases funds or personnel for any program, project or activity for which funds have been denied or restricted by this Act;

(4) proposes to use funds directed for a specific activity by either the House or the Senate Committees on Appropriations for a different purpose;

(5) augments existing programs, projects or activities in excess of $2,000,000 or 50 percent, whichever is less, unless prior approval is received from the House and Senate Committees on Appropriations;

(6) reduces existing programs, projects or activities in excess of $2,000,000 or 50 percent, whichever is less, unless prior approval is received from the House and Senate Committees on Appropriations; or

(7) creates, reorganizes, or restructures a branch, division, office, bureau, board, commission, agency, administration, or department different from the budget justifications submitted to the Committees on Appropriations or the table accompanying the Statement of Managers accompanying this Act, whichever is more detailed, unless prior approval is received from the House and Senate Committees on Appropriations.

(b) Subsection (a)(1) shall not apply to any project or activity authorized under section 205 of the Flood Control Act of 1948; section 14 of the Flood Control Act of 1946; section 208 of the Flood Control Act of 1954; section 107 of the River and Harbor Act of 1960; section 103 of the River and Harbor Act of 1962; section 111 of the River and Harbor Act of 1968; section 1135 of the Water Resources Development Act of 1986; section 206 of the Water Resources Development Act of 1996; sections 204 and 207 of the Water Resources Development Act of 1992 or section 933 of the Water Resources Development Act of 1986.

(c) Not later than 60 days after the date of enactment of this Act, the Corps of Engineers shall submit a report to the Committees on Appropriations of the Senate and the House of Representatives to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: Provided, That the report shall include:

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by object class and program, project and activity as detailed in the budget appendix for the respective appropriations; and

(3) an identification of items of special congressional interest: Provided further, That the amount appropriated for salaries and expenses of the Corps of Engineers shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

(d) None of the funds received as a non-federal share for project costs by any agency funded in title I of this Act shall be available for reprogramming.

SEC. 102. Beginning in fiscal year 2006 and thereafter, agreements proposed for execution by the Assistant Secretary of the Army for Civil Works or the United States Army Corps of Engineers after the date of the enactment of this Act pursuant to section 4 of the River and Harbor Act of 1915, Public Law 64–291; section 11 of the River and Harbor Act of 1925, Public Law 68–585; the Civil Functions Appropriations Act, 1936, Public Law 75–208; section 215 of the Flood Control Act of 1968, as amended, Public Law 90–483; sections 104, 203, and 204 of the Water Resources Development Act of 1986, as amended, Public Law 99–662; section 206 of the Water Resources Development Act of 1992, as amended, Public Law 102–580; section 211 of the Water Resources Development Act of 1996, Public Law 104–303; and any other specific project authority, shall be limited to total credits and reimbursements for all applicable projects not to exceed $100,000,000 in each fiscal year.

SEC. 103. In order to protect and preserve the integrity of the water supply against further degradation, none of the funds made available under this Act and any other Act hereafter may be used by the Army Corps of Engineers to support activities related to any proposed new landfill in the Muskingum Watershed if such landfill—

(1) has not received a permit to construct from the State agency with responsibility for solid waste management in the watershed;

(2) has not received waste for disposal during 2005; and

(3) is not contiguous or adjacent to a portion of a landfill that has received waste for disposal in 2005 and each landfill is owned by the same person or entity.

SEC. 104. None of the funds appropriated in this or any other Act shall be used to demonstrate or implement any plans divesting or transferring any Civil Works missions, functions, or responsibilities of the United States Army Corps of Engineers to other government agencies without specific direction in a subsequent Act of Congress.

SEC. 105. ST. GEORGES BRIDGE, DELAWARE.—None of the funds made available in this Act may be used to carry out any activity relating to closure or removal of the St. Georges Bridge across the Intracoastal Waterway, Delaware River to Chesapeake Bay, Delaware and Maryland, including a hearing or any other activity relating to preparation of an environmental impact statement concerning the closure or removal.

SEC. 106. Notwithstanding any other provision of law, the requirements regarding the use of continuing contracts under the authority of section 206 of the Water Resources Development Act of 1999 (33 U.S.C. 2331) shall apply only to projects funded under the Operation and Maintenance account and the Operation and Maintenance subaccount of the Flood Control, Mississippi River and Tributaries account.

SEC. 107. Within 75 days of the date of the Chief of Engineers Report on a water resource matter, the Assistant Secretary of the Army (Civil Works) shall submit the report to the appropriate authorizing and appropriating committees of the Congress.

SEC. 108. None of the funds made available in title I of this Act may be used to award any continuing contract or to make modifications to any existing continuing contract that commits an amount for a project in excess of the amount appropriated for such project pursuant to this Act:

Provided, That the amounts appropriated in this Act may be modified pursuant to the authorities provided in section 101 of this Act or through the application of unobligated balances for such project.

SEC. 109. Within 90 days of the date of enactment of this Act, the Assistant Secretary of the Army (Civil Works) shall transmit to Congress his report on any water resources matter on which the Chief of Engineers has reported.

SEC. 110. Section 123 of Public Law 108–137 (117 Stat. 1837) is amended by striking ''in accordance with the Baltimore Metropolitan Water Resources-Gwynns Fall Watershed Feasibility Report'' and all that follows and inserting the following language in lieu thereof: ''in accordance with the Baltimore Metropolitan Water Resources Gwynns Falls Watershed Study—Draft Feasibility Report and Integrated Environmental Assessment prepared by the Corps of Engineers and the City of Baltimore, Maryland, dated April 2004. The non-Federal sponsor shall receive credit toward its share of project costs for work carried out by the non-Federal sponsor prior to execution of a project cooperation agreement, if the Secretary determines that the work is integral to the project. The non-Federal sponsor may also receive credit for any work performed by the non-Federal sponsor pursuant to a project cooperation agreement. The non-Federal sponsor shall be reimbursed for any work performed by the non-Federal sponsor that is in excess of the non-Federal share of project costs.''.

SEC. 111. None of the funds in this Act may be expended by the Secretary of the Army to construct the Port Jersey element of the New York and New Jersey Harbor or to reimburse the local sponsor for the construction of the Port Jersey element until commitments for construction of container handling facilities are obtained from the non-Federal sponsor for a second user along the Port Jersey element.

SEC. 112. MARMET LOCK, KANAWHA RIVER, WEST VIRGINIA. Section 101(a)(31) of the Water Resources Development Act of 1996 (110 Stat. 3666), is amended by striking ''$229,581,000'' and inserting ''$358,000,000''.

SEC. 113. TRUCKEE MEADOWS FLOOD CONTROL PROJECT, NEVADA.—The non-federal funds expended for purchase of lands, easements and rights-of-way, implementation of project monitoring and assessment, and construction and implementation of recreation, ecosystem restoration, and water quality improvement features, including the provision of 6700 acre-feet of water rights no later than the effective date of the Truckee River Operating Agreement for revegetation, reestablishment and maintenance of riverine and riparian habitat of the Lower Truckee River and Pyramid Lake, whether expended prior to or after the signing of the Project Cooperation Agreement (PCA), shall be fully credited to the non-federal sponsor's share of costs for the project: provided, That for the purposes of benefit-cost ratio calculations in the General Reevaluation Report (GRR), the Truckee Meadows Nevada Flood Control Project shall be defined as a single unit and non-separable.

SEC. 114. WATER REALLOCATION, LAKE CUMBERLAND, KENTUCKY. (a) IN GENERAL.—Subject to subsection (b), none of the funds made available by this Act may be used to carry out any water reallocation project or component under the Wolf Creek Project, Lake Cumberland, Kentucky, authorized under the Act of June 28, 1938 (52 Stat. 1215, chapter 795) and the Act of July 24, 1946 (60 Stat. 636, chapter 595).

(b) EXISTING REALLOCATIONS.—Subsection (a) shall not apply to any water reallocation for Lake Cumberland, Kentucky, that is carried out subject to an agreement or payment schedule in effect on the date of enactment of this Act.

SEC. 115. Section 529(b)(3) of Public Law 106–541 is amended by striking ''$10,000,000'' and inserting ''$20,000,000'' in lieu thereof.

SEC. 116. YAZOO BASIN, BIG SUNFLOWER RIVER, MISSISSIPPI.—The Yazoo Basin, Big Sunflower River, Mississippi, project authorized by the Flood Control Act of 1944, as amended and modified, is further modified to include the design and construction at full Federal expense of such measures as determined by the Chief of Engineers to be advisable for the control and reduction of sedimentation, erosion and headcutting in watersheds of the Yazoo Basin: Yazoo Headwater and Big Sunflower.

SEC. 117. LOWER MISSISSIPPI RIVER MUSEUM AND RIVERFRONT INTERPRETIVE SITE, MISSISSIPPI.—The Water Resources Development Act of 1992 (106 Stat. 4811) is amended by—

(1) in section 103(c)(2) by striking ''property currently held by the Resolution Trust Corporation in the vicinity of the Mississippi River Bridge'' and inserting ''riverfront property''; and

(2) in section 103(c)(7)—

(A) by striking ''There is'' and inserting the following: ''(A) IN GENERAL.—There is''; and

(B) by striking ''$2,000,000'' and all that follows and inserting the following: ''$15,000,000 to plan, design, and construct generally in accordance with the conceptual plan to be prepared by the Corps of Engineers.

''(B) FUNDING.—The planning, design, and construction of the Lower Mississippi River Museum and Riverfront Interpretive Site shall be carried out using funds appropriated as part of the Mississippi River Levees feature of the Mississippi River and Tributaries Project, authorized by the Act of May 15, 1928 (45 Stat. 534, chapter 569).''.

SEC. 118. Section 593(h) of Public Law 106–541 is amended by striking ''$25,000,000'' and inserting ''$50,000,000'' in lieu thereof.

SEC. 119. The project for navigation, Los Angeles Harbor, California, authorized by section 101(b)(5) of the Water Resources Development Act of 2000 (114 Stat. 2577) is modified to authorize the Chief of Engineers to carry out the project at a total cost of $222,000,000.

SEC. 120. Section 219(f) of the Water Resources Development Act of 1992 (Public Law 102–580; 106 Stat. 4835), as amended by section 502(b) of the Water Resources Development Act of 1999 (Public Law 106–53) and section 108(d) of title I of division B of the Miscellaneous Appropriations Act, 2001 (as enacted by Public Law 106–554; 114 Stat. 2763A–220), is further amended by adding at the end the following:

''(72) ALPINE, CALIFORNIA.—$10,000,000 is authorized for a water transmission main, Alpine, CA.''.

SEC. 121. (a) The Secretary of the Army may carry out and fund projects to comply with the 2003 Biological Opinion described in section 205(b) of the Energy and Water Development Appropriations Act, 2005 (Public Law 108–447; 118 Stat. 2949) as amended by subsection (b) and may award grants and enter into contracts, cooperative agreements, or interagency agreements with participants in the Endangered Species Act Collaborative Program Workgroup referenced in section 209(a) of the Energy and Water Development Appropriations Act, 2004 (Public Law 108–137; 117 Stat. 1850) in order to carry out such projects. Any project undertaken under this subsection shall require a non-Federal cost share of 25 percent, which may be provided through in-kind services or direct cash contributions and which shall be credited on a programmatic basis instead of on a project-by-project basis, with reconciliation of total project costs and total non-Federal cost share calculated on a three year incremental basis. Non-Federal cost share that exceeds that which is required in any calculated three year increment shall be credited to subsequent three year increments.

(b) Section 205(b) of Public Law 108–447 (118 Stat. 2949) is amended by adding ''and any amendments thereto'' after the word ''2003''.

SEC. 122. BLUESTONE, WEST VIRGINIA. Section 547 of the Water Resources Development Act of 2000 (114 Stat. 2676) is amended—

(1) in subsection (b)(1)(A) by striking ''4 years'' and inserting ''5 years'';

(2) in subsection (b)(1)(B)(iii) by striking ''if all'' and all that follows through ''facility'' and inserting ''assurance project'';

(3) in subsection (b)(1)(C) by striking ''and construction'' and inserting '', construction, and operation and maintenance'';

(4) by adding at the end of subsection (b) the following:

''(3) OPERATION AND OWNERSHIP.—The Tri-Cities Power Authority shall be the owner and operator of the hydropower facilities referred to in subsection (a).'';

(5) in subsection (c)(1)—

(A) by striking ''No'' and inserting ''Unless otherwise provided, no'';

(B) by inserting ''planning,'' before ''design''; and

(C) by striking ''prior to'' and all that follows through ''subsection (d)'';

(6) in subsection (c)(2) by striking ''design'' and inserting ''planning, design,'';

(7) in subsection (d)—

(A) by striking paragraphs (1) and (2) and inserting the following:

''(1) APPROVAL.—The Secretary shall review the design and construction activities for all features of the hydroelectric project that pertain to and affect stability of the dam and control the release of water from Bluestone Dam to ensure that the quality of construction of those features meets all standards established for similar facilities constructed by the Secretary.'';

(B) by redesignating paragraph (3) as paragraph (2);

(C) by striking the period at the end of paragraph (2) (as so redesignated) and inserting '', except that hydroelectric power is no longer a project purpose of the facility so long as Tri-Cities Power Authority continues to exercise its responsibilities as the builder, owner, and operator of the hydropower facilities at Bluestone Dam. Water flow releases and flood control from the hydropower facilities shall be determined and directed by the Corps of Engineers.''; and

(D) by adding at the end the following:

''(3) COORDINATION.—Construction of the hydroelectric generating facilities shall be coordinated with the dam safety assurance project currently in the design and construction phases.'';

(8) in subsection (e) by striking ''in accordance'' and all that follows through ''58 Stat. 890)'';

(9) in subsection (f)—

(A) by striking ''facility of the interconnected systems of reservoirs operated by the Secretary'' each place it appears and inserting ''facilities under construction under such agreements''; and

(B) by striking ''design'' and inserting ''planning, design'';

(10) in subsection (f)(2)—

(A) by ''Secretary'' each place it appears and inserting ''Tri-Cities Power Authority''; and

(B) by striking ''facilities referred to in subsection (a)'' and inserting ''such facilities'';

(11) by striking paragraph (1) of subsection (g) and inserting the following:

''(1) to arrange for the transmission of power to the market or to construct such transmission facilities as necessary to market the power produced at the facilities referred to in subsection (a) with funds contributed by the Tri-Cities Power Authority; and'';

(12) in subsection (g)(2) by striking ''such facilities'' and all that follows through ''the Secretary'' and inserting ''the generating facility''; and

(13) by adding at the end the following:

''(i) TRI-CITIES POWER AUTHORITY DEFINED.—In this section, the 'Tri-Cities Power Authority' refers to the entity established by the City of Hinton, West Virginia, the City of White Sulphur Springs, West Virginia, and the City of Philippi, West Virginia, pursuant to a document entitled 'Second Amended and Restated Intergovernmental Agreement' approved by the Attorney General of West Virginia on February 14, 2002.''.

SEC. 123. (a) IN GENERAL.—

(1) After the date of enactment of this Act, the Secretary of the Army shall carry out the project for wastewater infrastructure, DeSoto County, Mississippi, authorized by section 219(f)(30) of Public Law 102–580, as amended, in accordance with the provisions of this subsection.

(2) The non-Federal interest shall be primarily responsible for carrying out work on the project referred to in paragraph (1) that is not covered by the Project Cooperation Agreement executed on May 13, 2002 or any amendments thereto, including work associated with the design, construction, management, and administration of the project. The non-Federal interest may carry out work on the project subject to obtaining any permits required pursuant to Federal and State laws and subject to general supervision and administrative oversight by the Secretary of the Army.

(3) The Federal share of project costs incurred by the non-Federal interest in carrying out work on the project as provided for in paragraph (2) shall equal 75 percent of the total cost of the work and shall be in the form of grants or reimbursements, except that the total amount of Federal funds available for the project, including that portion of the project carried out as provided for in paragraph (2), may not exceed $55,000,000.

(b) TECHNICAL AMENDMENT.—Section 6006 of the Emergency Supplemental Appropriations Act, 2005 (119 Stat. 282) is amended by striking ''between May 13, 2002, and September 30, 2005'' and inserting ''after May 13, 2002'' in lieu thereof.

SEC. 124. The project for flood control, Las Vegas Wash and Tributaries (Flamingo and Tropicana Washes), Nevada, authorized by section 101(13) of Public Law 102–580 and modified by Public Law 108–7 (H.J. Res. 2) Consolidated Appropriations Resolution, 2003, section 107 is further modified to provide that the costs incurred for design and construction of the project channel crossings in the reach of the channels from Shelbourne Avenue proceeding north along the alignment of Durango Drive and continuing east along the Southern Beltway to Martin Avenue shall be added to the authorized cost of the project and such costs shall be cost shared and shall not be considered part of the non-Federal sponsor's responsibility to provide lands, easements, and rights-of-way, and to perform relocations for the project.

SEC. 125. RESTORATION OF THE LAKE MICHIGAN WATERFRONT AND RELATED AREAS, LAKE AND PORTER COUNTIES, INDIANA.—The Secretary of the Army, acting through the Chief of Engineers is authorized and directed to carry out a continuing program for the restoration of the Lake Michigan Waterfront and Related Areas, Lake and Porter Counties, Indiana.

(1) DEFINITIONS.—

(A) Related areas are defined as adjacent or close sites that have an impact or influence on the waterfront areas or aquatic habitat.

(B) Restore is defined as—

(i) activities that improve a site's ecosystem function, structure, and dynamic processes to a less degraded and more natural condition, and/or

(ii) the management of contaminants that allow the site to be safely used for ecological and/or economic purposes.

(2) JUSTIFICATION.—Projects can be justified by ecosystem benefits, clean-up of contaminated sites, public health, safety, economic benefits or any combination of these. Sites restored for economic purposes can be redeveloped by others. Restoration sites may include compatible recreation facilities that do not diminish the restoration purpose and do not increase the Federal cost share by more than 10 percent.

(3) COST SHARING.—The construction of projects are cost shared at 65 percent Federal and 35 percent non-Federal except when there is a demonstration of innovative technology. The cost share is then 85 percent Federal and 15 percent non-Federal.

(4) CREDIT.—

(A) The Secretary shall credit the non-Federal interest for the value of any lands, easements, rights-of-way, relocations, excavated and/or dredged material disposal areas required for carrying out a project. When the cost of the provision of all lands, easements, rights-of-way, relocations, excavated and/or dredged material disposal areas exceeds the non-Federal share, as identified in paragraph (3), the non-Federal interest may waive any right under Federal cost-sharing policy to receive cash reimbursement for any such value in excess of the non-Federal share as identified in paragraph (3).

(B) The non-Federal interest may provide up to 100 percent of the non-Federal share required under paragraph (3) in the form of services, materials, supplies, or other in-kind contributions including monies paid pursuant to, or the value of any in-kind service performed under, an administrative order on consent or jurisdictional consent decree but may not include any monies paid pursuant to, or the value of any in-kind service performed under, a unilateral administrative order or court order.

(C) The total of non-Federal credit for services, materials, supplies, or other in-kind contributions when combined with lands, easements, rights-of-way, relocations, excavated and/or dredged material disposal areas shall not exceed the non-Federal share identified in paragraph (3).

(5) OPERATION, MAINTENANCE, REPAIR, REPLACEMENT AND REHABILITATION.—Operation, maintenance, repair, replacement and rehabilitation is 100 percent non-Federal cost.

(6) HOLD HARMLESS.—Non-Federal interests hold and save harmless the United States free from claims or damages due to implementation of the project except for negligence of the government.

(7) AUTHORIZED APPROPRIATIONS.—There is authorized to be appropriated to carry out this program $20,000,000 for each fiscal year.

SEC. 126. CHESAPEAKE BAY OYSTER RESTORATION, MARYLAND AND VIRGINIA.—The second sentence of section 704(b) of the Water Resources Development Act of 1986 (33 U.S.C. 2263(b)) is amended by striking ''$20,000,000'' and inserting ''$30,000,000''.

SEC. 127. The project for flood control, Little Calumet River, Indiana, authorized by section 401(a) of Public Law 99–662 (100 Stat. 4115) is modified to authorize the Secretary of the Army to complete the project in accordance with the post authorization change report dated August 2000 at a total cost of $198,000,000 with an estimated Federal cost of $148,500,000 and an estimated non-Federal cost of $49,500,000.

SEC. 128. AMERICAN RIVER WATERSHED, CALIFORNIA (FOLSOM DAM AND PERMANENT BRIDGE).—(a) COORDINATION OF FLOOD DAMAGE REDUCTION AND DAM SAFETY.—The Secretary of the Army and the Secretary of the Interior are directed to collaborate on authorized activities to maximize flood damage reduction improvements and address dam safety needs at Folsom Dam and Reservoir, California. The Secretaries shall expedite technical reviews for flood damage reduction and dam safety improvements. In developing improvements under this section, the Secretaries shall consider reasonable modifications to existing authorized activities, including a potential auxiliary spillway. In conducting such activities, the Secretaries are authorized to expend funds for coordinated technical reviews and joint planning, and preliminary design activities.

(b) SECRETARY'S ROLE.—Section 134 of Public Law 108–137 (117 Stat. 1842) is modified to read as follows:

''SEC. 134. BRIDGE AUTHORIZATION.

''There is authorized to be appropriated to the Secretary of the Army $30,000,000 for the construction of the permanent bridge described in section 128(a), above the $36,000,000 provided for in the recommended plan for bridge construction. The $30,000,000 shall not be subject to cost sharing requirements with non-Federal interests.''.

(c) CONFORMING CHANGE.—Section 128(a) of Public Law 108–137 (117 Stat. 1838) is modified by deleting ''above the $36,000,000 provided for in the recommended plan for bridge construction,'' and inserting in lieu thereof the following: ''above the sum of the $36,000,000 provided for in the recommended plan for bridge construction and the amount authorized to be appropriated by section 134, as amended,''.

(d) MAXIMUM COST OF PROJECT.—The costs cited in subsections (b) and (c) shall be adjusted to allow for increases pursuant to section 902 of Public Law 99–662 (100 Stat. 4183). For purposes of making adjustments pursuant to this subsection, the date of authorization of the bridge project shall be December 1, 2003.

(e) EXPEDITED CONSTRUCTION.—The Secretary, in coordination with the Secretary of the Interior and affected non-federal officials (including the City of Folsom, California), shall expedite construction of a new bridge and associated roadway authorized in Public Law 108–137. The Secretary, to the extent practicable, may construct such work in a manner that is compatible with the design and construction of authorized projects for flood damage reduction and dam safety. The Secretary and the Secretary of the Interior shall expedite actions under their respective jurisdictions to facilitate timely completion of construction.

(f) REPORT TO CONGRESS.—The Secretary of the Army, in consultation with the Secretary of the Interior and non-federal interests, shall report to Congress within ninety days of the date of enactment of this Act, and at four-month intervals thereafter, on the status and schedule of planning, design and construction activity.

SEC. 129. JACKSONVILLE HARBOR, FLORIDA.—(a) The project for navigation, Jacksonville Harbor, Florida, authorized by section 101(a)(17) of the Water Resources Development Act of 1999 (113 Stat. 276), is modified to authorize the Secretary to extend the navigation features in accordance with the Report of the Chief of Engineers, dated July 22, 2003, at a total cost of $14,658,000, with an estimated Federal cost of $9,636,000 and an estimated non-Federal cost of $5,022,000.

(b) The non-Federal share of the costs of the General Reevaluation Reports on the Jacksonville Harbor which were begun prior to August 2004, shall be consistent with the non-Federal costs in implementing the overall construction project.

SEC. 130. Section 594(g) of the Water Resources Development Act of 1999 (113 Stat. 383) is amended by striking ''$60,000,000'' and inserting ''$240,000,000''.

SEC. 131. ONONDAGA LAKE, NEW YORK.—Section 573 of the Water Resources Development Act of 1999 (113 Stat. 372) is amended—

(1) in subsection (f) by striking ''$10,000,000'' and inserting ''$30,000,000'';

(2) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(3) by inserting after subsection (e) the following:

''(f) NONPROFIT ENTITIES.—Notwithstanding section 221(b) of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b(b)), for any project carried out under this section, a non-Federal interest may include a nonprofit entity, with the consent of the affected local government.''.

SEC. 132. WHITE RIVER BASIN, ARKANSAS.—(a) MINIMUM FLOWS.—

(1) IN GENERAL.—The Secretary is authorized and directed to implement alternatives BS–3 and NF–7, as described in the White River Minimum Flows Reallocation Study Report, Arkansas and Missouri, dated July 2004.

(2) COST SHARING AND ALLOCATION.—Reallocation of storage and planning, design and construction of White River Minimum Flows project

facilities shall be considered fish and wildlife enhancement that provides national benefits and shall be a Federal expense in accordance with section 906(e) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(e)). The non-Federal interests shall provide relocations or modifications to public and private lakeside facilities at Bull Shoals Lake and Norfork Lake to allow reasonable continued use of the facilities with the storage reallocation as determined by the Secretary in consultation with the non-Federal interests. Operations and maintenance costs of the White River Minimum Flows project facilities shall be 100 percent Federal. All Federal costs for the White River Minimum Flows project shall be considered non-reimbursable.

(3) IMPACTS ON NON-FEDERAL PROJECT.—The Administrator of Southwestern Power Administration, in consultation with the project licensee and the relevant state public utility commissions, shall determine any impacts on electric energy and capacity generated at Federal Energy Regulatory Commission Project No. 2221 caused by the storage reallocation at Bull Shoals Lake, based on data and recommendations provided by the relevant state public utility commissions. The licensee of Project No. 2221 shall be fully compensated by the Corps of Engineers for those impacts on the basis of the present value of the estimated future lifetime replacement costs of the electrical energy and capacity at the time of implementation of the White River Minimum Flows project. Such costs shall be included in the costs of implementing the White River Minimum Flows project and allocated in accordance with subsection (a)(2) above.

(4) OFFSET.—In carrying out this subsection, losses to the Federal hydropower purpose of the Bull Shoals and Norfork Projects shall be offset by a reduction in the costs allocated to the Federal hydropower purpose. Such reduction shall be determined by the Administrator of the Southwestern Power Administration on the basis of the present value of the estimated future lifetime replacement cost of the electrical energy and capacity at the time of implementation of the White River Minimum Flows project.

(b) FISH HATCHERY.—In constructing, operating, and maintaining the fish hatchery at Beaver Lake, Arkansas, authorized by section 105 of the Water Resources Development Act of 1976 (90 Stat. 2921), losses to the Federal hydropower purpose of the Beaver Lake Project shall be offset by a reduction in the costs allocated to the Federal hydropower purpose. Such reduction shall be determined by the Administrator of the Southwestern Power Administration based on the present value of the estimated future lifetime replacement cost of the electrical energy and capacity at the time operation of the hatchery begins.

(c) REPEAL.—Section 374 of the Water Resources Development Act of 1999 (113 Stat. 321) and section 304 of the Water Resources Development Act of 2000 (Public Law 106–541) are repealed.

CALCASIEU SHIP CHANNEL, LOUISIANA.—

(a) IN GENERAL.—At such time as Pujo Heirs and Westland Corporation convey all right, title, and interest in and to the real property described in paragraph (b)(1) to the United States, the Secretary shall convey all right, title, and interest of the United States in and to the real property described in paragraph (b)(2) to Pujo Heirs and Westland Corporation.

(b) LAND DESCRIPTION.—The parcels of land referred to in paragraph (a) are the following:

(1) NON-FEDERAL INTEREST IN LAND.—An easement for placement of dredged materials over a contiguous equivalent area to the real property described in subparagraph (2). The parcels on which such an easement may be exchanged is all of the area within the diked or confined boundaries of the Corps of Engineers Dredge Material Placement Area M comprising Tract 128E, Tract 129E, Tract 131E, Tract 41A, Tract 42, Tract 132E, Tract 130E, Tract 134E, Tract 133E–3, Tract 140E, or some combination thereof.

(2) FEDERAL INTEREST IN LAND.—An easement for placement of dredged materials over an area in Cameron Parish, Louisiana, known as portions of Government Tract Numbers 139E–2 and 48 (both tracts on the west shore of the Calcasieu Ship Channel), and other tracts known as Corps of Engineers Dredge Material Placement Area O.

(c) CONDITIONS.—The exchange of real property under paragraph (1) shall be subject to the following conditions:

(1) DEEDS.—

(A) NON-FEDERAL LAND.—The conveyance of the real property described in paragraph (b)(1) to the Secretary shall be by a warranty deed acceptable to the Secretary.

(B) FEDERAL LAND.—The conveyance of the real property described in paragraph (b)(2) to Pujo Heirs and Westland Corporation shall be by a quitclaim deed.

(2) TIME LIMIT FOR EXCHANGE.—The land exchange under paragraph (a) shall be completed not later than six months after the date of enactment of this Act.

(3) INCREMENTAL COSTS.—As determined by the Secretary, incremental costs to the Lake Charles Harbor and Terminal District associated with the preparation of the area and the placement of dredge material in the new disposal easement area, paragraph (b)(1), including, site preparation costs, associated testing, permitting, mitigation and diking costs associated with such new disposal easement over the costs that would have been incurred in the placement of dredge material in the old disposal easement area, paragraph (b)(2) (comprising all of Corps of Engineers Dredge Material Placement Area O) up to the disposal capacity equivalent of the property described in paragraph (b)(2), shall be made available by the Owners. Owners shall make appropriated guarantees, as agreed to by the Secretary, that funds will be available as needed to cover such incremental costs. The Lake Charles Harbor and Terminal District, as local sponsor for the Calcasieu Ship Channel Project, shall not be assessed or caused to incur any costs arising out of, associated with or as a consequence of the land exchange authorized under paragraph (a).

(d) VALUE OF PROPERTIES.—If the appraised fair market value, as determined by the Secretary, of the real property conveyed to Pujo Heirs and Westland Corporation by the Secretary under paragraph (a) exceeds the appraised fair market value, as determined by the Secretary, of the real property conveyed to the United States by Pujo Heirs and Westland Corporation under paragraph (a), Pujo Heirs and Westland Corporation shall make a payment to the United States equal to the excess in cash or a cash equivalent that is satisfactory to the Secretary.

SEC. 134. PROJECT MODIFICATION.—(a) IN GENERAL.—The project for flood damage reduction, environmental restoration, recreation, Johnson Creek, Arlington, Texas, authorized by section 101(b)(14) of the Water Resources Development Act of 1999 (113 Stat. 280–281) is modified—

(1) to deauthorize the ecosystem restoration portion of the project that consists of approximately 90 acres of land located between Randol Mill and the Union Pacific East/West line; and

(2) to authorize the Secretary of the Army to design and construct an ecosystem restoration project on lands identified in subsection (c) that will provide the same or greater level of national ecosystem restoration benefits as the portion of the project described in paragraph (1).

(b) CREDIT TOWARD FEDERAL SHARE.—The Secretary of the Army shall credit toward the Federal share of the cost of the modified project the costs incurred by the Secretary to carry out the project as originally authorized under section 101(b)(14) of the Water Resources Development Act of 1999 (113 Stat. 280). The non-Federal interest shall not be responsible for reimbursing the Secretary for any amount credited under this subsection.

(c) COMPARABLE PROPERTY.—Not later than 6 months after the date of enactment of this Act, the City of Arlington, Texas, shall identify lands, acceptable to the Secretary of the Army, amounting to not less than 90 acres within the City, where an ecosystem restoration project may be constructed to provide the same or greater level of National ecosystem restoration benefits as the land described in subsection (a)(1).

SEC. 135. Funds made available in Public Law 105–62 and Public Law 105–245 for Hudson River, Athens, New York, shall be available for projects in the Catskill/Delaware watersheds in Delaware and Greene Counties, New York, under the authority of the New York City Watershed Environmental Assistance Program.

SEC. 136. None of the funds contained in title I of this Act shall be available to permanently reassign or to temporarily reassign in excess of 180 days personnel from the Charleston, South Carolina district office: Provided, That this limitation shall not apply to voluntary change of station.

SEC. 137. The Secretary of the Army, acting through the Chief of Engineers, is hereby authorized and directed to design and construct until hereafter completed, the recreation and access features designated as Phase II of the Louisville Waterfront Park, Kentucky, as described in the Louisville Waterfront Park, Phases II and III, Detailed Project Report, by the Louisville District of the Corps of Engineers dated May 2002. The project shall be cost shared 50 percent Federal and 50 percent non-Federal. The cost of project work undertaken by the non-Federal interests, including but not limited to prior planning, design, and construction, shall be credited toward the non-Federal share of project design and construction costs.

SEC. 138. AKUTAN, ALASKA.—(a) IN GENERAL.—The Secretary of the Army is authorized to carry out the project for navigation, Akutan, Alaska, substantially in accordance with the plans, and subject to the conditions, described in the Report of the Chief of Engineers dated December 20, 2004, at a total cost of $19,700,000.

(b) TREATMENT OF CERTAIN DREDGING.—The headlands dredging for the mooring basin shall be considered a general navigation feature for purposes of estimating the non-Federal share of the cost of the project.

SEC. 139. (a) IN GENERAL.—The project for the beneficial use of dredged material at Poplar Island, Maryland, authorized by section 537 of the Water Resources Development Act of 1996 (110 Stat. 3776) shall be known as and designated as the ''Paul S. Sarbanes Ecosystem Restoration Project at Poplar Island''.

(b) REFERENCE.—Any reference in a law, map, regulation, document, paper or other record of the United States (including reference by the Corps of Engineers) to the project referred to in subsection (a) shall be deemed to be a reference to the ''Paul S. Sarbanes Ecosystem Restoration Project at Poplar Island''.

(c) EFFECTIVE DATE.—The project designation in this section shall become effective on January 4, 2007.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, $32,614,000, to remain available until expended, of which $946,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission.

In addition, for necessary expenses incurred in carrying out related responsibilities of the Secretary of the Interior, $1,736,000, to remain available until expended.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES

(INCLUDING TRANSFER OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, Indian tribes, and others, $883,514,000, to remain available until expended, of which $59,544,000 shall be available for transfer to the Upper Colorado River Basin Fund and $21,998,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund; of which not more than $500,000 is for high priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 460l–6a(i) shall be derived from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That funds available for expenditure for the Departmental Irrigation Drainage Program may be expended by the Bureau of Reclamation for site remediation on a non-reimbursable basis: Provided further, That $500,000 of the funds provided herein shall be used on a non-reimbursible basis to fund the collection of technical and environmental data to be used to evaluate potential rehabilitation of the St. Mary Storage Unit facilities, Milk River Project, Montana, and that Reclamation shall enter into cooperative agreements with the State of Montana or the Blackfeet Tribe to carry out such work if the Secretary determines such agreements would be cost-effective and efficient.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, $52,219,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), 3405(f), and 3406(c)(1) of Public Law 102–575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102–575: Provided further, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION

(INCLUDING TRANSFER OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, $37,000,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: Provided, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: Provided further, That the use of any funds provided to the California Bay-Delta Authority for program-wide management and oversight activities shall be subject to the approval of the Secretary of the Interior: Provided further, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program: Provided further, That $500,000 shall be transferred to the Army Corps of Engineers to carry out the report on levee stability reconstruction projects and priorities authorized under section 103(f)(3) of Public Law 108–361.

POLICY AND ADMINISTRATION

For necessary expenses of policy, administration, and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until expended, $57,917,000, to be derived from the Reclamation Fund and be nonreimbursable as provided in 43 U.S.C. 377: Provided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed 14 passenger motor vehicles, of which 11 are for replacement only.

GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joaquin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the ''Cleanup Program-Alternative Repayment Plan'' and the ''SJVDP-Alternative Repayment Plan'' described in the report entitled ''Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995'', prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 202. None of the funds appropriated or otherwise made available by this or any other Act may be used to pay the salaries and expenses of personnel to purchase or lease water in the Middle Rio Grande or the Carlsbad Projects in New Mexico unless said purchase or lease is in compliance with the purchase requirements of section 202 of Public Law 106–60.

SEC. 203. (a) Section 1(a) of the Lower Colorado Water Supply Act (Public Law 99–655) is amended by adding at the end the following: ''The Secretary is authorized to enter into an agreement or agreements with the city of Needles or the Imperial Irrigation District for the design and construction of the remaining stages of the Lower Colorado Water Supply Project on or after November 1, 2004, and the Secretary shall ensure that any such agreement or agreements include provisions setting forth: (1) the responsibilities of the parties to the agreement for design and construction; (2) the locations of the remaining wells, discharge pipelines, and power transmission lines; (3) the remaining design capacity of up to 5,000 acre-feet per year which is the authorized capacity less the design capacity of the first stage constructed; (4) the procedures and requirements for approval and acceptance by the Secretary of the remaining stages, including approval of the quality of construction, measures to protect the public health and safety, and procedures for protection of such stages; (5) the rights, responsibilities, and liabilities of each party to the agreement; and (6) the term of the agreement.''.

(b) Section 2(b) of the Lower Colorado Water Supply Act (Public Law 99–655) is amended by adding at the end the following: ''Subject to the demand of such users along or adjacent to the Colorado River for Project water, the Secretary is further authorized to contract with additional persons or entities who hold Boulder Canyon Project Act section 5 contracts for municipal and industrial uses within the State of California for the use or benefit of Project water under such terms as the Secretary determines will benefit the interest of Project users along the Colorado River.''.

SEC. 204. Funds under this title for Drought Emergency Assistance shall be made available primarily for leasing of water for specified drought related purposes from willing lessors, in compliance with existing State laws and administered under State water priority allocation. Such leases may be entered into with an option to purchase: Provided, That such purchase is approved by the State in which the purchase takes place and the purchase does not cause economic harm within the State in which the purchase is made.

SEC. 205. The Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, is authorized to enter into grants, cooperative agreements, and other agreements with irrigation or water districts and States to fund up to 50 percent of the cost of planning, designing, and constructing improvements that will conserve water, increase water use efficiency, or enhance water management through measurement or automation, at existing water supply projects within the States identified in the Act of June 17, 1902, as amended, and supplemented: Provided, That when such improvements are to federally owned facilities, such funds may be provided in advance on a non-reimbursable basis to an entity operating affected transferred works or may be deemed non-reimbursable for non-transferred works: Provided further, That the calculation of the non-Federal contribution shall provide for consideration of the value of any in-kind contributions, but shall not include funds received from other Federal agencies: Provided further, That the cost of operating and maintaining such improvements shall be the responsibility of the non-Federal entity: Provided further, That this section shall not supercede any existing project-specific funding authority: Provided further, That the Secretary is also authorized to enter into grants or cooperative agreements with universities or nonprofit research institutions to fund water use efficiency research.

SEC. 206. WATER DESALINATION ACT.—Section 8 of Public Law 104–298 (The Water Desalination Act of 1996) (110 Stat. 3624) as amended by section 210 of Public Law 108–7 (117 Stat. 146) and by section 6015 of Public Law 109–13 is amended by—

(1) in paragraph (a) by striking ''2005'' and inserting in lieu thereof ''2006''; and

(2) in paragraph (b) by striking ''2005'' and inserting in lieu thereof ''2006''.

SEC. 207. Section 17(b) of the Colorado Ute Indian Water Rights Settlement Act of 1988 as amended (Public Law 100–585, 102 Stat. 2973; Public Law 106–554, 114 Stat. 2763A–266) is amended by striking ''within 7 years'' and all that follows through ''following the date of enactment of this section'' and inserting ''for each of fiscal years 2006 through 2012''.

SEC. 208. (a)(1) Using amounts made available under section 2507 of the Farm and Security Rural Investment Act of 2002 (43 U.S.C. 2211 note; Public Law 107–171), the Secretary shall provide not more than $70,000,000 to the University of Nevada—

(A) to acquire from willing sellers land, water appurtenant to the land, and related interests in the Walker River Basin, Nevada; and

(B) to establish and administer an agricultural and natural resources center, the mission of which shall be to undertake research, restoration, and educational activities in the Walker River Basin relating to—

(i) innovative agricultural water conservation;

(ii) cooperative programs for environmental restoration;

(iii) fish and wildlife habitat restoration; and

(iv) wild horse and burro research and adoption marketing.

(2) In acquiring interests under paragraph (1)(A), the University of Nevada shall make acquisitions that the University determines are the most beneficial to—

(A) the establishment and operation of the agricultural and natural resources research center authorized under paragraph (1)(B); and

(B) environmental restoration in the Walker River Basin.

(b)(1) Using amounts made available under section 2507 of the Farm and Security Rural Investment Act of 2002 (43 U.S.C. 2211 note; Public Law 107–171), the Secretary shall provide not more than $10,000,000 for a water lease and purchase program for the Walker River Paiute Tribe.

(2) Water acquired under paragraph (1) shall be—

(A) acquired only from willing sellers;

(B) designed to maximize water conveyances to Walker Lake; and

(C) located only within the Walker River Paiute Indian Reservation.

(c) Using amounts made available under section 2507 of the Farm and Security Rural Investment Act of 2002 (43 U.S.C. 2211 note; Public Law 107–171), the Secretary, acting through the Commissioner of Reclamation, shall provide—

(1) $10,000,000 for tamarisk eradication, riparian area restoration, and channel restoration efforts within the Walker River Basin that are designed to enhance water delivery to Walker Lake, with priority given to activities that are expected to result in the greatest increased water flows to Walker Lake; and

(2) $5,000,000 to the United States Fish and Wildlife Service, the Walker River Paiute Tribe, and the Nevada Division of Wildlife to undertake activities, to be coordinated by the Director of the United States Fish and Wildlife Service, to complete the design and implementation of the Western Inland Trout Initiative and Fishery Improvements in the State of Nevada with an emphasis on the Walker River Basin.

(d) For each day after June 30, 2006, on which the Bureau of Reclamation fails to comply with subsections (a), (b), and (c), the total amount made available for salaries and expenses of the Bureau of Reclamation shall be reduced by $100,000 per day.

SEC. 209. (a). The Secretary of the Interior is authorized to complete a special report to update the analysis of costs and associated benefits of the Auburn-Folsom South Unit, Central Valley Project, California authorized under Federal reclamation laws and the Act of September 2, 1965, P.L. 89–161, 79 Stat. 615 in order to—

(1) identify those project features that are still relevant;

(2) identify changes in benefit values from previous analyses and update to current levels;

(3) identify design standard changes from the 1978 Reclamation design which require updated project engineering;

(4) assess risks and uncertainties associated with the 1978 Reclamation design;

(5) update design and reconnaissance-level cost estimate for features identified under paragraph (1); and

(6) perform other analyses that the Secretary deems appropriate to assist in the determination of whether a full feasibility study is warranted.

(b). There are authorized to be appropriated $1,000,000 to carry out this section. The cost of completing this update shall be non-reimbursable.

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY SUPPLY AND CONSERVATION

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy supply and energy conservation activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,830,936,000, to remain available until expended.

CLEAN COAL TECHNOLOGY

(DEFERRAL AND RESCISSION)

Of the funds made available under this heading for obligation in prior years, $257,000,000 shall not be available until October 1, 2006: Provided, That funds made available in previous appropriations Acts shall be made available for any ongoing project regardless of the separate request for proposal under which the project was selected: Provided further, That $20,000,000 of uncommitted balances is rescinded.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For necessary expenses in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (Public Law 95–91), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, the hire of passenger motor vehicles, the hire, maintenance, and operation of aircraft, the purchase, repair, and cleaning of uniforms, the reimbursement to the General Services Administration for security guard services, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), $597,994,000, to remain available until expended, of which $18,000,000 is to continue a multi-year project coordinated with the private sector for FutureGen, without regard to the terms and conditions applicable to clean coal technological projects: Provided, That the initial planning and research stages of the FutureGen project shall include a matching requirement from non-Federal sources of at least 20 percent of the costs: Provided further, That any demonstration component of such project shall require a matching requirement from non-Federal sources of at least 50 percent of the costs of the component: Provided further, That of the amounts provided, $50,000,000 is available, after coordination with the private sector, for a request for proposals for a Clean Coal Power Initiative providing for competitively-awarded research, development, and demonstration projects to reduce the barriers to continued and expanded coal use: Provided further, That no project may be selected for which sufficient funding is not available to provide for the total project: Provided further, That funds shall be expended in accordance with the provisions governing the use of funds contained under the heading ''Clean Coal Technology'' in 42 U.S.C. 5903d as well as those contained under the heading ''Clean Coal Technology'' in prior appropriations: Provided further, That the Department may include provisions for repayment of Government contributions to individual projects in an amount up to the Government contribution to the project on terms and conditions that are acceptable to the Department including repayments from sale and licensing of technologies from both domestic and foreign transactions: Provided further, That such repayments shall be retained by the Department for future coal-related research, development and demonstration projects: Provided further, That any technology selected under this program shall be considered a Clean Coal Technology, and any project selected under this program shall be considered a Clean Coal Technology Project, for the purposes of 42 U.S.C. 7651n, and chapters 51, 52, and 60 of title 40 of the Code of Federal Regulations: Provided further, That no part of the sum herein made available shall be used for the field testing of nuclear explosives in the recovery of oil and gas: Provided further, That up to 4 percent of program direction funds available to the National Energy Technology Laboratory may be used to support Department of Energy activities not included in this account: Provided further, That for fiscal year 2006 salaries for Federal employees performing research and development activities at the National Energy Technology Laboratory can continue to be funded from program accounts: Provided further, That the Secretary of Energy is authorized to accept fees and contributions from public and private sources, to be deposited in a contributed funds account, and prosecute projects using such fees and contributions in cooperation with other Federal, State, or private agencies or concerns: Provided further, That revenues and other moneys received by or for the account of the Department of Energy or otherwise generated by sale of products in connection with projects of the Department appropriated under the Fossil Energy Research and Development account may be retained by the Secretary of Energy, to be available until expended, and used only for plant construction, operation, costs, and payments to cost-sharing entities as provided in appropriate cost-sharing contracts or agreements.

NAVAL PETROLEUM AND OIL SHALE RESERVES

For expenses necessary to carry out naval petroleum and oil shale reserve activities, including the hire of passenger motor vehicles, $21,500,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.

ELK HILLS SCHOOL LANDS FUND

For necessary expenses in fulfilling installment payments under the Settlement Agreement entered into by the United States and the State of California on October 11, 1996, as authorized by section 3415 of Public Law 104–106, $48,000,000, for payment to the State of California for the State Teachers' Retirement Fund, of which $46,000,000 will be derived from the Elk Hills School Lands Fund.

STRATEGIC PETROLEUM RESERVE

For necessary expenses for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6333 et seq.), including the hire of passenger motor vehicles, the hire, maintenance, and operation of aircraft, the purchase, repair, and cleaning of uniforms, the reimbursement to the General Services Administration for security guard services, $166,000,000, to remain available until expended.

ENERGY INFORMATION ADMINISTRATION

For necessary expenses in carrying out the activities of the Energy Information Administration, $86,176,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to

exceed six passenger motor vehicles, of which five shall be for replacement only, $353,219,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, as amended, and title X, subtitle A, of the Energy Policy Act of 1992, $562,228,000, to be derived from the Fund, to remain available until expended, of which $20,000,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

SCIENCE

For Department of Energy expenses including the purchase, construction and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion, and purchase of not to exceed forty-seven passenger motor vehicles for replacement only, including not to exceed one ambulance and two buses, $3,632,718,000, to remain available until expended.

NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended (the ''Act''), including the acquisition of real property or facility construction or expansion, $150,000,000, to remain available until expended, of which $100,000,000 shall be derived from the Nuclear Waste Fund: Provided, That of the funds made available in this Act for Nuclear Waste Disposal, $2,000,000 shall be provided to the State of Nevada solely for expenditures, other than salaries and expenses of State employees, to conduct scientific oversight responsibilities and participate in licensing activities pursuant to the Act: Provided further, That notwithstanding the lack of a written agreement with the State of Nevada under section 117(c) of the Nuclear Waste Policy Act of 1982, Public Law 97–425, as amended, not less than $500,000 shall be provided to Nye County, Nevada, for on-site oversight activities under section 117(d) of that Act: Provided further, That $7,500,000 shall be provided to affected units of local government, as defined in the Act, to conduct appropriate activities and participate in licensing activities: Provided further, That 7.5 percent of the funds provided shall be made available to affected units of local government in California with the balance made available to affected units of local government in Nevada for distribution as determined by the Nevada units of local government: Provided further, That notwithstanding the provisions of Chapters 65 and 75 of Title 31, the Department shall have no monitoring, auditing or other oversight rights or responsibilities over amounts provided to affected units of local government under this heading: Provided further, That the funds for the State of Nevada shall be made available solely to the Nevada Division of Emergency Management by direct payment and units of local government by direct payment: Provided further, That within 90 days of the completion of each Federal fiscal year, the Nevada Division of Emergency Management and the Governor of the State of Nevada shall provide certification to the Department of Energy that all funds expended from such payments have been expended for activities authorized by the Act and this Act: Provided further, That failure to provide such certification shall cause such entity to be prohibited from any further funding provided for similar activities: Provided further, That none of the funds herein appropriated may be: (1) used directly or indirectly to influence legislative action on any matter pending before Congress or a State legislature or for lobbying activity as provided in 18 U.S.C. 1913; (2) used for litigation expenses; or (3) used to support multi-State efforts or other coalition building activities inconsistent with the restrictions contained in this Act: Provided further, That all proceeds and recoveries realized by the Secretary in carrying out activities authorized by the Act, including but not limited to, any proceeds from the sale of assets, shall be available without further appropriation and shall remain available until expended: Provided further, That no funds provided in this Act may be used to pursue repayment or collection of funds provided in any fiscal year to affected units of local government for oversight activities that had been previously approved by the Department of Energy, or to withhold payment of any such funds.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the hire of passenger motor vehicles and official reception and representation expenses not to exceed $35,000, $252,817,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total $123,000,000 in fiscal year 2006 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during 2006, and any related appropriated receipt account balances remaining from prior years' miscellaneous revenues, so as to result in a final fiscal year 2006 appropriation from the general fund estimated at not more than $129,817,000: Provided further, That not later than 90 days after the date of the enactment of this Act, the Secretary of Energy shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report, in unclassified form but with a classified appendix if necessary, on the Department of Energy's plan to bring security for Building 3019 at the Oak Ridge National Laboratory, Oak Ridge, Tennessee, into full compliance with the Department's Design Basis Threat Policy: Provided further, That the report shall include—

(1) a detailed description of any element of the Department's Design Basis Threat Policy that is not to be fully addressed throughout the remaining lifetime of Building 3019;

(2) a detailed description of the security implementation plan, including security personnel, perimeter detection capability, response capabilities, use of security technology, and methods of meeting physical standoff requirements;

(3) a schedule with specific dates describing the milestones to achieve compliance with the Department's Design Basis Threat Policy;

(4) a security management plan signed by the Secretary of Energy specifying the program secretarial offices responsible for implementing and funding the security program, including any incremental funding requirements to upgrade security levels for the period during the material handling and processing activities leading to complete disposition of the stored inventory of special nuclear material; and

(5) the justification for failing to fully comply with the Design Basis Threat Policy, if the Secretary does not intend to implement a security program at Building 3019 that fully complies with the Department's Design Basis Threat requirements for new, continuing operations.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $42,000,000, to remain available until expended.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of not to exceed 40 passenger motor vehicles, for replacement only, including not to exceed two buses; $6,433,936,000, to remain available until expended: Provided, That $81,350,000 is authorized to be appropriated for Project 01–D–124 HEU materials facility, Y–12 Plant, Oak Ridge, Tennessee: Provided further, That $7,000,000 is authorized to be appropriated for Project 05–D–140 Project engineering and design (PED), various locations.

DEFENSE NUCLEAR NONPROLIFERATION

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense, defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,631,151,000, to remain available until expended.

NAVAL REACTORS

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, $789,500,000, to remain available until expended.

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Office of the Administrator in the National Nuclear Security Administration, including official reception and representation expenses not to exceed $12,000, $341,869,000, to remain available until expended.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $6,192,371,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation

of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed ten passenger motor vehicles for replacement only, including not to exceed two buses; $641,998,000, to remain available until expended.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $350,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for official reception and representation expenses in an amount not to exceed $1,500. During fiscal year 2006, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of electric power and energy, including transmission wheeling and ancillary services pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $5,600,000, to remain available until expended: Provided, That, notwithstanding 31 U.S.C. 3302, up to $32,713,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power administration, $30,166,000, to remain available until expended: Provided, That, notwithstanding 31 U.S.C. 3302, up to $3,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500; $233,992,000, to remain available until expended, of which $229,596,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That of the amount herein appropriated, $6,700,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: Provided further, That of the amount herein appropriated, $6,000,000 shall be available until expended on a nonreimbursable basis to the Western Area Power Administration for Topock-Davis-Mead Transmission Line Upgrades: Provided further, That notwithstanding the provision of 31 U.S.C. 3302, up to $279,000,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $2,692,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, the hire of passenger motor vehicles, and official reception and representation expenses not to exceed $3,000, $220,400,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed $220,400,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2006 shall be retained and used for necessary expenses in this account, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2006 so as to result in a final fiscal year 2006 appropriation from the general fund estimated at not more than $0.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

SEC. 301. (a)(1) None of the funds in this or any other appropriations Act for fiscal year 2006 or any previous fiscal year may be used to make payments for a noncompetitive management and operating contract unless the Secretary of Energy has published in the Federal Register and submitted to the Committees on Appropriations of the House of Representatives and the Senate a written notification, with respect to each such contract, of the Secretary's decision to use competitive procedures for the award of the contract, or to not renew the contract, when the term of the contract expires.

(2) Paragraph (1) does not apply to an extension for up to 2 years of a noncompetitive management and operating contract, if the extension is for purposes of allowing time to award competitively a new contract, to provide continuity of service between contracts, or to complete a contract that will not be renewed.

(b) In this section:

(1) The term ''noncompetitive management and operating contract'' means a contract that was awarded more than 50 years ago without competition for the management and operation of Ames Laboratory, Argonne National Laboratory, Lawrence Berkeley National Laboratory, Lawrence Livermore National Laboratory, and Los Alamos National Laboratory.

(2) The term ''competitive procedures'' has the meaning provided in section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403) and includes procedures described in section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253) other than a procedure that solicits a proposal from only one source.

(c) For all management and operating contracts other than those listed in subsection (b)(1), none of the funds appropriated by this Act may be used to award a management and operating contract, or award a significant extension or expansion to an existing management and operating contract, unless such contract is awarded using competitive procedures or the Secretary of Energy grants, on a case-by-case basis, a waiver to allow for such a deviation. The Secretary may not delegate the authority to grant such a waiver. At least 60 days before a contract award for which the Secretary intends to grant such a waiver, the Secretary shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report notifying the Committees of the waiver and setting forth, in specificity, the substantive reasons why the Secretary believes the requirement for competition should be waived for this particular award.

SEC. 302. None of the funds appropriated by this Act may be used to—

(1) develop or implement a workforce restructuring plan that covers employees of the Department of Energy; or

(2) provide enhanced severance payments or other benefits for employees of the Department of Energy, under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 42 U.S.C. 7274h).

SEC. 303. None of the funds appropriated by this Act may be used to augment the funds made available for obligation by this Act for severance payments and other benefits and community assistance grants under section 3161 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484; 42 U.S.C. 7274h) unless the Department of Energy submits a reprogramming request to the appropriate congressional committees.

SEC. 304. None of the funds appropriated by this Act may be used to prepare or initiate Requests For Proposals (RFPs) for a program if the program has not been funded by Congress.

SEC. 305. The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 306. None of the funds in this or any other Act for the Administrator of the Bonneville Power Administration may be used to enter into any agreement to perform energy efficiency services outside the legally defined Bonneville service territory, with the exception of services provided internationally, including services provided on a reimbursable basis, unless the Administrator certifies in advance that such services are not available from private sector businesses.

SEC. 307. When the Department of Energy makes a user facility available to universities or other potential users, or seeks input from universities or other potential users regarding significant characteristics or equipment in a user facility or a proposed user facility, the Department shall ensure broad public notice of such availability or such need for input to universities and other potential users. When the Department of Energy considers the participation of a university or other potential user as a formal partner in the establishment or operation of a user facility, the Department shall employ full and open competition in selecting such a partner. For purposes of this section, the term ''user facility'' includes, but is not limited to: (1) a user facility as described in section 2203(a)(2) of the Energy Policy Act of 1992 (42 U.S.C. 13503(a)(2)); (2) a National Nuclear Security Administration Defense Programs Technology Deployment Center/User Facility; and (3) any other Departmental facility designated by the Department as a user facility.

SEC. 308. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal

year 2006 until the enactment of the Intelligence Authorization Act for fiscal year 2006.

SEC. 309. None of the funds in this Act may be used to dispose of transuranic waste in the Waste Isolation Pilot Plant which contains concentrations of plutonium in excess of 20 percent by weight for the aggregate of any material category on the date of enactment of this Act, or is generated after such date. For the purpose of this section, the material categories of transuranic waste from the Rocky Flats Environmental Technology Site include: (1) ash residues; (2) salt residue; (3) wet residues; (4) direct repackage residues; and (5) scrub alloy as referenced in the ''Final Environmental Impact Statement on Management of Certain Plutonium Residues and Scrub Alloy Stored at the Rocky Flats Environmental Technology Site''.

SEC. 310. RENO HYDROGEN FUEL PROJECT FUNDING.—(a) The non-Federal share of project costs shall be 20 percent.

(b) The cost of project vehicles, related facilities, and other activities funded from the Federal Transit Administration Sections 5307, 5308, 5309, and 5314 program, including the non-Federal share for the FTA funds, is an eligible component of the non-Federal share for this project.

(c) Contribution of the non-Federal share of project costs for all grants made for this project may be deferred until the entire project is completed.

(d) All operations and maintenance costs associated with vehicles, equipment, and facilities utilized for this project are eligible project costs.

(e) This section applies to project appropriations beginning in fiscal year 2004.

SEC. 311. LABORATORY DIRECTED RESEARCH AND DEVELOPMENT.——Of the funds made available by the Department of Energy for activities at government-owned, contractor-operator operated laboratories funded in this Act or subsequent Energy and Water Development Appropriations Acts, the Secretary may authorize a specific amount, not to exceed 8 percent of such funds, to be used by such laboratories for laboratory-directed research and development: Provided, That the Secretary may also authorize a specific amount not to exceed 3 percent of such funds, to be used by the plant manager of a covered nuclear weapons production plant or the manager of the Nevada Site Office for plant or site-directed research and development: Provided further, That notwithstanding Department of Energy order 413.2A, dated January 8, 2001, beginning in fiscal year 2006 and thereafter, all DOE laboratories may be eligible for laboratory directed research and development funding.

SEC. 312. Of amounts appropriated to the Secretary of Energy for the Rocky Flats Environmental Technology Site for fiscal year 2006, the Secretary may provide, subject to authorization, up to $10,000,000 for the purchase of mineral rights at the Rocky Flats Environmental Technology Site.

SEC. 313. Section 4306 of the Atomic Energy Defense Act (50 U.S.C. 2566) is amended—

(1) in subsection (a)—

(A) in paragraph (2)(A), by striking ''2009'' each place it appears and inserting ''2012''; and

(B) in paragraph (3)—

(i) in subparagraph (B)(ii), by striking ''2009'' and inserting, ''2012''; and

(ii) in subparagraph (C), by striking ''2009'' and inserting ''2012'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''(a)(2)'' and inserting ''(g)''; and

(ii) by striking ''2009'' and inserting ''2012'';

(B) in paragraph (4), by striking ''2009'' each place it appears and inserting ''2012''; and

(C) in paragraph (5), by striking ''2009'' and inserting ''2012'';

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking, ''2009'' and inserting ''2012'';

(B) in paragraph (1), by striking ''2011'' and inserting ''2014''; and

(C) in paragraph (2), by striking ''2017'' each place it appears and inserting ''2020'';

(4) in subsection (d)—

(A) in paragraph (1)—

(i) by striking ''2011'' and inserting ''2014'';

(ii) by striking ''from funds available to the Secretary'' and inserting ''subject to the availability of appropriations''; and

(iii) by striking ''2016'' and inserting ''2019''; and

(B) in paragraph (2)(A), by striking ''2017'' each place it appears and inserting ''2020'';

(5) in subsection (e), by striking ''2020'' and inserting ''2023'';

(6) by redesignating subsection (g) as subsection (h); and

(7) by inserting after subsection (f) the following:

(g) BASELINE.—Not later than December 31, 2006, the Secretary shall submit to Congress a report on the construction and operation of the MOX facility that includes a schedule for revising the requirements of this section during fiscal year 2007 to conform with the schedule established by the Secretary for the MOX facility, which shall be based on estimated funding levels for the fiscal year.''.

SEC. 314. SALES OF URANIUM.—(a) IN GENERAL.—Notwithstanding any other provision of Federal law, including section 3112 of the USEC Privatization Act (42 U.S.C. 2297h–2) and section 3302 of Title 31, United States Code, the Secretary of Energy is authorized to barter, transfer or sell uranium (including natural uranium concentrates, natural uranium hexafluoride, or in any form or assay) and to use any proceeds, without fiscal year limitation, to remediate uranium inventories held by the Secretary.

(b) ADDITIONAL REQUIREMENTS.—Any barter, transfer or sale of uranium under subsection (a) shall to the extent possible, be competitive and comply with all applicable Federal procurement laws (including regulations); and shall not exceed 10 percent of the total annual fuel requirements of all licensed nuclear power plants located in the United States for uranium concentrates, uranium conversion, or uranium enrichment.

SEC. 315. Section 130 of Division H (Miscellaneous Appropriations and Offsets) of the Consolidated Appropriations Act, 2004, Public Law 108–199, is hereby amended by striking ''is provided for the Coralville, Iowa, project'' and all that follows and inserting: ''is provided for the Iowa Environmental and Education project to be located in Iowa. No further funds may be disbursed by the Department of Energy until a one hundred percent non-Federal cash and in-kind match of the appropriated Federal funds has been secured for the project by the non-Federal project sponsor: Provided, That the match shall exclude land donations: Provided further, That if the match is not secured by the non-Federal project sponsor by December 1, 2007, the remaining Federal funds shall cease to be available for the Iowa Environmental and Education project.''.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, $65,472,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $22,032,000, to remain available until expended.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For necessary expenses of the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, as amended, notwithstanding sections 382C(b)(2), 382F(d), and 382M(b) of said Act, $12,000,000, to remain available until expended.

DENALI COMMISSION

For expenses of the Denali Commission including the purchase, construction and acquisition of plant and capital equipment as necessary and other expenses, $50,000,000, to remain available until expended, nothwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed $15,000), purchase of promotional items for use in the recruitment of individuals for employment, $734,376,000, to remain available until expended: Provided, That of the amount appropriated herein, $46,118,000 shall be derived from the Nuclear Waste Fund: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at $617,182,000 in fiscal year 2006 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2006 so as to result in a final fiscal year 2006 appropriation estimated at not more than $117,194,000: Provided further, That section 6101 of the Omnibus Budget Reconciliation Act of 1990 is amended by inserting before the period in subsection (c)(2)(B)(v) the words ''and fiscal year 2006''.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $8,316,000, to remain available until expended: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at $7,485,000 in fiscal year 2006 shall be retained and be available until expended, for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2006 so as to result in a final fiscal year 2006 appropriation estimated at not more than $831,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $3,608,000, to be derived from the Nuclear Waste Fund, and to remain available until expended.

TITLE V

GENERAL PROVISIONS

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in this Act or any other appropriation Act.

This Act may be cited as the ''Energy and Water Development Appropriations Act, 2006''.

And the Senate agree to the same.

DAVID L. HOBSON,
RODNEY P. FRELINGHUYSEN,
TOM LATHAM,
ZACH WAMP,
JO ANN EMERSON,
JOHN DOOLITTLE,
MICHAEL K. SIMPSON,
DENNIS R. REHBERG,
JERRY LEWIS,
PETER J. VISCLOSKY,
CHET EDWARDS,
ED PASTOR,
JAMES E. CLYBURN,
MARION BERRY,
DAVID R. OBEY,
Managers on the Part of the House.

PETE V. DOMENICI,
THAD COCHRAN,
MITCH MCCONNELL,
ROBERT F. BENNETT,
CONRAD BURNS,
LARRY E. CRAIG,
CHRISTOPHER S. BOND,
KAY BAILEY HUTCHISON,
WAYNE ALLARD,
HARRY REID,
ROBERT C. BYRD,
PATTY MURRAY,
BRYON L. DORGAN,
DIANNE FEINSTEIN,
TIM JOHNSON,
MARY L. LANDRIEU,
DANIEL K. INOUYE,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2419) making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes, submit the following joint statement to the House and Senate in explanation of the action agreed upon by the managers and recommend in the accompanying conference report.

The language and allocations set forth in House Report 109–86 and Senate Report 109–84 should be complied with unless specifically addressed to the contrary in the conference report and statement of managers. Report language included by the House which is not contradicted by the report of the Senate or the conference, and Senate report language which is not contradicted by the report of the House or the conference is approved by the committee of conference. The statement of managers, while repeating some report language for emphasis, does not intend to negate the language referred to above unless expressly provided herein. In cases where both the House report and Senate report address a particular issue not specifically addressed in the conference report or joint statement of managers, the conferees have determined that the House report and Senate report are not inconsistent and are to be interpreted accordingly. In cases in which the House or Senate have directed the submission of a report, such report is to be submitted to both House and Senate Committees on Appropriations.

Senate amendment: The Senate deleted the entire House bill after the enacting clause and inserted the Senate bill. The conference agreement includes a revised bill.

TITLE I—DEPARTMENT OF DEFENSE—CIVIL DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The summary tables included in this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Corps of Engineers. Additional items of the conference agreement are discussed below.

WATER RESOURCE NEEDS IN THE WAKE OF HURRICANES KATRINA AND RITA

The conferees' funding recommendations in this statement of managers have been shaped by the occurrence of Hurricanes Katrina and Rita, their profound effects on the Gulf Coast of the United States, and what these storms revealed about our country's vulnerability to natural disasters. Accordingly, total funding levels for Energy and Water Development Appropriations for fiscal year 2006 are $749,000,000 above the levels requested by the Administration, and the conferees have designated almost all of this increase for strengthening the water infrastructure of our nation. Dam safety, flood protection, and maintenance of vital navigation systems have been given priority.

The situation on the Gulf Coast in the wake of the 2005 hurricanes requires balance among competing forces. There is an urgent need for rapid restoration of flood control measures before the next storm season. The US Army Corps of Engineers has testified that it can accomplish these repairs by June 2006. However, extensive flooding occurred in the region despite the existence of flood control measures designed to withstand Category 3 hurricanes. Fully understanding what caused the flooding will require time, and the design and implementation of an improved protection system will take years. This means that some interim protection will be in place soon and better protection will be provided later.

This Act provides considerable support for on-going improvements to flood control projects along the Gulf Coast, particularly in Louisiana and Mississippi. The hurricanes have altered the underlying justifications for these projects and brought into question existing approaches and designs. The physical situation on the ground has changed, the nature and value of the communities and infrastructure to be protected have changed, and the engineering requirements for providing given levels of flood protection have changed. While the Corps of Engineers proceeds to reestablish preexisting flood control works using funds provided on an emergency basis, a revised plan for providing an improved flood control system for the future is needed. Accordingly, the conferees direct the Secretary of the Army, acting through the Chief of Engineers, to provide the House and Senate Committees on Appropriations with a report detailing an integrated approach to flood control, navigation, and environmental restoration for the Gulf Coast region of Louisiana and Mississippi within 120 days of enactment. This report should present the overall approach for future spending and identify specific changes to on-going projects as well as proposals for future work. Hopefully, this vision can be in place to guide appropriations for next year and inform the five-year funding plan that is to accompany the Administration's fiscal year 2007 budget request.

The conferees expect additional resources will be provided in subsequent supplemental appropriations bills to respond to the aftermath of Hurricane Katrina and shall be considered in the broader context of flood reduction for and reconstruction of the City of New Orleans as hurricane data analysis is completed and as a consensus on how best to protect the City of New Orleans emerges.

The budget request from the Administration recommended funding various projects based on seven performance guidelines, based principally on the ratio of remaining-benefits-to-remaining-costs. The conferees have endeavored to identify the most critical flood damage reduction and navigation projects in the allocation of resources provided, but in the absence of the Corps of Engineers being able to provide to the Congress its professional engineering judgment on which priority infrastructure needs should be addressed this fiscal year, the conferees have largely provided the budget request for individual water resource projects.

PROGRAM MANAGEMENT AND EXECUTION

The conferees agree that improvements in the Corps' program management and execution are necessary and appropriate. The conferees expect the civilian and military leadership of the Corps of Engineers to manage the Corps of Engineers and the Civil Works program.

Five-year comprehensive budget planning.—The Corps is directed to submit to the House and Senate Committees on Appropriations concurrent with each annual budget hereafter an updated five-year development plan, as delineated in the House report.

Emphasis on expenditures.—The Corps is directed to adopt a fiscal management practice that fully honors Congressional direction and accepts a higher level of carryover funds in order to achieve greatly increased transparency into project costs and multiyear funding commitments.

Congressional justification materials.—The conferees direct the Corps to improve its annual congressional budget submission by expanding the information presented to the Congress each year and to present its budget estimate by mission area. That information shall include, but not be limited to, those items more fully discussed in the House report. Such information shall include a detailed analysis of activities and projects funded in the current year but for which no funds are requested in the budget estimate. It is incumbent upon the Administration and the Corps of Engineers to disclose fully how it plans to carry out the current year appropriation. Inclusion of such information in the budget justification materials in no way implies continuing support of such projects or activities by the Administration or the Corps of Engineers but is needed by Congress to determine if the Executive Branch is executing fully its appropriation by program, project and activity consistent with Congressional direction and intent. The conferees note that similar information is provided in other executive branch agencies' budget submissions and fail to understand why such information is not provided by the Corps of Engineers or cleared by the Office of Management and Budget for transmittal to the Congress.

Performance-based budgeting.—The conferees acknowledge the efforts of the Administration to develop a methodology for focusing limited federal resources on water resource projects, but recognize that the remaining-costs-to-remaining-benefits ratio used by the Administration has its limitations. In addition, the conferees note the inability of the Corps of Engineers to produce at the request of Congress a list of the ten most critical water resources needs in the country that need to be addressed given the Nation's experience with Hurricane Katrina. Accordingly, the Corps of Engineers is directed to contract with the National Academy of Public Administration to study and recommend factors, perhaps to include remaining-costs-to-remaining-benefits, which should be used in determining the allocation of limited resources for the construction of water resource projects.

Savings and slippage.—The conferees acknowledge the existence of traditional savings and slippage, which may accrue either from unfavorable construction schedules

and/or seasons or from delays in a project's delivery because of environmental issues, litigation or local financial limitations. Such funds may be available for reallocation, only on a project-by-project basis, within the reprogramming limitation contained in section 101 in title I of this Act.

In recent years the Congress has artificially increased the historical savings and slippage estimate, thereby increasing the across-the-board reduction. The conferees have discontinued this practice. The conference agreement eliminates the need for an across-the-board reduction resulting from project allocations in excess of the amount appropriated for such account. In addition, an across-the-board reduction for historical savings and slippage shall not be assessed. Savings and slippage shall be taken on a project-by-project basis, recognizing the unique characteristics of each project and its total annual funding requirements.

Reprogramming.—The conference agreement modifies section 101 of the House bill, which provides very specific instances and procedures by which the Corps may reprogram funds. The Senate bill contained no similar guidance. The guidance contained herein shall supercede all previous Congressional direction with respect to the reprogramming of appropriated funds and shall apply to all available balances in the Corps' accounts. For the purposes of carrying out this section, a reprogramming of funds is defined as any reallocation of funds into or from a line item set forth in the statement of managers accompanying this Act. No distinctions are to be made by the Corps for transfers or movements of funds, such as restorations or revocations, as has been the past practice. Any funds proposed for reprogramming shall be deemed to be excess to project needs, and shall be considered on a project-by-project basis.

Consistent with the recommendations found in a recent GAO report entitled ''Improved Planning and Financial Management Should Replace Reliance on Reprogramming Actions to Manage Project Funds,'' the Corps is directed to develop immediately a financial planning and management system for the investigations, construction, and operation and maintenance appropriations that changes the way the Corps allocates funds from an annual basis to a quarterly basis that reflects actual schedule and project performance. This recommendation is most crucial to ensure increased certainty in execution of projects. Accordingly, the conferees expect that project funds shall be allocated to the field operating agencies by the headquarters office on a quarterly basis on the expected rate of execution for each quarter.

Not later than 60 days following the enactment of this Act, the Corps shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year. That report shall contain a table for each appropriation, showing among other items, each program, project and activity in each appropriation. For each day after the required date that the report has not been submitted to Congress, the amount appropriated for salaries and expenses of the Corps of Engineers shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress. In addition, the conferees direct the Corps to provide quarterly reports to the House and Senate Committees on Appropriations detailing all projects from which and to which funds were reprogrammed pursuant to the authorities provided in this Act. The report shall also include reasons for the transfer of funds. The thresholds contained in section 101 shall apply to cumulative totals on a project-by-project basis.

Further, the conferees direct that, when the Corps executes a reprogramming pursuant to the authorities of this Act, the Corps and the project sponsor shall treat each reprogramming as a one time transaction with no commitment or expectation to return funds to that project.

The conferees expect the reprogramming authorities provided in this Act will improve the fiscal management of the Corps' program. The conferees expect the Corps of Engineers to adhere to the letter and spirit of these reprogramming authorities. To the extent that the Corps is unable to improve its financial planning and management systems by the adoption of these authorities, the conferees will consider further restrictions in the Corps' reprogramming authorities in the context of the fiscal year 2007 Energy and Water Development Appropriations Act.

Continuing contracts.—The conference agreement modifies two provisions proposed by the House regarding continuing contracts. These provisions are discussed in greater detail under General Provisions.

INVESTIGATIONS

The conference agreement provides $164,000,000 for Investigations, instead of $100,000,000 as provided by the House and $180,000,000 as proposed by the Senate. The conference agreement deletes a provision proposed by the House, which incorporates by reference the projects and activities specified in the statement of managers accompanying this Act. The Senate bill contained no similar provision.

The conference agreement includes a provision relating to planning assistance to the State of Ohio. In addition, the conference agreement includes a provision providing $8,000,000 to conduct, at full federal expense, a comprehensive hurricane protection study.

The conference agreement deletes a provision proposed by the Senate relating to funding for a project in Laupahoehoe Harbor, Hawaii. The House bill contained no similar provision.

The conference agreement for investigations is shown in the following table:

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
ALABAMA				
BREWTON AND EAST BREWTON, AL	189	---	75	---
VILLAGE CREEK, JEFFERSON COUNTY (BIRMINGHAM WATERSHED)	253	---	100	---
ALASKA				
AKUTAN HARBOR, AK	---	---	---	500
ANCHORAGE HARBOR DEEPENING, AK	---	---	500	---
BARROW COASTAL STORM DAMAGE DEEPENING, AK	---	---	800	---
COFFMAN COVE, AK	---	---	600	---
DELONG MOUNTAIN HARBOR, AK	---	---	490	760
HAINES HARBOR, AK	---	---	300	---
KENAI RIVER BLUFF EROSION,AK	---	---	500	---
KNIK BRIDGE CROSSING, AK	---	---	500	---
KOTZEBUE SMALL BOAT HARBOR, AK	---	---	250	---
LITTLE DIOMEDE HARBOR, AK	---	---	200	---
MCGRATH, AK	---	---	150	---
MEKORYUK HARBOR, AK	---	---	100	---
UNALAKLEET, AK	---	---	250	---
UNALASKA, AK	---	---	---	500
YAKUTAT HARBOR, AK	300	---	300	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
ARIZONA				
PIMA COUNTY, AZ	488	---	450	---
RILLITO RIVER, PIMA COUNTY, AZ	---	618	---	600
RIO SALADO OESTA, SALT RIVER, AZ	---	---	230	---
SANTA CRUZ RIVER, GRANT RD TO FT LOWELL RD, AZ	400	---	350	---
SANTA CRUZ RIVER, PASEO DE LAS IGLESIAS, AZ	---	---	---	50
VA SHLY-AY AKIMEL SALT RIVER RESTORATION, AZ	---	400	---	400
ARKANSAS				
HOT SPRINGS CREEK, AR	200	---	100	---
NORTH LITTLE ROCK, DARK HOLLOW, AR	---	---	---	100
PINE MOUNTAIN LAKE, AR	---	---	---	100
RED RIVER NAVIGATION STUDY, SW ARKANSAS, AR	---	---	80	70
SOUTHWEST ARKANSAS, AR	---	---	100	---
WHITE RIVER BASIN COMPREHENSIVE, AR & MO	1,000	---	800	---
CALIFORNIA				
ALISO CREEK MAINSTEM, CA	350	---	350	---
ARANA GULCH WATERSHED, CA	100	---	50	---
ARROYO SECO WATERSHED, CA	---	---	100	---
BALLONA CREEK ECOSYSTEM RESTORATION, CA	---	---	200	---
BOLINAS LAGOON, CA	---	---	150	---
CALIFORNIA COASTAL SEDIMENT MASTER PLAN, CA	600	---	600	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
CARPINTERAI SHORELINE STUDY, CA	---	---	100	---
CITY ON INGLEWOOD, CA	---	---	125	---
CITY OF NORWALK, CA	---	---	80	---
CITY OF SANTA CLARITA, CA	---	---	100	---
COAST OF CA, SOUTH COAST REGION (LA COUNTY)	---	---	100	---
CORTE MADERI CREEK WATERSHED, CA	---	---	100	---
COYOTE CREEK, CA	100	---	---	---
COYOTE DAM, CA	---	---	100	---
DESERT HOT SPRINGS, CA	---	---	200	---
EASTERN MUNICIPAL WATER DISTRICT, CA	---	---	1,000	---
ESTUDILLO CANAL, CA	600	---	750	---
GRAYSON AND MURDERER'S CREEK, CA	---	---	100	---
HAMILITON CITY, CA	---	---	---	250
HUMBOLT BAY LONG TERM SHOAL MGMT, CA	---	---	125	---
LAGUNA CREEK WATERSHED	---	---	75	---
LAGUNA DE SANTA ROSA, CA	300	---	300	---
LLAGAS CREEK, CA	---	---	450	---
LOS ANGELES COUNTY DRAINAGE AREA, CORNFIELDS, CA	600	---	750	---
LOS ANGELES COUNTY, CA	850	---	850	---
MALIBU CREEK WATERSHED, CA	167	---	85	---
MATILIJA DAM, CA	---	800	---	800
MORRO BAY ESTUARY	---	---	---	175
MUGU LAGOON, CA	82	---	82	---
NAPA RIVER SALT MARSH RESTORATION, CA	---	---	---	125
NAPA VALLEY WATERSHED MANAGEMENT, CA	500	---	---	---
OCEAN BEACH, SANFRANCISCO, CA	---	---	200	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
ORANGE COUNTY SAMP	---	---	169	---
PAJARO RIVER AT WATSONVILLE, CA	---	477	---	740
PENINSULA BEACH, CA	308	---	308	---
REDWOOD CITY NAVIGATION CHANNEL, CA	---	---	100	---
RUSSIAN RIVER ECOSYSTEM RESTORATION, CA	400	---	400	---
SACRAMENTO - SAN JOAQUIN DELTA, CA	200	---	100	---
SACRAMENTO, SAN JOAQUIN, DELTA ISLANDS AND LEVEES, CA	---	---	250	---
SAN BERNARDO LAKES AND STREAMS, CA	---	---	250	---
SAN CLEMENTE SHORELINE, CA	188	---	188	100
SAN DIEGO COUNTY SHORELINE, CA	---	---	100	---
SAN FRANCISQUITO CREEK, CA	200	---	225	---
SAN JACINTO RIVER, FLOOD CONTROL, CA	---	---	50	---
SAN JOAQUIN VALLEY REGION, CA	---	---	100	---
SAN JUAN CREEK, SOUTH ORANGE COUNTY, CA	---	---	250	---
SAN PABLO BAY WATERSHED, CA	300	---	475	---
SANTA ANA RIVER AND TRIBUTARIES, BIG BEAR LAKE, CA	900	---	1,400	---
SANTA CLARA RIVER WATERSHED, CA	---	---	250	---
SANTA ROSA CREEK ECOSYSTEM RESTORATION, CA	400	---	300	---
SOLANA-ENCINITAS SHORELINE, CA	---	---	---	375
SONOMA CREEK AND TRIBUTARIES, CA	300	---	100	---
SOUTH SAN FRANCISCO SHORELINE, CA	600	---	600	---
SUN VALLEY WATERSHED, CA	---	---	150	---
SUTTER COUNTY, CA	361	---	361	---
TAHOE BASIN, CA & NV	---	---	---	860
COYOTE CREEK - LOWER SAN GABRIEL WATERSHED, CA	500	---	350	---
UPPER PENITENCIA CREEK, CA	628	---	628	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
VENTURA AND SANTA BARBARA, CA	---	---	100	---
WESTMINSTER, EAST GARDEN GROVE, CA	650	---	500	---
WEST STANISLAUS COUNTY, ORESTIMBA CREEK, CA	---	---	100	---
WILSON AND OAK GLEN CREEKS, SAN BERNANDINO COUNTY. CA.	---	---	400	---
WHITEWATER RIVER BASIN, CA	---	---	100	---
COLORADO				
ADAMS COUNTY, CO	300	---	150	---
CACHE LA POUDRE, CO	316	---	150	---
CHATFIELD, CHERRY CREEK AND BEAR CREEK RESERVOIRS, CO.	276	---	135	---
FOUNTAIN CREEK AND TRIBUTARIES, CO	---	---	125	---
DELAWARE				
DELAWARE RIVER BASIN COMPREHENSIVE, DE, NJ, NY, PA	---	---	125	---
FLORIDA				
DAYTONA BEACH SHORES, VOLUSIA COUNTY, FL	---	---	100	---
EGMONT KEY SHORELINE STABILIZATION, FL	---	---	100	---
LIDO KEY SARASOTA COUNTY, FL	---	---	125	---
MILE POINT, FL	---	---	235	---
PORT EVERGLADES HARBOR, FL	---	---	175	---
ST. JOHNS COUNTY, FL	---	---	100	---
ST. LUCIE COUNTY, FL	---	---	100	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
ST. PETERSBURG HARBOR, FL	---	---	---	200
WALTON COUNTY, FL	---	---	200	150
GEORGIA				
ALLATOONA LAKE, GA	750	---	300	---
AUGUSTA, GA	200	---	200	---
INDIAN, SUGAR, ENTRENCHMENT AND FEDERAL PRISON CREEKS,	680	---	300	---
LONG ISLAND, MARSH AND JOHNS CREEKS, GA	676	---	300	---
SAVANNAH HARBOR ECOSYSTEM RESTORATION, GA	400	---	200	---
SAVANNAH HARBOR EXPANSION, GA	---	800	---	800
TYBEE ISLAND NORTH BEACH SHORE PROTECTION PROJECT, GA.	---	---	125	---
GUAM				
HAGATNA RIVER FLOOD CONTROL, GUAM	100	---	---	---
HAWAII				
ALA WAI CANAL, OAHU, HI	400	---	500	---
BARBERS POINT HARBOR MODIFICATION, OAHU, HA	---	---	200	---
KAHUKU, HI	250	---	100	---
KAWAIHAE DEEP DRAFT HARBOR MODIFICATIONS, HI	---	---	100	---
NAWILIWILI HARBOR MODIFICATION, KAUAI, HI	---	---	100	---
WAILUPE STREAM, OAHU, HI	---	---	400	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
IDAHO				
BOISE RIVER, BOISE, ID	---	---	100	---
IOWA				
CLEAR LAKE WATERSHED, IA	---	---	200	---
DAVENPORT, IA	---	---	---	200
DES MOINES AND RACCOON RIVERS, IA	---	---	---	250
ILLINOIS				
DES PLAINES RIVER, ILLINOIS, PHASE 2, IL	---	---	500	---
ILLINOIS RIVER BASIN RESTORATION, IL	1,160	---	1,000	---
ILLINOIS RIVER ECOSYSTEM RESTORATION, IL	350	---	350	---
KEITH CREEK, ROCKFORD, IL	2	---	---	---
PEORIA RIVERFROUNT DEVELOPMENT, IL	---	---	---	100
SOUTHEAST ILLINOIS SHORELINE, IL	---	---	100	---
SOUTH FORK, SOUTH BRANCH, CHICAGO RIVER, IL	---	---	200	---
UPPER MISS & ILLINOIS NAV IMPROVEMENTS,IL,IA,MN,MO,WI	---	---	---	10,000
UPPER MISS RVR COMP PLAN, IL, IA MN, MO & WI	---	---	300	---
WOOD RIVER LEVEE, IL	---	---	---	100
INDIANA				
INDIANA HARBOR, IN	1,000	---	300	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
KANSAS				
BRUSH CREEK BASIN, KS & MO	---	---	80	---
MANHATTAN, KS	---	---	80	---
TOPEKA, KS	100	---	100	---
UPPER TURKEY CREEK, KS	---	---	100	---
WALNUT AND WHITEWATER RIVER WATERSHEDS, KS	200	---	200	---
KENTUCKY				
GREENUP LOCKS & DAM, OHIO RIVER, KY & OH	---	---	---	225
LICKING RIVER, KY	---	---	---	100
METROPOLITAN LOUISVILLE, JEFFERSON COUNTY, KY	130	---	130	---
METROPOLITAN LOUISVILLE, SOUTHWEST, KY	132	---	130	---
NORTHERN KENTUCKY RIVERFRONT COMMONS, KY	---	---	100	---
LOUISIANA				
AMITE RIVER & TRIBUTARIES ECOSYSTEM RESTORATION, LA	---	---	200	---
AMITA RIVER & TRIBUTARIES, BAYOU MANCHAC, LA	---	---	125	---
ATCHAFALAYA RIVER AND BAYOUS CHENE, BOEUF AND BLACK, L	585	---	200	---
BAYOU SORREL LOCK, LA	---	1,500	---	1,250
BOSSIER PARISH, LA	---	---	75	---
CALCASIEU LOCK, LA	---	---	200	---
CALCASIEU RIVER BASIN, LA	612	---	300	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
CALCASIEU RIVER PASS SHIP CHANNEL ENLARGEMENT, LA.....	700	---	600	---
CROSS LAKE WATER SUPPLY ENHANCEMENT, LA.....	---	---	100	---
HURRICANE PROTECTION, LA.....	---	---	8,000	---
LOUISIANA COASTAL AREA ECOSYST REST, LA (SCIENCE & TEC	5,000	---	2,500	---
LOUISIANA COASTAL AREA ECOSYSTEM RESTORATION, LA.....	15,000	---	7,500	---
PLAQUEMINES PARISH URBAN FLOOD CONTROL, LA.....	---	---	125	---
PORT OF IBERIA.....	---	---	67	425
ST BERNARD PARISH URBAN FLOOD CONTROL, LA.....	656	---	318	---
ST. CHARLES PARISH URBAN FLOOD CONTROL, LA.....	---	---	200	---
WEST BATON ROUGE PARISH, LA.....	---	---	75	---
WEST SHORE LAKE PONCHARTRAIN, LA.....	---	---	125	---
MAINE				
SEARSPORT HARBOR, ME.....	---	---	125	---
MARYLAND				
ANACOSTIA RIVER AND TRIBUTARIES, MD & DC.....	---	---	200	---
ANACOSTIA RIVER AND TRIBUTARIES, PG COUNTY LEVEE, MD &	180	---	---	---
BALTIMORE METRO WTR RES-PATAPSCO AND BACK RIVERS, MD..	---	---	200	---
CHESAPEAKE BAY SHORELINE, MARYLAND COASTAL MANAGEMENT,	525	---	525	---
CHES BAY SHORELINE- SEDI BUDG, MODEL.....	---	---	450	---
EASTERN SHORE, MID CHESAPEAKE BAY ISLAND, MD.....	500	---	500	---
MIDDLE POTOMAC RIVER GREATER SENECA/MUDDY BRANCH, MD..	---	---	250	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
MASSACHUSETTS				
BLACKSTONE RIVER WATERSHED RESTORATION, MA & RI	170	---	85	---
COASTAL MASSACHUSETTS ECOSYSTEM REST, MA	---	---	40	---
BOSTON HARBOR (45-FOOT CHANNEL), MA	650	---	300	---
MICHIGAN				
DETROIT RIVER MASTERPLAN, MI	---	---	75	---
DETROIT RIVER SEAWALL IMPROVEMENTS, MI	---	---	100	---
GREAT LAKES NAV SYST STUDY, MI, IL, IN, MN, NY, OH, PA	315	---	1,285	---
ROUGE RIVER SUPPLEMENTAL STUDY, MI	---	---	90	---
MINNESOTA				
MINNEHAHA CREEK WATERSHED UMR LAKE ITASCA TO L&D 2, MN	---	---	75	---
MINNESOTA RIVER BASIN, MN & SD	---	---	180	---
RED RIVER OF THE NORTH BASIN, MN, ND, SD,& MANITOBA CN	---	---	160	---
ROSEAU RIVER, MN	---	---	44	75
WILD RICE RIVER, MN	---	---	100	---
MISSISSIPPI				
HANCOCK COUNTY SEAWALL RESTORATION, MS	308	---	308	---
PEARL RIVER WATERSHED, MS	---	---	650	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
MISSOURI				
KANSAS CITYS, MO & KS	500	---	500	---
MISSOURI RIVER LEVEE SYSTEM, UNITS L455 & R460-471, MO	350	---	175	---
RIVER DES PERES, MO	---	---	100	---
SPRINGFIELD, MO	250	---	375	---
ST LOUIS FLOOD PROTECTION, MO	---	609	---	305
ST LOUIS MISSISSIPPI RIVERFRONT, MO & IL	150	---	75	---
ST LOUIS, MO (WATERSHED)	400	---	---	---
SWOPE PARK INDUSTRIAL AREA, KANSAS CITY, MO	---	---	---	100
WEARS CREEK, JEFFERSON CITY, MO	150	---	75	---
MONTANA				
YELLOWSTONE RIVER CORRIDOR, MT	800	---	400	---
NEBRASKA				
LOWER PLATTE RIVER AND TRIBUTARIES, NE	131	---	60	---
NEVADA				
TAHOE REGIONAL PLANNING, NV & CA	---	---	500	---
TRUCKEE MEADOWS, NV	---	---	---	3,500

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
NEW HAMPSHIRE				
MERRIMACK RIVER WATERSHED STUDY, NH & MA	200	---	200	---
PISCATAQUA RIVER & PORTSMOUTH HARBOR, NH	---	---	25	---
NEW JERSEY				
HUDSON - RARITAN ESTUARY, HACKENSACK MEADOWLANDS, NJ	300	---	550	---
HUDSON - RARITAN ESTUARY, LOWER PASSAIC RIVER, NJ	400	---	550	---
LOWER SADDLE RIVER, BERGON COUNTY, NJ	---	---	125	---
MANASQUAN INLET TO BARNEGAT INLET, NJ	---	---	---	300
NJ INTRACOASTAL WATERWAY ENV. RESTORATION, NJ	---	---	75	---
NJ SHORELINE ALTERNATIVE LONG-TERM NOURISHMENT, NJ	---	---	75	---
NEW JERSEY SHORE PROTECTION, HEREFORD TO CAPE MAY INLE	400	---	400	---
PASSAIC RIVER, HARRISON, NJ	---	---	---	150
PECKMAN RIVER BASIN, NJ	---	---	150	---
RAHWAY RIVER BASIN, NJ	---	---	80	---
RARITAN BAY AND SANDY HOOK BAY, HIGHLANDS, NJ	---	---	100	---
RARITAN BAY AND SANDY HOOK BAY, KEYPORT, NJ	---	---	100	---
RARITAN BAY AND SANDY HOOK BAY, LEONARDO, NJ	100	---	100	---
RARITAN BAY AND SANDY HOOK BAY, UNION BEACH, NJ	---	---	---	60
SHREWSBURY RIVER AND TRIBUTARIES, NJ	---	---	60	---
SOUTH RIVER, RARITAN RIVER BASIN, NJ	---	---	---	140
STONY BROOK, MILLSTONE RIVER BASIN, NJ	---	---	125	---
UPPER ROCKWAY RIVER, NJ	---	---	---	125

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
NEW MEXICO				
EAST MESA, LAS CAUCES, NM	---	---	400	---
ESPANOLA VALLEY, RIO GRANDE AND TRIBUTARIES, NM	250	---	500	---
MIDDLE RIO GRANDE BOSQUE, NM	250	---	250	---
NAVAJO NATION, FLOOD PLAIN DELINEATION, NM, AZ AND UT	---	---	500	---
RIO GRANDE BASIN, NM, CO, & TX	---	---	250	---
SANTA FE, NM	---	---	250	---
SOUTHWEST VALLEY FLOOD DAMAGE REDUCTION, ALBUQUERQUE,	---	---	---	500
NEW YORK				
BRONX RIVER BASIN, NY	250	---	375	---
BUFFALO RIVER ENVIRONMENTAL DREDGING, NY	200	---	---	---
EAST RIVERS SEAWALLS, NY	---	---	80	---
EIGHTEEN MILE CREEK, NIAGARA COUNTY, NY	---	---	60	---
FLUSHING BAY AND CREEK, NY	---	---	---	85
HUDSON - RARITAN ESTUARY, GOWANUS CANAL, NY	400	---	500	---
HUDSON - RARITAN ESTUARY, NY & NJ	800	---	800	---
NORTH SHORE OF LONG ISLAND, ASHAROKEN, NY	30	---	30	---
ONONDAGA LAKE, NY	200	---	750	---
NORTH CAROLINA				
BOGUE BANKS, NC	---	---	75	---
CURRITUCK SOUND, NC	300	---	150	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
NEUSE RIVER BASIN, NC	260	---	130	---
SURF CITY AND NORTH TOPSAIL BEACH, NC	---	---	175	---
OHIO				
COLUMBUS METROPOLITAN AREA, OH	53	---	53	---
OHIO RIVERFROUNT, CINCINNATI, OH	---	---	---	250
WESTERN LAKE ERIE BASIN, OH, IN, & MI	560	---	500	---
OKLAHOMA				
GRAND LAKE COMPREHENSIVE STUDY, OK	---	---	200	---
GRAND (NEOSHO) RIVER BASIN, OK, KS, MO & AR	---	---	150	---
OOLOGAH LAKE WATERSHED, OK & KS	328	---	250	---
SE OKLAHOMA STUDY, OK	---	---	40	---
SPAVINAW CREEK WATERSHED, OK & AR	---	---	60	---
WASHITA RIVER BASIN, OK	---	---	50	---
WISTER LAKE WATERSHED, OK	---	---	50	---
OREGON				
AMAZON CREEK, OR	264	---	250	---
LOWER COLUMBIA RIVER ECOSYSTEM RESTORATION, OR & WA	300	---	150	---
WALLA WALLA RIVER WATERSHED, OR & WA	500	---	300	---
WILLAMETTE RIVER BASIN REVIEW,OR	---	---	50	---
WILLAMETTE RIVER ENVIRONMENTAL DREDGING, OR	325	---	160	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
WILLAMETTE RIVER FLOODPLAIN RESTORATION, OR	436	---	400	---
PENNSYLVANIA				
CHRISTINA RIVER WATERSHED, PA, DE, & MD	---	---	150	---
MAHONING RIVER ENVIRONMENTAL DREDGING, PA	250	---	125	---
SCHUYLKILL RIVER BASIN ESTUARINE, PA	250	---	50	---
SCHUYLKILL RIVER BASIN, WISSAHICKON CREEK BASIN, PA	200	---	50	---
SUSQUEHANNA AND DELAWARE RIVER BASINS, PA	---	---	85	---
UPPER OHIO NAVIGATION STUDY, PA	---	---	1,275	---
SOUTH CAROLINA				
EDISTO ISLAND, SC	100	---	23	---
PAWLEYS ISLAND,SC	---	---	---	154
REEDY RIVER, SC	300	---	---	---
SANTEE DELTA ENVIRONMENTAL RESTORATION,SC	---	---	50	---
SOUTH DAKOTA				
JAMES RIVER, SD & ND	---	---	300	---
TENNESSEE				
MILL CREEK WATERSHED, DAVIDSON COUNTY, TN	450	---	225	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
TEXAS				
ABILENE, TX (BRAZOS RIVER BASIN)	---	---	100	---
BRAZOS ISLAND HARBOR, BROWNSVILLE CHANNEL, TX	2,500	---	775	---
BUFFALO BAYOU AND TRIBUTARIES, WHITE OAK BAYOU, TX	---	---	50	---
CEDAR BAYOU, TX	---	---	50	---
COLONIAS-LWR RIO GRANDE BASIN ALONG TEX-MEX BORDERS	---	---	50	---
CORPUS CHRISTI SHIP CHANNEL, TX	---	---	---	300
FREEPORT HARBOR, TX	500	---	500	---
GIWW, BRAZOS RIVER TO PORT O'CONNOR, TX	---	---	50	---
GIWW, HIGH ISLAND TO BRAZOS RIVER, TX (REALIGNMENTS)	---	---	50	---
GIWW, HIGH ISLAND TO BRAZOS RIVER, TX	---	500	---	400
GIWW, PORT O'CONNOR TO CORPS CHRISTIE BAY, TX	---	---	325	---
GIWW, VICINITY OF PORT ISABEL, TX	---	---	350	---
GREENS BAYOU, TX	---	---	---	75
GUADALUPE AND SAN ANTONIO RIVER BASINS, TX	300	---	500	---
LOWER COLORADO RIVER BASIN, TX	300	---	600	---
LOWER GUADALUPE AND SAN ANTONIO RIVERS, TX	---	---	50	---
LOWER SAN ANTONIO RIVER BASIN, TX	---	---	150	---
MATAGORDA SHIP CHANNEL, TX	---	---	100	---
MIDDLE BRAZOS RIVER, TX	300	---	300	---
NECHES RIVER BASIN, TX	500	---	---	---
NUECES RIVER AND TRIBUTARIES, TX	500	---	500	---
RAYMONDVILLE DRAIN, TX	---	---	---	300
RESACAS AT BROWNSVILLE, TX	150	---	75	---
RIO GRANDE BASIN, TX	50	---	150	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
RIO GRANDE COMPREHENSIVE (ROMA CREEK), TX	---	---	100	---
SABINE - NECHES WATERWAY, TX	419	---	610	---
SABINE PASS TO GALVESTON BAY, TX	788	---	750	---
SPARKS ARROYO COLONIA, EL PASO COUNTY, TX	198	---	198	---
TEXAS CITY CHANNEL (50-FOOT PROJECT), TX	---	900	---	900
UPPER TRINITY RIVER BASIN, TX	700	---	800	---
VIRGINIA				
AIWW BRIDGES AT DEEP CREEK, VA	---	---	---	50
CHESAPEAKE BAY SHORELINE EROSION, MATHEWS COUNTY, VA	40	---	40	---
DISMAL SWAMP AND DISMAL SWAMP CANAL, VA	150	---	150	---
ELIZABETH RIVER BASIN, ENV RESTORATION, VA (PHASE II)	200	---	100	---
ELIZABETH RIVER, HAMPTON ROADS, VA	---	500	---	250
FOUR MILE RUN RESTORATION, VA	---	---	400	---
JOHN H KERR DAM AND RESERVOIR, VA & NC (SECTION 216)	600	---	300	---
LYNNHAVEN RIVER BASIN, VA	400	---	300	---
MIDDLE POTOMAC RIVER BASIN, CAMERON/ HOLMES RUN, VA	---	---	400	---
NEW RIVER BASIN, CLAYTOR LAKE STATE PARK, VA	200	---	100	---
NORFOLK HARBOR AND CHANNELS, CRANEY ISLAND, VA	---	---	100	---
PHILPOTT LAKE, VA	---	---	100	---
POWELL RIVER WATERSHED, VA	400	---	200	---
VICINITY OF WILLOUGHBY SPIT, VA	---	---	---	200

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
WASHINGTON				
CENTRALIA, WA	---	---	---	25
CHEHALIS RIVER BASIN, WA	340	---	50	---
ELLIOT BAY SAWALL, WA	---	---	750	---
LAKE WASHINGTON SHIP CANAL, WA	470	---	235	---
PUGET SOUND NEARSHORE MARINE HABITAT RESTORATION, WA	470	---	750	---
SKAGIT RIVER,WA	---	---	300	---
SKOKOMISH RIVER, WA	---	---	100	---
WEST VIRGINIA				
CHERRY RIVER BASIN, WV	---	---	100	---
LITTLE KANAWHA RIVER, WV	110	---	110	---
PARKERSBURG/VIENNA RIVERFRONT PARK, WV	---	---	---	200
WISCONSIN				
BARABOO RIVER, WI	---	---	60	---
FOX RIVER, WI	---	---	100	---
ST. CROIX RIVER, WI	---	---	120	---
ST. CROIX RIVER RELOCATION OF ENDANGERED MUSSELS, WI	---	---	250	---
MISCELLANEOUS				
COASTAL FIELD DATA COLLECTION	1,875	---	4,125	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
ENVIRONMENTAL DATA STUDIES	94	---	94	---
FLOOD DAMAGE DATA	248	---	248	---
FLOOD PLAIN MANAGEMENT SERVICES	5,625	---	6,407	---
HYDROLOGIC STUDIES	300	---	300	---
INTERNATIONAL WATER STUDIES	300	---	300	---
NATIONAL SHORELINE	375	---	375	---
OTHER COORDINATION PROGRAMS	3,899	---	---	---
AMERICAN HERITAGE RIVERS	---	---	150	---
CALFED	---	---	94	---
CHESAPEAKE BAY PROGRAM	---	---	75	---
COORDINATION WITH OTHER WATER RESOURCES AGENCIES	---	---	246	---
FERC LICENSING	---	---	150	---
GULF OF MEXICO	---	---	131	---
INTERAGENCY AND INTERNATIONAL SUPPORT	---	---	113	---
INTERAGENCY WATER RESOURCE DEVELOPMENT	---	---	750	---
INVENTORY OF DAMS	---	---	222	---
LAKE TAHOE	---	---	294	---
NATIONAL ESTUARY PROGRAM	---	---	75	---
NORTH AMERICAN WATERFOWL MANAGEMENT PLAN	---	---	75	---
PACIFIC NORTHWEST FOREST CASE	---	---	75	---
SPECIAL INVESTIGATIONS AND REPORTS	---	---	1,548	---
PLANNING ASSISTANCE TO STATES	4,650	---	5,727	---
PRECIPITATION STUDIES (NATIONAL WEATHER SERVICE)	225	---	225	---
REMOTE SENSING / GEOGRAPHIC INFORMATION SYSTEM SUPPORT	152	---	152	---
RESEARCH AND DEVELOPMENT	22,000	---	26,583	---
SCIENTIFIC AND TECHNICAL INFORMATION CENTERS	78	---	78	---

CORPS OF ENGINEERS - INVESTIGATIONS
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	INVESTIGATIONS	PLANNING	INVESTIGATIONS	PLANNING
STREAM GAGING (U.S. GEOLOGICAL SURVEY)	600	---	600	---
TRANSPORTATION SYSTEMS	375	---	375	---
TRI-SERVICE CADD/GIS TECHNOLOGY CENTER	402	---	402	---
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-20,911	---	---	---
SUBTOTAL, INVESTIGATIONS	87,896	7,104	135,251	28,749
COMBINED TOTAL, INVESTIGATIONS	95,000	---	164,000	---

Matilija Dam, California.—The Secretary shall credit the non-Federal share of the cost of the Matilija Dam ecosystem project the cost of design and construction work carried out by the non-Federal interest before the date of execution of a cooperation agreement for the project.

San Joaquin Valley Region, California.—The conferees have provided funding for studies of the San Joaquin Valley region in California (consisting of Stanislaus, Madera, Merced, Fresno, Kings, Tulare, and Kern Counties).

Whitewater River Basin, California.—The conference agreement includes $100,000 to continue the design phase of the project.

Minnesota River Basin, Minnesota and South Dakota.—Within the funds provided for Minnesota River Basin, Minnesota and South Dakota, $80,000 has been provided for Blue Earth River ecosystem restoration in Minnesota, South Dakota, Iowa and North Dakota.

Louisiana Coastal Area, Louisiana.—For Louisiana coastal area ecosystem restoration area, the conferees have provided a total of $10,000,000 to further studies in mitigating wetlands loss in coastal Louisiana.

Great Lakes Navigation Study, MI, IL, IN, MN, NY, OH, PA and WI.—The conferees have included $1,285,000 for continued work on the Great Lakes Navigation Study, the scope of which is to be in accordance with the bi-national agreement between the United States and Canada. The conferees understand that the study is near completion and encourage the study sponsors and the Corps to move forward as swiftly as is practicable without compromising the scope or quality of the work. With the funds provided for fiscal year 2006, the conferees expect that the Secretary, acting through the Corps of Engineers, will be able to budget for completion in fiscal year 2007.

Red River of the North Basin, Minnesota, North and South Dakota.—Within the funds provided for Red River of the North Basin, Minnesota and North and South Dakota, $60,000 has been provided for Crookston.

Truckee Meadows, Nevada.—Funds are provided to continue planning, engineering and design activities for this flood control project. The conferees expect the Corps to complete the necessary studies as soon as practicable.

Edisto, South Carolina.—The conference agreement includes funds to complete the reconnaissance phase of the project.

Norfolk Harbor and Channels, Craney Island, Virginia.—Funds are provided to complete the feasibility study for this project.

Little Kanawha, West Virginia.—The conference agreement includes funds to complete the feasibility study for this project.

Coastal field data collection.—The conference agreement provides $4,125,000 for coastal field data collection. Within the funds provided, the Corps is directed to undertake the following activities with the amounts allocated below:

Coastal Data Information Program	$500,000
Southern California Beach Processes Study	650,000
Pacific Island Land Typhoon Experiment (PILOT)	650,000
Surge and Wave Island Modeling Studies (SWIMS)	750,000

Remaining items, flood plain management services.—The conference agreement includes $6,407,000 for flood plain management services, instead of $5,625,000 as proposed by the House and $8,935,000 as proposed by the Senate. Within the funds provided, the Corps is directed to undertake the following activities with the amounts allocated below:

Hurricane evacuation studies, HI	$500,000
Livingston Parish, LA geographic information system	625,000
Rancocas Creek, NJ	200,000
Jackson, TN geographic information system	250,000

Remaining items, planning assistance to states.—The conference agreement provides $5,727,000 for planning assistance to states, instead of $4,650,000 as proposed by the House and $7,550,000 as proposed by the Senate. Within the funds provided, the Corps is directed to undertake the following activities with the amounts allocated below:

Assabet River sediment remediation study, MA	$300,000
Bartlesville, Oklahoma water study	100,000
Lake Rogers, Creedmoor, North Carolina water quality study	30,000
Pike River, Wisconsin hydraulic and hydrological study	20,000
La Mirada, California flood control and drainage study	125,000
Memphis, Tennessee riverfront development	200,000
Lafayette Wabash River waterfront development, IN	50,000
Delaware recreation supply and demand study	75,000
Delaware groundwater investigation	75,000
Hilo Bay, Hawaii water quality model	125,000
Rock Creek, Kansas basin stormwater project	200,000
New Mexico photogrammetric mapping	500,000
Mangum, OK Lake Phase V study	50,000
Waccamaw River, SC watershed modeling	25,000
Surfside Beach, SC stormwater drainage study	25,000
Stark County, OH watershed drainage basin	1,000,000

New Mexico photogrammetric mapping.—The conferees have provided $500,000 for New Mexico photographic mapping to be conducted utilizing the Corps' Center of Expertise for Photogrammetric Mapping in St. Louis, Missouri.

Remaining items, research and development.—The conference agreement includes $26,583,000 for research and development activities, instead of $19,643,000 as proposed by the House and $34,500,000 as proposed by the Senate. Within the funds provided, the Corps is directed to undertake the following activities with the amounts allocated below:

Chesapeake Bay submerged aquatic vegetation research	$500,000
National Cooperative Modeling Demonstration Program	500,000
Innovative technology demonstrations for urban flooding and channel restoration, New Mexico and Nevada	1,750,000
Southwest Urban Flood Damage Program Research, New Mexico	375,000
Collaborative Planning and Management Demonstration Program	375,000
Advanced polymer technologies compliance activities	500,000

The conferees further direct the Corps to begin pilot testing of rapid deployment flood walls, within available funds, not later than 30 days after enactment of this Act.

CONSTRUCTION

The conference agreement provides $2,372,000,000 for Construction, instead of $1,900,000,000 as proposed by the House and $2,086,664,000 as proposed by the Senate. The conference agreement includes a provision as proposed by the Senate that derives amounts to cover one-half of the costs of construction and rehabilitation of certain inland waterways projects from the Inland Waterways Trust Fund. The House bill contained a provision that specified the amount to be derived from the Inland Waterways Trust Fund.

The conference agreement deletes a provision proposed by the House, which would have incorporated by reference the projects and activities specified in the statement of managers accompanying this Act. The Senate bill contained no similar provision.

The conference agreement modifies several provisions proposed by the House that set aside specific funds for the various sections of the continuing authorities program. The Senate bill contained no similar provisions.

The conference agreement modifies several provisions relating to specific projects as proposed in the Senate bill. The House bill contained no similar provisions.

The conference agreement includes an appropriation of $35,000,000 for Modified Water Delivery for the Everglades National Park. The House bill contained an appropriation of $137,000,000 for the South Florida Ecosystem Everglades Restoration Program, which included several other projects and Modified Water Delivery. The Senate bill contained no similar appropriation. Funding for the Central and South Florida project, the Kissimmee River Restoration project, and the Everglades and South Florida Restoration project is provided as separate projects.

The conference agreement includes a provision providing funds to the City of Caliente, Nevada, to construct local flood control measures.

The conference agreement for construction is shown in the following table:

CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
ALABAMA		
MOBILE HARBOR, AL	---	2,000
TUSCALOOSA, AL	---	4,000
WALTER F GEORGE POWERPLANT, AL & GA (MAJOR REHAB)	4,121	4,121
ALASKA		
ALASKA COASTAL EROSION	---	2,400
BETHEL BANK STABILIZATION	---	3,750
CHIGNIK HARBOR, AK	2,000	2,000
DILLINGHAM EMERGENCY BANK, AK	---	3,000
FALSE PASS, AK	---	7,000
KAKE DAM, AK	---	5,000
NOME HARBOR IMPROVEMENTS, AK	---	13,000
SAND POINT HARBOR, AK	---	4,500
ST. PAUL HARBOR, AK	---	6,000
UNALASKA HARBOR, AK	---	1,000
ARIZONA		
NOGALES WASH, AZ	---	3,000
RIO DE FLAG, FLAGSTAFF, AZ	---	3,500
RIO SALADO PHOENIX AND TEMPE REACHES, AZ	---	8,000
TRES RIOS, AZ	---	4,500
TUCSON DRAINAGE AREA (TUCSON ARROYO), AZ	---	10,000
ARKANSAS		
MONTGOMERY POINT LOCK AND DAM, AR	20,000	20,000
RED RIVER BELOW DENISON DAM, AR, LA AND TX	---	3,000
RED RIVER EMERGENCY BANK STABILIZATION, AR AND LA	---	3,200
CALIFORNIA		
AMERICAN RIVER WATERSHED (COMMON FEATURES), CA	1,110	4,405
AMERICAN RIVER WATERSHED (FOLSOM DAM MODIFICATIONS),CA	15,850	9,555
AMERICAN RIVER WATERSHED (FOLSOM DAM MINI RAISE), CA	12,000	15,000
CITY OF SANTA CLARITA (PERCHLORATE), CA	---	500
CORTE MADERA CREEK (FLOOD CONTROL), CA	---	188
COYOTE AND BERRYESSA CREEK, CA	---	375
GUADALUPE RIVER, CA	5,600	5,600
HAMILTON AIRFIELD WETLANDS RESTORATION, CA	13,000	13,000
HARBOR/SOUTH BAY WATER RECYCLING PROJECT, LOS ANGELES	---	3,000
KAWEAH RIVER, CA	4,300	4,300
LAKE DAVIS WATER TREATMENT, CA	---	2,500
LOS ANGELES HARBOR MAIN CHANNEL DEEPENING, CA	2,700	2,700
LOWER WALNUT CREEK BASIN STUDY, CA	---	188
MARYSVILLE/YUBA CITY LEVEE RECONSTRUCTON, CA	---	372
MURRIETA CREEK, CA	---	3,750
NAPA RIVER, CA	6,000	12,000
OAKLAND HARBOR (50 FOOT PROJECT), CA	48,000	48,000
SACRAMENTO AREA, CA	---	6,000
SACRAMENTO RIVER BANK PROTECTION, CA	---	6,300
SAN FRANCISCO BAY TO STOCKTON (JFB), CA	---	200
SAN LORENZO RIVER, CA	---	750
SAN LUIS REY, CA	---	1,000
SAN RAMON VALLEY RECYCLED WATER PROJECT, CA	---	3,000
SANTA ANA RIVER MAINSTEM, CA	50,000	61,650
SOUTH SACRAMENTO COUNTY STREAMS, CA	2,852	3,750
STOCKTON METROPOLITIAN FLOOD CONTROL REIMBURSEMENT, CA	5,000	5,000
SUCCESS DAM, TULE RIVER, CA (DAM SAFETY)	8,000	8,000
SURFSIDE-SUNSET AND NEWPORT BEACHES, CA	---	300
UPPER GUADALUPE RIVER, CA	---	3,500
UPPER NEWPORT BAY ECOSYSTEM RESTORATION, CA	---	5,000
YUBA RIVER BASIN, CA	---	1,200

CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
DELAWARE		
DELAWARE BAY COASTLINE TO PT MANON, DE	---	1,000
DELAWARE BAY COASTLINE, BETHANY TO SOUTH BETHANY, DE	---	3,000
DELAWARE COAST PROTECTION, DE	---	320
DELAWARE COAST, CAPE HENLOPEN TO FENWICH ISLAND, DE	---	1,275
DISTRICT OF COLUMBIA		
WASHINGTON, DC & VICINITY	400	---
FLORIDA		
BREVARD COUNTY SHORE PROTECTION, FL	---	500
BROWARD COUNTY (REIMB), FL	---	750
CANAVERAL HARBOR, FL	---	1,500
CEDAR HAMMOCK/WARES CREEK, FL	---	750
CENTRAL AND SOUTHERN FLORIDA (C&SF), FL	76,826	76,826
DADE COUNTY, FL	---	1,350
EVERGLADES AND SOUTH FLORIDA ECOSYSTEM RESTORATION, FL	12,000	12,000
FLORIDA KEYS WATER QUALITY IMPROVEMENTS, FL	---	2,000
FORT PIERCE BEACH, FL	---	150
HERBERT HOOVER DIKE, FL (MAJOR REHAB)	16,900	16,900
JACKSONVILLE HARBOR, FL	---	375
KISSIMMEE RIVER, FL	13,174	13,174
LEE COUNTY, FL	---	750
NASSAU COUNTY SHORE PROTECTION, FL	---	2,250
PALM BEACH COUNTY REIMBURSEMENT, FL	---	2,450
PINELLAS COUNTY BEACHES, FL	---	1,500
PONCE DE LEON INLET, SOUTH JETTY, FL	---	1,313
PORT EVERGLADES HARBOR, FL	---	375
MOD WATER, FL	35,000	35,000
ST. LUCIE INLET, FL	---	1,500
TAMPA HARBOR BIG BEND, FL	5,000	5,000
TAMPA HARBOR SUTTON CHANNEL, FL	---	1,000
GEORGIA		
ATLANTA - COMBINED SEWER OVERFLOW, GA	---	1,000
BRUNSWICK HARBOR, GA	---	19,100
BUFORD POWERHOUSE, GA (MAJOR REHAB)	5,812	5,812
HARTWELL LAKE POWERHOUSE, GA & SC (MAJOR REHAB)	733	733
OATES CREEK, RICHMOND COUNTY, GA	---	375
RICHARD B RUSSELL DAM AND LAKE, GA & SC	1,300	1,300
THURMOND LAKE POWERHOUSE, GA & SC (MAJOR REHAB)	5,700	5,700
HAWAII		
HAWAII WATER SYSTEMS TECHNICAL ASSISTANCE, HI	---	1,500
IAO STREAM FLOOD CONTROL, MAUI, HI	---	375
KAUMALAPAU HARBOR, LANAI, HI	---	13,000
KIKIAOLA SMALL BOAT HARBOR, KAUAI, HI	3,550	3,550
IDAHO		
RURAL IDAHO ENVIRONMENTAL INFRASTRUCTURE, ID	---	5,000
ILLINOIS		
CHAIN OF ROCKS CANAL, MISSISSIPPI RIVER, IL (DEF CORR)	5,495	5,495
CHICAGO SHORELINE, IL	20,000	20,000
COOK COUNTY, ENVIRONMENTAL INFRASTRUCTURE, IL	---	375
DES PLAINES, IL	---	3,750
EAST ST LOUIS, IL	760	1,000
EAST ST. LOUIS ECOSYSTEM RESTOR. & FLOOD DAMAGE REDUC.	---	300
GREAT LAKES FISHERY & ECOSYS RESTOR. PGM, IL, IN, MI	---	375

CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
LOCK AND DAM 24, MISSISSIPPI RIVER, IL & MO (MAJOR REH	4,300	4,300
MADISON AND ST. CLAIR COUNTIES, ENVIRON. INFRASTRUC...	---	750
MCCOOK AND THORNTON RESERVOIRS, IL.....	---	27,500
MELVIN PRICE LOCK AND DAM, IL.....	---	563
NUTWOOD DRAINAGE AND LEVEE DISTRICT, IL.....	---	200
OLMSTED LOCKS AND DAM, OHIO RIVER, IL & KY.....	90,000	90,000
UPPER MISSISSIPPI RIVER RESTORATION, IL, IA, MN, MO &.	33,500	20,000
WOOD RIVER DRAINAGE AND LEVEE DISTRICT, IL.....	---	590
INDIANA		
CALUMET REGION ENVIRONMENT INFRASTRUCTURE, IL.....	---	3,000
INDIANA HARBOR (CONFINED DISPOSAL FACILITY), IN.....	8,000	8,000
INDIANA SHORELINE, IN.....	---	275
INDIANAPOLIS ENVIRONMENTAL INFRASTRUCTURE PLANNING, IL	---	275
INDIANAPOLIS, WHITE RIVER (NORTH), IN.....	3,200	3,200
JOHN T. MYERS LOCKS AND DAM, IN AND KY.....	---	700
LITTLE CALUMET RIVER, IN.....	---	6,500
LITTLE CALUMET RIVER, IN (CADY MARSH DITCH).....	---	8,200
MISSISSINEWA LAKE, IN (MAJOR REHAB).....	4,481	4,481
OHIO RIVER GREENWAY PUBLIC ACCESS, (CORRIDOR PROJECT).	---	2,000
IOWA		
DES MOINES RECREATIONAL RIVER AND GREENBELT.....	---	5,000
LOCK AND DAM 11, MISSISSIPPI RIVER, IA (MAJOR REHAB)..	7,580	7,580
LOCK AND DAM 19, MISSISSIPPI RIVER, IA (MAJOR REHAB)..	17,502	17,502
MISSOURI R FISH AND WILDLIFE MITIGATION,IA,KS,MO,MT,NE	82,800	54,470
MISSOURI RIVER LEVEE SYSTEM, IA, NE, KS AND MO.....	---	563
PERRY CREEK, IA.....	10,000	10,000
KANSAS		
ARKANSAS CITY, KS.....	2,619	2,619
TURKEY CREEK BASIN, KS AND MO.....	---	3,000
TUTTLE CREEK LAKE, KS (DAM SAFETY).....	27,000	27,000
KENTUCKY		
KENTUCKY LOCK & DAM 10, TENNESSEE RIVER, KY.....	---	23,000
MCALPINE LOCKS AND DAM, OHIO RIVER, KY & IN.....	70,000	70,000
METROPOLITAN LOUISVILLE, POND CREEK, KY.....	3,670	3,670
ROUGH RIVER LAKE, KY (DAM SAFETY ASSURANCE).....	2,500	2,500
SOUTHERN AND EASTERN KENTUCKY.....	---	1,500
LOUISIANA		
ASCENSION PARISH ENVIRONMENTAL INFRASTRUCTURE, LA.....	---	375
COMITE RIVER, LA.....	6,254	6,254
EAST BATON ROUGE PARISH, (FLOOD CONTROL), LA.....	---	750
EAST BATON ROUGE PARISH, LA (ENV. INFRASTRUCTURE).....	---	375
GRAND ISLE AND VICINITY, LA.....	---	675
IBERIA PARISH, LA (ENVIRONMENTAL INFRASTRUCTURE).....	---	375
INNER HARBOR NAVIGATION CANAL LOCK, LA.....	---	11,250
J BENNETT JOHNSTON WATERWAY, LA.....	1,500	13,000
LAKE PONTCHARTRAIN AND VICINITY, LA (HURRICANE PROTECT	2,977	4,000
LAROSE TO GOLDEN MEADOW, LA (HURRICANE PROTECTION)....	---	750
LIVINGSTON PARISH, LA (ENVIR. INFRA.).....	---	375
MISSISSIPPI RIVER SHIP CHANNEL, LA.....	---	172
NEW ORLEANS TO VENICE, LA (HURRICANE PROTECTION).....	---	2,700
OUACHITA RIVER LEVEES, LA.....	---	750
SOUTHEAST LOUISIANA, LA.....	10,491	27,000
WEST BANK AND VICINITY, NEW ORLEANS, LA.....	28,000	28,000
MARYLAND		

CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
ASSATEAGUE ISLAND (SHORE PROTECTION), MD	---	765
ATLANTIC COAST OF MARYLAND, MD	---	4,900
BALTIMORE METROPOLITAN WATER RES. (GWYNN FALLS), MD	---	2,000
CHESAPEAKE BAY ENVIR. RESTOR. & PROTECTION PGM, MD	---	2,000
CHESAPEAKE BAY OYSTER RECOVERY, MD AND VA	---	2,250
CUMBERLAND, MD	---	900
JENNINGS RANDOLPH LAKE, MD & WV (DAM SAFETY)	400	400
POPLAR ISLAND, MD	13,400	13,400
MASSACHUSETTS		
MUDDY RIVER, BOSTON & BROOKLINE, MA	---	1,500
MICHIGAN		
GENESSEE COUNTY, MI (ENV. INFRASTRUCTURE)	---	338
GEORGE W. KUHN DRAIN RETENTION FAC., OAKLAND COUNTY	---	50
NEGAUNEE, MI (ENVIRONMENTAL INFRASTRUCTURE)	---	200
SAULT ST. MARIE REPLACEMENT LOCK, MI	---	1,500
MINNESOTA		
BRECKENRIDGE, MN	---	1,125
LOCK AND DAM 3 NAV. SAFETY AND EMBANKMENT, MN	---	1,500
MILLE LACS REGIONAL SEWAGE TREATMENT PLANT, MN	---	1,125
NORTHEASTERN MINNESOTA, MN	---	3,750
MISSISSIPPI		
COASTAL MISSISSIPPI WETLANDS RESTORATION	---	2,500
DESOTO COUNTY WASTEWATER, MS	---	20,000
GULPORT HARBOR, MS (DEEPENING/WIDENING OF SHIP CHNL)	---	1,200
MISSISSIPPI ENVIRONMENTAL INFRASTRUCTURE (SEC 592)	---	25,000
NATCHEZ, MS	---	250
PASCAGOULA HARBOR, MS	---	3,500
MISSOURI		
BLUE RIVER BASIN, KANSAS CITY, MO	---	4,000
BLUE RIVER CHANNEL, KANSAS CITY, MO	5,000	5,000
BOIS BRULE LEVEE AND DRAINAGE DISTRICT, MO	---	1,810
CAPE GIRARDEAU, MO (CAPE GIRARDEAU FLOODWALL)	---	300
CHESTERFIELD, MO	---	900
CLEARWATER LAKE, MO (MAJOR REHAB)	22,000	22,000
MERAMEC RIVER BASIN, VALLEY PARK LEVEE, MO	7,582	7,582
MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	4,000	4,000
MO AND MID-MS RIVERS ENHANCE, MO	---	1,313
STE GENEVIEVE LEVEE (STE GENEVIEVE CO), MO	---	550
MONTANA		
RURAL MONTATA	---	5,000
NEBRASKA		
ANTELOPE CREEK FLOOD CONTROL PROJECT, LINCOLN, NE	---	2,215
MISSOURI NATIONAL RECREATION RIVER, NE AND SD	---	486
SAND CREEK ENVIRONMENTAL RESTORATION PROJECT, NE	---	2,500
WESTERN SARPY, CLEAR CREEK, NE	---	1,500
NEVADA		
CALIENTE, NV	---	2,000
RURAL NEVADA, NV	---	20,000
TAHOE BASIN RESTORATION, NV AND CA	---	3,600
TROPICANA AND FLAMINGO WASHES, NV	13,000	17,000

CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
NEW HAMPSHIRE		
OTTER BROOK DAM, NH (DAM SAFETY)	1,430	1,430
NEW JERSEY		
BARNEGAT TO LITTLE EGG HARBOR INLET, NJ	---	5,000
CAPE MAY INLET TO LOWER TOWNSHIP, NJ	1,900	1,900
DELAWARE BAY COASTLINE, DE & NJ, REEDS BEACH TO PIERCE	---	825
DELAWARE BAY COASTLINE, DE AND NJ VILLAS AND VICINITY.	---	1,838
DELAWARE RIVER MAIN CHANNEL, NJ, PA AND DE (DEEPENING)	---	2,250
GREAT EGG HARBOR TO PECK BEACH, NJ	---	450
HUDSON-RARITAN ESTUARY, HACKENSACK MEADOWLANDS, NJ	---	1,500
JOSEPH G. MINISH PASSAIC RIVER WATERFRONT PARK, NJ	---	2,250
LOWER CAPE MAY MEADOWS, CAPE MAY POINT, NJ	7,000	7,000
MOLLY ANN BROOK	---	3,000
PASSAIC RIVER PRESERVATION ON NATURAL STORAGE AREAS,NJ	---	3,000
RAMAPO RIVER AT OAKLAND, NJ	---	1,313
RARITAN BAY AND SANDY HOOK BAY, NJ	---	188
RARITAN BAY AND SANDY HOOK BAY, PORT MONMOUTH, NJ	---	1,500
RARITAN RIVER BASIN, GREEN BROOK SUB-BASIN, NJ	---	5,000
SANDY HOOK TO BARNEGAT INLET, NJ	---	3,000
TOWNSENDS INLET TO CAPE MAY INLET, NJ	11,600	11,600
NEW MEXICO		
ACEQUIAS IRRIGATION SYSTEM, NM	1,800	2,325
ALAMOGORDO, NM	4,200	4,200
CENTRAL NEW MEXICO, NM	---	5,000
MIDDLE RIO GRANDE FLOOD PROTECTION, BERNALILLO TO BELE	---	600
NEW MEXICO ENVIRONMENTAL INFRASTRUCTURE, NM (SEC 595).	---	5,000
RIO GRANDE FLOODWAY, SAN ACACIA TO BOSQUE DEL APACHE	---	700
NEW YORK		
ATLANTIC COAST OF LONG ISLAND, LONG BEACH ISLAND, NY	---	150
FIRE ISLAND INLET TO MONTAUK POINT, NY	800	1,875
NEW YORK AND NEW JERSEY HARBOR, NY & NJ	101,000	101,000
NEW YORK CITY WATERSHED, NY	---	750
ONONDAGA LAKE, NY	---	3,500
ORCHARD BEACH, NY	---	225
RAMAPO AND MAHWAH RIVERS, NJ	---	188
NORTH CAROLINA		
BRUNSWICK COUNTY BEACHES, NC	---	225
DARE COUNTY BEACHES, NC (BODIE ISLAND)	---	1,875
ENVIRONMENTAL INFRASTRUCTURE	---	1,200
WEST ONSLOW BEACH, NC	---	600
WILMINGTON HARBOR, NC	19,900	19,900
WRIGHTSVILLE BEACH, NC	890	890
NORTH DAKOTA		
BUFORD TRENTON IRRIGATION DISTRICT LAND ACQUISITION,ND	---	1,125
GARRISON DAM AND POWER PLANT, ND (MAJOR REHAB)	3,582	3,582
GRAND FORKS, ND - EAST GRAND FORKS, MN	40,000	40,000
MISSOURI RIVER RESTORATION, ND	---	188
SHEYENNE RIVER, ND	550	550
OHIO		
METROPOLITAN REGION OF CINCINNATI, DUCK CREEK, OH	1,650	1,650
OHIO ENVIRONMENTAL INFRASTRUCTURE, OH	---	13,000

CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
OKLAHOMA		
CANTON LAKE, OK (DAM SAFETY)	6,000	6,000
ELM FORK, RED RIVER, OK (CHLORIDE CONTROL)	---	375
LAWTON WASTEWATER INFRASTRUCTURE REHABILITATION, OK	---	38
TAR CREEK, OK	---	3,750
TENKILLER FERRY LAKE, OK (DAM SAFETY)	5,200	5,200
OREGON		
BONNEVILLE POWERHOUSE PHASE II, OR & WA (MAJOR REHAB)	5,000	5,000
COLUMBIA RIVER CHANNEL IMPROVEMENTS, OR & WA	15,000	15,000
COLUMBIA RIVER TREATY FISHING ACCESS SITES, OR & WA	4,000	4,000
ELK CREEK LAKE, OR	300	300
LOWER COLUMBIA RIVER ECOSYSTEM RESTORATION, OR	---	2,000
WILLAMETTE RIVER TEMPERATURE CONTROL, OR	1,000	1,000
PENNSYLVANIA		
EMSWORTH LOCKS AND DAM, OHIO RIVER, PA (MAJOR REHAB)	15,000	15,000
LOCKS AND DAMS 2, 3 AND 4, MONONGAHELA RIVER, PA	50,800	50,800
NORTHEAST PENNSYLVANIA INFRASTRUCTURE PROGRAM, PA	---	1,950
PRESQUE ISLE, PA	---	465
PROMPTON LAKE, PA	8,480	8,480
SAWMILL RUN, PITTSBURGH, PA	---	750
SOUTH CENTRAL PENNSYLVANIA ENVIRONMENTAL STRUCTURE, PA	---	9,000
SOUTHEASTERN PENNSYLVANIA WATERWAYS RESTORATION,PA	---	600
THREE RIVERS WET WEATHER DEMONSTRATION PROGRAM, PA	---	750
WYOMING VALLEY, PA (LEVEE RAISING)	10,496	10,496
PUERTO RICO		
ARECIBO RIVER, PR	3,800	4,000
PORTUGUES AND BUCANA RIVERS, PR	14,000	14,000
RIO PUERTO NUEVO, PR	20,000	20,000
RHODE ISLAND		
FOX POINT HURRICANE BARRIER, RI	---	525
SOUTH CAROLINA		
FOLLY BEACH, SC	---	60
LAKES MARION AND MOULTRIE, SC	---	6,000
MYRTLE BEACH, SC	---	75
SOUTH DAKOTA		
BIG SIOUX RIVER, SIOUX FALLS,SD	---	1,500
CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX, SD	---	3,750
TENNESSEE		
CHICKAMAUGA LOCK, TN	---	10,000
TEXAS		
BRAYS BAYOU, HOUSTON, TX	11,800	11,800
CLEAR CREEK, TX	---	1,125
DALLAS FLOODWAY EXTENSION (DFE), TX	---	11,250
FORT WORTH, TX	---	7,000
GRAHAM CREEK, TX	---	750
HOUSTON - GALVESTON NAVIGATION CHANNELS, TX	24,800	26,000
HUNTING BAYOU (HOUSTON), TX	---	375
JOHNSON CREEK, UPPER TRINITY BASIN, ARLINGTON, TX	500	375
NORTH PADRE ISLAND, PACKERY CHANNEL, TX	---	4,079

CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
RED RIVER BASIN CHLORIDE CONTROL PROJECT, WICHITA RIVE	---	1,125
SAN ANTONIO CHANNEL IMPROVEMENT, TX	---	2,730
SIMS BAYOU, HOUSTON, TX	18,000	18,000
WHITNEY LAKE POWERHOUSE, TX (MAJOR REHABILITATION)	---	3,413
UTAH		
RURAL UTAH, UT	---	10,000
VERMONT		
LAKE CHAMPLAIN WATERSHED, VT AND NY	---	1,500
VIRGINIA		
RICHMOND COMBINED SEWER OVERFLOW (CSO)	---	750
EMBREY DAM, RAPPAHANNOCK RIVER, VA	---	1,500
JAMES RIVER, VA	---	975
JOHN H KERR DAM AND RESERVOIR, VA & NC (MAJOR REHAB)	14,000	14,000
LAKE MERRIWEATHER, LITTLE CALFPASTURE RIVER (GOSEN),VA	---	3,000
NORFOLK HARBOR AND CHANNELS (DEEPENING), VA	---	3,221
ROANOKE RIVER UPPER BASIN, HEADWATERS AREA, VA	5,000	5,000
SANDBRIDGE, VA	---	3,000
VIRGINIA BEACH, VA (HURRICANE PROTECTION)	4,000	8,546
WASHINGTON		
CHIEF JOSEPH DAM GAS ABATEMENT, WA	---	8,000
COLUMBIA RIVER FISH MITIGATION, WA, OR & ID	102,000	85,000
DUNWAMISH AND GREEN RIVER BASIN, WA (ECOSYSTEM RECONST	---	1,875
HOWARD HANSON DAM ECOSYSTEM RESTORATION, WA	14,100	14,100
LOWER SNAKE RIVER FISH & WILDLIFE COMPENSATION, WA, OR	900	675
MT ST HELENS SEDIMENT CONTROL, WA	360	495
MUD MOUNTAIN DAM, WA (DAM SAFETY)	4,400	4,400
PUGET SOUND AND ADJACENT WATERS RESTORATION, WA	---	1,500
SHOALWATER BAY SHORELINE EROSION, WA	---	1,500
WEST VIRGINIA		
BLUESTONE LAKE, WV (DAM SAFETY)	21,500	21,500
CENTRAL WEST VIRGINIA ENVIRONMENTAL INFRASTRUCTURE, WV	---	563
GREENBRIER RIVER BASIN, WV (MARLINTON)	---	2,000
ISLAND CREEK AT LOGAN, WV	---	305
LEVISA AND TUG FORKS AND UPPER CUMBERLAND RIVER, WV, V	---	31,100
LOWER MUD RIVER, WV	---	1,250
MARMET LOCK, KANAWHA RIVER, WV	68,830	73,500
ROBERT C BYRD LOCKS AND DAM, OHIO RIVER, WV & OH	914	914
SOUTHERN WEST VIRGINIA ENVIRONMENTAL INFRASTRUCTURE	---	750
WEST VIRGINIA AND PENNSYLVANIA FLOOD CONTROL, WV & PA	---	750
WINFIELD LOCKS AND DAM, KANAWHA RIVER, WV	2,400	2,400
WISCONSIN		
NOTHERN WISCONSIN ENVIRONMENTAL ASSISTANCE PROGRAM, WI	---	8,000
MISCELLANEOUS		
ABANDON MINE RESTORATION	---	1,000
AQUATIC ECOSYSTEM RESTORATION (SECTION 206)	15,000	30,000
AQUATIC PLANT CONTROL PROGRAM	3,000	4,000
BENEFICIAL USES OF DREDGED MATERIAL(SEC 204,SEC 207,SE	3,000	5,000
DAM SAFETY AND SEEPAGE/STABILITY CORRECTION PROGRAM	11,000	15,000
DREDGED MATERIAL DISPOSAL FACILITIES PROGRAM	12,000	8,800
EMERGENCY STREAMBANK AND SHORELINE PROTECTION (SECTION	4,000	15,000
EMPLOYEES COMPENSATION	21,000	21,000
ESTUARY RESTORATION PROGRAM (PL 106-457)	5,000	1,000

CONSTRUCTION
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
FLOOD CONTROL PROJECTS (SECTION 205)	13,000	40,000
INLAND WATERWAYS USERS BOARD - BOARD EXPENSE	40	40
INLAND WATERWAYS USERS BOARD - CORPS EXPENSE	170	170
MITIGATION OF SHORE DAMAGES (SECTION 111)	1,500	500
NAVIGATION PROJECTS (SECTION 107)	---	12,000
PROJECT MODIFICATIONS FOR IMPROVEMENT OF THE ENVIRONME	15,000	30,000
SHORELINE EROSION CONTROL DEVELOPMENT AND DEMONSTRATIO	---	2,850
SHORE PROTECTION PROJECTS (SECTION 103)	500	7,000
SNAGGING AND CLEARING PROJECTS (SECTION 208)	400	300
SUSPENSION FUND	80,000	---
TRIBAL PARTNERSHIP	---	600
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-81,441	---
TOTAL, CONSTRUCTION	1,637,000	2,372,000

American River watershed.—The conference agreement includes a total of $28,960,000 for American River watershed projects. These funds are to be available as follows:

Common features	$4,405,000
Folsom Dam modifications	9,555,000
(Permanent dam below Folsom Dam)	(10,000,000)
Folsom Dam mini-raise	15,000,000

Santa Ana River mainstem, California.—A total of $61,650,000 is provided for the Santa Ana River mainstem in California. Funds are to be distributed as delineated in the House report.

Central and South Florida.—Within the funds provided, work should continue on the Upper St. Johns River project.

Rural Idaho environmental infrastructure, Idaho.—The conference agreement includes $5,000,000 for rural Idaho environmental infrastructure. Within the funds provided, the Corps is directed to give consideration to projects at Emmett, Burley, Rupert, Bonners Ferry, Donnelly, Eastern Idaho Regional Water Authority, Driggs and Smelterville. Other communities that meet the program criteria may be considered as funding allows.

Olmstead Locks and Dam, Ohio River, Illinois and Kentucky.—Neither funds provided for Olmstead Locks and Dam project nor funds available within this account are available to reimburse the Claims and Judgment Fund.

Upper Mississippi River restoration, IL, IA, MN, MO and WI.—The conference agreement includes $20,000,000 for Upper Mississippi River restoration, which shall be available only to continue ongoing projects and shall not be available to initiate any new projects.

Missouri fish and wildlife mitigation, IA, KS, MO, MT, NE, ND, and SD.—The conference agreement includes funds for only those specifically authorized Missouri fish and wildlife and mitigation activities, namely along the lower Missouri River. The conferees agree that the Administration should submit a legislative proposal for habitat recovery for the upper reaches of the river for consideration by the appropriate authorizing committees before funds are expended on these additional mitigation activities.

Louisville Waterfront Park, Kentucky.—The Corps of Engineers is directed to use funds appropriated in Public Law 107–66, Public Law 108–7 and Public law 108–137, to continue with design and construction of Phase II of the Louisville Waterfront Park, specifically the Big Four Bridge and Spiral.

J. Bennett Johnston Waterway, Louisiana.—The Conferees have provided $13,000,000 for navigation channel refinement features, land purchases and development for mitigation of project impacts, and construction of project recreation features and appurtenant features.

Chesapeake Bay environmental program, MD, PA, and VA.—Within the funds provided, $273,000 is included to continue the environmental studies concerning non-native oysters.

Rural Montana.—Within the funds provided, the Corps is directed to give consideration to the projects at Livingston, Missoula (Grant Creek), Meagher County, Stevensville, Helena, Wisdom, Bigfork, Sheridan, Butte and Drummond. Other communities that meet the program criteria should be considered as funding allows.

Fire Island Inlet to Montauk Point, New York.—The conference agreement includes $1,075,000 for the reformulation study.

New York and New Jersey Harbor, New York and New Jersey.—Within the funds provided for New York and New Jersey Harbor, New York and New Jersey, the conferees direct the Corps to use up to $2,000,000 to plan for and enter into an agreement with a state or non-Federal sponsor to develop a dredged material processing facility that would accomplish the objectives of reducing the cost of dredged material management in the port, preparing dredged material for beneficial uses, and implementing innovative dredged material management technologies.

Rural Nevada.—Within the funds provided, the Corps is directed to give consideration to projects of Douglas County, Battle Mountain, North Lemmon Valley, Spanish Valley Phase II, Huffaker Hills Water Conservation, Lawton-Verdi, Boulder City, Lyon County, Gerlach, Searchlight, Incline Village, Esmeralda County, Churchill County, West Wendover, Yearlington, Virgin Valley Water District, Lovelock, Lander County, Round Hill Phase II and Carson City. Other communities that meet the program criteria should be considered as funding allows.

Tropicana and Flamingo Washes, Nevada.—Within the funds provided, $3,000,000 is provided for work performed in accordance with Section 211 of Public Law 104–303.

Wrightsville Beach, North Carolina.—Funds are provided for beach restoration efforts resulting from natural erosion and navigation activities.

Ohio environmental infrastructure.—The bill provides $13,000,000 for Ohio environmental infrastructure for fiscal year 2006. These funds, together with $3,849,000 from Clark County (Ohio) and Lower Mad River Valley Sewer Infrastructure and Storm Water Management projects remaining unobligated from fiscal year 2004, shall be distributed as follows:

Benton Ridge wastewater treatment	$500,000
Brookfield Center South sanitary sewer	250,000
Cambridge sewer system east of I–77	425,000
Cuyahoga River environmental restoration	500,000
Elyria water treatment plant	200,000
Franklin County, Village of New Albany environmental restoration	1,000,000
Fulton County Elmira/Burlington wastewater collection and treatment	300,000
Gallia County water and sewer	300,000
Higginsport sanitary sewer	750,000
Lake County Madison Township Chapel Road Interceptor sewer	505,000
Licking County, Village of Hanover wastewater collection	325,000
Marysville water treatment facility upgrades	1,000,000
Norwalk wastewater treatment plant	300,000
Rushsylvania wastewater treatment	500,000
Springfield Hospital water and sewer project	3,025,000
Springfield Nextedge Technology Park water and sewer	750,000
Southern Franklin County and Northern Pickaway County sewer line expansion project	1,000,000
Toledo wastewater treatment plant	250,000
Trotwood storm drain and stream relocation	750,000
University of Dayton, Brown and Stewart Streets water and sewer	1,000,000
Village of Ottawa regional waterline	300,000
Yellow Springs McGregor Center for Business and Education Park, water and sewer	450,000
Parma water and sewer project	150,000
Springfield AirPark water project	1,500,000
Clark County Park I–675 water and sewer project	324,000
Summit County, City of Hudson, Seasons Road sanitary sewer pump station	495,000

Southeastern Pennsylvania infrastructure program, Pennsylvania.—Within the funds provided for Southeastern Pennsylvania infrastructure program, the conferees have provided $300,000 for Cobbs Creek Park and $300,000 for Tacony Creek.

Cheyenne River Sioux Tribe, Lower Brule Sioux, South Dakota.—Within the funds provided, the conferees direct that not more than $1,000,000 shall be provided for administrative expenses, and that the Corps is to distribute the remaining funds as directed by Title IV of the Water Resources Act of 1999 to the State of South Dakota, the Cheyenne River Sioux Tribe and the Lower Brule Sioux Tribe.

Columbia River fish mitigation, WA, OR and ID.—The conferees have chosen not to combine the various, separately authorized components of the project into a single line item and believe it is prudent to maintain visibility and transparency in the various project elements throughout budget execution.

Mt. St. Helens, Washington.—Additional funds have been provided to initiate a general reevaluation report to determine if ecosystem restoration actions are prudent in the Cowlitz and Toutle watersheds for species that have been listed as being of economic importance and threatened or endangered.

Mud Mountain, Washington.—Out of the funds provided, the Corps is directed to use up to $600,000 to study fish passage.

Levisa and Tug Forks and Upper Cumberland River, WV, VA and KY.—The conference agreement includes $31,100,000 for Levisa and Tug Forks and Upper Cumberland River, WV, VA and KY. Within the amounts provided, $16,000,000 shall be for elements of the project in the Commonwealth of Kentucky, $5,600,000 shall be for elements within the State of West Virginia and $9,500,000 shall be for Virginia elements.

Robert C. Byrd Locks and Dam, Ohio River, West Virginia and Ohio.—The conference agreement includes funds to continue Jenkins preservation and contract management but excludes funds for planning, engineering and design.

Aquatic Plant Control Program.—The conference agreement includes $4,000,000 for this program. Within the funds provided, the conferees have provided $100,000 for Lake Gaston, North Carolina, and $400,000 for Lake Champlain, Vermont.

Beneficial Uses of Dredged Material.—Within the funds provided, $3,000,000 is for Morehead City, North Carolina, and $200,000 for Duaphin Island, Alabama.

Dam Safety and Seepage/Stability Corrective Program.—The conference agreement includes $15,000,000, of which $4,000,000 is to complete the Waterbury dam repairs in Vermont, and $600,000 is for Dover dam in Ohio.

Shore Line Erosion Control Development and Demonstration Program.—Within the funds provided, $1,725,000 shall be available for the alternative sand test beach and breakwater project in Florida and $1,250,000 for the Sacred Falls demonstration project in Hawaii.

Estuary Restoration Program.—The conference agreement includes $1,000,000 for the estuary restoration program. The Corps is directed to provide the House and Senate

Committees on Appropriations a spending plan for the program in fiscal year 2005 and 2006 prior to the expenditure of funds.

Tribal partnership.—Within the funds provided, $300,000 shall be for efforts in New Mexico and $300,000 shall be for cultural resource restoration on historic Washoe lands.

CONTINUING AUTHORITIES PROGRAM

The Act contains several provisions specifying the amount of funds made available for each of the continuing authorities programs (CAP), as proposed by the House. The Senate bill contained no similar provisions.

The conference agreement includes the following amounts for each of the specific program authorities of the continuing authorities program:

Section 107	$12,000,000
Section 103	7,000,000
Section 205	40,000,000
Section 14	15,000,000
Section 1135	30,000,000
Section 206	30,000,000
Section 204	5,000,000
Section 208	300,000
Section 111	500,000

In an effort to reduce the current backlog of CAP projects, the conferees have endeavored to provide sufficient appropriations to continue various Corps-initiated CAP projects while also allocating funds for Congressionally-directed projects. For example, the conference agreement includes appropriations for sections 1135 and 206 in excess of the annual authorized level so as to reduce the significant unfunded backlog of projects. These appropriations levels are a one-time event; neither the Corps nor its stakeholders should expect funding at these levels to continue and should plan their programs and projects accordingly.

The conferees agree that significant management reform of the CAP program is necessary. Therefore, within 60 days of enactment of this Act, and annually thereafter concurrent with the budget submission, the Corps is directed to submit to the House and Senate Committees on Appropriations a program management plan detailing the specific actions the Corps will take to prioritize projects and to manage the program in the future. This management plan shall include at least a five-year time horizon consistent with the Five-Year Comprehensive Budget Plan and may, after the initial submission, be incorporated into the larger planning effort. Additionally, the Corps shall provide to the House and Senate Committees on Appropriations, concurrent with the annual budget submission, a status report delineating all ongoing projects, identifying on a project-by-project basis the annual out-year budgetary requirements to complete each project.

In developing its management plan and in an effort to reduce the backlog of projects, the Corps is directed to prioritize projects in the following manner: first, funding should be available for construction projects for which an executed project cooperation agreement is in place; second, funding should be available for projects with executed feasibility cost sharing agreements. The conferees direct the Corps to place a moratorium on the execution of any new project cooperation agreements or feasibility cost sharing agreements in fiscal year 2006. Work may continue on any phase of a particular project as funding and priority allows, but no project shall advance to the next stage during fiscal year 2006 unless such project can be completed within the funds specified or can advance into the design phase in fiscal year 2006.

The Corps is directed not to initiate any new project or re-start a project within any CAP program in fiscal year 2006 unless such project is specifically named in an Energy and Water Development Appropriations Act or its accompanying statement of managers from fiscal year 2001 through 2006. Within 60 days of enactment of this Act, the Corps shall submit to the House and Senate Committees on Appropriations a report detailing those CAP projects that have not been named in an Energy and Water Development Appropriations Act from fiscal year 2001 through 2006 or for which no funds have been expended in fiscal years 2001 through 2005.

The conferees further direct to Corps to implement guidelines to require feasibility study cost sharing from non-Federal sources for all CAP authorities, to be effective October 1, 2006. The conferees note that this is the current practice in all but the environmental authorities.

The following table includes the name of the project, the CAP authority under which the project is authorized and the amount of funding included in the conference agreement:

CONTINUING AUTHORITIES PROGRAMS
(In thousands of dollars)

SMALL NAVIGATION PROJECTS
(SECTION 107)

Blytheville Harbor, AR	500
Oyster Point Marina Breakwater Reconfiguration, CA	2100
Kahoolawe Small Boat Basin, HI	250
North Kohala Navigation Improvements, HI	150
Port Fuchon, LA	88
Westport River and Harbor, MA	70
Naticoke Harbor, MD	250
St. Jerome Creek, MD	200
Mackinac Isle, harbor breakwater, MI	50
Northwestern Michigan College, Traverse City, MI	55
Ontonagon Harbor Channel extension, Ontonagon, MI	184
Knife River Harbor, MN	54
Yazoo Diversion Canal, MS	2900
Hampton Harbor, NH	55
Olcott Harbor, NY	70
Charlestown Breachway and Ningret Pond, RI	90
Northwest Tennessee Regional Harbor, TN	490
Wisconsin Lakeshore State Park Breakwater, WI	2000

SMALL BEACH EROSION CONTROL PROJECTS
(SECTION 103)

Unalakleet Seawall, AK	600
Solana Beach, CA (Fletcher Cove)	15
North Shore of Indian River Inlet, DE	600
Whiting, IN	100
Pleasure Island, MD	500
St. Mary's River, MD	630
Philadelphia shipyard, PA	200
Morris Island Lighthouse, SC	2234

SMALL FLOOD CONTROL PROJECTS
(SECTION 205)

Fort Yukon, AK	200
Salcha, AK	400
Huntsville Big Spring Branch debris removal, AL	100
Huntsville Dallas Branch bypass, Huntsville, AL	200
Wynne, AR	75
City of 29 Palms Pinto Cove flood control channel, CA	1000
Cosgrove Creek, CA	150
Flomar Storm Drain, Whittier, CA	95
Heacock and Cactus Channels, CA	550
New Hogan Lake Reoperation, CA	300
Burnt Mountain flood control improvements, CA	736

CONTINUING AUTHORITIES PROGRAMS
(In thousands of dollars)

SMALL FLOOD CONTROL PROJECTS
(SECTION 205)

Oak Creek, Florence, CO (Oak Creek Reservoir)	175
Van Bibber Creek, CO	318
Harbor Brook, Meriden, CT	75
Salmon River, CT	460
Little Mill Creek, New Castle County, DE	2000
Kuliouou Stream Flood Damage Reduction, HI	250
Palai Stream Flood Damage Reduction, HI	100
Waiakea Stream Flood Damage Reduction Project, HI	200
Wailele Stream Flood Damage Reduction, Project, HI	150
Cedar River (Time Check Area), Cedar Rapids, IA	300
Denison, IA	1400
East Peoria flood control project, IL	3600
Fort Wayne, St. Marys and Maumee Rivers, IN	200
Eureka Creek Local Flood Protection Project, KS	240
Whitewater and Walnut Rivers, Augusta, KS	2500
Braithwaite Park, LA	440
Jean Lafitte, Fisher School Basin, Jefferson Parish, LA	1575
Oakville to LaReussite, LA	90
Red Chute Bayou, Bossier Parish, LA	425
Town of Carenco, Lafayette, LA	155
Elkton, MD	30
Montevideo, MN	658
Blacksnake Creek, St. Joseph, MO	240
Lilbourn Outlet Ditch, MO	30
Little River Diversion, Dutchtown, MO	175
Livingston Yellowstone river flood plain study, MT	135
Swannanoa River Watershed, NC	100
Wilson, NC (Hominy Swamp Flood Control)	100
Fargo Ridgewood Addition, ND	385
Jackson Brook, NJ	300
Upper Passaic River, Long Hill Township, NJ	1000
Hatch, NM	158
Little Puerco River, Gallup, NM	100
Little Puerco Wash, Gallup, NM	100
Battle Mountain, NV	1000
North Spanish Springs, NV	140
Fulmer Creek, NY	862
Moyer Creek, NY	760
Haikey Creek, OK	100
Cedar Run Flood Control Project, PA	193
Little Mill Creek, Gravel Road, PA	200
Lower Lycoming Creek, Lycoming County, PA	360
Montoursville flood damage reduction, PA	360
Beaver Creek, Bristol, TN and VA	200
Sandy Creek, TN	50
Little Brazos River, TX	325
Little Fossil Creek, Haltom City, TX	270
Passumpsic River, Lyndonville, VT	42

CONTINUING AUTHORITIES PROGRAMS
(In thousands of dollars)

STREAMBANK AND SHORELINE PROTECTION FOR PUBLIC FACILITIES (SECTION 14)

Deering Shoreline Protection, AK	60
Kwethluk, AK	55
27th street bridge, Glenwood Springs, CO	30
Powers Boulevard, Colorado Springs, CO	34
Iowa River, Sac and Fox Tribe, IA	30
Raccoon River, Panora County, IA	12
Indiana University, South Bend, IN	765
Ohio River, South First Street, Rockport, IN	715
Thieme Dr., Fort Wayne, IN	50
Bayou Macon, Poverty Point, LA	470
Patuxent River, Patuxent Beach Road, MD	34
Marquette shoreline protection, MI	140
St. Joseph shoreline protection, MI	175
Big Bend Cemetery, MN	250
Fox River, Highway 61 bridge protection, MO	120
Rush Creek Bank Stabilization Project, MO	776
Eubanks Creek, Jackson, MS	275
Elizabeth River, Valleyview Road, Hillside, NJ	25
Malapardis Brook Mountain, Pleasant Avenue, Hanover, NJ	175
I-40 Bridge, Rio Puerco, NM	850
Lake Ontario, Albion water treatment plant, NY	250
Newton Creek, Newton Avenue, Bainbridge, Chenango County, NY	197
Tonawanda Creek, Minnick Road, NY	800
Ottawa River Shoreland Avenue, Toledo,OH	660
St. John's Landfill Dike Stabilization, OR	51
Neshannock Creek, PA	55
Lee Drive, Lenoir City, TN	60
Mt. Moriah Culvert, TN	305
Wastewater plant, Intake Channel, Seguin TX	390
Kenosha Harbor Retaining Wall, WI	281

PROJECT MODIFICATIONS FOR THE IMPROVEMENT OF THE ENVIRONMENT (SECTION 1135)

Ditch 28, AR	130
Millwood Lake, Grassy Lake, AR	100
Rillito River riparian and wetland development, AZ	167
Bull Creek Channel Ecosystem Restoration, CA	2000
Tujunga Wash Environmental Restoration, CA	431
Chatfield Downstream, South Platte River, CO	139
Kingman Island, DC	500
Oyster Revitalization in the Delaware Bay, DE and NJ	2000
Lake Jesup, FL	533
Ocklawaha River prairie restoration, FL	250
Kanaha Pond Wildlife Sanctuary Restoration Project, HI	200
Kaunakakai Stream Environmental Restoration, HI	200
Kawainui Marsh Environmental Restoration Project, HI	10

CONTINUING AUTHORITIES PROGRAMS
(In thousands of dollars)

PROJECT MODIFICATIONS FOR THE IMPROVEMENT OF THE ENVIRONMENT (SECTION 1135)

Pelekane Bay Ecosystem Restoration Project, HI	400
Rathbun Lake, South Fork wetland restoration, IA	550
Shelbyville, IL	10
Spunky Bottoms, Brown County, IL	350
Sand Creek, KS	3000
Bayou DeSaird, LA	250
Bayou Macon, LA	187
Frazier/Whitehorse Oxbow Lake Weir, LA	167
Lake St. Joseph, Tensas Parish, LA	130
Hoosic River, Adams, MA	500
Hart Miller Island, MD	200
Duck Creek, Stoddard County, MO	125
Kansas City Riverfront, Kansas City, Jackson County, MO	998
Prison Farm shoreline habitat, ND	250
Lower Decatur Bend Environmental Improvement, NE	194
Albuquerque Biological Park Wetland Restoration Project, NM	35
Ecosystem Revitalization at Route 66, NM	500
Las Cruces Dam Environmental Restoration, Dona Ana County, NM	300
Pecos River, Chaves County, NM	279
Riparian Wetland Restoration, Pueblo of Santa Ana Reservation, NM	200
Lower Truckee River, McCarran Ranch, NV	85
Joe Creek ecosystem restoration, OK	100
Fairmount Dam Fishladder Project, PA	750
Allin's Cove, RI	300
Boyd's Marsh Salt Marsh Portsmouth, RI	500
Big Cypress Bayou Fish and Wildlife Habitat, TX	530
O.C. Fisher Lake, TX	250
City of Richland, WA	400
Mapes Creek Habitat Enhancement Project, WA	270
Smith Island/Union Slough Restoration Project, WA	400
Village of Oyster, VA	165

AQUATIC ECOSYSTEM RESTORATION PROJECTS (SECTION 206)

Eklutna, AK	300
Northway, AK	350
Chattahoochee Fall Line ecosystem restoration project, AL and GA	250
English Creek Aquatic Restoration, CA	380
Salt River restoration project, CA	450
St.Helena-Napa River restoration, CA	600
Sweetwater Reservoir Ecosystem Rest, CA	90
York Creek Dam Removal, CA	350
Arkansas River Fisheries Habitat Restoration, Pueblo, CO	315
Goose Creek, CO	200
Kingfisher Point, CO	191
Lower Boulder Creek, CO	240
North Fork Gunnison River, CO	476

CONTINUING AUTHORITIES PROGRAMS
(In thousands of dollars)

AQUATIC ECOSYSTEM RESTORATION PROJECTS
(SECTION 206)

Tamarisk eradication, CO	400
Mill River restoration, Stamford, CT	153
Big Fish Weir Creek, FL	150
Rose Bay, FL	250
Tsala Apopka Littoral Shelf Restoration, FL	300
Little River Watershed Aquatic Habitat Restoration, GA	100
Mountain Park Dam, Rocky Creek, GA	250
Mokuhinia/Mokuula ecosystem restoration, HI	220
Clear Lake Watershed/Clear Lake, Ventura Marsh, IA	165
Storm Lake, IA	100
Indian Creek, Caldwell, ID	479
Paradise Creek ecosystem restoration project, ID	195
Salmon River, Challis, ID	311
Emiquon Preserve, IL	313
Eugene Field, IL	25
Hofmann Dam, Cook County, IL	235
Kankakee River aquatic ecosystem restoration, IL	100
Lockport prairie reserve, IL	300
Orland wetlands, IL	225
Squaw Creek aquatic ecosystem restoration, IL	160
Cedar Lake, IN	200
Wolf Lake, IN	300
Arkansas City ecosystem restoration, KS	180
University Lakes, Baton Rouge, LA	200
University Lakes, East Baton Rouge Parish, LA	200
Bird Island habitat restoration, MA	100
Malden River Ecosystem Restoration Project, MA	80
Milford Pond Restoration Project, Milford, MA	80
Treats Pond, Cohasset, MA	200
Blackwater Refuge, MD	245
Greenbury Point, MD	185
Paint Branch fish passage, MD	156
Tidal Middle Branch, MD	250
Western Branch, Patuxent River, MD	1158
Painter Creek, MN	300
Confluence Point State Park, MO	100
Concord stream bank restoration, NC	350
Western Cary Stream Restoration Cary, NC	175
Heron Haven wetland restoration project, NE	186
Grover's Mill Pond, NJ	250
Bottomless Lakes state park, Roswell, NM	350
Jemez River aquatic and riparian habitat restoration, Zia Pueblo, NM	211
Las Cruces wetland restoration, NM	300
Carson River, NV	75
Incline, Third and Rosewood creeks, NV	90
Echo Bay, New Rochelle, NY	450
North Hempstead, NY	500
Soundview Park, Bronx, NY	400

CONTINUING AUTHORITIES PROGRAMS
(In thousands of dollars)

AQUATIC ECOSYSTEM RESTORATION PROJECTS
(SECTION 206)

South Park Lake restoration, NY	275
Columbus 5th Avenue dam removal, Olentangy River, OH	360
Arrowhead Creek, OR	250
Camp Creek - Zumwalt Prairie, OR	118
Springwater/Johnson Creek, Portland, OR	220
Canonsburg Lake, PA	250
North Park Lake, PA	85
Sheradon Park and Chartiers Creek, PA	300
Upper Tioga River Watershed, PA	430
Brush Neck Cove, Warwick, RI	150
Narrow, Narragansett, RI	150
Ninigret and Cross Mills Ponds, Charlestown, RI	750
Ten Mile River, East Providence, RI	250
Winnipaug Pond, Westerly, RI	104
Lynches River/Lake City Project, SC	205
Pocotaligo Swamp Restoration, SC	5
Wilson Branch, SC	36
Burgess Falls, TN	116
Stephenville Wetland, TX	165
Lake Anna, VA	175
Potash Brook, South Burlington, VT	350
Carpenter Creek, WA	300
Issaquah salmon hatchery, WA	300
Port of Sunnyside wetland, WA	100

BENEFICIAL USE OF DREDGED MATERIAL
(SECTIONS 204, 207, 933)

Dauphin Island Restoration Project, AL	439
Jamaica Bay, Marsh Islands, NY	1000
Morehead City Harbor, NC	3000

CLEARING AND SNAGGING
(SECTION 208)

Great Pierce Meadows, Essex and Morris Counties, NJ	160

Reno flood warning system.—Within the funds provided for section 205, the Corps shall close out the Reno flood warning system.

Santa Venetia flood control, California.—Within the funds provided for section 205, the Corps shall close out the Santa Venetia flood control project.

Stevenson Creek estuary, Florida, section 206.—The Corps is directed to return funds reprogrammed from Stevenson Creek estuary, Florida forthwith.

Within the funds provided for sections of the continuing authorities programs, the Corps is directed to give priority consideration to the following projects:

Section 107:

Gustavis Harbor, AK

Nanwalek, AK

Woods Hole Great Harbor, MA

Section 205:

City of Las Vegas, NV

Gila River, Grants and Hidalgo Counties, NM

Elsmere, DE

West Virginia Statewide Flood Warning System, WV

Winnebago River Levee Improvement, IA

Keshequa Creek, Nunda, NY

Limestone Creek, Fayetteville, NY

South Suburban Areas of Chicago, IL

Upper Delaware River Watershed Flood Mitigation, NY

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

The conference agreement provides $400,000,000 for Flood Control, Mississippi River and Tributaries instead of $290,000,000 as proposed by the House and $433,336,000 as proposed by the Senate.

The conference agreement deletes a provision proposed by the House, which would have incorporated by reference the projects and activities specified in the statement of managers accompanying this Act. The Senate bill contained no similar provision.

The conference agreement modifies a provision proposed by the Senate relating to various activities of the Yazoo Basin backwater pumping plant in Mississippi. The House bill contained no similar provision.

The conference agreement deletes a provision proposed by the Senate relating to the pump supply contract for the Yazoo Basin, Yazoo Backwater Pumping Plant, Mississippi. The House bill contained no similar provision.

The conference agreement for projects to reduce flood control in the lower Mississippi River alluvial valley below Cape Giradeau, Missouri is shown in the following table:

FLOOD CONTROL - MISSISSIPPI RIVER AND TRIBUTARIES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
INVESTIGATIONS		
BAYOU METO, AR	---	1,640
SOUTHEAST ARKANSAS, AR	---	315
ALEXANDRIA TO THE GULF, LA	450	450
ATCHAFALAYA BASIN FLOODWAY SYSTEM LAND STUDY, LA	100	---
DONALDSON TO THE GULF, LA	---	739
MORGANZA TO THE GULF, LA	---	4,000
SPRING BAYOU, LA	---	450
TENSAS RIVER BASIN, LA	---	225
COLDWATER RIVER BASIN BELOW ARKABUTLA LAKE, MS	500	475
MILLINGTON AND VICINITY, TN	112	106
MEMPHIS METRO AREA, STORM WATER MGMT STUDY, TN & MS	---	150
COLLECTION AND STUDY OF BASIC DATA	720	680
SUBTOTAL, INVESTIGATIONS	1,882	9,230
CONSTRUCTION		
CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN	42,500	43,000
FRANCIS BLAND FLOODWAY DITCH (EIGHT MILE CREEK), AR	3,446	3,274
GRAND PARIRIE REGION, AR	---	9,000
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	39,200	51,000
ST. FRANCIS BASIN, AR & MO	---	6,800
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	2,324	4,300
ATCHAFALAYA BASIN, LA	21,000	19,000
MISSISSIPPI DELTA REGION, LA	2,244	3,330
YAZOO BACKWATER, LESS ROCKY BAYOU, YAZOO F & WL MITIGATION LANDS	---	270
YAZOO BASIN - BACKWATER PUMPING PLANT, MS	---	20,000
YAZOO BASIN - BIG SUNFLOWER RIVER, MS	---	4,000
YAZOO BASIN - DELTA HEADWATERS PROJECT, MS	---	22,000
YAZOO BASIN - MAINSTEM, MS	---	23
YAZOO BASIN - REFORMULATION UNIT, MS	---	1,980
YAZOO BASIN / UPPER YAZOO PROJECT, MS	---	13,275
ST. JOHNS BAYOU AND NEW MADRID FLOODWAY, MO	---	4,950
NONCONNAH CREEK, TN & MS	500	470
WEST TENNESSEE TRIBUTARIES, TN	---	250
WOLF RIVER, TN	---	3,500
SUSPENSION FUND	8,000	---
SUBTOTAL, CONSTRUCTION	119,214	210,422
MAINTENANCE		
CHANNEL IMPROVEMENT, AR, IL, KY, LA, MS, MO & TN	70,609	63,000
HELENA HARBOR, PHILLIPS COUNTY, AR	172	382
INSPECTION OF COMPLETED WORKS, AR	611	580
LOWER ARKANSAS RIVER, NORTH BANK, AR	560	532
LOWER ARKANSAS RIVER, SOUTH BANK, AR	310	295
MISSISSIPPI RIVER LEVEES, AR, IL, KY, LA, MS, MO & TN	9,256	11,500
ST FRANCIS BASIN, AR & MO	6,600	8,800
TENSAS BASIN, BOEUF AND TENSAS RIVERS, AR & LA	2,600	2,470
WHITE RIVER BACKWATER, AR	1,400	1,330
INSPECTION OF COMPLETED WORKS, IL	55	52
INSPECTION OF COMPLETED WORKS, KY	37	35
ATCHAFALAYA BASIN, FLOODWAY SYSTEM, LA	2,860	2,717
ATCHAFALAYA BASIN, LA	13,400	13,000
BATON ROUGE HARBOR, DEVIL SWAMP, LA	---	399
BAYOU COCODRIE AND TRIBUTARIES, LA	65	62
BONNET CARRE, LA	2,713	2,577
INSPECTION OF COMPELTED WORKS, LA	538	511
LOWER RED RIVER, SOUTH BANK LEVEES, LA	66	63
MISSISSIPPI DELTA REGION, LA	239	227

FLOOD CONTROL - MISSISSIPPI RIVER AND TRIBUTARIES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
OLD RIVER, LA	10,200	9,690
TENSAS BASIN, RED RIVER BACKWATER, LA	3,950	3,753
GREENVILLE HARBOR, MS	---	366
INSPECTION OF COMPLETED WORKS, MS	317	301
YAZOO BASIN:		
ARKABUTLA LAKE, MS	6,151	10,151
BIG SUNFLOWER RIVER, MS	210	2,000
ENID LAKE, MS	5,232	9,232
GREENWOOD, MS	620	1,500
GRENADA LAKE, MS	5,674	9,674
MAIN STEM, MS	1,080	2,630
SARDIS LAKE, MS	7,153	11,403
TRIBUTARIES, MS	1,130	1,074
WILL M WHITTINGTON AUX CHAN, MS	430	409
YAZOO BACKWATER AREA, MS	470	750
YAZOO CITY, MS	770	732
Subtotal, YAZOO BASIN	28,920	49,555
VICKSBURB HARBOR, MS	---	368
INSPECTION OF COMPLETED WORKS, MO	182	173
WAPPAPELLO LAKE, MO	4,676	4,442
INSPECTION OF COMPLETED WORKS, TN	110	105
MEMPHIS HARBOR, MCKELLAR LAKE, TN	992	1,748
MAPPING	1,384	1,315
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-13,918	---
SUBTOTAL, MAINTENANCE	148,904	180,348
TOTAL, FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES	270,000	400,000

CONSTRUCTION

Mississippi River Levees, AR, IL, KY, LA, MS, MO and TN.—Additional funds have been provided to continue construction of the St. Johns—New Madrid Levee Closure/Box Culvert, Missouri as well as other levee items and for the Lower Mississippi River Interpretive Center.

Yazoo Basin, Backwater Pumping Plant, Mississippi.—Within the funds provided, $150,000 is provided for the Teddy Roosevelt Environmental Education Center.

Yazoo Basin, Big Sunflower River, Mississippi.—The conferees recognize the need to prevent erosion, reduce sedimentation and head-cutting in watersheds of the Yazoo Basin for purposes of improving water quality, fisheries and reducing maintenance. The conferees have provided $4,000,000 for continued construction of the project. Within these funds, not more than $1,500,000 shall be used for these water quality and sediment reduction measures and $500,000 shall be used for establishment of water quality reference indicators for use as appropriate on Yazoo Basin Projects.

MAINTENANCE

Mississippi River Levees AR, IL, KY, LA, MS, MO and TN.—Additional funds have been provided for delivery of levee gravel in AR, LA, MS and MO as determined by need.

Additional funding has been provided for deferred maintenance at the four Mississippi Lakes.

OPERATION AND MAINTENANCE

The conference agreement provides $1,989,000,000 for operation and maintenance, instead of $2,000,000,000 as proposed by the House and $2,100,000,000 as proposed by the Senate.

The conference agreement deletes a provision proposed by the House, which would have incorporated by reference the projects and activities specified in the statement of managers accompanying this Act. The Senate bill contained no similar provision.

The conference agreement includes several provisions proposed by the Senate relating to certain projects. The House bill contained no similar provisions.

The conference agreement for operation and maintenance is shown in the following table:

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
ALABAMA		
ALABAMA - COOSA COMPREHENSIVE WATER STUDY, AL	180	162
ALABAMA - COOSA RIVER, AL	1,591	2,782
BLACK WARRIOR AND TOMBIGBEE RIVERS, AL	22,117	22,117
GULF INTRACOASTAL WATERWAY, AL	4,050	3,645
INSPECTION OF COMPLETED WORKS, AL	50	45
MILLERS FERRY LOCK AND DAM, WILLIAM "BILL" DANNELLY	7,315	7,315
MOBILE HARBOR, AL	20,248	18,223
PROJECT CONDITION SURVEYS, AL	100	90
ROBERT F HENRY LOCK AND DAM, AL	7,125	6,413
SCHEDULING RESERVOIR OPERATIONS, AL	140	126
TENNESSEE - TOMBIGBEE WATERWAY WILDLIFE MITIGATION, AL	1,400	2,000
TENNESSEE - TOMBIGBEE WATERWAY, AL & MS	20,103	24,000
WALTER F GEORGE LOCK AND DAM, AL & GA	7,171	6,454
ALASKA		
ANCHORAGE HARBOR, AK	11,470	11,470
CHENA RIVER LAKES, AK	3,051	3,051
CORDOVA HARBOR, AK	---	540
DILLINGHAM HARBOR, AK	622	560
HOMER HARBOR, AK	299	269
INSPECTION OF COMPLETED WORKS, AK	45	41
LOWELL CREEK TUNNEL, AK	---	90
NINILCHIK HARBOR, AK	248	223
NOME HARBOR, AK	2,496	2,496
PROJECT CONDITION SURVEYS, AK	588	529
AMERICAN SAMOA		
OFU HARBOR, AMERICAN SAMOA	1,480	1,332
TAU HARBOR, AMERICAN SAMOA	1,372	1,235
ARIZONA		
ALAMO LAKE, AZ	1,280	1,730
INSPECTION OF COMPLETED WORKS, AZ	92	83
PAINTED ROCK DAM, AZ	1,220	1,098
SCHEDULING RESERVOIR OPERATIONS, AZ	37	33
WHITLOW RANCH DAM, AZ	190	171
ARKANSAS		
BEAVER LAKE, AR	5,744	5,170
BLAKELY MT DAM, LAKE OUACHITA, AR	10,084	10,084
BLUE MOUNTAIN LAKE, AR	1,292	1,163
BULL SHOALS LAKE, AR	6,392	5,753
DARDANELLE LOCK AND DAM, AR	6,524	5,872
DEGRAY LAKE, AR	6,828	6,145
DEQUEEN LAKE, AR	1,193	1,074
DIERKS LAKE, AR	1,161	1,045
GILLHAM LAKE, AR	1,093	984
GREERS FERRY LAKE, AR	5,608	5,047
HELENA HARBOR, PHILLIPS COUNTY, AR	30	387
INSPECTION OF COMPLETED WORKS, AR	199	179
MCCLELLAN - KERR ARKANSAS RIVER NAVIGATION SYSTEM, AR	35,065	31,559
MILLWOOD LAKE, AR	1,782	1,604
NARROWS DAM, LAKE GREESON, AR	4,342	3,908
NIMROD LAKE, AR	1,656	1,490
NORFORK LAKE, AR	4,540	4,086
OSCEOLA HARBOR, AR	29	299
OUACHITA AND BLACK RIVERS, AR & LA	8,500	13,887
OZARK - JETA TAYLOR LOCK AND DAM, AR	5,151	4,636
PROJECT CONDITION SURVEYS, AR	7	6
WHITE RIVER, AR	215	900

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
YELLOW BEND PORT, AR	---	158
CALIFORNIA		
BLACK BUTTE LAKE, CA	1,989	1,790
BUCHANAN DAM, HV EASTMAN LAKE, CA	1,781	1,603
CHANNEL ISLANDS HARBOR, CA	310	279
COYOTE VALLEY DAM, LAKE MENDOCINO, CA	4,084	3,676
CRESCENT CITY HARBOR	---	450
DRY CREEK (WARM SPRINGS) LAKE AND CHANNEL, CA	5,272	5,825
FARMINGTON DAM, CA	202	182
HIDDEN DAM, HENSLEY LAKE, CA	2,090	1,881
HUMBOLDT HARBOR AND BAY, CA	5,069	4,562
INSPECTION OF COMPLETED WORKS, CA	1,396	1,256
ISABELLA LAKE, CA	2,291	2,062
JACK D. MALTESTER CHANNEL, CA (SAN LEANDRO)	---	675
LOS ANGELES COUNTY DRAINAGE AREA, CA	4,287	3,858
LOWER PETALUMA RIVER, CA	---	675
MARINA DEL RAY, CA	---	900
MERCED COUNTY STREAMS, CA	251	226
MOJAVE RIVER DAM, CA	290	261
MORRO BAY HARBOR, CA	1,616	1,454
MOSS LANDING HARBOR, CA	---	1,328
NAPA RIVER, CA	---	675
NEW HOGAN LAKE, CA	1,994	1,795
NEW MELONES LAKE, DOWNSTREAM CHANNEL, CA	1,634	1,471
NOYO RIVER & HARBOR, CA	28	225
OAKLAND HARBOR, CA	6,205	5,585
OCEANSIDE HARBOR, CA	1,040	936
PILLAR POINT HARBOR, CA	---	450
PINE FLAT LAKE, CA	2,831	2,548
PINOLE SHOAL MANAGEMENT STUDY, CA	---	225
PORT HUENEME, CA	---	450
PORT SAN LUIS, CA	---	450
PROJECT CONDITION SURVEYS, CA	1,891	1,702
REDWOOD CITY HARBOR, CA	4,967	4,470
RICHMOND HARBOR, CA	7,972	7,175
SACRAMENTO RIVER (BASULE BRIDGE), CA	---	900
SACRAMENTO RIVER (30 FOOT PROJECT), CA	2,790	2,511
SACRAMENTO RIVER AND TRIBUTARIES (DEBRIS CONTROL), CA	1,299	1,169
SACRAMENTO RIVER SHALLOW DRAFT CHANNEL, CA	119	107
SAN FRANCISCO BAY, DELTA MODEL STRUCTURE, CA	1,185	1,067
SAN FRANCISO BAY LONG TERM MANAGEMENT STUDY, CA	---	1,440
SAN FRANCISCO HARBOR AND BAY, CA (DRIFT REMOVAL)	2,000	1,800
SAN FRANCISCO HARBOR, CA	2,223	2,223
SAN JOAQUIN RIVER, CA	2,886	2,597
SAN PABLO BAY AND MARE ISLAND STRAIT, CA	3,320	2,988
SANTA ANA RIVER BASIN, CA	3,321	2,989
SANTA BARBARA HARBOR, CA	1,408	1,267
SCHEDULING RESERVOIR OPERATIONS, CA	1,499	1,349
SUCCESS LAKE, CA	1,809	1,628
SUISUN BAY CHANNEL, CA	5,132	4,619
TERMINUS DAM, LAKE KAWEAH, CA	1,692	1,523
UPPER PETALUMA RIVER, CA	---	270
VENTURA HARBOR, CA	2,200	2,610
YUBA RIVER, CA	29	26
COLORADO		
BEAR CREEK LAKE, CO	407	366
CHATFIELD LAKE, CO	1,233	1,710
CHERRY CREEK LAKE, CO	1,941	2,346
INSPECTION OF COMPLETED WORKS, CO	107	96
JOHN MARTIN RESERVOIR, CO	2,926	2,633
SCHEDULING RESERVOIR OPERATIONS, CO	590	531
TRINIDAD LAKE, CO	1,021	1,519

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
COMMONWEALTH OF NORTHERN MARIANA ISLANDS		
ROTA HARBOR, CNMI	260	234
CONNECTICUT		
BLACK ROCK LAKE, CT	592	533
BRIDGEPORT HARBOR, CT	---	1,350
CLINTON HARBOR, CT	---	225
COLEBROOK RIVER LAKE, CT	583	525
HANCOCK BROOK LAKE, CT	599	539
HOP BROOK LAKE, CT	1,005	905
INSPECTION OF COMPLETED WORKS, CT	79	71
MANSFIELD HOLLOW LAKE, CT	535	482
NORTH COVE HARBOR, CT	---	1,800
NORTHFIELD BROOK LAKE, CT	527	474
NORWALK FEDERAL NAVIGATION PROJECT, CT	---	900
PROJECT CONDITION SURVEYS, CT	1,000	900
STAMFORD HURRICANE BARRIER, CT	417	375
THOMASTON DAM, CT	951	856
WEST THOMPSON LAKE, CT	724	652
DELAWARE		
INTRACOASTAL WATERWAY, DELAWARE R TO CHESAPEAKE BAY, D	11,475	12,000
MISPILLION RIVER, DE	20	18
MURDERKILL RIVER, DE	20	18
PROJECT CONDITION SURVEYS, DE	86	77
WILMINGTON HARBOR, DE	3,860	3,474
DISTRICT OF COLUMBIA		
INSPECTION OF COMPLETED WORKS, DC	9	8
POTOMAC AND ANACOSTIA RIVERS, DC (DRIFT REMOVAL)	744	670
PROJECT CONDITION SURVEYS, DC	37	33
WASHINGTON HARBOR, DC	600	540
FLORIDA		
AIWW, NORFOLK, VA TO ST. JOHNS RIVER, FL,GA,SC,NC,VA.	---	450
CANAVERAL HARBOR, FL	3,828	4,500
CENTRAL AND SOUTHERN FLORIDA, FL	14,213	12,792
ESCAMBIA AND CONECUH RIVERS, FL	1,000	900
FERNANDINA HARBOR, FL	1,513	1,362
INSPECTION OF COMPLETED WORKS, FL	300	270
INTRACOASTAL WATERWAY, CALOOSAHATCHEE TO ANCLOTE, FL	---	900
INTRACOASTAL WATERWAY, JACKSONVILLE TO MIAMI, FL	250	3,600
JACKSONVILLE HARBOR, FL	3,637	3,637
JIM WOODRUFF LOCK AND DAM, LAKE SEMINOLE, FL, AL & GA.	8,188	7,369
MANATEE HARBOR, FL	2,000	1,800
MIAMI HARBOR, FL	1,530	1,377
MIAMI RIVER, FL	---	3,500
OKEECHOBEE WATERWAY, FL	2,060	1,854
PALM BEACH HARBOR, FL	1,183	1,065
PANAMA CITY HARBOR, FL	906	815
PENSACOLA HARBOR, FL	1,315	1,184
PROJECT CONDITION SURVEYS, FL	1,325	1,193
REMOVAL OF AQUATIC GROWTH, FL	2,306	2,075
SCHEDULING RESERVOIR OPERATIONS, FL	30	27
ST. PETERSBURG, FL	---	300
SUWANEE RIVER, FL	---	450
TAMPA HARBOR, FL	4,500	10,000
GEORGIA		
ALLATOONA LAKE, GA	7,322	6,590
APALACHICOLA, CHATTAHOOCHEE AND FLINT RIVERS, GA, AL &	1,050	2,500

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
ATLANTIC INTRACOASTAL WATERWAY, GA	286	257
BRUNSWICK HARBOR, GA	2,396	2,396
BUFORD DAM AND LAKE SIDNEY LANIER, GA	8,519	7,667
CARTERS DAM AND LAKE, GA	10,637	9,573
HARTWELL LAKE, GA & SC	16,619	14,957
INSPECTION OF COMPLETED WORKS, GA	41	37
J STROM THURMOND LAKE, GA & SC	11,047	9,942
PROJECT CONDITION SURVEYS, GA	90	81
RICHARD B RUSSELL DAM AND LAKE, GA & SC	12,283	11,055
SAVANNAH HARBOR, GA	13,521	12,169
WEST POINT DAM AND LAKE, GA & AL	11,449	10,304
HAWAII		
BARBERS POINT HARBOR, HI	231	208
INSPECTION OF COMPLETED WORKS, HI	189	170
POHIKI BAY HAWAII, HI	---	90
PROJECT CONDITION SURVEYS, HI	200	180
IDAHO		
ALBENI FALLS DAM, ID	1,792	1,613
DWORSHAK DAM AND RESERVOIR, ID	2,464	2,464
INSPECTION OF COMPLETED WORKS, ID	78	70
LUCKY PEAK LAKE, ID	2,567	2,310
SCHEDULING RESERVOIR OPERATIONS, ID	430	387
ILLINOIS		
CALUMET HARBOR AND RIVER, IL & IN	2,900	2,900
CARLYLE LAKE, IL	6,745	6,071
CHICAGO HARBOR, IL	3,499	3,149
CHICAGO RIVER, IL	385	347
FARM CREEK RESERVOIRS, IL	214	193
ILLINOIS WATERWAY (MVR PORTION), IL & IN	24,702	22,232
ILLINOIS WATERWAY (MVS PORTION), IL & IN	1,065	959
INSPECTION OF COMPLETED WORKS, IL	631	568
KASKASKIA RIVER NAVIGATION, IL	1,189	1,884
LAKE MICHIGAN DIVERSION, IL	547	492
LAKE SHELBYVILLE, IL	5,186	5,567
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVR PORTION)	48,107	45,366
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVS PORTION)	18,923	17,031
PROJECT CONDITION SURVEYS, IL	33	30
REND LAKE, IL	5,254	4,729
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IL	114	103
WAUKEGAN HARBOR, IL	680	2,680
INDIANA		
BROOKVILLE LAKE, IN	872	785
BURNS WATERWAY HARBOR, IN	---	800
CAGLES MILL LAKE, IN	600	540
CECIL M HARDEN LAKE, IN	687	618
INDIANA HARBOR, IN	---	300
INSPECTION OF COMPLETED WORKS, IN	370	333
J EDWARD ROUSH LAKE, IN	643	579
MICHIGAN CITY HARBOR, IN	---	450
MISSISSINEWA LAKE, IN	751	676
MONROE LAKE, IN	689	620
PATOKA LAKE, IN	619	557
PROJECT CONDITION SURVEYS, IN	59	53
SALAMONIE LAKE, IN	637	573
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, IN	111	100

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
IOWA		
CORALVILLE LAKE, IA	2,537	2,283
INSPECTION OF COMPLETED WORKS, IA	202	182
MISSOURI RIVER - KENSLERS BEND, NE TO SIOUX CITY, IA	152	137
MISSOURI RIVER - RULO TO MOUTH, IA, NE, KS & MO	6,475	5,828
MISSOURI RIVER - SIOUX CITY TO RULO, IA & NE	2,417	2,175
RATHBUN LAKE, IA	2,081	1,873
RED ROCK DAM AND LAKE RED ROCK, IA	3,415	3,074
SAYLORVILLE LAKE, IA	3,952	4,202
KANSAS		
CLINTON LAKE, KS	1,987	1,788
COUNCIL GROVE LAKE, KS	1,544	1,390
EL DORADO LAKE, KS	339	305
ELK CITY LAKE, KS	692	623
FALL RIVER LAKE, KS	2,154	1,939
HILLSDALE LAKE, KS	703	633
INSPECTION OF COMPLETED WORKS, KS	85	77
JOHN REDMOND DAM AND RESERVOIR, KS	1,081	973
KANOPOLIS LAKE, KS	1,634	1,471
MARION LAKE, KS	1,551	1,396
MELVERN LAKE, KS	1,828	1,645
MILFORD LAKE, KS	2,903	2,613
PEARSON - SKUBITZ BIG HILL LAKE, KS	1,052	947
PERRY LAKE, KS	2,211	1,990
POMONA LAKE, KS	1,810	1,629
SCHEDULING RESERVOIR OPERATIONS, KS	32	29
TORONTO LAKE, KS	402	362
TUTTLE CREEK LAKE, KS	2,189	1,970
WILSON LAKE, KS	1,509	1,448
KENTUCKY		
BARKLEY DAM AND LAKE BARKLEY, KY & TN	9,507	8,556
BARREN RIVER LAKE, KY	2,102	2,700
BIG SANDY HARBOR, KY	1,091	982
BUCKHORN LAKE, KY	1,195	1,076
CARR CREEK LAKE, KY	1,252	1,652
CAVE RUN LAKE, KY	733	660
DEWEY LAKE, KY	1,245	1,121
ELVIS STAHR (HICKMAN) HARBOR, KY	40	36
FISHTRAP LAKE, KY	1,621	1,459
GRAYSON LAKE, KY	1,140	1,026
GREEN AND BARREN RIVERS, KY	1,178	1,060
GREEN RIVER LAKE, KY	1,882	1,694
INSPECTION OF COMPLETED WORKS, KY	98	88
LAUREL RIVER LAKE, KY	1,814	1,633
MARTINS FORK LAKE, KY	599	539
MIDDLESBORO CUMBERLAND RIVER BASIN, KY	62	56
NOLIN LAKE, KY	1,817	1,635
OHIO RIVER LOCKS AND DAMS, KY, IL, IN & OH	32,210	32,210
OHIO RIVER OPEN CHANNEL WORK, KY, IL, IN & OH	3,928	3,535
PAINTSVILLE LAKE, KY	912	912
PROJECT CONDITION SURVEYS, KY	7	6
ROUGH RIVER LAKE, KY	1,945	1,751
TAYLORSVILLE LAKE, KY	1,149	1,034
WOLF CREEK DAM, LAKE CUMBERLAND, KY	5,902	5,312
YATESVILLE LAKE, KY	1,070	963
LOUISIANA		
ATCHAFALAYA RIVER AND BAYOUS CHENE, BOEUF AND BLACK, L	15,948	15,948
BARATARIA BAY, LA	---	1,170
BAYOU BODCAU RESERVOIR, LA	1,402	1,262

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
BAYOU LACOMBE, LA	---	450
BAYOU LAFOURCHE AND LAFOURCHE JUMP WATERWAY, LA	---	900
BAYOU PIERRE, LA	32	29
BAYOU SEGNETTE, LA	---	1,305
BAYOU TECHE	---	720
CADDO LAKE, LA	330	297
CALCASIEU RIVER AND PASS, LA	9,032	9,032
FRESHWATER BAYOU, LA	1,466	1,319
GULF INTRACOASTAL WATERWAY, LA	19,614	17,653
HOUMA NAVIGATION CANAL, LA	253	228
INSPECTION OF COMPLETED WORKS, LA	856	770
J BENNETT JOHNSTON WATERWAY, LA	10,115	11,804
LAKE PROVIDENCE HARBOR, LA	---	442
MADISON PARISH PORT, LA	---	77
MERMENTAU RIVER, LA	2,538	2,284
MISSISSIPPI RIVER, BATON ROUGE TO THE GULF OF MEXICO,	54,053	48,648
MISSISSIPPI RIVER, GULF OUTLET, LA	14,111	---
MISSISSIPPI RIVER OUTLETS AT VENICE, LA	---	2,250
PROJECT CONDITION SURVEYS, LA	60	54
REMOVAL OF AQUATIC GROWTH, LA	2,000	1,800
WALLACE LAKE, LA	291	262
WATERWAY FROM EMPIRE TO THE GULF, LA	---	216
WATERWAY FROM INTRACOASTAL WATERWAY TO BAYOU DULAC, LA	---	180
MAINE		
BASS HARBOR, ME	95	86
CARVERS HARBOR, ME	270	243
DISPOSAL AREA MONITORING, ME	1,106	995
INSPECTION OF COMPLETED WORKS, ME	21	19
INTERNATIONAL ST CROIX RIVER BOARD OF CONTROL, ME	17	15
KENNEBEC RIVER, ME	---	630
NARRAGAUGAS RIVER, MILBRIDGE, ME	---	1,800
PORTLAND HARBOR, ME	520	468
PROJECT CONDITION SURVEYS, ME	866	779
MARYLAND		
BALTIMORE HARBOR AND CHANNELS (50 FOOT), MD	15,214	17,293
BALTIMORE HARBOR, MD (DRIFT REMOVAL)	326	293
CUMBERLAND, MD AND RIDGELEY, WV	126	675
HERRING CREEK, TALL TIMBERS, MD	---	405
INSPECTION OF COMPLETED WORKS, MD	36	32
JENNINGS RANDOLPH LAKE, MD & WV	1,907	1,716
KANPPS HARROWS, MD	---	630
NANTICOKE RIVER NORTHWEST FORK, MD	240	216
OCEAN CITY HARBOR AND INLET AND SINEPUXENT BAY, MD	220	1,710
PROJECT CONDITION SURVEYS, MD	379	341
SCHEDULING RESERVOIR OPERATIONS, MD	97	87
ST. JEROME CREEK, MD	---	850
TILGHMAN ISLAND HARBOR, MD	---	405
WICOMICO RIVER, MD	500	450
MASSACHUSETTS		
AUNT LYDIA COVE, MA	---	225
BARRE FALLS DAM, MA	637	573
BIRCH HILL DAM, MA	607	546
BOSTON HARBOR, MA	---	6,750
BUFFUMVILLE LAKE, MA	592	533
CAPE COD CANAL, MA	8,896	8,006
CHARLES RIVER NATURAL VALLEY STORAGE AREA, MA	312	281
CONANT BROOK LAKE, MA	362	326
EAST BRIMFIELD LAKE, MA	458	412
GREEN HARBOR, MA	---	315
HODGES VILLAGE DAM, MA	591	532

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
INSPECTION OF COMPLETED WORKS, MA	114	103
KNIGHTVILLE DAM, MA	677	609
LITTLEVILLE LAKE, MA	541	487
MERRIMACK RIVER, MA	---	180
NEW BEDFORD FAIRHAVEN AND ACUSHNET HURRICANE BARRIER,	337	303
PROJECT CONDITION SURVEYS, MA	1,300	1,170
TULLY LAKE, MA	595	536
WEST HILL DAM, MA	798	718
WESTVILLE LAKE, MA	579	521
WEYMOUTH-FORE RIVER, MA	3,774	3,397
MICHIGAN		
ALPENA HARBOR, MI	---	261
ARCADIA HARBOR, MI	---	72
CASEVILLE HARBOR, MI	---	115
DEDAR RIVER HARBOR, MI	---	495
CHANNELS IN LAKE ST CLAIR, MI	183	165
CHARLEVOIX HARBOR, MI	89	80
DETROIT RIVER, MI	4,347	3,912
FRANKFORT HARBOR, MI	37	33
GRAND HAVEN HARBOR, MI	1,879	1,691
GRAND MARAIS HARBOR, MI	14	1,543
HARBOR BEACH HARBOR, MI	---	450
HOLLAND HARBOR, MI	1,354	1,219
INSPECTION OF COMPLETED WORKS, MI	144	130
KEWEENAW WATERWAY, MI	370	333
LAC LA BELLE, MI	92	83
LELAND HARBOR, MI	---	79
LITTLE LAKE HARBOR, MI	---	167
LUDINGTON HARBOR, MI	500	450
MEMOMINEE HARBOR, MI	---	400
MONROE HARBOR, MI	550	495
MUSKEGON HARBOR, MI	525	473
NEW BUFFALO HARBOR, MI	---	71
ONTONAGON HARBOR, MI	---	300
PENTWATER, MI	---	90
PROJECT CONDITION SURVEYS, MI	178	160
ROUGE RIVER, MI	1,161	1,045
SAGINAW RIVER, MI	2,427	2,427
SEBEEAING RIVER, MI	---	324
ST CLAIR RIVER, MI	920	828
ST JOSEPH HARBOR, MI	470	977
ST MARYS RIVER, MI	17,134	15,421
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MI	2,314	2,083
MINNESOTA		
BIGSTONE LAKE WHETSTONE RIVER, MN & SD	164	148
DULUTH - SUPERIOR HARBOR, MN & WI	5,081	5,381
INSPECTION OF COMPLETED WORKS, MN	129	116
LAC QUI PARLE LAKES, MINNESOTA RIVER, MN	363	327
MISS RIVER BTWN MO RIVER AND MINNEAPOLIS (MVP PORTION)	58,073	52,266
ORWELL LAKE, MN	261	235
PROJECT CONDITION SURVEYS, MN	67	60
RED LAKE RESERVOIR, MN	320	288
RESERVOIR PLAN OPERATING EVALUATION, MN	---	360
RESERVOIRS AT HEADWATERS OF MISSISSIPPI RIVER, MN	2,263	2,037
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, MN	310	279
WARROAD HARBOR, MN	---	225
MISSISSIPPI		
CLAIRBORNE COUNTY PORT, MS	---	56
EAST FORK, TOMBIGBEE RIVER, MS	102	153
GULFPORT HARBOR, MS	2,500	3,600

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
INSPECTION OF COMPLETED WORKS, MS	57	51
MOUTH OF THE YAZOO RIVER, MS	---	99
OKATIBBEE LAKE, MS	1,680	2,300
PASCAGOULA HARBOR, MS	5,156	4,640
PEARL RIVER, MS & LA	276	248
PROJECT CONDITION SURVEYS, MS	181	163
ROSEDALE HARBOR, MS	---	522
YAZOO RIVER, MS	---	126
MISSOURI		
CARUTHERSVILLE HARBOR, MO	23	315
CLARENCE CANNON DAM AND MARK TWAIN LAKE, MO	6,107	5,496
CLEARWATER LAKE, MO	2,677	2,409
HANNIBAL, MO	---	68
HARRY S TRUMAN DAM AND RESERVOIR, MO	9,140	8,226
INSPECTION OF COMPLETED WORKS, MO	768	691
LITTLE BLUE RIVER LAKES, MO	730	657
LONG BRANCH LAKE, MO	848	763
MISS RIVER BTWN THE OHIO AND MO RIVERS (REG WORKS), MO	29,559	26,603
NEW MADRID HARBOR, MO	---	360
POMME DE TERRE LAKE, MO	1,963	1,767
PROJECT CONDITION SURVEYS, MO	7	6
SCHEDULING RESERVOIR OPERATIONS, MO	319	287
SMITHVILLE LAKE, MO	1,237	1,113
SOUTHEAST MISSOURI PORT, MISSISSIPPI RIVER, MO	---	315
STOCKTON LAKE, MO	3,742	3,368
TABLE ROCK LAKE, MO	7,556	7,556
UNION LAKE, MO	6	5
MONTANA		
FT PECK DAM AND LAKE, MT	4,154	4,854
INSPECTION OF COMPLETED WORKS, MT	19	17
LIBBY DAM, LAKE KOOCANUSA, MT	2,189	1,970
SCHEDULING RESERVOIR OPERATIONS, MT	87	78
NEBRASKA		
GAVINS POINT DAM, LEWIS AND CLARK LAKE, NE & SD	8,231	7,408
HARLAN COUNTY LAKE, NE	1,863	1,677
HARLAN COUNTY LAKE DAM SAFETY STUDY, NE	---	320
INSPECTION OF COMPLETED WORKS, NE	102	92
MISSOURI R MASTER WTR CONTROL MANUAL, NE, IA, KS, MO,	203	183
PAPILLION CREEK AND TRIBUTARIES LAKES, NE	625	563
SALT CREEK AND TRIBUTARIES, NE	845	761
NEVADA		
INSPECTION OF COMPLETED WORKS, NV	46	46
MARTIS CREEK LAKE, NV & CA	586	586
PINE AND MATHEWS CANYONS LAKES, NV	214	214
NEW HAMPSHIRE		
BLACKWATER DAM, NH	644	580
COCHECO RIVER	---	1,800
EDWARD MACDOWELL LAKE, NH	555	500
FRANKLIN FALLS DAM, NH	768	691
HOPKINTON - EVERETT LAKES, NH	1,228	1,105
INSPECTION OF COMPLETED WORKS, NH	12	11
OTTER BROOK LAKE, NH	806	725
PORTSMOUTH HARBOR/PISCATAQUA RIVER, NH	---	450
PROJECT CONDITION SURVEYS, NH	300	270
SURRY MOUNTAIN LAKE, NH	736	662

OPERATION AND MAINTENANCE
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	BUDGET REQUEST	CONFERENCE
NEW JERSEY		
ABSECON INLET	---	99
BARNEGAT INLET, NJ	95	450
COLD SPRING INLET, NJ	540	795
DELAWARE RIVER AT CAMDEN, NJ	10	9
DELAWARE RIVER, PHILADELPHIA TO THE SEA, NJ, PA & DE	20,465	18,419
DELAWARE RIVER, PHILADELPHIA, PA TO TRENTON, NJ	720	648
INSPECTION OF COMPLETED WORKS, NJ	106	95
MANASQUAN RIVER, NJ	510	459
NEWARK BAY, HACKENSACK AND PASSAIC RIVERS, NJ	8,120	7,308
NEW JERSEY INTRACOASTAL WATERWAY	---	1,125
PASSAIC RIVER FLOOD WARNING SYSTEMS, NJ	450	450
PROJECT CONDITION SURVEYS, NJ	1,675	1,508
RARITAN RIVER TO ARTHUR KILL CUT-OFF, NJ	150	135
RARITAN RIVER, NJ	2,500	2,250
SALEM RIVER, NJ	---	869
SAVOY HOOK AT LEONARDO, NJ	---	135
SHARK RIVER, NJ	80	207
SHREWSBURY RIVER MAIN CHANNEL, NJ	---	360
NEW MEXICO		
ABIQUIU DAM, NM	3,168	3,168
ALBUQUERQUE LEVEES, NM	---	2,000
COCHITI LAKE, NM	3,726	4,426
CONCHAS LAKE, NM	1,579	2,579
GALISTEO DAM, NM	779	779
INSPECTION OF COMPLETED WORKS, NM	221	221
JEMEZ CANYON DAM, NM	3,561	5,061
RIO GRANDE BOSQUE REHABILITATION, NM	---	4,000
SANTA ROSA DAM AND LAKE, NM	1,213	1,092
SCHEDULING RESERVOIR OPERATIONS, NM	1,221	1,099
TWO RIVERS DAM, NM	552	552
UPPER RIO GRANDE WATER OPERATIONS MODEL, NM	---	2,500
NEW YORK		
ALMOND LAKE, NY	509	458
ARKPORT DAM, NY	294	265
BLACK ROCK CHANNEL AND TONAWANDA HARBOR, NY	1,308	1,177
BROWNS CREEK, NY	100	90
BUFFALO HARBOR, NY	1,030	927
BUTTERMILK CHANNEL, NY	60	54
EAST RIVER, NY	1,350	1,215
EAST ROCKAWAY INLET, NY	140	126
EAST SIDNEY LAKE, NY	517	465
EASTCHESTER CREEK, NY	100	90
FIRE ISLAND INLET TO JONES INLET, NY	220	198
FLUSHING BAY AND CREEK, NY	150	135
GREAT SOUTH BAY, NY	200	180
HUDSON RIVER CHANNEL, NY	350	315
HUDSON RIVER, NY (MAINT)	1,794	1,615
HUDSON RIVER, NY (O&C)	1,090	981
INSPECTION OF COMPLETED WORKS, NY	659	593
JAMAICA BAY, NY	140	126
LONG ISLAND INTRACOASTAL WATERWAY, NY	200	180
MORICHES INLET, NY	80	72
MT MORRIS LAKE, NY	3,845	3,461
NEW YORK AND NEW JERSEY CHANNELS, NY	7,200	6,480
NEW YORK HARBOR, NY	3,410	3,069
NEW YORK HARBOR, NY & NJ (DRIFT REMOVAL)	4,400	3,960
NEW YORK HARBOR, NY AND NJ (PREV OF OBSTRUCTIVE DEPOSIT)	---	855
PROJECT CONDITION SURVEYS, NY	1,310	1,179
SHINNECOCK INLET, NY	120	108

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
SOUTHERN NEW YORK FLOOD CONTROL PROJECTS, NY	662	596
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, NY	710	639
WHITNEY POINT LAKE, NY	678	610
NORTH CAROLINA		
ATLANTIC INTRACOASTAL WATERWAY, NC	860	1,389
B EVERETT JORDAN DAM AND LAKE, NC	1,849	1,664
CAPE FEAR RIVER ABOVE WILMINGTON, NC	635	572
CAROLINA BEACH INLET, NC	---	495
FALLS LAKE, NC	2,097	1,887
INSPECTION OF COMPLETED WORKS, NC	35	32
LOCKWOODS FOLLY RIVER, NC	---	855
MANTEO (SHALLOWBAG) BAY, NC	7,855	7,855
MASONBORO INLET AND CONNECTING CHANNELS, NC	3,700	3,330
MOREHEAD CITY HARBOR, NC	3,575	3,218
NEW RIVER INLET, NC	---	945
NEW TOPSAIL INLET AND CONNECTING CHANNELS, NC	---	608
PROJECT CONDITION SURVEYS, NC	226	203
SILVER LAKE HARBOR, NC	1,540	1,386
W KERR SCOTT DAM AND RESERVOIR, NC	2,817	2,535
WILMINGTON HARBOR, NC	13,963	12,567
NORTH DAKOTA		
BOWMAN - HALEY LAKE, ND	156	140
GARRISON DAM, LAKE SAKAKAWEA, ND	13,266	13,366
HOMME LAKE, ND	266	239
INSPECTION OF COMPLETED WORKS, ND	85	77
LAKE ASHTABULA AND BALDHILL DAM, ND	1,242	1,118
PIPESTEM LAKE, ND	459	413
SCHEDULING RESERVOIR OPERATIONS, ND	117	105
SOURIS RIVER, ND	422	380
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, ND	31	28
OHIO		
ALUM CREEK LAKE, OH	948	853
ASHTABULA HARBOR, OH	1,063	957
BERLIN LAKE, OH	1,544	1,390
CAESAR CREEK LAKE, OH	1,222	1,100
CLARENCE J BROWN DAM, OH	1,358	1,358
CLEVELAND HARBOR, OH	3,305	2,975
CONNEAUT HARBOR, OH	2,315	2,084
DEER CREEK LAKE, OH	815	734
DELAWARE LAKE, OH	794	715
DILLON LAKE, OH	1,790	1,611
HURON HARBOR, OH	---	95
INSPECTION OF COMPLETED WORKS, OH	280	252
LORAIN HARBOR, OH	600	540
MASSILLON LOCAL PROTECTION PROJECT, OH	25	23
MICHAEL J KIRWAN DAM AND RESERVOIR, OH	718	646
MOSQUITO CREEK LAKE, OH	717	645
MUSKINGUM RIVER LAKES, OH	6,754	6,079
NORTH BRANCH KOKOSING RIVER LAKE, OH	125	113
PAINT CREEK LAKE, OH	721	649
PROJECT CONDITION SURVEYS, OH	240	216
ROSEVILLE LOCAL PROTECTION PROJECT, OH	30	27
SANDUSKY HARBOR, OH	890	801
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OH	170	153
TOLEDO HARBOR, OH	3,682	3,314
TOM JENKINS DAM, OH	290	261
WEST FORK OF MILL CREEK LAKE, OH	403	363
WILLIAM H HARSHA LAKE, OH	710	639

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
OKLAHOMA		
ARCADIA LAKE, OK	429	386
BIRCH LAKE, OK	475	428
BROKEN BOW LAKE, OK	1,493	1,344
CANTON LAKE, OK	1,723	1,551
COPAN LAKE, OK	1,511	1,360
EUFAULA LAKE, OK	5,312	4,781
FORT GIBSON LAKE, OK	5,053	4,548
FORT SUPPLY LAKE, OK	733	660
GREAT SALT PLAINS LAKE, OK	166	149
HEYBURN LAKE, OK	529	476
HUGO LAKE, OK	1,451	1,306
HULAH LAKE, OK	626	675
INSPECTION OF COMPLETED WORKS, OK	88	79
KAW LAKE, OK	2,378	2,140
KEYSTONE LAKE, OK	4,300	3,870
OOLOGAH LAKE, OK	1,955	1,760
OPTIMA LAKE, OK	61	55
PENSACOLA RESERVOIR, LAKE OF THE CHEROKEES, OK	57	51
PINE CREEK LAKE, OK	857	771
ROBERT S KERR LOCK AND DAM AND RESERVOIRS, OK	4,517	4,065
SARDIS LAKE, OK	1,192	1,073
SCHEDULING RESERVOIR OPERATIONS, OK	508	457
SKIATOOK LAKE, OK	1,086	977
TENKILLER FERRY LAKE, OK	2,998	2,698
WAURIKA LAKE, OK	1,528	1,375
WEBBERS FALLS LOCK AND DAM, OK	4,815	4,334
WISTER LAKE, OK	460	414
OREGON		
APPLEGATE LAKE, OR	595	536
BLUE RIVER LAKE, OR	312	281
BONNEVILLE LOCK AND DAM, OR & WA	7,792	7,013
CHETCO RIVER, OR	348	313
COLUMBIA & LWR WILLAMETTE R BLW VANCOUVER, WA & PORTLA	16,829	17,579
COLUMBIA RIVER AT THE MOUTH, OR & WA	10,186	27,186
COLUMBIA RIVER BETWEEN VANCOUVER, WA AND THE DALLES, O	254	229
COOS BAY, OR	4,594	4,135
COQUILLE RIVER, OR	---	313
COTTAGE GROVE LAKE, OR	780	702
COUGAR LAKE, OR	766	689
DEPOE BAY, OR	---	360
DETROIT LAKE, OR	729	656
DORENA LAKE, OR	613	552
FALL CREEK LAKE, OR	555	500
FERN RIDGE LAKE, OR	966	869
GREEN PETER - FOSTER LAKES, OR	1,186	1,067
HILLS CREEK LAKE, OR	3,807	3,426
INSPECTION OF COMPLETED WORKS, OR	167	150
JOHN DAY LOCK AND DAM, OR & WA	4,692	4,223
LOOKOUT POINT LAKE, OR	1,272	1,145
LOST CREEK LAKE, OR	5,096	4,586
MCNARY LOCK AND DAM, OR & WA	7,129	6,416
PORT ORFORD, OR	---	651
PROJECT CONDITION SURVEYS, OR	177	159
ROGUE RIVER AT GOLD BEACH, OR	394	355
SCHEDULING RESERVOIR OPERATIONS, OR	62	56
SIUSLAW RIVER, OR	449	404
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, OR	134	121
TILLAMOOK BAY AND BAR, OR (PORT OF GARIBALDI)	---	1,350
UMPQUA RIVER, OR	---	611
WILLAMETTE RIVER AT WILLAMETTE FALLS, OR	72	65
WILLAMETTE RIVER BANK PROTECTION, OR	80	72
WILLOW CREEK LAKE, OR	538	484

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
YAQUINA BAY AND HARBOR, OR	1,006	905
PENNSYLVANIA		
ALLEGHENY RIVER, PA	4,393	3,954
ALVIN R BUSH DAM, PA	727	654
AYLESWORTH CREEK LAKE, PA	251	226
BELTZVILLE LAKE, PA	1,026	923
BLUE MARSH LAKE, PA	2,662	2,396
CONEMAUGH RIVER LAKE, PA	1,074	967
COWANESQUE LAKE, PA	2,793	2,514
CROOKED CREEK LAKE, PA	1,033	930
CURWENSVILLE LAKE, PA	717	645
EAST BRANCH CLARION RIVER LAKE, PA	799	719
FOSTER JOSEPH SAYERS DAM, PA	745	671
FRANCIS E WALTER DAM, PA	731	658
GENERAL EDGAR JADWIN DAM AND RESERVOIR, PA	249	224
INSPECTION OF COMPLETED WORKS, PA	196	176
JOHNSTOWN, PA	1,603	1,603
KINZUA DAM AND ALLEGHENY RESERVOIR, PA	1,147	1,447
LOYALHANNA LAKE, PA	785	707
MAHONING CREEK LAKE, PA	946	851
MONONGAHELA RIVER, PA	17,138	17,138
OHIO RIVER LOCKS AND DAMS, PA, OH & WV	18,362	18,362
PROJECT CONDITION SURVEYS, PA	30	27
PROMPTON LAKE, PA	483	435
PUNXSUTAWNEY, PA	13	12
RAYSTOWN LAKE, PA	5,449	5,849
SCHEDULING RESERVOIR OPERATIONS, PA	66	59
SCHUYLKILL RIVER, PA	70	63
SHENANGO RIVER LAKE, PA	1,831	1,648
STILLWATER LAKE, PA	386	900
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, PA	80	72
TIOGA - HAMMOND LAKES, PA	3,365	3,029
TIONESTA LAKE, PA	1,331	1,198
UNION CITY LAKE, PA	147	132
WOODCOCK CREEK LAKE, PA	714	643
YORK INDIAN ROCK DAM, PA	556	500
YOUGHIOGHENY RIVER LAKE, PA & MD	2,124	1,912
PUERTO RICO		
SAN JUAN HARBOR, PR	1,800	1,620
RHODE ISLAND		
BULLOCKS POINT COVE, RI	---	630
BLOCK ISLAND HARBOR, RI	---	108
INSPECTION OF COMPLETED WORKS, RI	15	14
PAWTUXET COVE, RI	---	1,440
PROJECT CONDITION SURVEYS, RI	400	360
SOUTH CAROLINA		
ATLANTIC INTRACOASTAL WATERWAY, SC	467	2,000
CHARLESTON HARBOR, SC	11,038	9,934
COOPER RIVER, CHARLESTON HARBOR, SC	2,905	2,615
FOLLY RIVER, SC	987	888
GEORGETOWN HARBOR, SC	1,342	3,600
INSPECTION OF COMPLETED WORKS, SC	30	27
PROJECT CONDITION SURVEYS, SC	349	314
TOWN CREEK, SC	---	413
SOUTH DAKOTA		
BIG BEND DAM, LAKE SHARPE, SD	7,577	6,819

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
CHEYENNE RIVER SIOUX TRIBE, LOWER BRULE SIOUX, SD	---	2,000
COLD BROOK LAKE, SD	275	248
COTTONWOOD SPRINGS LAKE, SD	192	173
FORT RANDALL DAM, LAKE FRANCIS CASE, SD	9,635	8,672
INSPECTION OF COMPLETED WORKS, SD	17	15
LAKE TRAVERSE, SD & MN	434	391
MISSOURI R BETWEEN FORT PECK DAM AND GAVINS PT, SD, MT	350	315
OAHE DAM, LAKE OAHE, SD & ND	11,421	10,279
SCHEDULING RESERVOIR OPERATIONS, SD	52	47
TENNESSEE		
CENTER HILL LAKE, TN	6,397	6,397
CHEATHAM LOCK AND DAM, TN	5,103	5,103
CHICKAMAUGA LOCK, TN	2,430	2,430
CORDELL HULL DAM AND RESERVOIR, TN	6,226	6,226
DALE HOLLOW LAKE, TN	5,531	5,531
INSPECTION OF COMPLETED WORKS, TN	137	137
J PERCY PRIEST DAM AND RESERVOIR, TN	3,738	3,738
OLD HICKORY LOCK AND DAM, TN	6,385	6,385
PROJECT CONDITION SURVEYS, TN	7	7
TENNESSEE RIVER, TN	18,537	18,537
WOLF RIVER HARBOR, TN	23	486
TEXAS		
AQUILLA LAKE, TX	1,108	997
ARKANSAS - RED RIVER BASINS CHLORIDE CONTROL - AREA VI	1,051	946
BARDWELL LAKE, TX	1,538	1,384
BAYPORT SHIP CHANNEL, TX	2,875	2,588
BELTON LAKE, TX	3,041	2,737
BENBROOK LAKE, TX	2,097	1,887
BRAZOS ISLAND HARBOR, TX	3,775	3,398
BUFFALO BAYOU AND TRIBUTARIES, TX	2,875	2,588
CANYON LAKE, TX	3,667	3,300
CHOCOLATE BAYOU, TX	---	1,800
CORPUS CHRISTI SHIP CHANNEL, TX	3,900	3,510
DENISON DAM, LAKE TEXOMA, TX	5,569	5,012
ESTELLINE SPRINGS EXPERIMENTAL PROJECT, TX	5	5
FERRELLS BRIDGE DAM, LAKE O' THE PINES, TX	3,075	2,768
FREEPORT HARBOR, TX	3,610	3,249
GALVESTON HARBOR AND CHANNEL, TX	4,800	4,320
GIWW, CHANNEL TO VICTORIA, TX	6,975	6,278
GRANGER DAM AND LAKE, TX	2,004	1,804
GRAPEVINE LAKE, TX	3,349	3,349
GULF INTRACOASTAL WATERWAY, TX	29,312	26,381
HORDS CREEK LAKE, TX	1,665	1,499
HOUSTON SHIP CHANNEL, TX	3,261	11,056
INSPECTION OF COMPLETED WORKS, TX	557	501
JIM CHAPMAN LAKE, TX	2,897	2,607
JOE POOL LAKE, TX	1,023	921
LAKE KEMP, TX	422	380
LAVON LAKE, TX	3,885	3,497
LEWISVILLE DAM, TX	4,290	4,290
MATAGORDA SHIP CHANNEL, TX	8,700	7,830
NAVARRO MILLS LAKE, TX	2,353	2,118
NORTH SAN GABRIEL DAM AND LAKE GEORGETOWN, TX	2,320	2,088
O C FISHER DAM AND LAKE, TX	1,260	1,134
PAT MAYSE LAKE, TX	1,266	1,139
PROCTOR LAKE, TX	2,221	1,999
PROJECT CONDITION SURVEYS, TX	50	45
RAY ROBERTS LAKE, TX	1,070	963
SABINE - NECHES WATERWAY, TX	13,478	12,130
SAM RAYBURN DAM AND RESERVOIR, TX	11,578	10,420
SCHEDULING RESERVOIR OPERATIONS, TX	84	76
SOMERVILLE LAKE, TX	3,068	3,068

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
STILLHOUSE HOLLOW DAM, TX	1,951	1,756
TEXAS CITY SHIP CHANNEL, TX	2,150	2,250
TEXAS WATER ALLOCATION ASSESSMENT, TX	500	1,440
TOWN BLUFF DAM, B A STEINHAGEN LAKE, TX	3,995	3,596
WACO LAKE, TX	3,295	2,966
WALLISVILLE LAKE, TX	1,662	1,496
WHITNEY LAKE, TX	5,603	6,803
WRIGHT PATMAN DAM AND LAKE, TX	3,416	3,074
UTAH		
INSPECTION OF COMPLETED WORKS, UT	40	36
SCHEDULING RESERVOIR OPERATIONS, UT	631	568
VERMONT		
BALL MOUNTAIN LAKE, VT	801	721
CONNECTICUT RIVER FLOOD CONTROL DAMS	---	450
INSPECTION OF COMPLETED WORKS, VT	45	41
NORTH HARTLAND LAKE, VT	706	635
NORTH SPRINGFIELD LAKE, VT	892	803
TOWNSHEND LAKE, VT	786	707
UNION VILLAGE DAM, VT	684	616
VIRGINIA		
APPOMATTOX RIVER, VA	---	450
ATLANTIC INTRACOASTAL WATERWAY - ACC, VA	1,670	1,503
ATLANTIC INTRACOASTAL WATERWAY - DSC, VA	275	850
BENNETTS CREEK, VA	---	317
CHINCOTEAGUE INLET, VA	900	810
GATHRIGHT DAM AND LAKE MOOMAW, VA	2,084	1,876
HAMPTON RDS, NORFOLK & NEWPORT NEWS HBR, VA (DRIFT REM	825	743
INSPECTION OF COMPLETED WORKS, VA	127	114
JAMES RIVER CHANNEL, VA	3,295	2,966
JOHN H KERR LAKE, VA & NC	11,513	10,362
JOHN W FLANNAGAN DAM AND RESERVOIR, VA	1,435	1,292
NORFOLK HARBOR, VA	11,203	13,205
NORTH FORK OF POUND RIVER LAKE, VA	346	311
PHILPOTT LAKE, VA	5,391	4,852
PROJECT CONDITION SURVEYS, VA	793	714
RUDEE INLET, VA	635	1,148
TANGIER CHANNEL, VA	600	540
WATERWAY ON THE COAST OF VIRGINIA, VA	200	180
WASHINGTON		
CHIEF JOSEPH DAM, WA	2,419	2,177
COLUMBIA RIVER AT BAKER BAY, WA (PORT OF ILWACO)	---	600
COLUMBIA RIVER BETWEEN CHINOOK AND THE HEAD OF SAND	---	600
EVERETT HARBOR AND SNOHOMISH RIVER, WA	1,508	1,357
GRAYS HARBOR AND CHEHALIS RIVER, WA	8,582	9,000
HOWARD HANSON DAM, WA	2,481	2,233
ICE HARBOR LOCK AND DAM, WA	5,670	5,103
INSPECTION OF COMPLETED WORKS, WA	311	280
LAKE CROCKETT (KEYSTONE HARBOR), WA	342	308
LAKE WASHINGTON SHIP CANAL, WA	4,387	6,480
LITTLE GOOSE LOCK AND DAM, WA	2,165	1,949
LOWER GRANITE LOCK AND DAM, WA	2,422	2,180
LOWER MONUMENTAL LOCK AND DAM, WA	1,996	1,796
MILL CREEK LAKE, WA	1,041	937
MT ST HELENS SEDIMENT CONTROL, WA	257	231
MUD MOUNTAIN DAM, WA	2,516	3,419
NEAH BA, WA	---	900
OLYMPIA HARBOR, WA	400	360
PROJECT CONDITION SURVEYS, WA	403	363

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
PUGET SOUND AND TRIBUTARY WATERS, WA	864	778
QUILLAYUTE RIVER, WA	58	52
SCHEDULING RESERVOIR OPERATIONS, WA	485	437
SEATTLE HARBOR, WA	555	500
STILLAGUAMISH RIVER, WA	226	203
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WA	66	59
TACOMA, PUYALLUP RIVER, WA	112	101
THE DALLES LOCK AND DAM, WA & OR	3,667	3,877
WILLAPA RIVER AND HARBOR, WA	158	142
WEST VIRGINIA		
BEECH FORK LAKE, WV	1,014	913
BLUESTONE LAKE, WV	3,828	3,445
BURNSVILLE LAKE, WV	1,517	1,365
EAST LYNN LAKE, WV	1,799	1,619
ELK RIVER HARBOR, WV	10	9
ELKINS, WV	16	14
INSPECTION OF COMPLETED WORKS, WV	117	105
KANAWHA RIVER LOCKS AND DAMS, WV	13,661	13,661
OHIO RIVER LOCKS AND DAMS, WV, KY & OH	19,530	20,530
OHIO RIVER OPEN CHANNEL WORK, WV, KY & OH	2,019	2,519
R D BAILEY LAKE, WV	1,515	1,364
STONEWALL JACKSON LAKE, WV	640	576
SUMMERSVILLE LAKE, WV	1,657	1,491
SUTTON LAKE, WV	1,788	1,609
TYGART LAKE, WV	2,950	2,655
WISCONSIN		
ASHLAND HARBAR, WI	---	149
EAU GALLE RIVER LAKE, WI	647	582
FOX RIVER, WI	1,748	1,573
GREEN BAY HARBOR, WI	2,476	2,228
INSPECTION OF COMPLETED WORKS, WI	40	36
KEWAUNEE HARBOR, WI	---	259
MANITOWOC HARBOR, WI	---	405
MILWAUKEE HARBOR, WI	844	760
PORT WASHINGTON HARBOR, WI	---	192
PROJECT CONDITION SURVEYS, WI	105	95
STURGEON BAY HARBOR AND LAKE MICHIGAN SHIP CANAL, WI	---	231
SURVEILLANCE OF NORTHERN BOUNDARY WATERS, WI	472	425
TWO RIVERS HARBOR, WI	---	378
WYOMING		
INSPECTION OF COMPLETED WORKS, WY	11	10
JACKSON HOLE LEVEES, WY	1,094	985
SCHEDULING RESERVOIR OPERATIONS, WY	86	77
MISCELLANEOUS		
AQUATIC NUISANCE CONTROL RESEARCH	690	621
COASTAL INLET RESEARCH PROGRAM	2,475	2,228
CULTURAL RESOURCES (NAGPRA/CURATION)	1,391	1,252
DREDGE WHEELER READY RESERVE	8,000	8,000
DREDGING DATA AND LOCK PERFORMANCE MONITORING SYSTEM	1,062	956
DREDGING OPERATIONS AND ENVIRONMENTAL RESEARCH (DOER)	6,080	5,472
DREDGING OPERATIONS TECHNICAL SUPPORT PROGRAM (DOTS)	1,391	1,252
EARTHQUAKE HAZARDS REDUCTION PROGRAM	270	270
FACILITY PROTECTION	12,000	12,000
GREAT LAKES SEDIMENT TRANSPORT MODELS	900	810
HARBOR MAINTENANCE FEE DATA COLLECTION	608	547
INLAND WATERWAY NAVIGATION CHARTS	3,708	3,337
LONG TERM OPTION ASSESSMENT FOR LOW USE NAVIGATION	1,500	---
MONITORING OF COMPLETED NAVIGATION PROJECTS	1,575	1,418

OPERATION AND MAINTENANCE
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST	CONFERENCE
NATIONAL DAM SAFETY PROGRAM	250	250
NATIONAL DAM SECURITY PROGRAM	31	31
NATIONAL EMERGENCY PREPAREDNESS PROGRAM (NEPP)	5,000	5,000
NATIONAL LEWIS AND CLARK COMMEMORATION COORDINATION	319	287
PERFORMANCE BASED BUDGETING SUPPORT PROGRAM	2,540	661
PROGRAM DEVELOPMENT TECHNICAL SUPPORT (ABS-P2)	250	225
PROTECT, CLEAR AND STRAIGHTEN CHANNELS (SEC 3)	45	41
RECREATION MANAGEMENT SUPPORT PROGRAM (RMSP)	1,600	1,440
REGIONAL SEDIMENT MANAGEMENT DEMONSTRATION PROGRAM	1,391	8,500
RELIABILITY MODELS PROGRAM FOR MAJOR REHABILITATION	608	605
REMOVAL OF SUNKEN VESSELS	500	775
RESERVE FOR KEY EMERGENCY MAINTENANCE/REPAIRS	20,000	---
WATER OPERATIONS TECHNICAL SUPPORT (WOTS)	653	588
WATERBORNE COMMERCE STATISTICS	4,271	3,844
REDUCTION FOR ANTICIPATED SAVINGS AND SLIPPAGE	-12,766	---
TOTAL, OPERATION AND MAINTENANCE	1,979,000	1,989,000

Emergency maintenance, restoration and repairs.—The conference agreement does not include a reserve fund for emergency maintenance, restoration and repairs. Further, the conferees direct the Corps to discontinue the practice of taxing all operation and maintenance projects each year to create an emergency reserve fund, from which funds have been expended by the Corps without knowledge or approval from the House and Senate Committees on Appropriations. Beginning in fiscal year 2006, the conferees expect the Corps to allocate funds by project on a quarterly basis across all its accounts (as discussed earlier in this statement). This action will enable the Corps to address any identified unforeseen requirements, consistent with the reprogramming guidelines contained in this Act. In addition, the Corps shall provide to the House and Senate Committees on Appropriations within 30 days of enactment of this Act the definition of qualifying emergencies and guidelines to reprogram funds for emergency maintenance, restoration and repairs.

Alamo Dam and Lake, Arizona.—An additional $450,000 has been included to substantiate the effectiveness of the Alamo Dam reoperation and to develop and implement an associated adaptive management strategy.

Dry Creek (Warm Springs) Dam, California.—The conference agreement includes additional funding to complete a major rehabilitation report necessary for installation of a pipeline to supply cool water for rearing threatened coho salmon now housed in temporary facilities at Warm Springs Dam.

Cherry Creek, Chatfield and Trinidad Lakes, Colorado.—The conference agreement includes an additional $1,380,000 for continued repairs at these three lakes. This action is not intended to alter the Corps' lease and property accountability policies. It is the conferees' understanding that the State of Colorado has agreed to cost share this project on a 50/50 basis, and that the Secretary is not to assume, nor share in the future, the operation and maintenance of these recreation facilities. Of the funds provided, the Corps is directed to conduct a reallocation study for the Chatfield Reservoir project.

Intracoastal Waterway, Delaware River to Chesapeake Bay, DE and MD.—Additional funds are included for maintenance costs for the SR–1 Bridge.

Miami River, Florida.—The Corps is directed to complete its analysis of the Miami River maintenance project and to submit the final report to the House and Senate Committees on Appropriations not later than 30 days after enactment of this Act.

Apalachiacola, Chattahoochee and Flint Rivers, GA, AL and FL.—The conferees understand that the State of Florida has denied the Corps a State Water Quality Certification; therefore, no funds are provided for dredging this waterway in Florida.

Lake Shelbyville, Illinois.— Additional funds have been provided for deferred maintenance at public use facilities.

Saylorville Lake, Iowa.—Additional funds have been provided to maintain the project's basic level of service.

Barren River Lake, Kentucky.—Additional funds have been provided for repair and upgrade of public use facilities.

Mississippi River Gulf Outlet.—The conferees are aware of current discussions among the Port of New Orleans, St. Bernard Parish Administration officials and other key stakeholders to confect a closure plan for the Mississippi River Gulf Outlet (MRGO) to deep draft navigation and to provide coastal restoration and enhanced hurricane and flood protection to the residents of St. Bernard and Orleans Parishes. This agreement may require a shallower depth than is presently authorized. The conferees support this intiative and urge the parties to reach an agreement as soon as possible.

Duluth-Superior Harbor, Minnesota and Wisconsin.—Within the funds provided for Duluth-Superior Harbor, $300,000 shall be available for a freshwater corrosion study.

Albuquerque levees, New Mexico.—The conference agreement includes funds to assess impacts and to make immediate repairs to levees.

Conchas Lake, New Mexico.—Additional funds have been provided for rehabilitation of public use facilities.

Upper Rio Grande Water Operations Model, New Mexico.—Within the funds provided, $500,000 is for New Mexico photographic mapping to be conducted utilizing the Corps' Center of Expertise for Photogrammetric Mapping in St. Louis.

Garrison Dam and Lake Sakakawea, North Dakota.—Within the funds provided, $250,000 shall be available for the removal of noxious weeds, and $100,000 shall be for mosquito control.

Columbia and Lower Willamette River below Vancouver, Washington and Portland, Oregon.—The conference agreement includes $750,000 for continued work at the Astoria Boat Basin.

Fern Ridge Dam, Oregon.—The conference agreement includes funds to operate and maintain Fern Ridge Dam. The conferees are aware that no additional funds are required for emergency repairs at the dam as such expenses have been fully covered in fiscal year 2005.

Kinzua Dam and Allegheny Reservoir, Pennsylvania.—Within the funds provided, $300,000 shall be available for recreational improvements to include visitor center and fishing access improvements.

Ohio River, Pittsburgh to Huntington, Pennsylvania, West Virginia and Ohio.—Within the funds provided, the Corps is directed to utilize $2,500,000 in cooperation with Operation Respond, a non-profit organization, to implement a demonstration project developing and testing software and message/alert systems for use by emergency responders as they prepare for and respond to commercial transportation incidents on the Nation's waterways. This project is to be coordinated with the U.S. Coast Guard, commercial transportation carriers, ports, emergency responders and other stakeholders along this segment of the Ohio River.

Oahe Dam, Lake Oahe, South Dakota and North Dakota.—The conferees urge the Corps to take all necessary steps to relocate the Cheyenne River Sioux Tribe's water intake on the Missouri River to ensure continued operation of the water system and an uninterrupted water supply for the Reservation.

Whitney Lake, Texas.—Within the funds provided, not less than $900,000 shall be for Ham Creek Park and not less than $300,000 shall be available for Kimball Park Bend.

Mud Mountain, Washington.—Within the funds provided, up to $903,000 is available to satisfy Federal fish passage obligations for the term of the cooperative agreement with Puget Sound Energy.

The Dalles Lock and Dam, Washington and Oregon.—Funds are provided for Lewis and Clark activities at Celilo Park.

Chinook, Head of Sand Island and Baker Bay, Washington.—The conferees note the proximity of Corps navigation facilities on the Columbia River between Chinook and the Head of Sand Island, Washington, and at Baker Bay, Washington, and encourage the Corps of Engineers to seek ways to achieve cost savings and efficiency, such as by utilizing appropriate contracting methods while having these two projects be considered together when seeking bids and awarding contracts.

Remaining items, regional sediment management support program.—Within the funds provided, the amounts are to be allocated as follows:

Fletcher Cove, Solona Beach, California	$300,000
Southeast Coast of Oahu, Hawaii	400,000
Littoral Drift Restoration Program, Benson Beach, WA	1,584,000
Lido Key, Sarasota, and vicinity and central and southern Brevard County to Dade	325,000
South Jetty and Clatsop Spit, Oregon	300,000
Coastal zone mapping and imaging laser, University of Southern Mississippi	4,500,000

Removal of sunken vessels.—The conference agreement includes $775,000 for the removal of sunken vessels, of which $275,000 shall be for the removal of the State of Pennsylvania from the Christina River at Wilmington, Delaware.

Centrally-funded activities.—The conferees agree that centralized management of project funds is efficient and is allowed under current guidelines for certain activities. These activities include, but are not limited to: the program development system known as the Automated Budget System; the National Recreation Reservation System; the provision of uniforms for those required to wear them; the Volunteer Clearinghouse; the Water Safety program; the transition from government owned/contractor-operated to private ownership and operation of the National Coastal Mapping Program; and the Sign Standards Program. Significant cost savings can be realized from funding these activities centrally by withholding the necessary amounts from the affected projects' appropriations prior to allocation. It is critical that cost efficient management strategies, such as the above, be employed by the Corps in accomplishing its mission at least cost, when such strategies support the appropriated program. The conferees direct the Corps of Engineers to disclose the costs of these activities in its budget justifications.

FLOOD CONTROL AND COASTAL EMERGENCIES

The conference agreement provides no appropriation for Flood Control and Coastal Emergencies, as proposed by the House, instead of $43,000,000 as proposed by the Senate. The conferees note the significant appropriations made to the Corps in fiscal years 2005 and 2006 to respond to Hurricane Katrina and other natural disasters, which are available to maintain its readiness posture.

REGULATORY PROGRAM

The conference agreement provides $160,000,000 for the Regulatory Program as proposed by the House instead of $150,000,000 as proposed by the Senate.

The conferees are concerned with the growing backlog and the delay in approving various permits, particularly in the Jacksonville, Florida and Sacramento, California offices. Accordingly, the conferees expect that not less than ten percent of the increase over these offices' fiscal year 2005 district-specific allocation be directed to each of these offices from the funds provided above the fiscal year 2005 level.

The conferees encourage the Army Corps of Engineers to conduct a balanced and comprehensive review of the Champlin's Marina Application #CENAE–R–2003–00648 for the Great Salt Pond, Block Island, Rhode Island. This review should include all relevant information pertaining to navigation, safety, competing uses and cumulative impact on

the Great Salt Pond, including consideration of the Corps—permitted mooring field as delineated in Army Corps Permit No. 1987–00012 issued to the Town of New Shoreham in July, 1998.

REVOLVING FUND

The conferees agree that costs of the CFO audit may be funded from the revolving fund. However, given the delay in award and the unknown out-year costs associated with the CFO study, the conferees direct the Corps to provide the House and Senate Committees on Appropriations, not later than 60 days after enactment of this Act, a complete scope, cost allocation and out-year funding requirements of the CFO study. Such analysis shall also include comparative information on other Federal agencies' costs of similar CFO studies. The Corps is further directed not make an award for the CFO study until the House and Senate Committees on Appropriations have approved the scope and cost of the proposed CFO study.

The conference agreement includes a provision that prohibits the expenditure of funds from the plant replacement and improvement program to rehabilitate or to abate lead and asbestos from the Dredge McFarland. The House bill included a similar provision that reduced funds included in title I of the Act. No similar provision was included in the Senate bill. The conferees are frustrated that a final report required by the conference agreement accompanying the Energy and Water Development Appropriations Act of 2004 detailing the recommendations on investment decisions on the Corps' dredge fleet has yet to be delivered to Congress. Accordingly, the Corps is directed to submit the report to Congress not later than 30 days after enactment of this Act, after which the appropriate authorizing committees should determine the appropriate Federal dredge fleet.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

The conference agreement provides $140,000,000 for the Formerly Utilized Sites Remedial Action Program as proposed by both the House and Senate. The conferees direct the Corps during fiscal year 2006 to prepare design specifications for the Shallow Land Disposal Area, Parks Township, Pennsylvania, and to complete investigations and initiate cleanup expeditiously for the former Sylvania nuclear fuel site in Hicksville, New York, and for the Luckey, Ohio, site.

GENERAL EXPENSES

The conference agreement includes $154,000,000 for general expenses, instead of $152,021,000 as proposed by the House and $165,000,000 as proposed by the Senate. In addition, the conference agreement assumes that $8,000,000 in unobligated balances carried forward into fiscal year 2006, namely to fund the CFO study, shall be applied to fund personnel and other administrative activities, so that total appropriations available in fiscal year 2006 equal the budget estimate. The conference agreement stipulates that the total cost of the CFO study be funded from the revolving fund.

The amounts available for general expenses in fiscal year 2006 shall be available as follows:

GENERAL EXPENSES ($000)

Major subordinate command	FY 06 FTE	FY 2006 allocation
Great Lakes & Ohio River Division	69	$9,561
Mississippi River Valley Division	73	9,589
North Atlantic Division	62	9,071
Northwestern Division	68	8,866
Pacific Ocean Division	19	3,177
South Atlantic Division	63	9,264
South Pacific Division	62	9,900
Southwestern Division	60	8,268

GENERAL EXPENSES ($000)—Continued

Major subordinate command	FY 06 FTE	FY 2006 allocation
Headquarters	402	56,852
Hydrologic Engineering Center—HQ	0	7,564
Hydrologic Engineer Center	81	7,741
Engineering Research and Development Center	2	204
Institute for Water Resources	27	4,108
Finance Center	9	824
Program Accounts		12,600
Commander's withholding		4,411
Subtotal		162,000
Use of prior year balances		−8,000
Total		154,000

The conference agreement includes the following adjustments to the budget estimate:

Civil Works program accounts:	
Decrease in implementing competitive sourcing	−$2,000,000
Decrease in e-government initiatives	−500,000
Undistributed reduction	−2,000,000
Other activities	+4,500,000

The conference agreement includes a provision making $4,500,000 available for analyses on water resource management on a watershed or regional scale as proposed by the House.

The conferees urge the Chief Information Officer of the Corps to study a program to modernize and fully integrate the Corps' water management system and supervisory control data acquisition program to reduce costs of the on-going improvements, maintenance, and technical support and to provide improved data sharing and management decision making.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY (CIVIL WORKS)

The conference agreement includes $4,000,000 for the Office of the Assistant Secretary of the Army for Civil Works as proposed by the House. The Senate bill contained no similar appropriation. The conferees agree with the direction of the House with respect to indirect costs and the budgeting thereof. The conferees further note that funding for this office is within the jurisdiction of Energy and Water Development Subcommittees of both the House and Senate Committees on Appropriations, and none other.

ADMINISTRATIVE PROVISION

The conference agreement includes a provision proposed by both the House and Senate relating to reception and representation expenses and the replacement and hire of passenger motor vehicles.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

The conference agreement modifies a provision proposed by the House relating to reprogramming. The Senate bill contained no similar provision. Reprogrammings are discussed in greater detail earlier in this statement of managers.

The conference agreement includes a provision proposed by the Senate relating to credits and reimbursements. The House bill contained no similar provision.

The conference agreement modifies a provision proposed by the House relating to the Muskingum Watershed in Ohio. The Senate bill contained no similar provision.

The conference agreement includes a provision as proposed by the Senate relating to Civil Works functions. The House bill contained no similar provision.

The conference agreement includes a provision as proposed by the Senate relating to St. George's Bridge, Delaware. The House bill contained no similar provision.

The conference agreement deletes language proposed by the House relating to continuing contracts and includes a provision that limits the availability of funds for certain continuing contracts authorized by section 206 of the Water Resources Development Act of 1999 (33 U.S.C. 2331). The Rivers and Harbors Appropriations Act of 1922 (33 U.S.C. 621) provides authority for the Corps of Engineers to use continuing contracts for "public work on canals, rivers, and harbors adopted by Congress." Section 206 of the Water Resources Development Act of 1999 (33 U.S.C. 2331) requires the use of a continuing contract for a certain set of water resources projects, i.e., those for which initiation of construction has occurred (defined as the date of enactment of an Act that appropriates funds for the project in one of three appropriations accounts: Construction, General; Operation and Maintenance, General; and Flood Control, Mississippi River and Tributaries). The conference agreement narrows the applicability of Section 206 of the Water Resources Development Act of 1999, so that the Corps is only required to use continuing contracts for projects that are funded under the Operation and Maintenance account and the Operation and Maintenance subaccount of the Flood Control, Mississippi River and Tributaries account. The permissive authority established in Rivers and Harbors Appropriations Act of 1922 remains unaltered, so the Corps may use, but is not required to use, continuing contracts.

The Assistant Secretary of the Army for Civil Works may approve the use of continuing contracts in limited circumstances. The Assistant Secretary for Civil Works shall:

(1) Provide within 60 days of enactment of this Act to the House and Senate Committees on Appropriations a report identifying all existing continuing contracts and the amounts, by fiscal year, of the out-year funding requirements; and

(2) Provide a quarterly update to the report identified above in item (1).

In the execution of any new continuing contract or modifications to an existing continuing contract, the Corps shall not commit an amount in excess of the amounts appropriated for such project in this Act or otherwise available for the project, as provided in sections 101 and 105 of this Act. The conference agreement affirms the management reforms undertaken by the Corps and the directions of the House relating to management and execution of continuing contracts.

The conference agreement includes a provision as proposed by the Senate relating to Chief of Engineers reports. The House bill contained no similar provision.

The conference agreement modifies a provision as proposed by the House relating to continuing contracts. The Senate bill contained no similar provision.

The conference agreement includes a provision as proposed by the Senate relating to transmittal of certain reports of the Chief of Engineers. The House bill contained no similar provision.

The conference agreement modifies a provision proposed by the Senate relating to Baltimore Metropolitan Water Resources-Gwynns Falls Watershed. The House bill contained no similar provision.

The conference agreement includes a provision relating to New York and New Jersey Harbor as proposed by the House. The Senate bill contained no similar provision.

The conference agreement includes a provision relating to Marmet Lock, Kanawha River, West Virginia, as proposed by the Senate. The House bill contained no similar provision.

The conference agreement includes a provision relating to Truckee Meadows Flood Control Project, Nevada.

The conference agreement includes a provision relating to Lake Cumberland, Kentucky, as proposed by the Senate. The House bill contained no similar provision.

The conference agreement includes a provision relating to Lower Las Vegas Wash, Nevada, as proposed by the Senate. The House bill contained no similar provision.

The conference agreement includes a provision relating to Yazoo Basin, Big Sunflower River, Mississippi, as proposed by the Senate. The House bill contained no similar provision.

The conference agreement includes a provision relating to Lower Mississippi River Museum and Interpretive Site, Mississippi, as proposed by the Senate. The House bill contained no similar provision.

The conference agreement includes a provision relating to the Central New Mexico project, as proposed by the Senate. The House bill contained no similar provision.

The conference agreement includes a provision relating to Los Angeles Harbor, California, as proposed by the Senate. The House bill contained no similar provision.

The conference agreement includes a provision relating to Alpine, California, as proposed by the Senate. The House bill contained no similar provision.

The conference agreement modifies a provision proposed by the Senate relating to a biological opinion in New Mexico. The House bill contained no similar provision.

The conference report includes a provision relating to Bluestone, West Virginia, as proposed by the Senate. The House bill contained no similar provision.

The conference agreement includes a provision relating to a wastewater infrastructure project in DeSoto County, Mississippi.

The conference agreement includes a provision relating to a flood control project in Las Vegas Wash and Tributaries, Nevada.

The conference agreement includes a provision relating to Lake Michigan Waterfront and related areas, Lake and Porter Counties, Indiana.

The conference agreement includes a provision relating to Chesapeake Bay oyster restoration.

The conference agreement includes a provision relating to a flood control project at Little Calumet River, Indiana.

The conference agreement includes a provision relating to the American River watershed in California. This section adds new language to previously authorized flood damage reduction work at Folsom Dam and encourages the joint efforts currently being pursued by the Corps of Engineers, Bureau of Reclamation, the State of California, and the Sacramento Flood Control Agency (SAFCA) to address both flood damage reduction and dam safety needs at Folsom Dam, California. It also clarifies language in the fiscal year 2004 Energy & Water Development Appropriations Act regarding the new bridge below Folsom Dam. This bridge is an integral and necessary component of any flood damage or dam safety work that is to be accomplished at the dam. The Corps of Engineers has primary federal responsibility for the bridge but the Bureau of Reclamation, which operates Folsom Dam, also plays an integral role. The two agencies must work cooperatively to implement the work in a timely manner. Subsection (a) directs the Corps of Engineers and Bureau of Reclamation to coordinate technical reviews, joint planning, and preliminary design work for flood damage reduction improvements and dam safety needs at Folsom Dam and Reservoir. Subsections (b) and (c) clarify congressional intent by designating the Corps as the federal agency responsible for implementing the bridge and specifying that any additional funding requirement associated with converting the bridge from a temporary structure to a permanent one is to be a federal responsibility. This is in recognition of the fact that the road currently on top of Folsom Dam, which has been open for public use for most of the time since the dam was constructed, will ultimately be closed permanently for security reasons. Subsection (d) allows ''902'' cost increase provisions to apply to bridge costs just as it does for any other Corps project. This normal and customary application of existing law, when applied to the original costs cited in the fiscal year 2004 Act and updated to current conditions, will increase amounts available for estimates of both temporary and permanent bridge costs. Subsection (e) directs the Corps and the Bureau to proceed with expedited construction of the bridge and associated roadways, and encourages the Corps to make efforts to implement and project in a manner that is compatible with future improvements for flood control. The conferees understand that related efforts are underway to address potential structural changes to Folsom Dam to address flood control and dam safety concerns; however, these related efforts should not needlessly delay timely construction of the bridge/roadway project. If modifications to the completed bridge/roadway project are deemed necessary to accomplish flood control and dam safety objectives, Congress will authorize modifications to the project that may be necessary. The conferees direct both the Corps and the Bureau to work expeditiously to complete reviews, approvals and other administrative actions that may be necessary to expedite this work, including providing necessary easements and rights-of-way. A reporting requirement is included in subsection (f).

The conference agreement includes a provision relating to Jacksonville Harbor, Florida.

The conference agreement includes a provision relating to environmental infrastructure in the State of Ohio.

The conference agreement includes a provision relating to Onondaga Lake, New York.

The conference agreement includes a provision relating to White River Basin, Arkansas.

The conference agreement includes a provision relating to the Calcasieu ship channel, Louisiana.

The conference agreement includes a provision relating to a flood damage reduction project at Johnson Creek, Texas.

The conference agreement includes a provision relating to previously appropriate funds for Hudson River, Athens, New York.

The conference agreement includes a provision relating to the Corps of Engineers district office in Charleston, South Carolina.

The conference agreement includes a provision relating to the Louisville, Kentucky Waterfront Park.

The conference agreement includes a provision relating to a navigation project in Akutan, Alaska.

The conference agreement includes a provision relating to Poplar Island, Maryland.

The conference agreement deletes a provision relating to a disposal barrier in Vermont and New York.

The conference agreement deletes several provisions relating to the Missouri and Middle Mississippi Rivers Enhancement Project.

The conference agreement deletes a provision proposed by the Senate relating to Lower Mud River, Milton, West Virginia. The House bill contained no similar provision.

The conference agreement deletes a provision proposed by the Senate relating to regulatory permitting.

TITLE II—DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

The conference agreement includes a total of $32,614,000 as proposed by both the House and the Senate. Within the funds appropriated, the conference agreement includes $31,668,000 for Central Utah project construction; $946,000 for fish, wildlife, and recreation mitigation and conservation; and $1,736,000 for program oversight and administration.

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

The conference agreement includes an appropriation of $883,514,000 for water and related resources, instead of $832,000,000 as proposed by the House and $899,569,000 as proposed by the Senate. The conference agreement deletes provisions proposed by the Senate relating to the Snyderville Basin Water Supply Study Special Report in the State of Utah. The House bill contained no similar provision.

The conference agreement for water and related resources is shown in the following table:

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
WATER AND RELATED RESOURCES				
ARIZONA				
AK CHIN WATER RIGHTS SETTLEMENT ACT PROJECT	---	7,200	---	6,890
CENTRAL ARIZONA PROJECT, COLORADO RIVER BASIN	22,128	95	22,228	91
COLORADO RIVER FRONT WORK AND LEVEE SYSTEM	2,455	---	7,200	---
FORT MCDOWELL SETTLEMENT ACT	400	---	383	---
NORTHERN ARIZONA INVESTIGATIONS PROGRAM	250	---	239	---
PHOENIX METROPOLITAN WATER REUSE PROJECT	200	---	250	---
SALT RIVER PROJECT	300	---	287	---
SAN CARLOS APACHE TRIBE WATER SETTLEMENT ACT	100	---	100	---
SOUTHERN ARIZONA WATER RIGHTS SETTLEMENT ACT PROJECT	4,725	---	4,522	---
SOUTH/CENTRAL ARIZONA INVESTIGATIONS PROGRAM	795	---	1,154	---
TRES RIOS WETLANDS DEMONSTRATION	300	---	287	---
YUMA AREA PROJECTS	1,722	20,378	1,722	20,297
CALIFORNIA				
CACHUMA PROJECT	988	588	946	834
CALIFORNIA INVESTIGATIONS PROGRAM	580	---	555	---
CALLEGUAS MUNICIPAL WATER DISTRICT RECYCLING PLANT	1,350	---	2,153	---
CENTRAL VALLEY PROJECT				
AMERICAN RIVER DIVISION	2,060	7,437	3,060	7,437
AUBURN-FOLSOM SOUTH UNIT	5,966	---	6,774	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
DELTA DIVISION	10,441	5,752	9,992	5,505
EAST SIDE DIVISION	1,907	2,297	1,825	2,198
FRIANT DIVISION	2,235	3,481	2,635	3,331
MISCELLANEOUS PROJECT PROGRAMS	12,511	1,114	14,574	1,066
REPLACEMENTS, ADDITIONS, AND EXTRAORDINARY MAINT.	---	23,200	---	22,202
SACRAMENTO RIVER DIVERSION	2,381	1,759	2,316	1,683
SAN FELIPE DIVISION	846	---	810	---
SAN JOAQUIN DIVISION	300	---	287	---
SHASTA DIVISION	1,050	7,606	1,005	7,279
TRINITY RIVER DIVISION	7,621	3,242	8,621	3,103
WATER AND POWER OPERATIONS	1,707	10,211	1,634	9,772
WEST SAN JOAQUIN DIVISION, SAN LUIS UNIT	5,191	7,146	4,968	6,839
YIELD FEASIBILITY INVESTIGATION	500	---	479	---
LAKE TAHOE REGIONAL WETLANDS DEVELOPMENT	100	---	3,000	---
LONG BEACH AREA WATER RECLAMATION AND REUSE PROJECT	650	---	622	---
LONG BEACH DESALINATION PROJECT	---	---	1,250	---
MISSION SPRINGS WATER REUSE, DESERT HOT SPRINGS, CA	---	---	150	---
NAPA - SONOMA - MARIN AGRICULTURAL REUSE PROJECT	---	---	120	---
NORTH SAN DIEGO COUNTY AREA WATER RECYCLING PROJECT	1,250	---	1,875	---
ORANGE COUNTY REGIONAL WATER RECLAMATION PROJECT, PHAS	1,250	---	2,250	---
ORLAND PROJECT	41	920	39	880
PASADENA RECLAIMED WATER PROJECT	---	---	77	---
PLACER COUNTY SUB-REGIONAL WASTEWATER TREATMENT PROJEC	---	---	2,000	---
SACRAMENTO RIVER DIVERSION STUDY	---	---	1,000	---
SALTON SEA RESEARCH PROJECT	1,000	---	4,828	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
SAN DIEGO AREA WATER RECLAMATION AND REUSE PROGRAM....	3,500	---	3,350	---
SAN GABRIEL BASIN PROJECT.....	500	---	479	---
SAN GABRIEL BASIN RESTORATION PROJECT.....	---	---	10,000	---
SAN JOSE WATER RECLAMATION AND REUSE PROGRAM.....	300	---	422	---
SANTA MARGARITA RIVER CONJUNCTIVE USE PROJECT.....	---	---	500	---
SOLANO PROJECT.....	1,502	2,863	1,437	2,740
SOUTHERN CALIFORNIA INVESTIGATIONS PROGRAM.....	550	---	766	---
VENTURA RIVER PROJECT.....	596	---	570	---
WATSONVILLE AREA WATER RECYCLING PROJECT.....	---	---	957	---
COLORADO				
ANIMAS-LA PLATA PROJECT, CRSP SECTION 5 & 8.....	52,000	---	56,000	---
COLLBRAN PROJECT.....	166	1,277	159	1,222
COLORADO-BIG THOMPSON PROJECT.....	438	16,151	419	15,457
COLORADO INVESTIGATIONS PROGRAM.....	200	---	191	---
FRUITGROWERS DAM PROJECT.....	20	128	19	122
FRYINGPAN-ARKANSAS PROJECT.....	173	8,579	166	8,210
GRAND VALLEY UNIT, CRBSCP, TITLE II.....	233	670	223	641
LEADVILLE/ARKANSAS RIVER RECOVERY.....	72	2,250	69	2,153
MANCOS PROJECT.....	86	88	82	84
PARADOX VALLEY UNIT, CRBSCP, TITLE II.....	62	2,055	59	1,967
PINE RIVER PROJECT.....	114	128	109	122
SAN LUIS VALLEY PROJECT.....	279	5,490	267	5,254
UNCOMPAHGRE PROJECT.....	172	126	165	121

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
HAWAII				
HAWAIIAN RECLAIM AND REUSE STUDY	---	---	500	---
IDAHO				
BOISE AREA PROJECTS	2,480	2,520	2,373	2,412
COLUMBIA AND SNAKE RIVER SALMON RECOVERY PROJECT	17,500	---	16,748	---
IDAHO INVESTIGATIONS PROGRAM	548	---	524	---
MINIDOKA AREA PROJECTS	3,169	2,639	3,033	2,526
MINIDOKA NORTHSIDE DRAIN WATER MANAGEMENT PROGRAM	200	---	191	---
MINIDOKA PROJECT, GRASSY LAKE SOD 2/	---	310	---	297
KANSAS				
KANSAS INVESTIGATIONS PROGRAM	150	---	144	---
WICHITA PROJECT	261	334	250	320
MONTANA				
FORT PECK DRY PRAIRIE RURAL WATER SYSTEM	---	---	16,000	---
HUNGRY HORSE PROJECT	---	331	---	317
HUNTLEY PROJECT	26	125	25	120
MILK RIVER PROJECT	455	852	435	815

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
MONTANA INVESTIGATIONS	385	---	368	---
NORTH CENTRAL MONTANA RURAL WATER PROJECT	---	---	5,750	---
ST MARY FACILITIES REHABILITATION	---	---	500	---
SUN RIVER PROJECT	---	241	---	231
NEBRASKA				
MIRAGE FLATS PROJECT	12	71	11	68
NEBRASKA INVESTIGATIONS PROGRAM	128	---	122	---
NEVADA				
HALFWAY WASH PROJECT STUDY	200	---	957	---
LAHONTAN BASIN PROJECT	4,520	3,057	4,520	2,926
LAKE MEAD /LAS VEGAS WASH PROGRAM	1,200	---	2,656	---
NORTH LAS VEGAS WATER REUSE	---	---	1,000	---
SOUTHERN NEVADA WATER RECYCLING PROJECT	---	---	3,423	---
NEW MEXICO				
ALBUQUERQUE METRO AREA WATER & RECLAMATION REUSE	---	---	1,000	---
CARLSBAD PROJECT	2,297	822	2,198	787
CHIMAYO WATER PLAN	---	---	1,000	---
EASTERN NEW MEXICO INVESTIGATIONS PROGRAMS	70	---	67	---
ESPANOLA WATER DIVERSION	---	---	1,000	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
JICARILLA APACHE RESERVATION RURAL WATER SYSTEM	---	---	250	---
MIDDLE RIO GRANDE PROJECT	9,150	9,850	18,650	9,426
NAVAJO GALLUP WATER SUPPLY	---	---	479	---
NAVAJO NATION INVESTIGATIONS PROGRAM	180	---	172	---
PECOS RIVER BASIN WATER SALVAGE PROJECT	---	181	---	173
RIO GRANDE PROJECT	1,134	3,567	1,085	3,414
SAN JUAN RIVER BASIN INVESTIGATIONS PROGRAM	150	---	144	---
SOUTHERN NEW MEXICO/WEST TEXAS INVESTIGATIONS PROGRAM	230	---	220	---
TUCUMCARI PROJECT	56	7	54	7
NORTH DAKOTA				
DAKOTAS INVESTIGATIONS PROGRAM	237	---	227	---
DAKOTAS TRIBES INVESTIGATIONS PROGRAM	84	---	80	---
PICK-SLOAN MISSOURI BASIN PROGRAM, GARRISON DIVERSION	22,640	4,197	23,580	4,017
OKLAHOMA				
ARBUCKLE PROJECT	17	183	16	175
MCGEE CREEK PROJECT	33	518	32	496
MOUNTAIN PARK PROJECT	17	338	16	323
NORMAN PROJECT	17	384	16	367
NORMAN FEASIBILITY STUDY	---	---	144	---
OKLAHOMA INVESTIGATIONS PROGRAM	155	---	148	---
WASHITA BASIN PROJECT	30	1,155	29	1,105

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
W.C. AUSTIN PROJECT	137	389	131	372
OREGON				
CROOKED RIVER PROJECT	661	446	633	427
DESCHUTES ECOSYSTEM RESTORATION PROJECT	---	---	1,000	---
DESCHUTES PROJECT	301	147	288	141
EASTERN OREGON PROJECTS	544	362	521	346
KLAMATH PROJECT	21,310	690	20,394	660
OREGON INVESTIGATIONS PROGRAM	450	---	431	---
ROGUE RIVER BASIN PROJECT, TALENT DIVISION	780	223	746	213
SAVAGE RAPIDS DAM REMOVAL	1,000	---	1,500	---
TUALATIN PROJECT	475	147	455	141
TUALATIN VALLEY WATER SUPPLY FEASIBILITY PROJECT	---	---	287	---
UMATILLA BASIN PROJECT, PHASE III STUDY	200	---	191	---
UMATILLA PROJECT	803	3,127	768	2,993
SOUTH DAKOTA				
LEWIS AND CLARK RURAL WATER SYSTEM	15,000	---	17,500	---
MID-DAKOTA RURAL WATER PROJECT	---	15	400	14
MNI WICONI PROJECT	22,447	7,053	22,807	6,750
PERKINS COUNTY RURAL WATER DISTRICT	---	---	957	---
RAPID VALLEY PROJECT, DEERFIELD DAM	---	50	48	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
TEXAS				
BALMORHEA PROJECT	24	---	23	---
CANADIAN RIVER PROJECT	69	97	66	93
EL PASO WATER RECLAMATION AND REUSE	---	---	103	---
LOWER RIO GRANDE VALLEY WATER RESOURCES	50	---	1,475	---
NUECES RIVER	36	503	34	481
SAN ANGELO PROJECT	17	344	16	329
TEXAS INVESTIGATIONS PROGRAM	214	---	205	---
TRINITY RIVER WATERWATER STUDY	---	---	96	---
WILLIAMSON COUNTY WATER RECYCLING PROJECT	---	---	96	---
UTAH				
HYRUM PROJECT	125	30	120	29
MOON LAKE PROJECT	13	27	12	26
NEWTON PROJECT	43	23	41	22
NORTHERN UTAH INVESTIGATIONS PROGRAM	154	---	387	---
OGDEN RIVER PROJECT	228	35	218	33
PARK CITY FEASIBILITY STUDY	---	---	479	---
PROVO RIVER PROJECT	894	319	856	305
PROVO RIVER PROJECT, DEER CREEK DAM	---	4,900	---	4,689
SCOFIELD PROJECT	86	27	82	26
STRAWBERRY VALLEY PROJECT	177	8	169	8
WEBER BASIN PROJECT	1,841	357	1,762	342

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
WEBER RIVER PROJECT	41	80	39	77
WASHINGTON				
COLUMBIA BASIN PROJECT	4,047	7,616	3,873	7,289
MAKAH INDIAN COMMUNITY WATER SUPPLY FEASIBILITY STUDY	---	---	300	---
STORAGE DAM FISH PASSAGE FEASIBILITY STUDY	780	---	746	---
WASHINGTON INVESTIGATIONS PROGRAM	300	---	718	---
YAKIMA PROJECT	1,524	6,398	1,458	6,123
YAKIMA RIVER BASIN WATER STORAGE	---	---	1,500	---
YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT	8,500	---	8,500	---
WYOMING				
KENDRICK PROJECT	50	4,010	48	3,838
NORTH PLATTE PROJECT	79	1,817	76	1,739
SHOSHONE PROJECT	62	740	59	708
WYOMING INVESTIGATION PROGRAM	40	---	38	---
VARIOUS				
COLORADO RIVER BASIN SALINITY CONTROL PROJECT, TITLE I	---	10,673	---	10,214
COLORADO RIVER BASIN SALINITY CONTROL, TITLE II	10,000	---	9,570	---
COLORADO RIVER STORAGE PROJECT, SECTION 5	6,293	3,403	6,022	3,257
COLORADO RIVER STORAGE PROJECT, SECTION 8	4,030	---	3,857	---

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
COLORADO RIVER WATER QUALITY IMPROVEMENT PROGRAM	465	---	445	---
DAM SAFETY PROGRAM				
DEPARTMENT DAM SAFETY PROGRAM	---	1,500	1,500	---
INITIATE SOD CORRECTIVE ACTION	---	44,578	42,661	---
SAFETY OF DAMS CORRECTIVE ACTION STUDIES	---	100	96	---
SAFETY OF EVALUATION OF EXISTING DAMS	---	18,500	17,705	---
DEPARTMENTAL IRRIGATION DRAINAGE PROGRAM	---	---	1,818	---
DROUGHT EMERGENCY ASSISTANCE	500	---	479	---
EMERGENCY PLANNING & DISASTER RESPONSE PROGRAM	---	1,360	---	1,360
ENDANGERED SPECIES RECOVERY IMPLEMENTATION	9,734	---	9,315	---
ENVIRONMENTAL & INTERAGENCY COORDINATION ACTIVITIES	1,790	---	1,713	---
ENVIRONMENTAL PROGRAM ADMINISTRATION	965	---	924	---
EXAMINATION OF EXISTING STRUCTURES	---	5,699	---	5,454
FEDERAL BUILDING SEISMIC SAFETY PROGRAM	---	1,575	---	1,507
GENERAL PLANNING STUDIES	2,006	---	1,920	---
LAND RESOURCES MANAGEMENT PROGRAM	7,000	---	6,699	---
LOWER COLORADO RIVER INVESTIGATIONS PROGRAM	300	---	287	---
LOWER COLORADO RIVER OPERATIONS PROGRAM	17,894	---	17,125	---
MISCELLANEOUS FLOOD CONTROL OPERATIONS	---	631	---	604
NATIVE AMERICAN AFFAIRS PROGRAM	7,525	---	8,125	---
NATURAL RESOURCES DAMAGE ASSESSMENT	300	---	287	---
NEGOTIATION & ADMINISTRATION OF WATER MARKETING	1,745	---	1,670	---
OPERATION & MAINTENANCE PROGRAM MANAGEMENT	165	876	158	838
PICK-SLOAN MISSOURI BASIN - OTHER PROJECTS	3,537	38,553	3,385	36,895
POWER PROGRAM SERVICES	1,020	212	976	203

WATER AND RELATED RESOURCES
(AMOUNTS IN THOUSANDS)

	BUDGET REQUEST		CONFERENCE	
	RESOURCES MANAGEMENT	FACILITIES OM&R	RESOURCES MANAGEMENT	FACILITIES OM&R
PUBLIC ACCESS AND SAFETY PROGRAM	634	124	607	119
RECLAMATION LAW ADMINISTRATION	2,368	---	2,266	---
RECLAMATION RECREATION MANAGEMENT - TITLE XXVIII	582	---	557	---
RECREATION & FISH & WILDLIFE PROGRAM ADMINISTRATION	1,570	---	1,502	---
RESEARCH AND DEVELOPMENT 3/				
DESALINATION RESEARCH AND DEVELOPMENT PROGRAM	25	---	7,025	---
SCIENCE AND TECHNOLOGY PROGRAM	9,684	---	9,268	---
SITE SECURITY	---	50,000	40,000	---
SOIL AND MOISTURE CONSERVATION	293	---	280	---
TECHNICAL ASSISTANCE TO STATES	1,884	---	1,803	---
TITLE XVI, WATER RECLAMATION AND REUSE PROGRAM	1,229	---	3,729	---
UNITED STATES/MEXICO BORDER ISSUES - TECHNICAL SUPPORT	80	---	77	---
WATER CONSERVATION FIELD SERVICE PROGRAM 4/	8,950	---	10,043	---
WATER 2025	30,000	---	5,000	---
WETLANDS DEVELOPMENT	---	---	718	---
UNDISTRIBUTED REDUCTION BASED ON ANTICIPATED DELAYS	-30,172	---	---	---
Subtotal, Water and Related Resources	409,892	391,677	617,027	266,487
Total, Water and Related Resources (combined)	801,569	---	883,514	---

Central Arizona project, Arizona.—The conference agreement includes additional funds to continue a biological assessment or other appropriate evaluation of environmental impact from the potential diversions of flow from the Gila River consistent with the terms of the consumptive use and forbearance agreement ratified by Congress in the Arizona Water Settlements Act in order to receive a biological opinion or other appropriate determination by December 2008.

Colorado Front Work and Levee System, Arizona.—The conferees have provided additional funds for continued work on the regulating reservoirs on the All American Canal and for initiation of appropriate studies to determine if additional capacity can be economically realized behind Laguna Dam if sediment is removed. The conferees understand that these projects have the potential of saving as much as 300,000 acre-feet of Colorado River System water that would otherwise be over-delivered to Mexico. Because of the potential for such water savings (essentially Nevada's entire annual share of Colorado River Water), the conferees strongly recommend that Reclamation proceed aggressively with this work and to reflect the urgency of completing these projects in future budget requests. Because the regulating reservoir and Laguna Dam sediment removal provide needed improvements in river control, management and river system efficiencies, all of which are Federal responsibilities, the conferees believe that they should be undertaken at full Federal expense.

Within the funds provided, the conference agreement includes $4,750,000 to continue planning and design of regulating reservoirs near the All American Canal.

South/central Arizona investigations program.—Within the funds provided, $109,000 is available to complete the final report of phase II of the central Arizona salinity study and $250,000 for the West Salt River Management Study.

Yuma area projects, Arizona and California.—The conference agreement includes $22,019,000 for the Yuma area projects in Arizona and California. Within the funds provided, $500,000 is available for renovation and refurbishment of the City of Needles, California Bureau Bay Reclamation Project site.

Cachuma Project, California.—$500,000 is provided for the Lake Cachuma Water and Sewerage Plant.

Central Valley Project, California.—Auburn/Folsom South Unit, California.—The Auburn-Folsom South Unit was authorized for construction by Congress by the Act of September 2, 1965, P.L. 89–161, 79 Stat. 615. No construction on Auburn Dam has occurred since August of 1975. The costs and associated benefits of the Auburn-Folsom South Unit were last calculated in 1962. To determine whether a full feasibility study is warranted, these values must be updated to current levels. The conference agreement includes $1,000,000 for the Bureau of Reclamation to complete a special report to udpate the analysis of costs and associated benefits of the Auburn-Folsom South Unit of the Central Valley Project. The report is due to committees of jurisdiction by August 30, 2006.

American River Division.—Within the funds provided, $1,000,000 shall be available for the El Dorado Temperature Control Device.

Friant Division.—$200,000 has been provided for appraisal level studies of the Madera Irrigation District Water Supply Enhancement and $200,000 is provided for the Semitropic Groundwater Storage Project.

Miscellaneous project programs.—Additional funds above the budget request are provided to complete phase II of the Kaweah River Delta Corridor Enhancement Study ($63,000) and $2,000,000 is provided for the Sacramento Valley Water Management Program, which shall be made available for a cooperative agreement or agreements with the Northern California Water Association or its member agencies for the completion of the necessary environmental documents, and development and implementation of projects in support of the Sacramento Valley Management Plan, including those projects that will integrate the Lower Tuscan Groundwater Formation into the Sacramento Valley surface water system through conjunctive water management.

Sacramento River Division.—Additional funds above the budget request are provided to complete the Glen Colusa Irrigation District Fish Screen Improvement Project.

Trinity River Division.—The conference agreement provides $500,000 above the budget request for the Fishery Restoration program. These funds are to be used in concert with the $2,000,000 provided in the Central Valley Project Restoration Program to meet Federal trust responsibilities to protect the fishery resources of the Hoopa Valley Tribe. The Commissioner is urged to continue to support a Co-Management Agreement between the Hoopa Valley Tribe and the Bureau of Reclamation.

In addition, the conferees have provided $500,000 for the acquisition and/or modification of floodplain structures necessary for release of 11,000 cubic feet per second in an extremely wet water year.

Salton Sea research project.—The conference agreement includes $4,828,000 for the Salton Sea research project, including $1,500,000 to continue environmental restoration efforts at the Alamo and New Rivers, and for other authorized pilot projects. The Bureau is encouraged to work jointly with the Salton Sea Authority and assist the Authority in running its own pilot projects.

Southern California investigations program.—The conference agreement includes $766,000 for the Southern California investigations program. Within the funds provided, $100,000 has been included to assist the Western Municipal Water District in general planning and associated environmental compliance activities related to the Riverside-Corona Feeder project; $300,000 to assist the Lake Arrowhead Community Services District to develop a groundwater management plan; and $100,000 to assist the City of Apple Valley, California to develop an appraisal study of the water reclamation portion of the City of Apple Valley's sewage treatment and reclamation project.

Lahontan Basin Project, Nevada.—The conferees have learned that dam safety issues have arisen concerning Tahoe Dam. As this dam provides more than 70 percent of the water supply for the area, it is imperative that safety remediation activities be undertaken as soon as possible. The conferees understand that preliminary investigations are underway and will be continued with budgeted funds in fiscal year 2006. The conferees expect Reclamation to ask for the appropriate funding level in the fiscal year 2007 budget to address safety issues.

Middle Rio Grande Project, New Mexico.—The conferees support the reorganization of the Endangered Species Act Collaborative Program resulting in the Army Corps of Engineers, in collaboration with the Fish and Wildlife Service, taking responsibility to provide the administrative support for the program and the Army Corps of Engineers taking responsibility to meet the Reasonable and Prudent Alternative of the 2003 Biological Opinion required by section 205 of Public Law 108–447 (118 Stat 2949) other than the water acquisition and management functions set out in the Reasonable and Prudent Alternative. Additionally, the Army Corps of Engineers will assume responsibility for providing a detailed spending plan for fiscal year 2006 funds to the House and Senate Appropriations Committees for approval; complete the baseline Long-Term Plan and complete the Programmatic Environmental Impact Statement before the end of fiscal year 2006. The Bureau of Reclamation retains responsibility to meet the Reasonable and Prudent Alternative regarding water acquisition and management, including acquisition of water to meet the flow requirements articulated in the 2003 Biological Opinion and development of a long-term plan to meet these flow requirements. The conferees expect the Bureau of Reclamation to facilitate a smooth transition of administrative functions for the program to the Army Corps of Engineers and the Fish and Wildlife Service within three months of the beginning of fiscal year 2006. Of the total $28,076,000 provided for the Middle Rio Grande Project, the conferees have provided $12,900,000 for the collaborative program. Of these funds, the Bureau of Reclamation is provided $5,000,000 for water acquisition and associated administrative support within the Bureau; the Bureau is to transfer $7,500,000 to the Army Corps of Engineers to fund population management, habitat restoration, water management studies, fish passage and river connectivity, minnow management, water quality, science and monitoring, biological opinion monitoring, and program management to meet the 2003 Biological Opinion Reasonable and Prudent Alternatives; and to provide $400,000 to the Fish and Wildlife Service for program management support. The cost-share requirements of the program remain 75 percent Federal/25 percent non-Federal for all activities except water acquisition and program administration. Non-Federal cost share may be provided through in-kind services and participation on the administration team. The conferees have provided $1,000,000 above the request for the further refinement of the Upper Rio Grande Water Operations Model in collaboration with the Army Corps of Engineers, Sandia National Laboratories and the other partners. Additionally, $2,000,000 is provided for completion of construction and initial operation of the off-channel sanctuary authorized under section 6014 of Public Law 109–13.

Deschutes ecosystem restoration project, Oregon.—The conferees have provided $1,000,000 to continue this project.

Northern Utah investigations program, Utah.—Additional funds are for the Rural Water Technology Alliance.

Washington investigations program, Washington.—Within the funds provided, $118,000 is for the Odessa Sub Area study, and $50,000 is for the West Canal study.

Colorado River Basin Salinity Control Project, Title I.—The conferees note that weather modification is but one way to augment and maximize flows in the river, and direct the Department of the Interior and the Bureau to begin processes to produce augmentation strategies.

The conferees understand that Reclamation has initiated a public process to solicit information about potential methods to recover or replace agricultural return flows from the Wellton-Mohawk Irrigation and Drainage District that bypass the Colorado River and are discharged to the Cienega de Santa Clara in Mexico (bypass flows). The U.S. has bypassed highly saline agricultural return flows to the Cienega to help meet Colorado River water quality obligations to Mexico. However, the bypass flows are not included in the 1.5 million acre-feet of water that the U.S. is required to deliver annually to Mexico. Consequently, system storage from the Colorado River has been used to make up for the bypass flow. The current drought and projected long-term water demands have heightened concern about this

demand on the river system. The Yuma Desalting Plant was originally constructed to recover part of the bypass flows and return them to the river. Various other methods for recovering or replacing the flows have been proposed including options that address potential impacts to the wetlands in the Cienega de Santa Clara. The conferees believe that this public process is a positive step in attempting to address this complex hydrologic problem and encourage Reclamation to continue this stakeholder process. Recognizing that the Yuma Desalting Plant may be one part of the solution to the return flow issue, the conferees believe that it is prudent to reiterate the direction from previous Acts that sufficient resources be dedicated to the Yuma Desalting Plant so that one-third operational capacity may be achieved by the end of calendar year 2006.

El Paso, Water Reclamation and Reuse, Texas.—The conference agreement includes $103,000 to complete the project as currently authorized.

Native American Affairs program.—Additional funds provided above the budget request are for continued work on the AAMODT settlement.

Research and development, desalination research and development program.—The conferees urge the Bureau of Reclamation to place a higher priority on desalination activities in future budgets given the importance of sustainable water supplies to the West and to other regions of the country. The conference agreement provides $7,000,000 for the completion of construction of the Tularosa Basin Desalination Facility, New Mexico, and initial operation. Upon completion of the facility, the Bureau is directed to select an organization to operate the facility under Bureau direction. In this selection, the Bureau should give priority to local educational institutions with expertise, do not need to relocate and have on-going water research activities.

Title XVI, Water Reclamation and Reuse.—The conference agreement includes $3,729,000 for this program, of which $2,500,000 shall be for the WateReuse Foundation. These funds shall be available to support the Foundation's research priorities.

Departmental irrigation program.—The conference agreement provides $1,818,000 for this program, of which $150,000 shall be for the Uncompaghre selenium control project and $1,668,000 for irrigation modernization activities for Elephant Butte Irrigation District.

Water 2025.—The conferees have included $1,000,000 to provide for continued efficiency and water improvements related to the Middle Rio Grande Conservancy District and $1,000,000 for work related to water efficiency and supply supplementation in the Pecos consistent with the partnership between the Carlsbad Irrigation District and the New Mexico Interstate Stream Commission. A critical component of reducing tension among multiple water users is collaborative planning and joint operations. Within the funds provided, $2,000,000 is for the Desert Research Institute to address water quality and environmental issues in ways that will bring industry and regulators to mutually acceptable answers. Funding of $1,000,000 for the alliance with the International Center for Water Resources Management at Central State University, OH, is also provided herein.

Building and site security.—The conference agreement includes $40,000,000 for building and site security activities, as proposed by the House, instead of $50,000,000 as proposed by the Senate. The amount provided recognizes that the Bureau of Reclamation is expected to receive approximately $10,000,000 in reimbursements for additional security guards and patrols, which are considered project O&M costs. The conferees agree, however, that all project beneficiaries that benefit from an enhanced security posture at the Bureau's facilities should pay a share of the security costs. Accordingly, the Bureau is directed to provide to the House and Senate Committees on Appropriations, not later than 60 days after the enactment of this Act, a delineation of planned reimbursable security costs by project pro-rated by all project purposes.

Water conservation field service program.—Within the amounts provided, $1,000,000 shall be allocated for the Many Farms Irrigation Water Conservation project; $300,000 shall be allocated for urban water conservation projects identified through the Metropolitan Water District of Southern California Innovative Conservation Program; and $100,000 shall be allocated to initiate a study to identify concurrent and overlapping government programs aimed at improving water resource efficiency.

CENTRAL VALLEY PROJECT RESTORATION FUND

The conference agreement provides $52,219,000 for the Central Valley Project Restoration Fund as proposed by both the House and the Senate.

CALIFORNIA BAY—DELTA RESTORATION

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes $37,000,000 for the CalFed Delta Restoration program, as proposed by the Senate, instead of $35,000,000 as proposed by the House.

The funds provided are intended to support the following activities, as delineated below:

Environmental water account	$8,800,000
CALFED 180 Day Study	(500,000)
Storage program	11,500,000
San Joaquin River basin	(4,000,000)
Los Vaqueros	(3,200,000)
Shasta enlargement	(4,000,000)
Sites	(300,000)
Conveyance	4,800,000
San Luis Reservoir Low Point	(2,000,000)
Frank Tract	(500,000)
Planning and management activities	500,000
Water use efficiency	5,900,000
Westside regional drainage program	(1,650,000)
Butte County Groundwater Model	(250,000)
Inland Empire Utilities Agency regional water recycling project	(1,000,000)
Ecosystem restoration	2,500,000
Sacramento River small diversion fish screen program	(500,000)
Water Quality: Contra Costa Water District alternative intake project	2,000,000
Science program: Interagency ecological program	1,000,000
Total, California Bay-Delta Restoration	37,000,000

CALFED 180 Day Study.—The conference agreement includes $500,000, to be transferred to the Corps of Engineers, which shall be available to complete a report describing the Federal levee stability reconstruction projects and priorities that will be carried out through 2010. The conferees expect the Corps to budget appropriately for these activities in future budget submissions.

POLICY AND ADMINISTRATION

The conference agreement includes $57,917,000 for policy and administration as proposed by both the House and the Senate.

ADMINISTRATIVE PROVISION

The conference agreement includes a provision limiting the purchase of not to exceed 14 passenger vehicles, as proposed by both the House and the Senate.

GENERAL PROVISIONS

DEPARTMENT OF THE INTERIOR

The conference agreement includes a provision regarding the San Luis Unit and Kesterson Reservoir in California, as proposed by both the House and the Senate.

The conference agreement includes a provision prohibiting the use of funds for any water acquisition or lease in the Middle Rio Grande or Carlsbad Projects in New Mexico unless the acquisition is in compliance with existing state law and administered under state priority allocation. This provision was contained in both the House and Senate bills.

The conference agreement includes a provision proposed by the House relating to agreements with the City of Needles, California or the Imperial Irrigation District for the design and construction of stages of the Lower Colorado Water Supply Project. No similar provision was contained in the Senate bill.

The conference agreement includes a provision as proposed by the Senate related to drought emergency assistance. No similar provision was contained in the House bill.

The conference agreement modifies a provision proposed in the Senate bill relating to Water 2025. The House bill contained no similar provision.

The conference agreement deletes a provision related to the Rio Grande Collaborative Water Operations Team.

The conference agreement modifies a provision proposed by the Senate relating to the Desalination Act. The House bill contained no similar provision.

The conference agreement includes a provision as proposed by the Senate relating to Animas-La Plata. The House bill contained no similar provision.

The conference agreement includes a provision proposed by the Senate relating to Desert Terminus Lakes. The House bill contained no similar provision.

The conference agreement includes a provision relating to a special report to update the analysis of costs and associated benefits of the Auburn-Folsom South Unit, Central Valley Project, California.

The conference agreement deletes a provision proposed by the Senate relating to Humbolt Project Title transfer.

The conference agreement deletes a provision proposed by the Senate relating to a feasibility study for Norman, Oklahoma.

The conference agreement deletes a provision relating to Animas-La Plata.

TITLE III—DEPARTMENT OF ENERGY

The summary tables at the end of this title set forth the conference agreement with respect to the individual appropriations, programs, and activities of the Department of Energy. Additional items of conference agreement are discussed below. The allocations for specific projects and earmarks that were provided in the separate House and Senate reports are superceded by this conference report. Other programmatic guidance and reporting requirements identified in the separate House and Senate reports remain effective unless modified by the conference report.

The conferees are aware that the Energy Policy Act of 2005 (Public Law 109–58) imposed a number of new requirements on the Department. Unfortunately, these requirements were not included in the fiscal year 2006 budget request nor in the conference allocation. For urgent needs associated with

the Energy Policy Act of 2005, the Department should submit a reprogramming request to the House and Senate Committees on Appropriations. The conferees expect the Department to budget fully for these new requirements in the fiscal year 2007 request.

SPECIAL NUCLEAR MATERIAL CONSOLIDATION

The conferees support the House language regarding the complex wide consolidation of special nuclear materials (SNM). The conferees are disappointed with the lack of urgency demonstrated by the Department when it comes to addressing the security and cost liability of having significant quantities of special nuclear materials at multiple departmental facilities across the complex. Unfortunately, the Department has indicated that it will not be able to bring all of its facilities and operations into compliance with the latest Design Basis Threat until 2008. This delay is unacceptable. With the MOX project starting construction at the Savannah River Site, the Department should move forward aggressively to develop a complex wide plan to achieve the significant cost and security benefits of material consolidation. The conferees direct the Secretary of Energy to provide a report to the Committees on Appropriations on the nuclear material consolidation activities, including detailed cost, scope, and schedule of consolidation activities, and facilities targeted for deinventorying of SNM and sites and facilities available to support the consolidation mission. The report to the Committees is due by July 1, 2006.

CONGRESSIONAL DIRECTION

The conferees support the House language requiring the Secretary to submit to the House and Senate Committees on Appropriations, Subcommittee on Energy and Water, a quarterly report on the status of all projects, reports, fund transfers, and other actions directed in the separate House and Senate reports for fiscal year 2006 and in this conference agreement.

BUDGET REQUIREMENTS

The conferees agree with the House language regarding budget justification requirements and five-year budget planning.

SAFEGUARDS AND SECURITY IMPLEMENTATION

The conferees agree with the House report language regarding problems with the Design Basis Threat (DBT) for DOE sites. The conferees expect the Department to adopt a postulated threat, a DBT, and a DBT implementation strategy that is consistent with that used by other federal agencies.

AUGMENTING FEDERAL STAFF

The conferees continue to be concerned about the numbers of management and operating contractor employees assigned to the Washington metropolitan area. However, the conferees do not impose a numerical ceiling for fiscal year 2006, as has been the case in previous fiscal years. Instead, the conferees expect the Secretary and the responsible program offices to manage this issue closely and avoid excessive growth in the number of contractor personnel assigned to the Washington area. The conferees maintain the reporting requirements contained in the House report.

LABORATORY DIRECTED RESEARCH AND DEVELOPMENT (LDRD)

The conferees are concerned with the level of overhead charges applied to programs funded in this bill and urge the Department to continue to work to minimize the overhead burden on all program activities. In order to ensure an equitable allocation of overhead costs the Secretary should apply overhead charges to LDRD activities consistent with cost accounting practices applied to program activities that are direct funded. The conference agreement increases the allowable percentage for LDRD, PDRD and SDRD activities to allow this accounting change without harming the underlying discretionary research activities. The change in accounting practices should be implemented with no net reduction in LDRD levels below 6 percent of the funds provided by the Department of Energy to such labs for national security activities and 2 percent for PDRD and SDRD activities at the appropriate plants and sites. Within 90 days after the date of enactment of this Act, the Secretary of Energy shall submit a report to the Committees on Appropriations detailing how the accounting change will be implemented without impacting the basic research and the change shall be implemented within 180 days of enactment.

EQUAL EMPLOYMENT OPPORTUNITY AT DOE LABORATORIES

Based on the recommendations of the GAO report (GAO–05–190) regarding equal employment opportunity within the Department of Energy, the conferees direct the Department of Energy to determine the causes of such disparities and take necessary corrective steps to address the problems identified.

REPROGRAMMING GUIDELINES

The conferees require the Department to inform the Appropriations Committees promptly and fully when a change in program execution and funding is required during the fiscal year. To assist the Department in this effort, the following guidance is provided for programs and activities funded in the Energy and Water Development Appropriations Act.

Definition.—A reprogramming includes the reallocation of funds from one activity to another within an appropriation, or any significant departure from a program, project, or activity described in the agency's budget justification as presented to and approved by Congress. For construction projects, a reprogramming constitutes the reallocation of funds from one construction project identified in the justifications to another project or a significant change in the scope of an approved project.

Criteria for Reprogramming.—A reprogramming should be made only when an unforeseen situation arises, and then only if delay of the project or the activity until the next appropriations year would result in a detrimental impact to an agency program or priority. Reprogrammings may also be considered if the Department can show that significant cost savings can accrue by increasing funding for an activity. Mere convenience or preference should not be factors for consideration.

Reprogrammings should not be employed to initiate new programs or to change program, project, or activity allocations specifically denied, limited, or increased by Congress in the Act or this statement. In cases where unforeseen events or conditions are deemed to require such changes, proposals shall be submitted in advance to the Appropriations Committees and be fully explained and justified.

Reporting and Approval Procedures.—The conferees have not provided statutory language to define reprogramming guidelines, but expect the Department to follow the letter and spirit of the guidance provided in this statement. Consistent with prior years, the conferees have not provided the Department with any internal reprogramming flexibility in fiscal year 2006, unless specifically identified in the conference report for particular programs, projects, or activities. Any reallocation of new or prior year budget authority or prior year deobligations must be submitted to the Appropriations Committees in writing and may not be implemented prior to approval by the Committees on Appropriations.

ENERGY SUPPLY AND CONSERVATION

The conference agreement provides $1,830,936,000 for Energy Supply and Conservation. The conferees direct that the Office of Electricity Delivery and Energy Reliability function as the principal DOE liaison with the Federal Energy Regulatory Commission.

Congressionally directed projects.—The conference agreement includes a list of Congressionally directed projects, within available funds, at the end of the Energy Supply and Conservation section. In the event the project totals exceed twenty percent of a subaccount, the Department has the discretion to fund these projects within other Energy Supply and Conservation subaccounts than those identified in the table. The conferees remind recipients that statutory cost sharing requirements may apply to these projects.

ENERGY EFFICIENCY AND RENEWABLE ENERGY RESOURCES

The conference agreement provides $1,185,700,000 for energy efficiency and renewable energy resources. The conferees provide $4,000,000 for the National Center on Energy Management and Building Technologies, and direct that this project shall be subject to the cost-sharing requirements of a research project rather than a demonstration project.

The conferees support DOE's efforts to strengthen project management within the Office of Energy Efficiency and Renewable Energy (EERE) with the establishment of the Project Management Center (PMC). With the success of the PMC, the conferees see no need for third-party contracting agents, and discourage the Department from engaging in third-party arrangements for the award and distribution of federal funds.

Hydrogen Technology.—The conference agreement includes $157,199,000 for hydrogen technology, of which $76,100,000 is designated for fuel cell technologies. The conferees provide the budget request for distributed reforming and electricity development, and no funds for recapturing heat from PEM fuel cells within distributed energy systems. The conferees provide $14,900,000 for infrastructure and $24,000,000 for vehicles for the demonstration projects in the budget request.

Biomass and Biorefinery Systems R&D.—The conference agreement includes $91,634,000 for integrated research and development on biomass and biorefinery systems. The conferees provide $3,500,000 for the Consortium for Plant Biotechnology Research.

Solar Energy.—The conference agreement includes $83,953,000 for solar energy programs, which includes $11,000,000 for concentrating solar power.

Wind energy.—The conference agreement includes $39,249,000 for wind energy programs.

Geothermal Technology.—The conference agreement includes $23,299,000 for geothermal technology, to include continued funding at current year levels for GeoPowering the West.

Hydropower.—The conferees recommend $500,000 for hydropower research. The Department should complete integration studies and close out outstanding contracts in advanced hydropower technology.

Vehicle Technologies.—The conferees recommend $183,943,000, which includes an increase of $1,000,000 for Advanced Combustion R&D, Combustion and Emission Control. The conferees provide $19,000,000 for the Automotive Lightweight Materials program; $500,000 for the hydrogen natural gas vehicles cylinder safety, inspection and maintenance program; and $3,500,000 for the Off-Highway Program. The conference agreement provides

$10,000,000 to Oak Ridge National Laboratory to be divided evenly between materials development and computational modeling to develop highway transportation technologies.

Building Technologies.—The conferees recommend $69,966,000, to include $10,256,000 for equipment standards and analysis, an increase of $7,000,000 for lighting R&D, and a $3,000,000 increase for thermal insulation and building materials. Within the $20,000,000 provided for lighting R&D, $5,000,000 is to support a National Center for solid state lighting research and development through the Office of Science, to be competed among the centers for nanotechnologies. The conferees provide $1,000,000 for Oil Heat Research for residential buildings. The conferees encourage the Department to support energy efficiency research for affordable, factory-built housing through the Manufactured Housing Research Alliance.

Report Requirement.—The conferees request a report on appliance efficiency standards as directed in the House report.

Industrial Technologies.—The conference agreement includes $57,429,000 for industrial technologies, to include an increase of $2,402,000 for Industries of the Future, and a decrease of $1,642,000 for combustion R&D.

Distributed Energy and Electricity Reliability Program.—The conferees direct the activities within this account be merged within the Office of Electricity Delivery and Energy Reliability (OE), and the conference agreement includes $60,666,000 within OE to support these activities.

Federal Energy Management Programs.—The conferees provide $19,166,000 for the Federal Energy Management Programs, including $2,019,000 for the Departmental Energy Management Program.

Facilities and Infrastructure.—The conferees provide $26,315,000 for renewable energy Facilities and Infrastructure. This amount includes $5,800,000 for operations and maintenance of the National Renewable Energy Laboratory (NREL) in Golden, Colorado; $10,515,000 to continue construction of the new Science and Technology facility at NREL (project 02–E–001); and $10,000,000 for the design and construction of the already approved research support facilities at the National Renewable Energy Laboratory. The conferees direct that the design of the facilities should be bid competitively, and should demonstrate the use of state of the art renewable energy and energy efficiency technologies in the design of the buildings.

Weatherization and Intergovernmental activities.—The conferees provide $240,400,000 for weatherization assistance program grants, $4,600,000 for training and technical assistance, $36,000,000 for state energy program grants, $500,000 for state energy activities and $25,657,000 for gateway deployment. The conferees recommend that gateway deployment funds be distributed as follows: $3,807,000 for Rebuild America, $350,000 for energy efficiency information and outreach, $4,500,000 for building codes training and assistance, $8,000,000 for Clean Cities of which an additional $1,490,000 is provided above the budget request to expand E–85 fueling capacity, $6,000,000 for Energy Star, and $3,000,000 for inventions and innovations. The conferees include $3,910,000 for the international renewable energy program, $4,000,000 for tribal energy to include $1,000,000 for the Council of Renewable Energy Resource Tribes (CERT), and $5,000,000 for the Renewable Energy Production Incentive (REPI).

Program Support.—The conferees provide is $13,456,000 for Program Support, to include $3,500,000 to continue the efforts of the National Renewable Energy Laboratory to develop renewable energy resources uniquely suited to the Southwestern United States through its virtual site office in Nevada.

Program Direction.—The conferees provide $99,524,000 for Program Direction. The reduction of $2,000,000 from the request reflects the transfer of program direction funds to the Office of Electricity Delivery and Energy Reliability.

Regional Offices.—The conferees provide full funding for the six regional offices in fiscal year 2006. However, the conferees understand that the Administration is unlikely to request funding for the regional offices in the fiscal year 2007 budget request. In light of this, the conferees direct the regional offices be consolidated into the Project Management Center at the Golden Field Office and the National Energy Technology Laboratory not later than September 30, 2006.

OFFICE OF ELECTRICITY DELIVERY AND ENERGY RELIABILITY

The conferees provide $163,513,000 for Office of Electricity Delivery and Energy Reliability. The conferees direct that the activities within the Distributed Energy and Electricity Reliability Program, previously funded in the Energy Conservation account, be merged within the Office of Electricity Delivery and Energy Reliability. The conference agreement includes $60,666,000 for the transferred activities. Within available funds, the conference recommendation includes $2,000,000 for Thermal Energy Technologies; $2,000,000 for gas engine-driven heat pump development; $2,000,000 to complete the on-going Ammonia Absorption Technology Development for HVAC&R activity; $2,500,000 for a CHP engineering prototype and field test activity of ammonia absorption technology; continuation of desiccant research at a level of $1,500,000; and continuation of heat and mass transfer activities at a level of $2,000,000. The conference agreement includes $5,000,000 to conduct electricity transmission, distribution and energy assurance research and development activities at the National Energy Technology Laboratory and $10,000,000, equally divided between Idaho and Sandia National Laboratories, to support activities at the SCADA test facilities. The conference agreement includes $3,000,000 for deployment testing and analysis of advanced energy storage systems for telecommunication applications in Kansas. Detailed subprogram allocations are shown in the table at the end of Title III.

Program Direction.—The conference agreement includes $13,447,000 for program direction.

NUCLEAR ENERGY PROGRAMS

The conference agreement provides a total of $557,574,000 for nuclear energy programs. The Office of Nuclear Energy, Science and Technology is the lead office with landlord responsibilities for the Idaho site. Because this site provides considerable support to defense activities and naval nuclear reactors, $123,873,000 of costs is allocated to Other Defense Activities and $13,500,000 is allocated to Naval Reactors. Both programs are in the 050 budget function.

University Reactor Fuel Assistance and Support.—The conference agreement includes $27,000,000. The conferees support the inclusion of the Institute of Nuclear Science and Engineering at Idaho National Laboratory in this program.

Nuclear Energy Research and Development.—The conference agreement provides $226,000,000 for nuclear energy research and development. The conference agreement provides $66,000,000 for Nuclear Power 2010.

For Generation IV Nuclear Energy Systems, the conferees provide $55,000,000, of which $40,000,000 is provided for the Next Generation Nuclear Power Plant program. Within available funds, $4,000,000 is provided for the development of multiple high temperature fuel fabrication techniques in support of the Generation IV Nuclear Energy Systems.

The conferees provide $25,000,000 for the Nuclear Hydrogen Initiative. The conferees provide an additional $5,000,000 over the request to accelerate essential materials research and development and component design, test and evaluation for implementing the high temperature sulfuriodine water splitting process for hydrogen production necessary to the advanced reactor hydrogen co-generation project at Idaho National Laboratory.

The conferees provide $80,000,000 for the Advanced Fuel Cycle Initiative (AFCI), $10,000,000 over the request. The additional funds are to be used to accelerate the design activities associated with a proposed Engineering Scale Demonstration (ESD). This funding will allow completion of the conceptual design in fiscal year 2006 and enable pre-engineering design to commence in fiscal year 2007. The conferees direct the Department to accelerate the development of a separations technology that can address the current inventories of commercial spent nuclear fuel and select the preferred technology no later than the end of fiscal year 2007. The conferees direct the Department to submit the spent nuclear fuel recycling technology plan to the House and Senate Committees on Appropriations by March 1, 2006.

Reporting requirement.—The conferees direct the Department to submit to the House and Senate Committees on Appropriations a report on sodium bonded spent fuel, as outlined in the Senate report, no later than March 1, 2006.

Radiological Facilities Management.—The purpose of the Radiological Facilities Management program is to maintain the critical infrastructure necessary to support users from the defense, space, and medical communities on a reimbursable basis. The conference agreement provides $54,595,000 for this work.

The conferees provide $39,700,000 for Space and Defense Infrastructure. This includes the requested amounts to operate radioisotope power systems at the Idaho National Laboratory (INL), maintain iridium capabilities at Oak Ridge National Laboratory, and maintain and operate the Pu-238 mission at Los Alamos. The conferees recognize the need to free up floor space in TA–55 for pit production, and direct the Department to develop a strategy to relocate expeditiously the mission for Pu-238 processing from Los Alamos to INL. The conferees provide an increase of $8,500,000 for INL to plan and build the capability to assume the Pu-238 mission, so there is no gap in capability during the mission transfer. The conferees direct the Department to provide a mid-year report by March 31, 2006, on the transfer strategy and associated costs.

The conferees provide $14,395,000 for Medical Isotopes Infrastructure, and $500,000 for Enrichment Facility Infrastructure. The conferees provide no funding for the Medical Isotope Production and Building 3019 Complex Shutdown project. The conferees direct the Department to terminate promptly the Medical Isotope Production and Building 3019 Complex Shutdown project. The responsibility for disposition of the U–233 is transferred to the Defense Environmental Management program per DOE's recommendation, and the conferees have provided funds in the Defense Environmental Management appropriation for disposition of the material stored in Building 3019.

Idaho Facilities Management.—The conference agreement provides $113,862,000 for Idaho National Laboratory (INL) operations and infrastructure. Of this total, $82,600,000 is allotted to the 270 budget function and the balance, $31,262,000, is allotted to the 050

function and funded under Other Defense Activities and Naval Reactors. The conferees provide $102,907,000 for INL operations, $69,145,000 from function 270 Energy Supply, $17,762,000 from Other Defense Activities, and an increase of $13,500,000 from the Office of Naval Reactors to support the Idaho National Laboratory's Advanced Test Reactor (ATR) life extension program. The conferees also provide an additional $2,500,000 for the utility corridor extension project at the Idaho National Laboratory. The conferees provide $10,955,000 for Idaho facilities construction. This includes the requested amounts for the Gas Test Loop in the Advanced Test Reactor.

Idaho Site-wide Safeguards and Security.—The conferees provide $75,008,000 for Idaho sitewide safeguards and security as an 050 Defense Activity under the Other Defense Activities account.

Program Direction.—The conference agreement includes $61,109,000 for program direction. Of this amount, $30,006,000 is funded in the Energy Supply appropriation under budget function 270, and $31,103,000 is funded in the Other Defense Activities appropriation under budget function 050.

ENVIRONMENT, SAFETY AND HEALTH

The conference agreement provides $28,000,000 for non-defense environment, safety and health activities. The conference agreement includes $20,900,000 for program direction, the same as the budget request.

LEGACY MANAGEMENT

The conference agreement provides $33,522,000 for the Energy Supply-related activities of the Office of Legacy Management.

CONGRESSIONALLY DIRECTED ENERGY SUPPLY & CONSERVATION PROJECTS

Sub-accounts	Project	Conference recommendations
Biomass	Univ. of Georgia Biomass Pyrolysis Biorefinery Project (GA)	$1,250,000
	National Biofuel Energy Laboratory, NextEnergy Center (MI)	2,000,000
	Biomass Research Agricultural Development Ctr. (OH)	1,500,000
	Texas A&M Renewable Energy Animal Waste Project (TX)	1,000,000
	Wood Debris Bioenergy Project (CO)	1,000,000
	Clarkson Univ. Dairy Waste Public/Private Partnership (NY)	250,000
	Madison County Landfill Gas to Energy Project (NY)	1,000,000
	Asphalt Roofing Shingles into Energy Project, Xenia (OH)	1,000,000
	Ohio State University 4–H ''Green'' Building Project (OH)	1,000,000
	University of Iowa National Ag-Based Industrial Program (IA)	500,000
	Solid Waste Authority Pyramid Resource Center (OH)	2,000,000
	City of Stamford Waste-to-Energy Project (CT)	1,500,000
	Iowa State Univ. Biomass Energy Conversion Project (IA)	500,000
	Louisiana State Univ. Sugar Base Ethanol (LA)	500,000
	Iroquois Bio-Energy Consortium Ethanol Project (IN)	3,500,000
	Biotech to Ethanol Project (CO)	1,000,000
	New York Biomass/Methane Gas Power Fuel Cell Project (NY)	2,000,000
	Western Massachusetts Biomass Project (MA)	500,000
	Greenville Composite Biomass Project (ME)	750,000
	Research Triangle Institute Biomass Project (NC)	1,250,000
	Chariton Biomass Project (IA)	750,000
	Laurentian Bio-Energy Project (MN)	1,250,000
	Kona Carbon Biomass Project (HI)	1,000,000
	Mississippi State University Sustainable Energy Center (MS)	11,000,000
	Missouri Biodiesel Demonstration Project (MO)	1,000,000
	Auburn Alternative Fuel Source Study of Cement Kilns (AL)	1,000,000
	Canola-based Automotive Oil R&D (PA)	1,000,000
	Center for Advanced Bio-based Binders (IA)	800,000
	Devel. of Applied Membrane Technology for Processing Ethanol from Biomass (DE)	500,000
	Univ. of N. Iowa National Ag-Based Industrial Lubriant Center (IA)	500,000
	Michigan Biotechnology Institute (MI)	1,000,000
	Washington State Ferries Biodiesel Demonstration Project (WA)	500,000
	Oxydiesel demonstration project in California and Nevada (NV)	500,000
	LSU Biorefinery for Ethanol Chemicals, Animal Feed and Biomaterials (LA)	500,000
	Vermont Biomass Energy Resource Center (VT)	500,000
	UNLV Research Foundation Development of Biofuels Utilizing Ionic Transfer Membranes (NV)	3,000,000
Building tech	Carnegie Mellion Univ. Advanced Building Testbed (PA)	1,000,000
	National Center on Energy Management & Building Tech. (NV)	4,000,000
	University of Louisville Sustainable Buildings Project (KY)	400,000
Weath.	Office of International Energy Market Development (WV)	600,000
Clean Cities	E–85 Ethanol Vehicle Refueling Expansion (multi state)	500,000
Int-Govt.	International Utility Electricity Partnership (IUEP)	3,500,000
Prog.Supp	NREL virtual site office in Nevada (NV)	3,500,000
Geothermal	Ohio Wesleyan Univ. Geothermal Demonstration Project (OH)	750,000
	Springfield Equestrian Center Energy Efficiency Project (OH)	1,500,000
	Lipscomb University Geothermal System (TN)	500,000
	Geothermal and Renewable Energy Laboratory of Nevada (NV)	1,000,000
Hydrogen	University of South Carolina Fuel Cell Design Project (SC)	2,000,000
	Fuel Cell Freeze/Cold Start Program (CT)	1,000,000
	Center for Intelligent Fuel Cell Materials Design (multi-state)	1,500,000
	Hydrogen Fuel Cell Project Edison Materials Technology (OH)	2,500,000
	Indigenous Energy Development Center (PA)	1,000,000
	Delaware State University Center for Hydrogen Storage (DE)	1,000,000
	Florida Int'l Univ. Cntr for Energy & Tech. of the Americas (FL)	1,000,000
	City of Auburn Energy Production Issues at Wastewater Plant (NY)	900,000
	Hydrogen Fleet Infrastructure Demonstration Project (MI)	2,000,000
	Purdue Hydrogen Technologies Program (IN)	1,000,000
	Detroit Commuter Hydrogen Project (MI)	1,300,000
	City of Chicago Ethanol to Hydrogen Project (IL)	2,000,000
	California Hydrogen Storage and Systems Technologies (CA)	1,000,000
	Univ. of Arkansas at Little Rock Hydrogen Storage Project (AR)	400,000
	Univ. of Akron Fuel Cell Laboratory (OH)	500,000
	Kettering Univ. Fuel Cell Project (MI)	500,000
	Hydrogen Optical Fiber Sensors (CA)	500,000
	UNLV Research Foundation solar-powered thermochemical prod.of hydrogen (NV)	3,400,000
	UNLV Research Foundation hydrogen fuel cell & storage R&D (NV)	3,400,000
	Montana Palladium Research Center (MT)	2,500,000
	Regional Transportation Commission of Washoe Co. Hydrogen Fuel Cell Project (NV)	2,500,000
	U. of Arkansas Little Rock Nanotechnology Center production of Hydrogen (AR)	500,000
	UNLV Research Foundation renewable hydrogen fueling station system, including development of high pressure electrolysis using photovoltaics (NV).	3,400,000
	UNLV Research Foundation development of photoelectric chemical production of hydrogen (NV)	2,500,000
	Univ. of S. Mississippi's School of Polymers and High Performance Materials Improved Materials for Fuel Cell Membrans Program (MS)	500,000
	Univ. of Nevada-Reno Photoelectrochemical generation of hydrogen by solid nanoporous titanium dioxide project (NV)	3,000,000
	California Hydrogen Infrastructure Project (CA)	400,000
	Southern Nevada Alternative Fuels Demonstration Project (NV)	500,000
	Hydrogen Mine Loader Project (CO)	250,000
Solar Energy	Rensselaer Polytechnic Inst. Syracuse Univ. ''Green Building'' (NY)	750,000
	Crowder College Alternative Renewable Energy Center (MO)	1,000,000
	Univ. of Arkansas Research in Solar Energy Field (AK)	500,000
	Oregon Nanoscience and Microtechnologies Institute (OR)	1,500,000
	Conductive Coating Solar Cell Research Project (MA)	1,500,000
	Ultra Thin Film Photo Voltaic Charging System (FL)	1,000,000
	Brightfield Solar Energy (MA)	700,000
	National Orange Photovoltaic Demonstration (CA)	450,000
	Sandia National Lab. Development of advanced cells and modules (NM)	1,000,000
	Sandia National Lab. Megawatt demonstration concentrating solar project (NM)	3,500,000
	UNLV Research Foundation for photonics research, including evaluation of advanced fiber optics for hybrid solar lighting (NV)	2,500,000
Vehicle Tech.	Phase II Heavy Vehicle Hybrid Propulsion (WI)	3,000,000
	High Temperature Material Laboratory (TN)	1,000,000
	Turbocharger Diesel Engine R&D (multi-state)	4,000,000
	National Hybrid Truck Manufacturing Program (CA)	2,000,000

CONGRESSIONALLY DIRECTED ENERGY SUPPLY & CONSERVATION PROJECTS—Continued

Sub-accounts	Project	Conference recommendations
	Vehicle Test Strip Equipment Demonstration (NC)	1,500,000
	Oak Ridge National Lab highway transportation technologies (TN)	10,000,000
	Mississippi State University CAVS Center (MS)	4,000,000
	VULCAN Beam Line (TN)	2,000,000
	Transportable Emissions Testing Laboratory	1,500,000
Wind Energy	Mt. Wachusett Community College Wind Project (MA)	1,000,000
	Wyandotte Wind Energy on Brownfields Initiative (MI)	1,000,000
	Illinois State University Wind Energy Resources (IL)	1,000,000
	Texas Tech. Univ. Great Plains Wind Power Facility (TX)	500,000
	Brigham City Turbine (UT)	500,000
	TowerPower Wind Project (MD)	750,000
	White Earth Tribal Nation Wind Project (MN)	1,000,000
	Coastal Ohio Wind Project (OH)	1,000,000
	Randall's and Ward's Island Wind Project (NY)	1,000,000
	Brigham City, UT Wind Energy Project (UT)	500,000
	Alaska Wind Energy (AK)	1,500,000
	Renewable Energy for Rural Economic Development Program (UT)	500,000
	Synchronous Wind Turbines (ID)	500,000
	Texas Tech. Great Plains Wind Power Test Facility (TX)	1,000,000
	North Dakota Hydrogen Wind Pilot Project (ND)	500,000
	Fox Ridge Renewable Energy Education Center (SD)	500,000
	PowerJet Wind Turbine Project (NV)	250,000
OE	Iowa Stored Energy Plant Project (IA)	1,500,000
	University of Louisville Electric Grid Monitoring (KY)	1,000,000
	Gonzaga University electric utility transformation program (WA)	800,000
	Emerson Network Power,Columbus Ohio (OH)	2,000,000
	Energy Security and diversification at Savannah River National Lab (SC)	1,000,000
	City of Nome power generation replacement project (AK)	1,000,000
	Gridwise Northwest Demonstration Project (WA)	1,500,000
	Juneau-Green Creek-Hoonah intertie for Juneau area power system (AK)	1,000,000
	Complete of bi-polar wafer cell Ni-MH electric energy storage system (CT)	1,500,000
	Connecticut Demand Response Technologies Project (CT)	1,000,000
	Notre Dame University Ionic Liquids Research collaboration (IN)	1,500,000
	Advanced Grid Application Consortium (PA)	2,000,000
	Pilot Energy Cost Control Evaluation Project at NETL (WV)	2,000,000
	Green Island Power Authority, Advanced Transmission Project (NY)	1,000,000
	Cleveland State Ctr. for Research in Electric and Aerospace Tech. (OH)	1,000,000
	Advanced Energy Storage, PCRT(MA)	1,000,000
	Tennessee Tech. Univ. Optimization of High Voltage lines (TN)	1,000,000
	Advanced Technology Center (IL)	1,000,000
	Continued Development of an energy information training facility at Camp Dawson (WV)	2,500,000
	West Virginia Univ. Integrated control of next generation power systems project (WV)	1,000,000
	Deployment testing and analysis of advanced energy storage systems for telecommunications applications in Kansas (KS)	2,500,000
	Hawaii/New Mexico Sustainable Energy Security Partnership (HI/NM)	3,000,000
	Navajo Electrification Project (NM)	1,000,000
	Load Control System Reliability (MT)	2,000,000
	University of Missouri-Rolla for electric grid modernization (MO)	1,000,000
	Integrated Distribution Management Systems in Alabama (AL)	800,000
	Houston Advanced Research Center for Second generation dish temperature super conductor devekopment (TX)	250,000
Nuclear Energy	Transfer of Nuclear Safety Technologies in Lithuania 3,000,000.	
	Utility Corridor Extension Project at the Idaho Natioal Lab (ID)	2,500,000
	UNLV Research Foundation 5–year cooperative agreement to study deep burn-up of nuclear fuel and other fuel cycle research to eliminate the need for multiple spent nuclear fuel repositories, to eliminate weapons useable materials from disposed spent fuel, and to maintain forever potential radiological releases from a repository below currently legislated limits (NV).	5,000,000
	Idaho Accelerator Center (ID)	2,000,000
	Nuclear Energy Materials Test Station at Los Alamos Neutron Science Center (NM)	3,500,000
	University of Nevada Reno Center for Materials Reliability (NV)	1,000,000
	Univ. of Nevada Reno Nuclear Transportation Hazard Research (NV)	750,000

CLEAN COAL TECHNOLOGY

(DEFERRAL AND RESCISSION)

The conference agreement provides for the deferral of $257,000,000 in clean coal technology funding until fiscal year 2007. These balances are no longer needed to complete active projects in this program. These funds are to be used for costs associated with the FutureGen program in fiscal year 2007 and beyond, to develop a coal-fired, nearly emissions-free electricity and hydrogen generation plant. The conference agreement rescinds $20,000,000 of prior year uncommitted balances from excess contingency estimates in demonstration projects. This rescission was misapplied to Fossil Energy Research and Development in both the House and Senate reports, and is now correctly applied to Clean Coal Technology.

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

The conference agreement provides $597,994,000 for fossil energy research and development. Bill language is included providing that Federal employees in fiscal year 2006 performing research and development activities at the National Energy Technology Laboratory can be funded from program accounts. The conferees direct the Department to budget for the salaries and expenses of federal employees in program direction accounts, and the fiscal year 2007 budget request should reflect this adjustment.

Clean coal power initiative.—The conference agreement provides $50,000,000, the amount of the budget request for the Clean Coal Power Initiative (CCPI). The $50,000,000 request from the Administration in fiscal year 2006 is woefully short of the $200,000,000 commitment made by the Administration. The conferees direct the Administration to fulfill the commitments made to CCPI. Funds remaining from the termination of the low emission boiler project are to be transferred to the Clean Coal Power Initiative.

FutureGen.—The conference agreement provides $18,000,000, the amount of the request for FutureGen. The conferees understand and recognize the value of the FutureGen project. However, the conferees are concerned about maintaining adequate funding for the core fossil energy research, development, and demonstration programs, especially with the new programmatic demands of the Energy Policy Act of 2005. The conferees will continue to give full consideration to the FutureGen project, contingent upon the Administration maintaining adequate funding requests for other related fossil energy programs.

Fuels and Power Systems.—The conference agreement provides a total of $311,998,000 for Fuels and Power Systems. Within the funds provided, the conferees provide $25,400,000 for innovations at existing plants; $56,450,000 for advanced Integrated Gas Combined Cycle; $18,000,000 for advanced turbines; $67,000,000 for carbon sequestration (including $6,000,000 for Center for Zero Emissions Research and Technology of which $1,500,000 is for the Los Alamos National Laboratory); $29,000,000 for fuels; $62,000,000 for fuel cells including $8,000,000 for high temperature electrochemistry; and $53,154,000 for advanced research. The conferees provide $4,000,000, the amount of the budget request, for the Focus Area for the Computational Energy Science. The conferees provide $994,000 for the U.S./China Energy and Environmental Center. The conferees direct that any hydrogen research and development funded under Fossil Energy be focused on fossil fuels research and development. The conferees are aware of the work conducted by C1Chemistry, and encourage the Department to consider proposals for additional research by the consortium.

Natural Gas Technologies.—The conference agreement provides $33,000,000 for natural gas technologies, an increase of $23,000,000 over the budget request. The conferees provide $9,000,000 for advanced drilling, completion and stimulation, including Deep Trek; $4,000,000 to continue work aimed at expanding the recoverability of natural gas from low-permeability formations; $2,000,000 for stripper wells and technology transfer; $1,000,000 to improve the reliability and efficiency of gas storage systems; and $2,000,000 for liquid natural gas technologies. Within the funds provided, the conference agreement includes $12,000,000 for gas hydrates, and $3,000,000 to continue research to develop treatment technologies that will allow water from conventional gas wells or coal bed methane wells to be put to beneficial use or to be safely discharged to the surface.

Petroleum-Oil Technologies.—The conference agreement provides $32,000,000 for petroleum-oil technologies, an increase of $22,000,000

over the budget request. The conferees provide $4,000,000 for enhancing utilization of industrial carbon dioxide; $4,000,000 for drilling and completion enhancements that support microhole exploration; $4,000,000 for reservoir imaging; $3,000,000 for improved gas flooding recovery methods; $6,000,000 reservoir life extension; $10,000,000 for environmental protection; and, $1,000,000 for the Interstate Oil and Gas Compact Commission.

Program Direction.—The conference agreement includes $106,941,000, an increase of $8,000,000 above the budget request, for the National Energy Technology Laboratory to maintain the personnel that otherwise would have been lost as the result of the proposed gas and petroleum-oil program reductions in the budget request.

Plant and Capital Equipment.—The conference agreement includes $20,000,000 for plant and capital equipment, an increase of $20,000,000 above the budget request. Within these funds, $18,000,000 is for the infrastructure improvement program at the National Energy Technology Laboratory and $2,000,000 is for general plant projects.

Other programs.—The conference agreement includes $9,600,000 for fossil energy environmental restoration; $1,799,000 for import/export authorization; $8,000,000 for advanced metallurgical research; $656,000 for special recruitment programs; and $6,000,000 for the Energy and Environmental Research Center under cooperative research and development.

Prior year balances.—The conference agreement recommends no reduction in prior year balances, instead of the $20,000,000 reduction as proposed by the House and by the Senate.

Congressionally Directed Projects.—The conferees' recommendation includes the following Congressionally directed projects, within available funds. The conferees remind recipients that statutory cost sharing requirements may apply to these projects.

CONGRESSIONALLY DIRECTED FUELS & POWER PROJECTS

Accounts	Project	Conference recommendation
Fuels&Power	Ramgen engine development (multi state)	$2,500,000
	MW-Scale oxide fuel cell gas turbine hybrid system (multi state)	2,500,000
	MW-Scale Solid oxide fuel cell stat. power generation (OH)	3,000,000
	Jupiter Oxy Fuel Tech (multi state)	7,800,000
	Solid oxide fuel cell tech. Stat power applications project (NC)	1,000,000
	Powerspan Electro Catalytic Oxidation project (OH)	1,000,000
	New York City Parks Randall's Island (NY)	1,000,000
	Center for Advanced Separation Technologies (VA)	1,000,000
	Power Plant Flue Gas Cleaning/Poll Elimination project (VA)	2,200,000
	GEDAC packaged Gas Engine-Driven Heat Pump (multi state)	2,200,000
	Planar Solid Oxide Fuel Cell Project (CA)	1,500,000
	Advanced Metallurgical Process, Albany Research Center (OR)	1,300,000
	Energy and Environmental Research Center (EERC) (ND)	1,000,000
	Development of continuous solvent extraction processes for coal derived carbon products (WV)	700,000
	West Virginia Univ. study of long-term environmental and economic impacts of the development of coal liquefaction in China (WV)	500,000
	WVU Lightweight composite materials for heavy duty vehicles program (WV)	500,000
	Coal to Liquids Program—Phase II (MT)	2,000,000
	Utah Center for Ultra-Clean Coal Utilization (UT)	1,900,000
	Coal-Waste Slurry Reburn Project (PA)	500,000
	Univ. of Wyoming Multi-Disciplinary Coal-bed Natural Gas Research Center (WY)	1,500,000
	National Center for Hydrogen Technology (ND)	2,500,000
	ITM/Syngas Project (PA)	2,000,000
	Solid Oxide Fuels Cells (PA)	4,000,000
	National Biofuel Energy Laboratory (MI)	2,000,000
	Arctic Energy Office (AK)	7,000,000
	Risk Base Data Management System (AK)	400,000
	Utah Center for Heavy Oil Research (UT)	1,500,000
	University of Mississippi hydrates research (MS)	1,000,000

NAVAL PETROLEUM AND OIL SHALE RESERVES

The conference agreement provides $21,500,000, the same as the Senate, and an increase of $3,000,000 over the House, to support the activities under the Naval Petroleum Reserve (NPR) Colorado, Utah, and Wyoming program.

Reporting requirements.—Within available funds, the conferees direct the Department to conduct a study on the environmental liabilities at the Rocky Mountain Oilfield Testing Center (RMOTC) in Wyoming. The study should include field work to determine the scope of the contamination and the life cycle cost to remediate the site. The report is due to the House and Senate Committees on Appropriations by May 1, 2006.

ELK HILLS SCHOOL LANDS FUND

The conferees provide $48,000,000, the same as the budget request, for the Elk Hills School Lands Fund. Combined with the fiscal year 2005 advance appropriation of $36,000,000, this will make available a total of $84,000,000 in fiscal year 2006, as proposed by both the House and the Senate.

STRATEGIC PETROLEUM RESERVE

The conference agreement provides $166,000,000, for the strategic petroleum reserve as proposed by both the House and the Senate. The conferees recognize the Department will be conducting a site selection process for the expansion of the strategic petroleum reserve as provided in the Energy Policy Act of 2005.

NORTHEAST HOME HEATING OIL RESERVE

The conference agreement provides no new funding, consistent with the budget request, for the Northeast Home Heating Oil reserve, because the Department has confirmed that sufficient carryover balances exist.

ENERGY INFORMATION ADMINISTRATION

The conference agreement provides $86,176,000, $250,000 above the request, for the Energy Information Administration. The increase above the request is to fund increased requirements for cybersecurity measures to safeguard computer systems and data integrity.

NON-DEFENSE ENVIRONMENTAL CLEANUP

The conference agreement provides $353,219,000 for Non-Defense Environmental Cleanup, an increase of $3,285,000 over the budget request. This increase is for the East Tennessee Technology Park at Oak Ridge National Laboratory.

Milestone report.—While the budget structure has changed, the conferees remain interested in whether the Department has met its goals for completion for years 2006, 2012, and 2035. The conferees request a report by site that tracks accelerated clean-up milestones, whether they are being met or not, and includes annual budget estimates and life-cycle costs, due to the House and Senate Committees on Appropriations by March 1 and September 1 of each year.

Reprogramming Authority.—The conferees continue to support the need for flexibility to meet changing funding requirements at sites. In fiscal year 2006, the Department may transfer up to $2,000,000 within accounts, and between accounts, to reduce health or safety risks or to gain cost savings as long as no program or project is increased or decreased by more than $2,000,000 once during the fiscal year. The account control points for reprogramming are the Fast Flux Test Reactor Facility, West Valley Demonstration Project, Gaseous Diffusion Plants, Small Sites, and construction line-items. This reprogramming authority may not be used to initiate new programs or to change the funding levels for programs specifically denied, limited, or increased by Congress in the Act or statement. The Committees on Appropriations in the House and Senate must be notified within thirty days of the use of this reprogramming authority.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

The conference agreement provides $562,228,000 for activities funded from the Uranium Enrichment Decontamination and Decommissioning (UED&D) Fund. This amount includes $542,228,000 for decontamination and decommissioning activities at the gaseous diffusion plants and $20,000,000 for Title X uranium and thorium reimbursements. For the decontamination and decommissioning of the gaseous diffusion plants, the conferees provide $192,157,000 for Portsmouth, Ohio; $105,000,000 for Paducah, Kentucky; and $245,071,000 for East Tennessee Technology Park in Oak Ridge.

The conferees direct the Government Accountability Office (GAO) to investigate the contamination of phosgene at the gaseous diffusion plants.

SCIENCE

The conference agreement provides $3,632,718,000, instead of $3,666,055,000 as proposed by the House and $3,702,718,000 as proposed by the Senate. Specific funding allocations and earmarks proposed by the House and Senate are superceded by the allocations and earmarks listed in this joint explanatory statement.

High Energy Physics.—The conference agreement provides $723,933,000 for high energy physics research. The control level is at the High Energy Physics level. An additional $10,000,000 is provided for research on the international linear collider and for upgrades to the neutrino research program. The conferees support the DOE/NASA Joint Dark Energy Mission (JDEM) and encourage the Department to move JDEM forward aggressively to accomplish this important research.

Nuclear Physics.—The conference agreement provides $370,741,000 for nuclear physics research, including $2,000,000 of construction funds for project engineering and design of the electron beam ion source at Brookhaven National Laboratory (project 06–SC–02). The conferees support the Rare Isotope Accelerator (RIA) but are concerned that the Department does not seem to be making tangible progress toward realization of RIA. The conferees reiterate the reporting requirement, as outlined in Senate Report 109–84, for the Department to define a specific path forward on RIA. The conferees also recognize the importance of the 12 GeV upgrade of the Continuous Electron Beam Accelerator Facility at the Thomas Jefferson National Accelerator Facility and support initiation of project engineering and design within available funds.

Biological and Environmental Research.—The conference agreement includes $585,688,000 for biological and environmental research, an increase of $130,000,000 over the budget request. This increase is provided to fund Congressionally-directed projects as listed in the table below. Within available funds, the conferees direct the Department to provide an additional $3,500,000 for upgrades to instrumentation at the Environmental Molecular Sciences Laboratory (EMSL). The conferees support the development of the proposed Genomes to Life (GTL) facilities, and encourage the Department to budget for the first of these GTL facilities, for the production and characterization of proteins and molecular tags, in fiscal year 2007. The conferees encourage the Department to reduce the cost of the GTL facilities to accelerate deployment of all four proposed GTL centers. Due to the nature of this research, there is a need for all of the facilities to be deployed to meet the scientific challenge of molecular characterization. The conferees recommend that the Department conduct an open competition for the siting of these GTL facilities.

CONGRESSIONALLY DIRECTED OFFICE OF SCIENCE PROJECTS

Project	*Conference recommendation*
BER Univ. of Alabama Dept. of Neurobiology to purchase a FMRI (AL)	$300,000
BER Baylor University Lake Whitney Assessment (TX)	500,000
BER SUNY IT Nano-Bio-Molecular Technical Incubator (NY)	750,000
BER San Antonio Cancer Center (TX)	500,000
BER University of South Alabama Cancer Research Institute (AL)	500,000
BER Indiana Wesleyan University Marion for a registered nursing program (IN)	500,000
BER Virginia Commonwealth University Massey Cancer Center (VA)	1,000,000
BER Construction of new science facility at Bethel College (IN)	300,000
BER University of Wyoming Coalbed Methane research center (WY)	500,000
BER Hampton University Cancer Treatment Center (VA)	500,000
BER George Mason University research against Biological Agents (VA)	1,000,000
BER Lehigh University Critical Infrastructure Lab. (PA)	400,000
BER St. Thomas University Minority Science center (FL)	400,000
BER Seton Hall Science/Tech Center (NJ)	500,000
BER Alvernia College for a Science and Health Building (PA)	500,000
BER Institute for Advanced Learning Research Dansville (VA)	400,000
BER Galileo Magnet High School Danville (VA)	100,000
BER Washington & Jefferson science initiative (PA)	400,000
BER Science building at Waubonsee Community College (IL)	2,000,000
BER AVETeC data mamt.electronics and comm. NextEdge Tech.Park (OH)	3,000,000
BER Duchenne Muscular Dystrophy research Univ. of Washington School of Med. (WA)	300,000
BER Duchenne Muscular Dystrophy research Children's National Medical Ctr. (DC)	300,000
BER Ohio State University for Earth University (OH)	300,000
BER Northeast Regional Cancer Institute (PA)	300,000
BER Centenary College laboratory (NJ)	500,000
BER Construction of Science Center at Midwestern Univ. (IL)	300,000
BER Univ. of Oklahoma Center Applications Single-Walled Nanotubes (OK)	1,000,000
BER University of Connecticut live cell molecular imaging (CT)	300,000
BER University of Central Florida for optics tech in X-Ray (FL)	700,000
BER North Shore-Long Island Jewish Health System Breast Cancer Research (NY)	500,000
BER Michigan Research Institute Life Science Research Center (MI)	1,350,000
BER Univ. of Arizona Environmental and Natural Resources Phase II (AZ)	1,000,000
BER Children's Hospital of Illinois (IL)	500,000
BER Research Equipment Coe College (IA)	300,000
BER Loma Linda University Medical Center (CA)	2,000,000
BER Triology Linear Accelerator at Owensboro Medical Health System (KY)	300,000
BER Burpee Museum of Natural History (IL)	500,000
BER Rockford Health Council (IL)	700,000
BER Henry Mayo Hospital to purchase new equipment (CA)	400,000
BER Washington State University Radio Chemistry (WA)	300,000
BER Lapeer Regional Medical Center linear accelerator (MI)	300,000
BER University of Nebraska at Kearney (NE)	400,000
BER Science Media program at Ball State University (IN)	400,000
BER Franklin and Marshall life science building (PA)	500,000
BER Boulder City Hospital (NV)	300,000
BER Grady Health system disaster preparedness center project (GA)	300,000
BER Great Lakes Science Center (OH)	750,000
BER Cleveland Clinic Brain Mapping (OH)	1,000,000
BER Roswell Park Cancer Center (NY)	500,000
BER St. Marys Cancer Center Long Beach (CA)	500,000
BER National Polymer Center at the University of Akron (OH)	500,000
BER Biological and Environmental Center at Mystic Aquarium (CT)	500,000
BER Riverview Medical Center oncology program (NJ)	300,000
BER Saratoga Hospital Radiation Therapy Center (NY)	750,000
BER State University of New York- Delhi (NY)	750,000
BER Kern Medical Center to purchase and install MRI machine (CA)	1,000,000
BER Western Michigan University Geosciences Initiative (MI)	100,000
BER Environmental System Center at Syracuse University (NY)	700,000
BER SUNY-ESF Woody Biomass Project (NY)	700,000
BER ORNL Supercomputer Connectivity NextEdge Technology Park (TN)	900,000
BER Oliveit Nazarene University Science Lab (IL)	300,000
BER Northern Virginia Comm. College training biotechnology workers (VA)	500,000
BER Recording for the Blind and Dyslexic (FL)	500,000
BER Eckerd College Science Center (FL)	500,000
BER Notre Dame Ecological Genomics Research Institute (IN)	1,750,000
BER Inland Water Environmental Institute (ID,WA,UT)	1,000,000
BER St. Francis Science Center (IN)	250,000
BER Medical Research and Robotics, University of Southern California (CA)	1,000,000
BER Hampshire College National Center for Science Education (MA)	500,000
BER Pioneer Valley Life Science Initiative Univ. of Massachusetts (MA)	750,000
BER MidAmerica Nazarene Univ. nursing biological science program (KS)	750,000
BER Westminster College Science Center (UT)	750,000
BER City College of San Francisco-Health Related Equipment (CA)	750,000
BER Science South Development (SC)	1,000,000
BER St. Joseph Science Center (PA)	750,000
BER University North Carolina Biomedical Imaging (NC)	750,000
BER Augsburg College (MN)	1,000,000
BER Morehouse School of Medicine (GA)	1,000,000
BER Jersey City Medical Center (NJ)	1,000,000
BER University of Rochester James P. Wilmot Cancer Center (NY)	1,000,000
BER Bronx Community College Center for Sustainable Energy (NY)	1,000,000
BER Texas A&M Lake Granbury and Bosque River Assesment (TX)	500,000
BER Methodist College Environmental Simulation Research (NC)	500,000
BER Brooklyn College Microscope and Imaging Center (NY)	750,000
BER Warner Robins Air Logistics Center (GA)	750,000
BER University of Chicago Comer Children's Hospital (IL)	1,000,000

Project	Conference recommendation
BER Martha's Vineyard Hospital (MA)	750,000
BER Joint environmental stewardship at SUNY New Paltz and Ulster CC (NY)	750,000
BER Central Arkansas Radiation Therapy Institute/Mountain Home (AR)	500,000
BER Children's Hospital of Los Angles (CA)	750,000
BER Wake Forest University Institute for Regenerative Medicine (NC)	750,000
BER Indianapolis Energy Conversion Institute (IN)	1,000,000
BER Philadelphia Educational Advancement Alliance (PA)	450,000
BER Barry University-Miami Shores (FL)	300,000
BER Montgomery College Biotechnology Project (MD)	500,000
BER Purdue Calument Water Institute (IN)	500,000
BER University of Chicago Integrated Bioengineering Institute (IL)	750,000
BER Mind Institute in New Mexico (NM)	11,000,000
BER Mississippi State University Bio-fuel Application (MS)	1,000,000
BER University of Louisville Institute for Advanced Materials (KY)	1,500,000
BER Center for River Dynamics and Restoration at Utah State University (UT)	400,000
BER Texas Metroplex Comprehensive Imaging Center (TX)	2,500,000
BER Ultra Dense Memory Storage for Supercomputing in Colorado (CO)	1,000,000
BER Health Sciences Research and Education Facility (MO)	1,500,000
BER National Center for Regenerative Medicine (OH)	1,500,000
BER U. of Alabama at Birmingham-Radiation Oncology Functional Imaging Program (AL)	1,000,000
BER University City Science Park, Philadelphia (PA)	1,500,000
BER Jackson State University Bioengineering Complex (MS)	2,000,000
BER Regis University Science Building Renovation Project (CO)	800,000
BER St. Jude's Children's Research Hospital (TN)	500,000
BER California Hospital Medical Center PET/CT Fusion Imaging System (CA)	500,000
BER Mount Sinai Medical Center Imaging and Surgical Equipment (FL)	1,000,000
BER Benedictine University Science Lab & Research Equipment (IL)	350,000
BER Swedish American Health Systems (IL)	350,000
BER La Rabida Children's Hospital, Chicago (IL)	350,000
BER Edward Hospital, Plainfield, IL (IL)	500,000
BER Rush Medical Center (IL)	250,000
BER Morgan State University Center for Environmental Toxicology (MD)	800,000
BER Mt. Sinai Hospital Cardiac Catherization Lab (MD)	350,000
BER U. of Mass. at Boston Multi-Disciplinary Research Facility & Library (MA)	500,000
BER CIBS Solar Cell Development (NE)	400,000
BER University Medical Center of S. Nevada Radiology/Oncology Equip. (NV)	1,000,000
BER Pyramid Lake Paiute Tribe Energy Project (NV)	250,000
BER University of Delaware Medical Research Facility (DE)	550,000
BER St. Francis Hospital, Delaware Linear Accelerator (DE)	500,000
BER Wastewater Pollution and Incinerator Plant in Auburn, NY (NY)	250,000
BER South Nassau Hospital Green Building (NY)	1,500,000
BER ViaHealth/Rochester General Hospital Emergency Department (NY)	400,000
BER University of Vermont Functional MRI Research (VT)	400,000
BER Vermont Institute of Natural Sciences (VT)	1,000,000
BER Castleton State College Math and Science Center (VT)	2,000,000
BER Nevada Cancer Institute (NV)	1,000,000
BER Queen's Medical Center Telemedicine Project (HI)	500,000
BER Michigan Technological University Fuel Cell Research (MI)	500,000
BER St. Francis Hospital Escanaba, Michigan (MI)	250,000
BER Sarcoma Alliance for Research through Collaboration (MI)	250,000
BER Hackensack University Medical Center Green Building (NJ)	1,000,000
BER Hackensack U. Medical Center Ambulatory Adult Cancer Center (NJ)	250,000
BER College of New Jersey Genomic Analysis Facility (NJ)	250,000
BER W. Michigan U. Expanded Energy & Natural Resources Learning Ctr (MI)	500,000
BER Arnold Palmer Prostate Center (CA)	500,000
BER LA Immersive Tech. Enterprise program at the U. of LA-Lafayette (LA)	400,000
BER Brown University MRI Scanner (RI)	1,000,000
BER University of Dubuque Environmental Science Center (IA)	700,000
BER New School University in New York City (NY)	500,000
BER Oregon Nanoscience and Microbiologies Institute (OR)	400,000
BER GeoHeat Center at the Oregon Renewable Energy Center (OR)	500,000
BER Portland Center Stage Armory Theater Energy Conservation Project (OR)	500,000
BER U. of Massachusetts Medical School NMR Spectrophotometer (MA)	250,000
BER Mojave Bird Study (NV)	250,000
BER Minnesota Center for Renewable Energy	500,000
BER Science Center at Malby Nature Preserve in Minnesota (MN)	250,000
BER Existing Business Enhancement Program Building, U. of N. Iowa (IA)	1,000,000
BER Medical University of South Carolina (SC)	500,000
BER Community College of Southern Nevada Transportation Academy (NV)	500,000
BER South Dakota State University (SD)	1,000,000
BER Univ. of Arkansas Cancer Research Center (AR)	1,000,000
BES Altair Nanotech (NV)	2,500,000
MM UCLA Institute for Molecular Medicine (CA)	7,000,000
MM New York Structural Biology Center (NY)	750,000
BER University of North Dakota Center for Biomass Utilization (ND)	1,000,000
BER St. Joseph College, West Hartford alternative sources of energy dem.project (CT)	500,000
BER Portland State University's Solar Photovoltaic Test Facility System (OR)	150,000
BER Brockton Photovoltaic Initiative (MA)	100,000

Basic Energy Sciences.—The conferees provide $1,146,017,000 for basic energy sciences, the same as the budget request. The conference agreement includes $746,143,000 for materials sciences and engineering research, and $221,801,000 for chemical sciences, geosciences, and energy biosciences. All basic energy science construction projects are funded at the request level: $41,744,000 for the Spallation Neutron Source (99–E–334) at Oak Ridge National Laboratory; $2,544,000 for Title I and Title II design work (03–SC–002) and $83,000,000 to initiate construction (05–R–320) for the Linac Coherent Light Source at the Stanford Linear Accelerator Center; $36,553,000 for the Center for Functional Nanomaterials (05–R–321) at Brookhaven National Laboratory; $9,606,000 for the Molecular Foundry (04–R–313) at Lawrence Berkeley National Laboratory; and $4,626,000 for the Center for Integrated Nanotechnologies (03–R–313) at Los Alamos and Sandia National Laboratories. Also included at the request level is $7,280,000 for the Experimental Program to Stimulate Competitive Research (EPSCoR). Within available funds, the conferees encourage the Department to continue the purchase of fuel for the High Flux Isotope Reactor. The conferees note the recent CD–0 decision on the National Synchrotron Light Source-II at Brookhaven National Laboratory, and encourage the Department to fund expeditiously the project engineering and design for this facility.

Advanced Scientific Computing Research.—The conference agreement includes $237,055,000 for advanced scientific computing research, an increase of $30,000,000 over the budget request. This increase is provided to the Center for Computational Sciences to accelerate the efforts to develop a leadership-class supercomputer to meet scientific computational needs. Of this $30,000,000, $25,000,000 should be dedicated to hardware and $5,000,000 to competitive university research grants.

Science Laboratories Infrastructure.—The conferees provide a total of $42,105,000 for science laboratories infrastructure, an increase of $2,000,000 over the budget request. The additional funds are provided to complete project engineering and design and initiate construction for the 300 Area capability replacement laboratory at Pacific Northwest National Laboratory (project MEL–001–046). Within available funds, the conferees direct the Department to continue to make PILT payments associated with Argonne National Laboratory at the fiscal year 2005 level.

Fusion Energy Sciences.—The conferees provide $290,550,000 for fusion energy sciences, the same as the budget request. The conferees direct the Department to utilize $29,900,000 of funding proposed for ITER work in fiscal year 2006 to restore U.S.-based fusion funding to fiscal year 2005 levels as follows: $7,300,000 for high performance materials for fusion; $8,700,000 to restore operation of the three major user facilities to fiscal year 2005 operating levels; $7,200,000 for

intense heavy ion beams and fast ignition studies; $5,100,000 for compact stellarators and small-scale experiments; and $1,600,000 for theory. As in previous years, the conferees direct the Department to fund the U.S. share of ITER in fiscal year 2007 through additional resources rather than through reductions to domestic fusion research or to other Office of Science programs. Within available funds, the conferees include $1,000,000 for non-defense research activities at the Atlas Pulse Power facility. In addition, the conferees direct the Government Accountability Office (GAO) to undertake a study of the Office of Science Fusion Energy Sciences program in order to define the role of the major domestic facilities in support of the ITER, including recommendations on the possible consolidation or focus of operations to maximize their research value in support of ITER. The GAO shall also evaluate the opportunities to leverage the National Nuclear Security Administration investment as an alternative to the tokamak concept.

Safeguards and Security.—The conference agreement includes $74,317,000 for safeguards and security, the same as the requested amount.

Science Workforce Development.—The conference agreement includes $7,192,000 for Science Workforce Development, the same as the budget request.

Science Program Direction.—The conferees provide $160,725,000 for Science Program Direction. The control level for fiscal year 2006 is at the program account level of Science Program Direction.

Funding Adjustments.—The conference agreement includes an offset of $5,605,000 for the safeguards and security charge for reimbursable work.

NUCLEAR WASTE DISPOSAL

The conference agreement provides $150,000,000 for Nuclear Waste Disposal. When combined with the $350,000,000 provided in the Defense Nuclear Waste Disposal account, this makes a total of $500,000,000 available in fiscal year 2006 for activities related to nuclear waste disposal.

Repository program.—During 2005, the Department was unable to complete the License Support Network and faced problems in the quality assurance for water modeling done by the U.S. Geological Survey, several significant legal setbacks, and a major, controversial proposed change to the radiation standard for the repository. These events impact on the Department's ability to submit a quality License Application during fiscal year 2006, as originally scheduled. Further significant schedule slippages are likely. While the Department claims to be taking a number of corrective actions to address these problems, these changes mean that the Department will not be performing all of the license preparation and license defense activities that were originally envisioned when the fiscal year 2006 budget request of $651,000,000 was developed. The conferees believe that $450,000,000 will be sufficient in fiscal year 2006.

Assistance to affected units of local government.—Within the funds made available for the repository program, the conferees provide $2,000,000 to the State of Nevada; $7,500,000 for the affected units of local government; and $500,000 for Nye County, Nevada, as authorized under the Nuclear Waste Policy Act for appropriate oversight actions. These funds for Nye County shall be separate and apart from oversight funding under Section 116(c) of the Nuclear Waste Policy Act. The conferees have included bill language reducing the Department's fiduciary responsibility for this oversight funding in light of the adversarial nature of the license application process. Additionally, the conferees direct the Department to renew, as appropriate, existing cooperative agreements with affected units of local government. The Department is specifically directed to enter into a three-year cooperative agreement with Inyo County, California, to complete the study of groundwater connections between Yucca Mountain and Death Valley National Park. The conferees expect this agreement to be in place in time to enable winter test drilling in Death Valley during the winter of 2005–2006.

Integrated spent fuel recycling.—Given the uncertainties surrounding the Yucca Mountain license application process, the conferees provide $50,000,000, not derived from the Nuclear Waste Fund, for the Department to develop a spent nuclear fuel recycling plan. Under the Nuclear Energy account, the conferees provide additional research funds to select one or more advanced recycling technologies and to complete conceptual design and initiate pre-engineering design of an Engineering Scale Demonstration of advanced recycling technology. Coupled with this technology research and development effort, funds are provided under the Nuclear Waste Disposal account to prepare the overall program plan and to initiate a competition to select one or more sites suitable for development of integrated recycling facilities (i.e., separation of spent fuel, fabrication of mixed oxide fuel, vitrification of waste products, and process storage) and initiate work on an Environmental Impact Statement. The site competition should not be limited to DOE sites, but should be open to a wide range of other possible federal and non-federal sites on a strictly voluntary basis. The conferees remind the Department that the Nuclear Waste Policy Act prohibits interim storage of nuclear waste in the State of Nevada. To support the development of detailed site proposals for this competition, the conferees make a total of $20,000,000 available to the site offerors, with a maximum of $5,000,000 available per site. To be eligible to receive these funds, each applicant site must be able to identify all state, regulatory, and environmental permits required for permitting this facility, including identifying any legislative or regulatory prohibitions that might prevent siting such a facility. The conferees direct the Secretary to submit a detailed program plan to the House and Senate Committees on Appropriations not later than March 31, 2006, and to initiate the site selection competition not later than June 30, 2006. The target for site selection is fiscal year 2007, and the target for initiation of construction of one or more integrated spent fuel recycling facilities is fiscal year 2010. Any funds deemed to be in excess of the needs for the integrated recycling program plan may only be diverted to other activities after submittal and approval of a formal reprogramming to Congress.

DEPARTMENTAL ADMINISTRATION

The conference agreement provides a net appropriation of $129,817,000 for Departmental Administration expenses. This amount includes a transfer of $87,575,000 from Other Defense Activities for defense-related Departmental Administration activities and the Congressional Budget Office estimate of $123,000,000 for revenues. Specific funding levels for each organization funded under the Departmental Administration account are detailed in the accompanying table. The conferees include bill language requiring a report on security at Building 3019, Oak Ridge National Laboratory.

Chief Information Officer.—The conferees provide $39,385,000, an increase of $1,418,000 over the current year level. The conferees do not support the proposed 63 percent growth in support services contracts for the Chief Information Officer.

Congressional and intergovernmental affairs.—The conference agreement provides $4,826,000, the same as the current year funding level. The conferees expect that the Department will continue the long-standing practice that the primary channel for Departmental liaison with the House Appropriations Committee shall be the Chief Financial Officer.

Policy and international affairs.—The conference agreement provides $14,993,000, the same as the current year funding level.

Office of Engineering and Construction Management.—The conferees support the House report language regarding the importance of improving project management within the Department.

Cybersecurity and secure communications.—The conference agreement provides $24,733,000, the same as the current year funding level.

Corporate management information program.—The conference agreement provides the requested level of $23,055,000. However, the conferees are concerned about the recent failures of STARS and remind the Department of the importance of having a system that provides timely and accurate accounting information.

Working Capital Fund.—The conferees renew the guidance provided in House Report 107–681 regarding management of the Working Capital Fund.

OFFICE OF INSPECTOR GENERAL

The conference agreement provides $42,000,000 for the Office of the Inspector General, a slight decrease from the request but an increase over the current year funding level.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY ADMINISTRATION

The National Nuclear Security Administration (NNSA), a semi-autonomous agency within the Department of Energy, manages the Nation's nuclear weapons, nuclear nonproliferation, and naval reactors activities.

The conference agreement does not include the proposed cleanup transfer from Environmental Management to the NNSA and the conference recommendation assumes the EM program retains the cleanup program scope.

Availability of funds.—The conference agreement makes funds available until expended.

WEAPONS ACTIVITIES

The conference agreement provides $6,433,936,000 for Weapons Activities instead of $6,574,024,000 as proposed by the Senate and $6,181,121,000 as proposed by the House. The conferees agree with the House language regarding reprogramming authority for weapons activities.

Sustainable Stockpile Initiative.—The conferees support the basic tenets of the House language on a Sustainable Stockpile Initiative, including support for the reliable replacement warhead program, an accelerated warhead dismantlement program, and a reconfiguration of the weapons complex to create a responsive infrastructure that maximizes special nuclear material consolidation. The conferees appreciate the significant effort by the members of the Secretary of Energy's Advisory Board Infrastructure Task Force that produced the Nuclear Weapons Complex Infrastructure Study and expect the Secretary to give serious consideration to the recommendations in the fiscal year 2007 budget request.

DIRECTED STOCKPILE WORK

Directed stockpile work (DSW).—The conference agreement includes $1,386,189,000 for

directed stockpile work. The conference agreement provides $300,818,000 for DSW Life Extension Programs. The conference agreement provides $311,804,000 for DSW Stockpile Systems and $60,000,000 for DSW Warhead Dismantlement. The conferees note the importance of an aggressive warhead dismantlement program as part of the mission of the NNSA and direct the Administrator to submit a report to the Committees on Appropriations addressing the cost, scope and schedule of expanding the NNSA infrastructure to increase the dismantlement capacity of the complex. The report is due on March 1, 2006.

Reliable Replacement Warhead (RRW).—The conferees have provided $25,000,000 for the RRW program. The conferees expect that the laboratories and plants will also utilize the existing resources in the Directed Stockpile, Campaigns, and Readiness in Technical Base and Facilities accounts where applicable to further the RRW design options to support a Nuclear Weapons Council determination in November 2006. The conferees reiterate the direction provided in fiscal year 2005 that any weapon design work done under the RRW program must stay within the military requirements of the existing deployed stockpile and any new weapon design must stay within the design parameters validated by past nuclear tests. The conferees expect the NNSA to build on the success of science-based stockpile stewardship to improve manufacturing practices, lower costs and increase performance margins, to support the Administration's decision to significantly reduce the size of the U.S. nuclear stockpile.

The conference agreement provides $688,567,000 for DSW Stockpile services. From within the funds provided in DSW Stockpile services, the conferees direct the NNSA to provide $40,000,000 to fund the Nevada Test Site, $5,000,000 above the request, to maintain the Subcritical Experiment Program, including the Phoenix Explosive Pulse Power program. From within available funds, the conferees provide $6,000,000 to Los Alamos National Laboratory to conduct hydrodynamic testing in support of the Stockpile Stewardship program and $3,000,000 above the request to fund independent assessments of the safety of the stockpile and secure information exchange within the weapons complex.

The conference agreement provides no funds for the Robust Nuclear Earth Penetrator (RNEP) feasibility study.

The conferees support a degree of flexibility in executing this budget by providing limited reprogramming authority within Directed Stockpile Work [DSW]. The control levels for the Directed Stockpile Work are:

(1) Life Extension Programs;
(2) Stockpile Systems;
(3) Reliable Replacement Warhead;
(4) Warhead Dismantlement; and
(5) Stockpile Services.

CAMPAIGNS

Campaigns.—The conferees support the Senate language directing the Department to renew for 5 years the existing cooperative agreements with the University of Nevada Las Vegas and the University of Nevada Reno. The Department is also directed to provide funding of $3,000,000 to each institution per year.

For science campaigns, the conference agreement provides $279,464,000. The conference agreement provides $49,718,000 for primary assessment technologies and $20,000,000 for Test Readiness, a reduction of $5,000,000 from the budget request. The conferees direct the Department to maintain the current 24-month test readiness posture. The conferees include $12,500,000, an increase of $2,500,000, to fund the Nevada Test Site to support dynamic experiments, diagnostics, and data analysis, including past UGT analysis. The conferees direct the NNSA to conduct a study to evaluate the capability of proton radiography of the LANSCE facilities to support stockpile stewardship activities. The report is due to the House and Senate Committees on Appropriations by July 1, 2006.

The conference agreement provides $83,894,000 for dynamic materials properties, an increase of $3,000,000 above the budget request to support additional experiments at the Joint Actinide Shock Physics Experimental Research facility and at the Atlas facility. The conferees provide $1,000,000 for the LCS laser upgrade at the Idaho Accelerator Center. The conferees provide $49,520,000 for advanced radiography, the same as the budget request. The conferees direct the JASONS to undertake a study of the Dual Axis Radiographic Hydro Test Facility (DARHT) to evaluate the DARHT 2nd axis refurbishment plan and to validate the current schedule and cost baseline. The conferees expects the JASONS to consider whether or not the NNSA has taken the appropriate steps to resolve the technical difficulties associated with the induction linac technology and whether or not the second axis is expected to return to service as currently planned in 2008 in order to meet the National Hydrotest Plan requirements. The conferees recommend $76,332,000 for secondary assessment technologies, an increase of $15,000,000 over the budget request. The conferees provide the additional funds to Los Alamos National Laboratory to restore high-energy-density experimental capabilities.

The conference agreement provides $250,411,000 for engineering campaigns. The conference agreement for the enhanced surety campaign is $40,000,000. The conferees direct NNSA to utilize the MESA facility to develop micro-technology for surety architecture. The conference agreement for the weapons system engineering assessment technology is $17,540,000. The conference agreement for nuclear survivability is $22,386,000 and the conference recommendation for enhanced surveillance campaign is $100,207,000. From within available funds, the conferees provide $4,465,000 to continue the grant-funded University Research Program in Robotics.

Engineering campaign construction projects.—The conference agreement provides $65,564,000 for Project 01–D–108, Microsystem and engineering science applications (MESA) at SNL, in New Mexico and $4,714,000 in operating funds.

Inertial Confinement Fusion (ICF) Ignition and High Yield.—The conference agreement includes $549,073,000 for the inertial confinement fusion ignition and high yield program. The conferees support the House language regarding project management control systems for managing the ICF program. The conferees direct the NNSA Administrator to issue a report by March 1, 2006 that identifies the scientific and stockpile stewardship value of the National Ignition Facility if the project fails to achieve the ignition demonstration by 2011, or at any time in the future.

Ignition.—The conference agreement recommends $75,615,000, the same as budget request.

Support for Other Stockpile Programs.—The conference agreement includes $19,872,000, an increase of $10,000,000 over the budget request, to perform experiments on the Z-machine to validate computer models as well as experiments on OMEGA at the University of Rochester.

NIF Diagnostics, Cryogenics and Experimental Support.—The conference agreement provides $43,008,000, the same as the budget request.

Pulsed Power Inertial Confinement Fusion.—The conference recommendation includes $11,012,000, a $901,000 increase over the budget request, for pulsed power ICF to assess Z pinches as drivers for ignition and high yield fusion.

University Grants/Other ICF Support.—The conference recommendation includes $7,700,000 for research assistance in high energy density science, a level consistent with fiscal year 2005. The conference agreement includes $5,000,000 for the Nevada Terawatt Facility. Within the funds provided, $3,000,000 is for research into strongly magnetized high energy density matter and $2,000,000 is for construction of the high energy, short-pulse laser system.

Facility Operations and Target Production.—The conference agreement includes $64,623,000, an additional $10,000,000 over the request, for facility operations and target production. The conferees provide the additional $10,000,000 to accelerate target fabrication.

Inertial Fusion Technology.—The conference agreement restores $48,000,000 of funding for the Inertial Fusion Technology program. Within the funds provided, $25,000,000 is for continuing development of high average power lasers, $2,000,000 for the high density matter laser at the Ohio State University Technology Park, $15,000,000 for the Naval Research Laboratory, and $6,000,000 to prepare Z-machine to support extended operations.

NIF Demonstration.—The conference agreement includes $102,330,000 to support the NIF Demonstration program.

High Energy Petawatt Laser Development.—The conferees provide $35,000,000 for high energy petawatt laser development, an increase of $32,000,000 above the request. The conference recommendation includes an additional $4,000,000 for OMEGA operations to provide additional shots to support ignition demonstration in 2011 and an additional $22,000,000 to accelerate the OMEGA Extended Performance capability project, a four beam super-high-intensity, high-energy laser facility. Within the available funds, $2,000,000 is provided for continued development of petawatt laser at the University of Texas at Austin; $2,000,000 is provided to the University of Nevada, Reno to continue its collaboration with Sandia National Laboratories on highly diagnosed studies of exploding wire arrays and implosion dynamics. The conferees provide $2,000,000 to Sandia National Laboratories for Z-Petawatt Consortium experiments using the Sandia Z-Beamlet and Z petawatt lasers.

Construction—Project 96–D–111.—The conferees provide $141,913,000 for construction of the National Ignition Facility (NIF), the same as the budget request.

Advanced Simulation and Computing (ASCI).—The conference agreement provides $605,830,000 for Advanced Simulation and Computing. The conferees recognize that the modern networking technologies employed by the ASC program enable effective long-distance access to high-end computing. The conferees urges the ASC program to provide adequate federal oversight to ensure that the capability supercomputers are used as a national resource, shared by the three weapons laboratories, and are applied to the highest priority weapons systems requirements that cannot be solved in a timely manner on capacity computers. The conferees direct the NNSA to allocate capacity computing funds to each lab based on the pending or projected highest priority stockpile workload. The conference recommendation includes the following projects from within available funds: Nonprofit AVETeC for Nextedge Technology Park, Springfield (OH), $10,000,000; Wittenberg University supercomputer (OH),

$1,000,000; Notre Dame/Purdue Supercomputer Grid (IL, IN), $5,000,000; and $6,000,000 provided to continue the demonstration at the Pacific Northwest National Laboratory of advanced electronics packaging and thermal engineering for thermally-efficient electronics related to high performance data servers using three dimensional chip scale packaging integrated with spray cooling (WA).

For the pit manufacturing and certification campaign, the conference agreement provides $241,074,000. The conference agreement provides $120,926,000 for W88 pit manufacturing and $61,895,000 for W88 pit certification, the same as the budget request. The conference agreement provides $23,071,000 for Pit Manufacturing Capability and $35,182,000 for Pit campaign support at the Nevada Test Site. The conference agreement provides no funding for the modern pit facility. The conferees direct the Administrator of the NNSA to undertake a review of the pit program to focus on improving the manufacturing capability at TA–55. The conferees also direct the Department to develop a report as to how the NNSA intends to address the radiological mission and security needs of category III/IV material currently housed at TA–18 at Los Alamos. This report shall be provided to the Committees on Appropriations by February 1, 2006.

For readiness campaigns, the conference agreement provides $218,755,000. The conference agreement provides $31,400,000 for the Stockpile readiness campaign. The conference agreement provides $17,097,000 for High explosives weapons operations. The conference agreement provides $28,630,000 for the non-nuclear readiness campaign. The conference agreement provides $54,040,000 for the advanced design and production technologies campaign. Funding for the tritium readiness campaign is the same as the budget request.

READINESS IN TECHNICAL BASE AND FACILITIES

Readiness in technical base and facilities.—For readiness in technical base and facilities, the conference agreement provides $1,647,885,000, an increase of $16,499,000 over the budget request, and includes several funding adjustments.

Within funds provided for operations of facilities, the conferees direct that, at a minimum, an additional $51,000,000 be provided for the Pantex plant in Texas and an additional $40,000,000 for the Y–12 Plant in Tennessee as proposed by the House and $15,000,000 for the Kansas City Plant in Kansas as proposed by the Senate. The conference agreement provides the budget request of $25,000,000 for Lawrence Livermore Laboratory and $21,997,000 for the Y–12 plant to address newly generated waste activities.

The conferees provide the funding adjustments proposed by the Senate: $7,500,000 to support operation and recapitalization of facilities at the Nevada Test Site; $11,000,000 for modification of the Z-Beamlet laser at the Z Pinch at Sandia National Laboratories; $12,000,000 to support MESA Operations; $2,500,000 for the UNLV Research Foundation to support the ongoing programs of the Institute for Security Studies; $3,000,000 for the Advanced Monitoring Systems Initiative at the NTS to continue micro-sensing technology deployment and prototype deployment of remote monitoring systems for the underground test area; $7,500,000 to improve and upgrade existing roads at the Nevada Test Site and an additional $4,000,000 to install two new water storage tanks in Area 6 of the NTS; $1,000,000 to purchase and install a Geographic Information Center at the NTS; $4,000,000 to install a 17-mile fiber optic link between the Nevada Test Site and Indians Springs Air Force Base; and $4,500,000 to upgrade the Emergency Operations Center within the Nevada Support Facility to meet national program goals. The recommendation also includes, within funds provided, $3,000,000 for the Consortium on Terrorism and Fire Science at UNR; $500,000 for the continuing operations and security at the Atomic Testing History Institute; $2,000,000 to the UNLV Research Foundation to continue support of the radioanalytical services laboratory; $3,500,000 to the not-for-profit Technology Ventures Corporation to continue the successful technology transfer and commercialization efforts at the National Laboratories and the Nevada Test Site; $1,750,000 for the National Museum of Nuclear Science and History; $2,000,000 for the Arrowhead Center at New Mexico State University; $2,000,000 for Rapid Prototyping activities at the Special Technology Laboratory in Santa Barbara, (CA) to accelerate development of sensor and live plume tracking capabilities at the Nevada Test Site; $2,000,000 for a public-private partnership to continue the test and evaluation of water filtration technology to protect the public against nuclear, biological, and chemical threats; and $1,000,000 to continue the ongoing administration infrastructure support grant for the UNLV Research Foundation.

Nanotechnology.—The conferees provide $15,000,000 from within available funds for the establishment of the National Nanotechnology Enterprise Development Center (NNEDC), to be managed by the Center for Integrated Nanotechnologies. The NNEDC will assist in the technology maturation of nanotechnologies developed at each of the National Nanoscience Initiative Facilities and to assist in their transition to the marketplace, while emphasizing opportunities for industrial partnerships with the Center for Integrated Nanotechnologies. Proposals to the NNEDC will be considered by a board of experts qualified to evaluate proposals based on both their scientific merit and their commercial potential, including a representative from each of the National Nanoscience Initiative Facilities, and a similar number of representatives from economic development and commercial sectors to be selected by the Department of Energy's Office of Science.

Advanced Computing.—The conferees provide $35,000,000 to Los Alamos National Laboratory to acquire additional computing capacity.

Within funds provided, the conferees provide the funding adjustments proposed by the House: $1,150,000 for risk based data management in Oklahoma (OK); $2,000,000 for Robotics repetitive system technology (OH); $3,750,000 for Plasma Separation Process High Energy Storage Isotope research (TN); $1,500,000 for Multi-Platform dosimeter radiation detection devices (WA); $2,000,000 for Secure Wireless Technologies at Y–12 (TN); $2,000,000 for Airborne Particulate Threat Assessment (PA); $2,000,000 for command and control of Vulnerable Materials Security System (PA, NJ); $1,000,000 for Advanced Engineering Environment at Sandia, Livermore (CA).

The conference agreement includes the budget request of $105,738,000 for Program Readiness, $72,730,000 for material recycle and recovery, $17,247,000 for containers, and $25,222,000 for storage. The conference recommendation provides the budget request for the activities under special projects within the funds provided for operations of facilities.

Construction projects.—For RTBF construction projects, the conference agreement includes the budget request, except for the following adjustments: an additional $2,000,000 for Project 05–D–140, Project Engineering and Design for Test Capabilities Revitalization project at Sandia National Laboratory and an additional $11,000,000 for Project 01–D–124, HEU materials facility at the Y–12 plant, Oak Ridge, TN.

FACILITIES AND INFRASTRUCTURE RECAPITALIZATION

Facilities and infrastructure recapitalization.—The conference agreement includes $150,873,000 for the facilities and infrastructure (F&I) recapitalization program.

SECURE TRANSPORTATION ASSET

Secure Transportation Asset.—The conference agreement provides $212,100,000 for secure transportation asset. The conference agreement provides $68,334,000 for program direction.

NUCLEAR WEAPONS INCIDENT RESPONSE

Nuclear Weapons Incident Response.—The conference agreement provides $118,796,000 for nuclear weapons incident response.

SAFEGUARDS AND SECURITY

Safeguards and security.—The conference agreement includes $805,486,000, an increase of $65,008,000 over the budget request, for safeguards and security activities at laboratories and facilities managed by the National Nuclear Security Administration. Within funds provided for safeguards and security, the conferees direct that, at a minimum, an additional $25,000,000 be provided for the Pantex plant in Texas and an additional $60,000,000 for the Y–12 Plant in Tennessee, as proposed by the House, and $20,000,000 to complete the expansion of the red network at Los Alamos as proposed by the Senate. The conferees provide $1,900,000 to demonstrate an enterprise PKI for secure communication at Sandia National Lab. The conferees direct the NNSA to fund the protective force at the Device Assembly Facility, including full implementation of the protective force Special Response Team program at the Nevada Test Site.

FUNDING ADJUSTMENTS

Funding adjustments.—The conference agreement includes an adjustment of $32,000,000 for a security charge for reimbursable work, as proposed in the budget.

DEFENSE NUCLEAR NONPROLIFERATION

The conference agreement provides $1,631,151,000 for Defense Nuclear Nonproliferation.

NONPROLIFERATION AND VERIFICATION RESEARCH AND DEVELOPMENT

Nonproliferation and Verification Research and Development.—The conference agreement provides $322,000,000 for nonproliferation and verification research and development, an increase of $49,782,000 over the budget request. The conferees provide $177,471,000 for proliferation detection, an increase of $25,000,000 over the budget request; and $125,424,000 for nuclear explosion monitoring, an increase of $16,782,000 over the request, of which $24,000,000 is for ground-based systems for treaty monitoring; and $6,105,000 for supporting activities. The Committee provides $13,000,000 for Project 06–D–180, National Security Laboratory at the Pacific Northwest National Laboratory (PNNL), an increase of $8,000,000 over the budget request. The additional $8,000,000 is to complete project engineering and design and initiate construction on 300 Area capability replacement laboratory.

The conferees direct the Department to conduct a free and open competitive process for at least $7,500,000 of its research and development activities during fiscal year 2006 for ground-based systems treaty monitoring. From within available funds, the conference agreement includes the following projects:

$2,500,000 for the UNLV Research Foundation to support nonproliferation activities at the Institute for Security Studies; $4,000,000 for portable high purity germanium detectors for incident response and radiation detection applications; $1,000,000 for the National Center for Biodefense at George Mason University (VA); $1,000,000 for the Offshore Detection Integrated System (OH); $750,000 for developing neutron dosimeter and Gamma-Beta Survey meter (OH); $300,000 for the Texas A&M Moscow Physics Institute-Nonproliferation and International Security Program (TX); and $500,000 for Mega Cargo Imaging program at the Nevada Test Site (NV). From within available funds, the conference agreement includes up to $5,000,000 to support a chemical and biological detection research and development program in the NNSA.

NONPROLIFERATION AND INTERNATIONAL SECURITY

Nonproliferation and International Security.—The conference agreement provides $75,000,000 for nonproliferation and international security, a reduction of $5,173,000 below the budget request. The conferees provide $10,000,000 for initiatives focused on removing nuclear weapons-usable materials from vulnerable sites around the world. The conferees direct the Department to provide $3,000,000 in grants to institutions of higher learning and non-profit entities for research related to nuclear nonproliferation and chemical and biological weapons detection. Each individual grant provided shall not exceed $250,000.

NONPROLIFERATION PROGRAMS WITH RUSSIA

INTERNATIONAL NUCLEAR MATERIALS PROTECTION AND COOPERATION

International Materials Protection, Control and Cooperation (MPC&A).—The conference recommendation is $427,000,000 for the MPC&A program, an increase of $83,565,000 over the budget request. The conferees provide the additional funds to accelerate the new opportunities to secure nuclear warhead storage sites resulting from the Bratislava Summit agreement. The conference agreement provides the budget request within the Second Line of Defense program for the MegaPorts initiative.

GLOBAL INITIATIVE FOR PROLIFERATION PREVENTION

Global Initiative for Proliferation Prevention.—The conference agreement provides $40,000,000 for the Initiatives for Proliferation Prevention (IPP) program and the Nuclear Cities Initiative (NCI).

HIGHLY ENRICHED URANIUM (HEU) TRANSPARENCY IMPLEMENTATION

HEU Transparency Implementation.—The conference agreement provides $19,483,000, a reduction of $1,000,000 from the budget request.

ELIMINATION OF WEAPONS-GRADE PLUTONIUM PRODUCTION

Elimination of Weapons-Grade Plutonium Production.—The conference agreement provides $176,185,000, an increase of $44,185,000 over the budget request, for the elimination of weapons-grade plutonium production program. The conferees provide the additional funds to maintain the schedule to shutdown the Zheleznogorsk reactor by 2011 and expect the Department to fully fund the outyear budget requirement in the Future Years Nuclear Security Program five year budget plan to accomplish the reactor shutdown milestone.

FISSILE MATERIALS DISPOSITION

Fissile Materials Disposition.—The conference agreement provides $473,508,000 for fissile materials disposition, a reduction of $179,557,000 from the budget request. Funding of $195,000,000 is provided for U.S. surplus materials disposition and $34,508,000 for the Russian plutonium disposition program. The conferees have included language modifying the statutory provision allowing for significant fines against the Department of Energy if the MOX production schedule slips in future years. Since fiscal year 2001, Congress has provided in excess of $1.1 billion for the MOX construction project. Recognizing that the liability impasse has been resolved with the Russian Federation, the conferees expect the MOX facility construction activity at the Savannah River Site will proceed on schedule.

Construction projects.—The conference recommendation includes $220,000,000 for Project 99–D–143, the Mixed Oxide Fuel Fabrication facility project, a reduction of $118,565,000 from the budget request. The conferees expect the Department to utilize fully the available prior year balances in the Mixed Oxide (MOX) construction project to begin construction before requesting significant additional budget authority. Funding of $24,000,000 is provided for Project 99–D–141, the Pit Disassembly and Conversion Facility project.

GLOBAL THREAT REDUCTION INITIATIVE

Global Threat Reduction Initiative.—The conference agreement provides $97,975,000, the same as the budget request, for the Global Threat Reduction Initiative program. The conference agreement provides the budget request for the Kazakhstan Spent Fuel Disposition program. The conference agreement provides up to $7,000,000 from within available funds, to support the conversion of university research reactors from a highly enriched uranium core to a low enriched uranium core, for as many as four research reactors located in the United States. The reactors targeted for conversion are Purdue University, Oregon State University, University of Wisconsin and Washington State University. The conferees encourage the Department to fund the Radiological Threat Reduction program to establish a pilot program to utilize commercial or non-governmental resources for recovery, storage, monitoring and disposal of domestic high-risk radioactive sealed sources and to provide a report to the House and Senate Appropriations Committees on these activities by the end of fiscal year 2006.

NAVAL REACTORS

The conference agreement provides $789,500,000 for Naval Reactors, an increase of $3,500,000 over the budget request. The conferees agree to transfer $13,500,000 to the Office of Nuclear Energy to support the Idaho National Laboratory's Advanced Test Reactor.

OFFICE OF THE ADMINISTRATOR

The conference agreement provides $341,869,000 for the Office of the Administrator.

From within available funds, the conference agreement provides $15,000,000 to continue the support to the HBCUs' scientific and technical programs in fiscal year 2006. The Committee expects the Department to provide financial support in rough parity to both HBCUs and the Hispanic Serving Institutions (HSI). The Committee recommendation includes $2,000,000 each for Wilberforce University and Central State University in Wilberforce, Ohio; $2,000,000 for Claflin College in Orangeburg, SC; $4,000,000 for Allen University in Columbia, SC; and $1,000,000 each for Voorhees College in Denmark, SC and South Carolina State University in Orangeburg, SC, and Florida Memorial University for the Carrie Meek Health and Science Complex in Miami Gardens, FL; $500,000 each for Cheyney University, Cheyney (PA) and Lincoln University, Lincoln University of Pennsylvania (PA); and $1,000,000 for the ACE program at Maricopa Community Colleges in Phoenix, Arizona. The conferees agree with the House language that directs the Department to provide funds to HBCU institutions to allow for infrastructure improvements and technical programs and expects the Department to ensure the Dr. Samuel P. Massie Chairs of Excellence are fully supported within the HBCU program.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

The conference agreement for the Defense Environmental Cleanup (EM) program totals $6,192,371,000. The conferees recommend that the Department carry over balances for WERC, a consortium for environmental education and technology development, to support an educational foundation within that organization. Within the amounts provided, the Department is directed to fund hazardous waste worker training at $10,000,000.

Energy and Water Technology.—Within the amounts provided, the Department is directed to fund $12,500,000 for energy and water resource management, including $7,000,000 for advanced concept desalination and arsenic treatment in partnership with American Water Works Research Foundation and WERC; $2,000,000 for water supply technology development and $3,500,000 for water management decision support including demonstration programs in partnership with the New Mexico Office of the State Engineer and international water partnerships.

Milestone report.—While the budget structure has changed, the conferees remain interested in whether the Department has met its goals for completion for years 2006, 2012, and 2035. The conferees request a report by site that tracks accelerated clean-up milestones, whether they are being met or not, and includes annual budget estimates and life-cycle costs, due to the House and Senate Committees on Appropriations by March 1 and September 1 of each year.

NNSA Transfers.—The conferees did not support the transfer of environmental clean-up responsibilities to the National Nuclear Security Administration (NNSA), consistent with the House and Senate reports. However, responsibility for NNSA newly generated waste will remain in NNSA. The conferees provide no funding in the defense EM program for newly generated waste at Lawrence Livermore Laboratory and the Y–12 Plant.

Low level/mixed low level (LLW/MLW) waste Report Requirement.—Consistent with the House report, the conferees direct the Secretary to report to the House and Senate Committees on Appropriations, within 90 days of enactment of this Act, on the specific steps the Department will take to ensure that life-cycle cost guidance is implemented in the consideration of LLW/MLW options by DOE contractors, and that a robust federal cadre of employees will oversee the implementation of such guidance.

EM Subproject Report Requirement.—The conferees are concerned that the Environmental Management program continues to aggregate multiple project activities within the Project Baseline Summaries (PBS) contained in its annual budget request. When EM initially ''projectized'' its work in the FY 2001 budget request, program activities were aggregated into approximately 430 PBS's that were used as the basis for the programs budget justification and execution reporting. The number of PBSs now stands at 89. Since these PBSs are the basis for ''project'' baselines and performance tracking within the Department, it leads the conferees to question the Department's ability

to meaningfully analyze its costs and work accomplishment. The conferees direct the Department to provide a report by March 1, 2006, to the House and Senate Committees on Appropriations with additional information on large PBSs (requests of more than $100,000,000) in the form of detailed justification by subprojects to provide more visability and specificity to the planned activities within those PBSs. This report should be prepared for the scope planned for the fiscal year 2006 appropriations and the fiscal year 2007 request. These new subproject groupings should be used as a basis for quarterly reporting of financial data (unobligated and uncosted balances), and project variance reports.

Reprogramming Authority.—The conferees continue to support the need for flexibility to meet changing funding requirements at sites. In fiscal year 2006, the Department may transfer up to $5,000,000 within accounts, and between accounts, as noted in the table below, to reduce health or safety risks or to gain cost savings as long as no program or project is increased or decreased by more than $5,000,000 once during the fiscal year. This reprogramming authority may not be used to initiate new programs or to change funding levels for programs specifically denied, limited, or increased by Congress in the Act or statement. The Committees on Appropriations in the House and Senate must be notified within thirty days of the use of this reprogramming authority. The following is a list of control levels for reprogramming:

Closure sites
Savannah River site, 2012 accelerations
Savannah River site, 2035 accelerations
Savannah River Tank Farm
Waste Isolation Pilot Plant
Idaho National Laboratory
Oak Ridge Reservation
Hanford site 2012 accelerated completions
Hanford site 2035 accelerated completions
Office of River Protection (ORP) Waste Treatment & Immobilization (WTP) Pretreatment facility
ORP WTP High-level waste facility
ORP WTP Low activity waste facility
ORP WTP Analytical laboratory
ORP WTP Balance of facilities
Program Direction
Program Support
UE D&D Fund contribution
Technology Development
All Construction Line Items
NNSA sites and Nevada off-sites
Safeguards and Security

Guaranteed Fixed Priced Remediation (GFPR).—Public Law 108–447 directed the Department to submit a report to the Committees on Appropriations on the feasibility of applying GFPR to remediation activities. The Department has completed its evaluation and has concluded that remediation projects at DOE sites or portions of sites that historically did not involve high risk materials could be potential candidates for GFPR contracts. The conferees are encouraged by this report, and direct the Department to identify at least two remediation projects or portions of projects as candidates for a pilot use of GFPR in fiscal year 2006.

Closure Sites.—The conference agreement provides $1,028,589,000, reflecting a decrease of $10,000,000 to litigation contingency monies held in reserve for Rocky Flats.

The conferees provide an increase of $30,000,000 to complete remedies at Mound Operable Unit 1 (OU–1), and direct the Department to work with the Miamisburg Mound Community Improvement Corporation in developing a mutually acceptable remedy. The remedy shall meet the spirit and intent of the ''Sales Contract by and between the U.S. DOE and the Miamisburg Community Improvement Corporation, January 23, 1998'', permit industrial reuse of OU–1, and be consistent with past site cleanup practices and cleanup levels and objectives. Agreement on the remedy shall be completed by March 1, 2006. DOE shall report to Congress the progress of the remedy development by December 1, 2005. If substantial progress has not been made in the development of the remedy by this time, DOE shall engage the services of a mediator, mutually acceptable to the parties, to facilitate the remedy selection for the OU–1 waste disposal area.

Savannah River Site.—The conference agreement provides $1,170,582,000 for the Savannah River Site. The conferees provide $10,000,000 for the melt and dilute technology for excess weapons-grade plutonium. The conferees provide $500,000 for project 05–D–405, salt waste processing facility, and reduce prior year balances for this project by $20,000,000 because the construction is held up due to unresolved seismic issues.

Waste Isolation Pilot Plant (WIPP).—The conference agreement provides $230,629,000 for the Waste Isolation Pilot Project. Within available funds, the conference agreement provides $6,000,000 for the purchase of TRUPACT–III shipping containers, $3,500,000 for educational support, infrastructure improvements, and related initiatives for the Carlsbad community, $5,000,000 to consolidate all record archives relevant to the operations of WIPP at Carlsbad, and to provide these records in a format that is user friendly and supports timely access to information, $2,000,000 for the Office of Environmental Management to support the Center for Excellence in Hazardous Materials, and $1,500,000 for neutrino research in the WIPP environment, which is relatively pristine in terms of background radiation.

Idaho National Laboratory.—The conference agreement provides $538,225,000. The conferees direct that the unexpended balances of up to $68,000,000 previously appropriated as Defense Privatization for the Advanced Mixed Waste Treatment Plant be merged with other maintenance and operating funds available within the Defense Environmental Cleanup account, Solid Waste Stabilization and Disposition project activity, for the Idaho site to continue processing of transuranic waste for disposal at the WIPP.

Oak Ridge Reservation.—The conferees provide $240,812,000 for the Oak Ridge Reservation. The conference agreement includes $18,000,000 for disposition of material in Building 3019, consistent with the Department's decision to transfer this responsibility to the defense EM program. The conferees direct the Department to provide a report within 60 days of enactment of this Act, that details the Department's path forward in managing this material.

Hanford Site.—The conference agreement provides $780,653,000 for the Hanford Site. The conferees provide $1,000,000 for B-reactor preservation and $500,000 each for preservation of ETTP and LANL former Manhattan Project sites. The conferees provide $7,500,000 for the Volpentest Hazardous Materials Management and Emergency Response (HAMMER) training and education center. The Department is expected to continue making PILT payments at last year's level to counties that have the Hanford reservation within their boundaries.

Office of River Protection.—The conference agreement provides $329,471,000 for Tank Farm activities, and $526,000,000 for construction project 01–D–416, the Waste Treatment and Immobilization Plant.

The high-level waste vitrification program at Hanford has had a long history of failure—more than $9,000,000,000 has been spent over the last 15 years. Based on a report by the Corps of Engineers, the estimated cost of the Waste Treatment and Immobilization Plant (WTP), originally $4,300,000,000, may rise to as much as $9,300,000,000, and the schedule may slip four more years to 2015. Reasons for these increases include: contractor estimating problems, technical problems, and insufficient project contingency. It is unclear what steps DOE will take to better ensure effective management and oversight of the project in the longer term.

Based on this troubled history, the conferees provide $526,000,000, for the Waste Treatment and Immobilization Plant, a reduction of $99,893,000 from the request. The conferees understand that $98,000,000 remains available from fiscal year 2005 to be used in fiscal year 2006 for this project. The Department needs better control and oversight of the scope, cost and schedule of this project, and the conferees direct the Department to report to the House and Senate Committees on Appropriations by December 1, 2005, on the actions taken to rectify the management failures of this project, and to report quarterly, beginning on January 1, 2006, on the activities and financial status of each of the subprojects within WTP.

Program Direction.—The conference agreement provides $243,816,000 for program direction. Of the total amount, $82,924,000 is available for obligation only after the report delivery to the House and Senate Committees on Appropriations by the Secretary on the specific steps the Department will take to ensure that life-cycle cost guidance is implemented in the consideration of LLW/MLW options by DOE contractors. The conferees support the termination of the A–76 contracting out of the duties of federal employees for the Environmental Cleanup program.

Program Support.—The Conference recommendation provides $32,846,000.

Federal Contribution to Uranium Enrichment Decontamination and Decommissioning Fund.—The Energy Policy Act of 1992, Public Law 102–486, created the Uranium Enrichment Decontamination and Decommissioning Fund to pay for the cost of cleanup of the gaseous diffusion facilities located in Oak Ridge, Tennessee; Paducah, Kentucky; and Portsmouth, Ohio. The conference agreement includes the budget request of $451,000,000 for the Federal contribution to the Uranium Enrichment Decontamination and Decommissioning Fund as authorized in Public Law 102–486.

Technology Development and Deployment.—The conference agreement provides $30,065,000. The conferees are concerned about DOE's efforts to protect contaminants from reaching the Columbia River. Technology used in several remedies is not performing satisfactorily, and there is a lack of new technologies to address contamination issues. The conferees provide $10,000,000 for analyzing contaminant migration to the Columbia River, and for the introduction of new technology approaches to solving contamination migration issues. The conferees understand that the various program groups managing the groundwater and vadose zone cleanup program are fragmented, and not well coordinated. The conferees direct the Department to report to the House and Senate Committees on Appropriations on the organization and operations of these groups, and how they will be better coordinated, within 60 days of enactment of this Act. The conferees provide $5,000,000 for AEA Technology to address alternative cost effective technologies for cleaning up legacy waste. Within available funds, the conferees direct the Department to fund the real-time identification warning system at $250,000, the Hanford Tank Waste Operations Simulator at $2,000,000, and the Mid-Atlantic Recycling Center for End of Life Electronics at $1,000,000.

NNSA sites and Nevada off-sites.—The conference agreement provides $302,460,000, reflecting the return of cleanup activities to the Environmental Cleanup program that otherwise would have transferred to the NNSA. The conferees provide no funding in the defense EM program for newly generated waste at Lawrence Livermore Laboratory and the Y–12 plant.

Safeguards and Security.—The conference agreement provides $287,223,000, the same as the budget request.

Congressionally Directed Projects.—The conferees' recommendation includes the following Congressionally directed projects, within available funds. The conferees remind recipients that statutory cost sharing requirements may attach to these projects.

CONGRESSIONALLY DIRECTED DEFENSE ENVIRONMENTAL MANAGEMENT PROJECTS

Project	*Conference Recommendation*
Western Environmental Technology Office (multi-state)	5,000,000
University of Nevada-Reno School of Medicine Core Facilities equipment (NV)	4,000,000
Great Basin Science Sample and Records Library (NV)	3,500,000
Desert Research Institute's CAVE project (NV)	2,000,000
UNLV Research Foundation to continue earthquake hazard and seismic risk research (NV)	1,000,000
Diagnostic Instrumentation and Analysis Library (MS)	5,000,000
Electrochemical system utilizing ceramic ionic transport membranes for the recycle and disposal of radioactive sodium ion waste (ID)	3,000,000
Desert Research Institute's Environmental Monitoring Program (NV)	2,750,000
Nye County Groundwater Evaluation Program (NV)	1,500,000
Emergency and Non-emergency communications systems upgrades in Nye County (NV)	1,500,000
Stabilization of Los Alamos Airport Landfill (NM)	5,000,000
Energy & Environmental Hispanic Community Participation Project (NM)	750,000

OTHER DEFENSE ACTIVITIES

The conference agreement provides $641,998,000 for Other Defense Activities.

OFFICE OF SECURITY AND PERFORMANCE ASSURANCE

The conference agreement provides $307,095,000, an increase of $6,000,000 over the budget request. The conference agreement includes $186,878,000 for nuclear safeguards and security; and $46,725,000 for security investigations; and $73,492,000 for program direction. The conferees provide an additional $5,000,000 for Project Engineering and Design (PED) funding to begin a new construction project to upgrade CPP–651 and CPP–691 at the Idaho National Laboratory for complex-wide material consolidation of special nuclear material. The conferees direct the Department to include a PED line item project to continue this activity in the fiscal year 2007 budget request. The conferees support the House request for a report detailing the security requirements of the special nuclear material disposition activity at the Oak Ridge National Laboratory and have included the report description and deadline in bill language.

ENVIRONMENT, SAFETY AND HEALTH (DEFENSE)

The conference agreement provides $77,029,000 for defense-related environment, safety and health activities, of which $19,546,000 is for program direction. From within available funds, the conference agreement provides $5,000,000 to undertake the Chernobyl Research and Service Project. The Conference recommendation includes $4,000,000 for the DOE Worker Records Digitization project in Nevada.

The Former Worker Medical Screening.—The conference agreement provides $12,500,000 for Former Worker Program. From within available funds, the following projects are provided: $465,000 to extend medical screening at the three gaseous diffusion plants; $2,000,000 to be evenly divided to initiate medical screening of former workers at the Mound facility in Miamisburg, Ohio, and the Fernald Facility in Harrison, Ohio. The conferees direct the Secretary to initiate early lung cancer detection screening at the Y–12 and X–10 facilities, Tennessee. To offset these activities the conferees allocate $2,700,000 in fiscal year 2006 for activities under the DOE–HHS MOU and direct the Department to prioritize funds for the National Center for Environmental Health at Los Alamos and research work at the Health Energy Related Branch at NIOSH.

LEGACY MANAGEMENT

The conference agreement provides a total of $78,598,000 for the Office of Legacy Management to manage the long-term stewardship responsibilities at the Department of Energy clean up sites. The Conference recommendation provides $45,076,000 in Other Defense Activities and the balance of $33,522,000 is provided in the non-defense Energy Supply account.

FUNDING FOR DEFENSE ACTIVITIES IN IDAHO

The conference agreement provides $123,873,000 for defense-related activities at the Idaho National Laboratory (INL) and associated Idaho cleanup sites.

DEFENSE RELATED ADMINISTRATIVE SUPPORT

The conference agreement provides $87,575,000 for national security programs administrative support.

OFFICE OF HEARINGS AND APPEALS

The conference agreement provides $4,353,000 for the Office of Hearings and Appeals, the same as the budget request.

DEFENSE NUCLEAR WASTE DISPOSAL

The conference agreement provides $350,000,000 for the defense contribution to the nuclear waste repository program.

POWER MARKETING ADMINISTRATIONS

BONNEVILLE POWER ADMINISTRATION

The conference recommendation provides no new borrowing authority for BPA during fiscal year 2006. The Bonneville Power Administration may make no new obligations in support of the Fish Passage Center. The conferees call upon Bonneville Power Administration and the Northwest Power and Conservation Council to ensure that an orderly transfer of the Fish Passage Center functions (warehouse of smolt monitoring data, routine data analysis and reporting and coordination of the smolt monitoring program) occurs within 120 days of enactment of this legislation. These functions shall be transferred to other existing and capable entities in the region in a manner that ensures seamless continuity of activities.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

The conference agreement includes $5,600,000 for the Southeastern Power Administration. The conference agreement provides $32,713,000 for purchase power and wheeling in fiscal year 2006.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

The conference agreement includes $30,166,000 for the Southwestern Power Administration. The conference agreement provides $3,000,000 for purchase power and wheeling in fiscal year 2006.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

The conference agreement provides $233,992,000, an increase of $180,035,000 over the budget request for Western Area Power Administration. The conference agreement provides $279,000,000 for purchase power and wheeling in fiscal year 2006. The total O&M program level for Western in fiscal year 2006 is $517,154,000, which includes $53,957,000 for construction and rehabilitation, $47,295,000 for system operation and maintenance, $279,000,000 for purchase power and wheeling, and $130,202,000 for program direction. Offsetting collections total $283,162,000; with the use of $4,162,000 of offsetting collections from the Colorado River Dam Fund (as authorized in P.L. 98–381), this requires a net appropriation of $233,992,000. Within available funds, the conference recommendation includes $6,000,000 to complete the Topock-Davis section of the Topock-Davis-Mead line including the interconnection and extension to Needles, CA, to provide additional transmission capacity by using aluminum matrix composite conductor technology. The conferees are disappointed that the funding for the South of Phoenix portion of the Parker-Davis project in Pinal County has been delayed and recommend that the project funding be reinstated without any further delay or interruption. The conferees agree with the House language regarding the Sierra-Nevada Region's Post–2004 Power Marketing Plan and Transmission Operations and direct WAPA to submit the requested report to the House and Senate Committees on Appropriations by May 1, 2006. The conference agreement includes $6,700,000 for the Utah Mitigation and Conservation fund.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

The conference agreement includes $2,692,000, the same as the budget request, for the Falcon and Amistad Operating and Maintenance Fund.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

The conference agreement includes $220,400,000 for the Federal Energy Regulatory Commission (FERC). Revenues for FERC are set at an amount equal to the budget authority, resulting in a net appropriation of $0.

The conferees are aware that the Federal Energy Regulatory Commission has begun requiring the collection of wholesale electric charges to address costs associated with crossing ''seams'' between neighboring Regional Transmission Organizations, also known as ''Seams Elimination Cost Adjustment''. While recognizing that legitimate costs should be recovered, the conferees are troubled about whether the Commission has applied these fees without a clear accounting of actual costs or proper allocation, permitted SECA charges to go into effect without those charges having been filed or even disclosed, used ''baselines'' that may not reflect actual power flows and otherwise failed

to provide proper and appropriate procedural protections to all parties. The conferees expect the Commission to review its SECA policies and take expeditious and appropriate remedial steps.

GENERAL PROVISIONS

DEPARTMENT OF ENERGY

Sec. 301. The conference agreement includes language regarding competition of certain management and operating contracts.

Sec. 302. The conference agreement includes a provision regarding workforce restructuring plans, enhanced severance payments, and other benefits and community assistance grants for Federal employees of the Department of Energy.

Sec. 303. The conference agreement includes a provision regarding augmentation of funds for severance payments and other benefits and community assistance grants.

Sec. 304. The conference agreement includes a provision regarding Requests for Proposals for programs that have not been funded by Congress in the current fiscal year.

Sec. 305. The conference agreement includes a provision regarding the use of unexpended balances of prior appropriations.

Sec. 306. The conference agreement includes a provision prohibiting the Bonneville Power Administration from performing energy efficiency services outside the legally defined Bonneville service territory unless the Administrator certifies in advance that such services are not available from private sector businesses.

Sec. 307. The conference agreement includes a provision establishing certain notice and competition requirements for Department of Energy user facilities.

Sec. 308. The conference agreement includes a provision authorizing intelligence activities of the Department of Energy for purposes of section 504 of the National Security Act of 1947 until enactment of the Intelligence Authorization Act for fiscal year 2006.

Sec. 309. The conference agreement includes a provision limiting the types of waste that may be disposed of in the Waste Isolation Pilot Plant.

Sec. 310. The conference agreement includes a provision dealing with the Reno Hydrogen Fuel Project.

Sec. 311. The conference agreement includes a provision authorizing maximum percentages for laboratory directed research and development and plant- or site-directed research and development.

Sec. 312. The conference agreement includes a provision dealing with the purchase of mineral rights at the Rocky Flats Environmental Technology Site.

Sec. 313. The conference agreement includes a provision dealing with the Mixed Oxide Fuel Facility at the Savannah River Site.

Sec. 314. The conference agreement includes a provision authorizing the Secretary to barter, transfer or sell uranium.

Sec. 315. The conference agreement includes a provision requiring non-federal matching funds for the Coralville, Iowa, project.

The conference agreement deletes a provision proposed by the House relating to Laboratory Directed Research and Development (LDRD) and Plant Directed Research and Development (PDRD) activities.

The conference agreement deletes a provision proposed by the House relating to LDRD and PDRD activities for project costs incurred as Indirect Costs by Major Facility Operating Contractors under OMB's Federal Cost Accounting Standards (FAR Part 9900) or the Generally Accepted Accounting Principles.

The conference agreement deletes a provision proposed by the House relating to laboratory directed research and development activities at Department of Energy laboratories on behalf of other Federal agencies.

The conference agreement deletes a provision proposed by the House relating to price supports and loan guarantee programs.

The conference agreement deletes a provision proposed by the House relating to the siting of a modern pit facility.

The conference agreement deletes a provision proposed by the Senate relating to the Advanced Simulation Computing program.

The conference agreement deletes a provision proposed by the Senate relating to eligibility of costs incurred by DOE contractors for LDRD, SDRD, and PDRD.

The conference agreement deletes a provision proposed by the Senate relating to direct and indirect costs of LDRD, SDRD, and PDRD.

The conference agreement deletes a provision proposed by the Senate relating to funding National Nuclear Security Administration Weapons Complex reforms.

The conference agreement deletes a provision proposed by the Senate relating to fusion energy science.

The conference agreement deletes a provision proposed by the Senate relating to retirement benefits for Rocky Flats site workers.

The conference agreement deletes a provision proposed by the Senate relating to Savannah River National Laboratory eligibility for LDRD.

CONFERENCE RECOMMENDATIONS

The conference agreement's detailed funding recommendations for programs in Title III are contained in the following table.

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
ENERGY SUPPLY AND CONSERVATION		
ENERGY EFFICENCY AND RENEWABLE ENERGY		
Hydrogen Technology:		
Hydrogen technology	99,094	81,099
Fuel cell technologies	83,600	76,100
Subtotal, hydrogen technology	182,694	157,199
Biomass and Biorefinery Systems R&D	72,164	91,634
Solar energy	83,953	83,953
Wind energy	44,249	39,249
Geothermal technology	23,299	23,299
Hydropower	500	500
Vehicle technologies	165,943	183,943
Building technologies	57,966	69,966
Industrial technologies	56,489	57,429
Distributed energy and electricity reliability	56,629	---
Federal Energy Management Program:		
Departmental energy management program	2,019	2,019
Federal energy management program	17,147	17,147
Subtotal, Federal Energy Management Program	19,166	19,166
Facilities and infrastructure:		
National Renewable Energy Laboratory	5,800	5,800
Research Support Buildings	---	10,000
Construction		
02-E-001 Science and technology facility, NREL	10,515	10,515
Total, Facilities and infrastructure	16,315	26,315
Weatherization and Intergovernmental program:		
Weatherization assistance	225,400	240,400
Training and technical assistance	4,600	4,600
State energy program grants	41,000	36,000
State energy activities	500	500
Gateway deployment	26,657	25,657
International renewable energy program	2,910	3,910
Tribal energy activities	4,000	4,000
Renewable energy production incentive	5,000	5,000
Subtotal, Weatherization and Intergovernmental program	310,067	320,067
Program Direction	101,524	99,524
Program Support	9,456	13,456
TOTAL, ENERGY EFFICENCY AND RENEWABLE ENERGY	1,200,414	1,185,700

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
ELECTRICITY TRANSMISSION AND DISTRIBUTION		
High temperature superconductivity R&D	45,000	50,500
Transmission reliability R&D	9,220	13,000
Electricity distribution transformation R&D	4,037	60,666
Energy storage R&D	3,000	3,000
Gridwise	5,500	5,500
Gridworks	5,000	5,000
Total, Research and development	71,757	137,666
Electricity restructuring	12,400	12,400
Program direction	11,447	13,447
TOTAL, ELECTRICITY TRANSMISSION AND DISTRIBUTION	95,604	163,513
NUCLEAR ENERGY		
University reactor infrastructure and education assist	24,000	27,000
Research and development		
Nuclear power 2010	56,000	66,000
Generation IV nuclear energy systems initiative	45,000	55,000
Nuclear hydrogen initiative	20,000	25,000
Advanced fuel cycle initiative	70,000	80,000
Total, Research and development	191,000	226,000
Infrastructure		
Radiological facilities management		
Space and defense infrastructure	31,200	39,700
Medical isotopes infrastructure	14,395	14,395
Construction		
05-E-203 Facility modifications for U-233 di disposition, Oak Ridge National Laboratory, Oak Ridge, TN	18,705	---
Subtotal, Medical isotopes infrastructure	33,100	14,395
Enrichment facility and uranium management	500	500
Subtotal, Radiological facilities management	64,800	54,595
Idaho facilities management		
INL Operations and infrastructure	86,907	102,907
INL infrastructure		
Construction		
06-E-200 Project engineering and design (PED), INL, ID	7,870	7,870
06-E-201 Gas test loop in the ATR, INL, ID	3,085	3,085
Subtotal, Construction	10,955	10,955
Subtotal, Idaho facilities management	97,862	113,862
Idaho sitewide safeguards and security	75,008	75,008
Total, Infrastructure	237,670	243,465
Program direction	61,109	61,109
Subtotal, Nuclear Energy	513,779	557,574

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Funding from other defense activities	-123,873	-123,873
Funding from Naval Reactors	---	-13,500
TOTAL, NUCLEAR ENERGY	389,906	420,201
ENVIRONMENT, SAFETY AND HEALTH		
Office of Environment, Safety and Health (non-defense)	9,100	7,100
Program direction	20,900	20,900
TOTAL, ENVIRONMENT, SAFETY AND HEALTH	30,000	28,000
OFFICE OF LEGACY MANAGEMENT		
Legacy management	33,522	33,522
TOTAL, ENERGY SUPPLY AND CONSERVATION	1,749,446	1,830,936
CLEAN COAL TECHNOLOGY		
Deferral of unobligated balances, FY 2005	257,000	257,000
Deferral of unobligated balances, FY 2007	---	-257,000
Rescission Request	-257,000	---
Rescission, uncommitted balances	---	-20,000
Total, Clean Coal Technology	---	-20,000
FOSSIL ENERGY RESEARCH AND DEVELOPMENT		
Clean coal power initiative	50,000	50,000
FutureGen	18,000	18,000
Advance appropriation, FY 2007	257,000	---
Fuels and Power Systems:		
Innovations for existing plants	23,850	25,400
Advanced integrated gasification combined cycle	56,450	56,450
Advanced turbines	18,000	18,000
Carbon sequestration	67,200	67,000
Fuels	22,000	29,000
Fuel cells	65,000	62,000
Advanced research	30,500	53,154
U.S./China Energy and environmental center	---	994
Subtotal, Fuels and power systems	283,000	311,998
Subtotal, Coal	608,000	379,998
Natural Gas Technologies	10,000	33,000
Petroleum - Oil Technologies	10,000	32,000
Program direction	98,941	106,941
Plant and Capital Equipment	---	20,000
Fossil energy environmental restoration	8,060	9,600
Import/export authorization	1,799	1,799
Advanced metallurgical research	8,000	8,000
Special recruitment programs	656	656
Cooperative research and development	3,000	6,000
Subtotal, FOSSIL ENERGY RESEARCH AND DEVELOPMENT	491,456	597,994
Advance appropriations	257,000	---
Total, FOSSIL ENERGY R&D INCLUDING ADVANCES	748,456	597,994

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
NAVAL PETROLEUM AND OIL SHALE RESERVES	18,500	21,500
ELK HILLS SCHOOL LANDS FUNDS	84,000	84,000
STRATEGIC PETROLEUM RESERVE	166,000	166,000
ENERGY INFORMATION ADMINISTRATION	85,926	86,176
NON-DEFENSE ENVIRONMENTAL CLEANUP		
West Valley Demonstration Project	77,100	77,100
Gaseous Diffusion Plants	45,528	48,813
Depleted Uranium Hexafluoride Conversion, 02-U-101	85,803	85,803
Fast Flux Test Reactor Facility (WA)	46,113	46,113
Small Sites:		
Argonne National Lab	10,487	10,487
Brookhaven National Lab	34,328	34,328
Idaho National Lab	5,274	5,274
Consolidated Business Center:		
California Site support	100	100
Inhalation Toxicology Lab	305	305
Lawrence Berkeley National Lab	3,900	3,900
Stanford Linear Accelerator Center	3,500	3,500
Energy Technology Engineering Center	9,000	9,000
Los Alamos National Lab	490	490
Moab	28,006	28,006
Subtotal, small sites	95,390	95,390
TOTAL, NON-DEFENSE ENVIRONMENTAL CLEANUP	349,934	353,219
URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND		
Decontamination and decommissioning	571,498	542,228
Uranium/thorium reimbursement	20,000	20,000
SUBTOTAL, URANIUM ENRICHMENT D&D FUND	591,498	562,228
Uranium sales and barter (scorekeeping adjustment)	---	(3,000)
TOTAL, UED&D FUND/URANIUM INVENTORY CLEANUP	(591,498)	(565,228)
SCIENCE		
High energy physics		
Proton accelerator-based physics	387,093	392,093
Electron accelerator-based physics	132,822	132,822
Non-accelerator physics	38,589	38,589
Theoretical physics	49,103	49,103
Advanced technology R&D	106,326	111,326
Total, High energy physics	713,933	723,933
Nuclear physics	368,741	368,741
Construction		
06-SC-02 Project engineering and design (PED), Electron beam ion source, Brookhaven National Laboratory, Upton, NY	2,000	2,000
Total, Nuclear physics	370,741	370,741
Biological and environmental research	455,688	585,688

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Basic energy sciences		
Research		
Materials sciences and engineering research	746,143	746,143
Chemical sciences, geosciences and energy biosciences	221,801	221,801
Subtotal, Research	967,944	967,944
Construction		
05-R-320 LINAC coherent light source (LCLS)	83,000	83,000
05-R-321 Center for functional nanomaterials (BNL)	36,553	36,553
04-R-313 The molecular foundry (LBNL)	9,606	9,606
03-SC-002 Project engineering & design (PED) SLAC	2,544	2,544
03-R-313 Center for Integrated Nanotechnology	4,626	4,626
99-E-334 Spallation neutron source (ORNL)	41,744	41,744
Subtotal, Construction	178,073	178,073
Total, Basic energy sciences	1,146,017	1,146,017
Advanced scientific computing research	207,055	237,055
Science laboratories infrastructure		
Laboratories facilities support		
Infrastructure support	1,520	1,520
General plant projects	3,000	3,000
Construction		
04-SC-001 Project engineering and design (PED), various locations	3,000	3,000
03-SC-001 Science laboratories infrastructure MEL-001 Multiprogram energy laboratory infrastructure projects, various locations	12,869	14,869
Subtotal, Construction	15,869	17,869
Subtotal, Laboratories facilities support	20,389	22,389
Oak Ridge landlord	5,079	5,079
Excess facilities disposal	14,637	14,637
Total, Science laboratories infrastructure	40,105	42,105
Fusion energy sciences program	290,550	290,550
Safeguards and security	74,317	74,317
Workforce development for teachers and scientists	7,192	7,192
Science program direction		
Field offices	92,593	91,593
Headquarters	70,132	69,132
Total, Science program direction	162,725	160,725
Subtotal, Science	3,468,323	3,638,323
Less security charge for reimbursable work	-5,605	-5,605
TOTAL, SCIENCE	3,462,718	3,632,718

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
NUCLEAR WASTE DISPOSAL		
Repository program	218,536	20,000
Program direction	81,464	80,000
Integrated spent fuel recycling	---	50,000
TOTAL, NUCLEAR WASTE DISPOSAL	300,000	150,000
DEPARTMENTAL ADMINISTRATION		
Administrative operations		
Salaries and expenses		
Office of the Secretary	5,399	5,399
Board of contract appeals	648	648
Chief information officer	51,122	39,385
Congressional and intergovernmental affairs	5,089	4,826
Economic impact and diversity	5,352	5,352
General counsel	24,217	23,217
Office of Management, Budget and Evaluation	111,806	109,300
Policy and international affairs	18,844	14,993
Public affairs	4,504	4,504
Subtotal, Salaries and expenses	226,981	207,624
Program support		
Minority economic impact	830	823
Policy analysis and system studies	395	392
Environmental policy studies	567	562
Cybersecurity and secure communications	32,000	24,733
Corporate management information program	23,055	23,055
Subtotal, Program support	56,847	49,565
Competitive sourcing initiative (A-76)	3,000	2,480
Total, Administrative operations	286,828	259,669
Cost of work for others	80,723	80,723
Subtotal, Departmental Administration	367,551	340,392
Funding from other defense activities	-87,575	-87,575
Total, Departmental administration (gross)	279,976	252,817
Miscellaneous revenues	-123,000	-123,000
TOTAL, DEPARTMENTAL ADMINISTRATION (net)	156,976	129,817
Office of Inspector General	43,000	42,000

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
ATOMIC ENERGY DEFENSE ACTIVITIES		
NATIONAL NUCLEAR SECURITY ADMINISTRATION		
WEAPONS ACTIVITIES		
Directed stockpile work		
Life extension program		
B61	50,810	50,810
W76	162,268	149,768
W80	135,240	100,240
Subtotal, Life extension program	348,318	300,818
Stockpile systems		
B61	66,050	66,050
W62	8,967	8,967
W76	63,538	63,538
W78	32,632	32,632
W80	26,315	26,315
B83	26,391	26,391
W84	4,402	4,402
W87	50,678	50,678
W88	32,831	32,831
Subtotal, Stockpile systems	311,804	311,804
Reliable replacement warhead	9,351	25,000
Warheads Dismantlement	35,245	60,000
Stockpile services		
Production support	267,246	230,000
Research and development	66,753	61,253
Research and development certification and safety	211,727	227,727
Management, technology, and production	166,587	169,587
Robust nuclear earth penetrator	4,000	---
Subtotal, Stockpile services	716,313	688,567
Total, Directed stockpile work	1,421,031	1,386,189
Campaigns		
Science campaigns		
Primary assessment technologies	45,179	49,718
Test readiness	25,000	20,000
Dynamic materials properties	80,894	83,894
Advanced radiography	49,520	49,520
Secondary assessment technologies	61,332	76,332
Subtotal, Science campaigns	261,925	279,464
Engineering campaign		
Enhanced surety	29,845	40,000
Weapons system engineering assessment technology	24,040	17,540
Nuclear survivability	9,386	22,386
Enhanced surveillance	96,207	100,207
Microsystem and engineering science applications (MESA), other project costs	4,714	4,714
Construction		
01-D-108 Microsystem and engineering science applications (MESA), SNL, Albuquerque, NM	65,564	65,564
Subtotal, MESA	70,278	70,278
Subtotal, Engineering campaign	229,756	250,411

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Inertial confinement fusion ignition and high yield campaign:		
Ignition	75,615	75,615
Support of stockpile program	9,872	19,872
NIF diagnostics, cryogenics and experiment support	43,008	43,008
Pulsed power inertial confinement fusion	10,111	11,012
University grants/other support	9,946	7,700
Facility operations and target production	54,623	64,623
Inertial fusion technology	---	48,000
NIF demonstration program	112,330	102,330
High-energy petawatt laser development	3,000	35,000
Subtotal	318,505	407,160
Construction		
96-D-111 National ignition facility, LLNL	141,913	141,913
Subtotal, Inertial confinement fusion	460,418	549,073
Advanced simulation and computing	660,830	605,830
Pit manufacturing and certification		
W88 pit manufacturing	120,926	120,926
W88 pit certification	61,895	61,895
Pit manufacturing capability	23,071	23,071
Modern pit facility	7,686	---
Pit campaign support activities at NTS	35,182	35,182
Subtotal, Pit manufacturing and certification	248,760	241,074
Readiness campaign		
Stockpile readiness	31,400	31,400
High explosives readiness/assembly campaign	17,097	17,097
Non-nuclear readiness	28,630	28,630
Advanced design and production technologies	54,040	54,040
Tritium readiness	62,694	62,694
Construction		
98-D-125 Tritium extraction facility, SR	24,894	24,894
Subtotal, Tritium readiness	87,588	87,588
Subtotal, Readiness campaign	218,755	218,755
Total, Campaigns	2,080,444	2,144,607
Readiness in technical base and facilities		
Operations of facilities	1,160,783	1,170,901
Program readiness	105,738	105,738
Special projects	6,619	---
Material recycle and recovery	72,730	72,730
Containers	17,247	17,247
Storage	25,222	25,222
Subtotal, Readiness in technical base and fac	1,388,339	1,391,838
Construction		
06-D-140 Project engineering and design (PED), various locations	14,113	14,113
06-D-402 NTS replace fire stations 1 & 2 Nevada Test Site, NV	8,284	8,284

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
06-D-403 Tritium facility modernization Lawrence Livermore National Laboratory, Livermore, CA	2,600	2,600
06-D-404 Building remediation, restoration, and upgrade, Nevada Test Site, NV	16,000	16,000
05-D-140 Project engineering and design (PED), various locations	5,000	7,000
05-D-401 Building 12-64 production bays upgrades, Pantex plant, Amarillo, TX	11,000	11,000
05-D-402 Berylium capability (BEC) project, Y-12 National security complex, Oak Ridge, TN	7,700	7,700
04-D-103 Project engineering and design (PED), various locations	2,000	2,000
04-D-125 Chemistry and metallurgy facility replacement project, Los Alamos National Laboratory, Los Alamos, NM	55,000	55,000
04-D-128 TA-18 mission relocation project, Los Alamos Laboratory, Los Alamos, NM	13,000	13,000
03-D-103 Project engineering and design (PED), various locations	29,000	29,000
03-D-122 Purification facility, Y-12 plant,		
01-D-103 Project engineering and design (PED), various locations	9,000	9,000
01-D-124 HEU materials facility, Y-12 plant, Oak Ridge, TN	70,350	81,350
Subtotal, Construction	243,047	256,047
Total, Readiness in technical base and facilities	1,631,386	1,647,885
Facilities and infrastructure recapitalization program	233,484	100,848
Construction		
06-D-160 Project engioneering and design (PED), various locations	5,811	5,811
06-D-601 Electrical distribution system upgrade, Pantex Plant, Amarillo, TX	4,000	4,000
06-D-602 Gas main and distribution system upgrade, Pantex Plant, Amarillo, TX	3,700	3,700
06-D-603 Steam plant life extension project (SLEP), Y-12 National Security Complex, Oak Ridge, TN	729	729
05-D-160 Facilities and infrastructure recapitalization program project engineering design (PED), various locations	10,644	10,644
05-D-601 Compressed air upgrades project (CAUP), Y-12, National security complex, Oak Ridge, TN	9,741	9,741
05-D-602 Power grid infrastructure upgrade (PGIU), Los Alamos National Laboratory, Los Alamos, NM	8,500	8,500

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
05-D-603 New master substation (NMSU), SNL	6,900	6,900
Subtotal, Construction	50,025	50,025
Total, Facilities and infrastructure recapitalization program	283,509	150,873
Secure transportation asset		
Operations and equipment	143,766	143,766
Program direction	68,334	68,334
Total, Secure transportation asset	212,100	212,100
Nuclear weapons incident response	118,796	118,796
Environmental projects and operations		
Environmental projects and operations program	156,504	---
Program direction	17,885	---
Subtotal, Environmental projects and operations	174,389	---
Safeguards and security	699,478	764,486
Construction		
05-D-170 Project engineering and design (PED), various locations	41,000	41,000
Total, Safeguards and security	740,478	805,486
Subtotal, Weapons activities	6,662,133	6,465,936
Less security charge for reimbursable work	-32,000	-32,000
TOTAL, WEAPONS ACTIVITIES	6,630,133	6,433,936
DEFENSE NUCLEAR NONPROLIFERATION		
Nonproliferation and verification, R&D	267,218	309,000
Construction		
06-D-180 Project engineering and design (PED), National Security Laboratory, PNNL	5,000	13,000
Subtotal, Nonproliferation & verification R & D	272,218	322,000
Nonproliferation and international security	80,173	75,000
International nuclear materials protection and cooperation	343,435	427,000
Accelerated highly enriched uranium (HEU) Russian transition initiative	37,890	40,000
HEU transparency implementation	20,483	19,483
Elimination of weapons-grade plutonium production program	132,000	176,185
Fissile materials disposition		
U.S. surplus materials disposition	226,500	195,000
Russian surplus materials disposition	64,000	34,508
Construction		
01-D-407 Highly enriched uranium (HEU) blend 99-D-141 Pit disassembly and conversion facility, Savannah River, SC	24,000	24,000
99-D-143 Mixed oxide fuel fabrication facility, Savannah River, SC	338,565	220,000

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Subtotal, Construction	362,565	244,000
Subtotal, Fissile materials disposition	653,065	473,508
Global threat reduction initiative	97,975	97,975
TOTAL, DEFENSE NUCLEAR NONPROLIFERATION	1,637,239	1,631,151
NAVAL REACTORS		
Naval reactors development	738,800	728,800
Construction		
06-D-901 Central office building II	7,000	7,000
Transfer to Nuclear Energy	---	13,500
05-N-900 Materials development facility building, Schenectady, NY	9,900	9,900
Subtotal, Construction	16,900	30,400
Total, Naval reactors development	755,700	759,200
Program direction	30,300	30,300
TOTAL, NAVAL REACTORS	786,000	789,500
OFFICE OF THE ADMINISTRATOR		
Office of the Administrator	350,765	348,765
Use of prior year balances	-6,896	-6,896
TOTAL, OFFICE OF THE ADMINISTRATOR	343,869	341,869
TOTAL, NATIONAL NUCLEAR SECURITY ADMINISTRATION	9,397,241	9,196,456
DEFENSE ENVIRONMENTAL CLEANUP		
Closure Sites:		
Ashtabula	16,000	16,000
Columbus	9,500	9,500
Fernald	327,609	327,609
Miamisburg	75,530	105,530
Rocky Flats	579,950	569,950
Total, closure sites	1,008,589	1,028,589
Savannah River site:		
04-D-414 Project Engineering and Design, 105-K	---	18,600
Nuclear material stabilization and disposition 2012	250,303	250,303
Subtotal, 2012 accelerated completions	250,303	268,903
SNF stabilization, disposition/storage	13,889	13,889
SR community and regulatory support	13,046	13,046
Nuclear material stabilization and disposition	75,105	75,105
Spent nuclear fuel stabilization and disposition	11,273	11,273
Solid waste stabilization and disposition	112,993	112,993
Soil and water remediation	103,665	94,365

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Nuclear facility D&D	66,516	57,216
Subtotal, 2035 accelerated completions	396,487	377,887
Radioactive liquid tank waste stabil. & disposition	500,975	500,975
03-D-414, Salt waste processing facility PED SR	4,342	35,342
04-D-408, Glass waste storage building #2	6,975	6,975
05-D-405, Salt waste processing facility	70,000	500
SWPF FY 2005 uncosted balances	---	-20,000
Subtotal, Tank farm activities	582,292	523,792
Total, Savannah River site	1,229,082	1,170,582
Waste Isolation Pilot Plant:		
Operate WIPP	111,948	117,948
Central Characterization Project	38,502	38,502
Transportation	37,631	37,631
Community and regulatory support	24,548	36,548
Total, Waste Isolation Pilot Plant	212,629	230,629
Idaho National Laboratory:		
SNF stabilization and disposition/storage	12,666	12,666
Nuclear material stabilization and disposition	1,555	1,555
SNF stabilization and disposition - 2012	19,158	19,158
Solid waste stabilization and disposition	140,015	140,015
Radioactive liquid tank waste stabilization and disposition	124,965	92,195
06-D-401, Sodium bearing waste treatment project, ID	15,000	54,270
04-D-414, Sodium bearing waste treatment facility, PED ID	9,200	9,200
Soil and water remediation - 2012	161,489	161,489
Nuclear facility D&D	5,026	5,026
Non-nuclear facility D&D	39,105	39,105
Idaho community and regulatory support	3,546	3,546
Total, Idaho National Laboratory	531,725	538,225
Oak Ridge Reservation:		
Solid waste stabilization and completion - 2006	---	4,630
Soil and water remediation - Melton Valley	15,146	46,776
Solid waste stabilization and disposition - 2012	68,360	68,360
Soil and water remediation - offsites	16,483	16,483
Nuclear facility D&D, E. Tenn. Technology Park	6,034	6,034
Nuclear facility D&D Y-12	40,558	40,558
Nuclear facility D&D ORNL	16,034	16,034
Solid waste stabilization & disp. - science current gen	18,267	18,267
OR reservation community & regulatory support	5,670	5,670
Building 3019	---	18,000
Total, Oak Ridge Reservation	186,552	240,812
Hanford Site:		
Nuclear material stabilization & disposition PFP	190,772	198,668
SNF stabilization and disposition	58,479	58,479
Nuclear facility D&D, river corridor closure project	168,501	178,501
HAMMER facility	---	7,500
B-reactor museum	---	2,000
Subtotal, 2012 accelerated completions	417,752	445,148
Solid waste stabilization & disposition 200 Area	165,113	167,113
Soil & water remediation - groundwater/vadose zone	72,955	74,495

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
Nuclear facility D&D - remainder of Hanford	70,812	70,812
Operate waste disposal facility	5,861	5,861
SNF stabilization and disposition/storage	1,813	1,813
Richland community and regulatory support	15,411	15,411
Subtotal, 2035 accelerated completions	331,965	335,505
Total, Hanford Site	749,717	780,653
Office of River Protection:		
01-D-416 Waste treatment & immobilization plant	625,893	---
Pretreatment facility	---	149,000
High-level waste facility	---	104,000
Low activity waste facility	---	163,000
Analytical laboratory	---	45,000
Balance of facilities	---	65,000
Subtotal, Waste treatment & immobilization plant	625,893	526,000
Tank Farm activities		
Rad liquid tank waste stabil. and disposition	294,447	329,000
03-D-403 Immobilized HLW interim storage facility	7,495	---
River protection community and regulatory support	471	471
Subtotal, Tank Farm activities	302,413	329,471
Total, Office of River Protection	928,306	855,471
Program direction	230,931	243,816
Program support	32,846	32,846
Uranium enrichment D&D fund contribution	451,000	451,000
Technology development	21,389	30,065
NNSA sites and Nevada off-sites:		
Lawrence Livermore National Laboratory	---	29,578
NNSA Service Center	---	8,304
Nevada	---	85,024
Kansas City Plant	---	4,526
California site support	---	550
Pantex	---	19,654
Sandia National Laboratories	---	9,769
Nevada off-sites	2,846	2,846
Los Alamos National Laboratory	142,209	142,209
Total, NNSA sites and Nevada off-sites	145,055	302,460
Safeguards and Security:		
Waste Isolation Pilot Project	4,223	4,223
Oak Ridge Reservation	28,855	28,855
Fernald	1,391	1,391
West Valley	1,800	1,800
Paducah	11,014	11,014
Portsmouth	17,842	17,842
Richland/Hanford Site	82,155	82,155
Rocky Flats	3,200	3,200
Savannah River Site	136,743	136,743
Total, Safeguards and Security	287,223	287,223
TOTAL, DEFENSE ENVIRONMENTAL CLEAN UP	6,015,044	6,192,371

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
OTHER DEFENSE ACTIVITIES		
Other national security programs		
Office of Security and safety performance assurance		
Nuclear safeguards and security	176,878	186,878
Security investigations	48,725	46,725
Program direction	75,492	73,492
Subtotal, Office of Security and safety performance assurance	301,095	307,095
Environment, safety and health (Defense)	56,483	57,483
Program direction - EH	20,546	19,546
Subtotal, Environment, safety & health (Defense)	77,029	77,029
Office of Legacy Management		
Legacy management	31,421	31,421
Program direction	13,655	13,655
Subtotal, Office of Legacy Management	45,076	45,076
Nuclear energy		
Infrastructure		
Idaho facilities management	17,762	17,762
Idaho sitewide safeguards and security	75,008	75,008
Subtotal, Infrastruture	92,770	92,770
Program direction	31,103	31,103
Subtotal, Nuclear energy	123,873	123,873
Defense related administrative support	87,575	87,575
Office of hearings and appeals	4,353	4,353
Subtotal, Other Defense Activities	639,001	645,001
Less security charge for reimbursable work	-3,003	-3,003
TOTAL, OTHER DEFENSE ACTIVITIES	635,998	641,998
DEFENSE NUCLEAR WASTE DISPOSAL		
Defense nuclear waste disposal	351,447	350,000
TOTAL, ATOMIC ENERGY DEFENSE ACTIVITIES	16,399,730	16,380,825
POWER MARKETING ADMINISTRATIONS		
SOUTHEASTERN POWER ADMINISTRATION		
Operation and maintenance		
Purchase power and wheeling	32,713	32,713
Program direction	5,600	5,600
Subtotal, Operation and maintenance	38,313	38,313
Offsetting collections	-38,313	-32,713
TOTAL, SOUTHEASTERN POWER ADMINISTRATION	---	5,600

DEPARTMENT OF ENERGY
(Amounts in thousands)

	Budget Request	Conference
SOUTHWESTERN POWER ADMINISTRATION		
Operation and maintenance		
Operating expenses	7,042	7,042
Purchase power and wheeling	1,235	3,000
Program direction	19,958	19,958
Construction	3,166	3,166
Subtotal, Operation and maintenance	31,401	33,166
Offsetting collections	-28,235	-3,000
TOTAL, SOUTHWESTERN POWER ADMINISTRATION	3,166	30,166
WESTERN AREA POWER ADMINISTRATION		
Operation and maintenance		
Construction and rehabilitation	53,957	53,957
Operation and maintenance	47,295	47,295
Purchase power and wheeling	148,500	279,000
Program direction	143,667	130,202
Utah mitigation and conservation	---	6,700
Subtotal, Operation and maintenance	393,419	517,154
Offsetting collections	-335,300	-279,000
Offsetting collections (P.L. 98-381)	-4,162	-4,162
TOTAL, WESTERN AREA POWER ADMINISTRATION	53,957	233,992
FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND		
Operation and maintenance	2,692	2,692
Offsetting collections	-2,692	---
TOTAL, FALCON AND AMISTAD O&M FUND	---	2,692
TOTAL, POWER MARKETING ADMINISTRATIONS	57,123	272,450
FEDERAL ENERGY REGULATORY COMMISSION		
Federal energy regulatory commission	220,400	220,400
FERC revenues	-220,400	-220,400
GRAND TOTAL, DEPARTMENT OF ENERGY	24,213,307	24,289,863
(Total amount appropriated)	(23,920,307)	(24,253,863)
(Advance appropriations from previous years)	(36,000)	(36,000)
(Advance appropriations, FY 2007)	(257,000)	---

TITLE IV

INDEPENDENT AGENCIES

APPLACHIAN REGIONAL COMMISSION

The conference agreement includes $66,472,000 for the Appalachian Regional Commission, instead of $38,500,000 as proposed by the House and $65,482,000 as proposed by the Senate. Within the funds provided, the conference agreement includes the following activities:

Central West Virginia public water and wastewater facilities	$2,000,000
Southern West Virginia public water and wastewater treatment facilities	2,000,000
Scioto County, Ohio sanitary sewer pump station renovations and improvements	750,000
Copeland low water bridge, Breathitt County, Kentucky	1,800,000
Watershed coordination activities, Athens, Meigs, Gallia, Lawrence and Scioto counties, Ohio	500,000
Logan County, West Virginia flood warning system	305,000
Perry County, Ohio, State Route 13 railroad crossing	500,000

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

The conference agreement provides $22,032,000 for the Defense Nuclear Facilities Safety Board (DNFS), the same as the request.

The conferees support the mission of the DNFSB, notably the providing of advice and recommendations to the Secretary of Energy regarding public health and safety issues at the Department's defense nuclear facilities. However, the conferees are concerned regarding DNFSB's opinions on seismic criteria, especially the timing and emphasis to which these concerns have been communicated over the past two years to the Department. As recent as the October 17, 2005 letter from the DNFSB to the Secretary of Energy regarding the Hanford Waste Treatment Plant (WTP), DNFSB notes that ''some important uncertainties remain'', that can only be resolved by measurement under the WTP site—which will take up to two years. However, the DNFSB concludes in the same letter this does not ''preclude continuing with the design and construction'' of the facilities. The DNFSB cannot have it both ways. Such guidance leaves the Department vulnerable to continuing a multi-billion dollar project only to have DNFSB decide in two years that criteria must change again. The conferees remind the DNFSB of its authorizing legislation, 42 U.S.C. 2286a.(a)(5), which states, ''In making its recommendations, the Board shall consider the technical and economic feasibility of implementing the recommended measures.''

DELTA REGIONAL AUTHORITY

The conference agreement includes $12,000,000 for the Delta Regional Authority as proposed by the Senate instead of $6,000,000 as proposed by the House.

DENALI COMMISSION

The conference agreement includes $50,000,000 for the Denali Commission, instead of $2,562,000 as proposed by the House and $60,000,000 as proposed by the Senate.

The conferees acknowledge our country faces difficult fiscal circumstances. Hurricanes Katrina and Rita and the on-going war on terrorism have impacted the amount of federal funding available for the Denali Commission. The conferees expect the Denali Commission to continue to fund projects which provide: community showers and washeterias in villages with homes with no running water; multi-purpose community facilities; teacher housing in remote villages where there is limited housing available for teachers; facilities servicing Native elders and senior citizens; and to fund projects which allow (1) the Rural Communications Service to provide broadcast facilities in communities with no television or radio station; (2) the Pubic Broadcasting Digital Distribution Network to link rural broadcasting facilities together to improve economies to scale, share programming, and reduce operating costs; and (3) rural public broadcasting facilities and equipment upgrades, Priority consideration should be given to the Juneau/Green's Creek/Hoonah Intertie project; the Fire Island Transmission line project; the Humpback Creek Hydroelectric project; and the Falls Creek Hydroelectric project. The Denali Commission is instructed to prepare a report to be submitted to the Senate and House Appropriations Committees, which details how the fiscal year 2006 funds are to be allocated. The conferees request this report no later than July 1, 2006.

NUCLEAR REGULATORY COMMISSION

(SALARIES AND EXPENSES)

The conference agreement provides $734,376,000 for the Nuclear Regulatory Commission salaries and expenses, an increase of $41,000,000 over the budget request. This amount is offset by estimated revenues of $617,182,000, resulting in a net appropriation of $117,194,000. The fee recovery is consistent with that authorized by Section 637 of the Energy Policy Act of 2005 (Public Law 109–58). The recommendation includes $46,118,000 to be made available from the Nuclear Waste Fund to support the Department of Energy's effort to develop a permanent geologic repository for spent nuclear fuel and high-level waste. This amount is reduced from the request because the appropriation for the repository program is reduced.

The conferees provide an additional $21,000,000, as proposed by the House and Senate, to conduct site-specific assessments of spent fuel pools at reactor sites consistent with the recommendations of the National Academy of Sciences. The conferees also provide an additional $20,000,000, as proposed by the Senate, to support preparatory activities and pre-application consultations for expected combined license applications.

The conferees are aware that the Energy Policy Act of 2005 places additional responsibilities on the Nuclear Regulatory Commission. Funds to execute these additional responsibilities were not included in the budget request and are not provided in this conference report. However, to the extent that the Commission may be able to execute some of these new responsibilities through the reprogramming of available fiscal year 2006 funds, the conferees encourage the Commission to submit promptly a reprogramming request to the House and Senate Committees on Appropriations.

The conferees direct the Commission to provide a report on the status of its licensing and regulatory activities on a quarterly basis.

OFFICE OF INSPECTOR GENERAL

The conference agreement includes $8,316,000 for the Office of the Inspector General in the Nuclear Regulatory Commission. This amount is offset by revenues of $7,485,000, for a net appropriation of $831,000.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

The conference agreement provides $3,608,000 for the Nuclear Waste Technical Review Board, the same as the request.

TENNESSEE VALLEY AUTHORITY

OFFICE OF THE INSPECTOR GENERAL

The conference agreement does not include the requested $9,000,000 to establish a Congressionally-funded Office of the Inspector General for the Tennessee Valley Authority. The conferees support continuation of the existing arrangement for funding this office.

TITLE V—GENERAL PROVISIONS

Sec. 501. The conference agreement includes language directing that none of the funds appropriated in this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress except to communicate with Members of Congress.

Sec. 502. The conference agreement includes language regarding the transfer of funds made available in this Act to other departments or agencies of the federal government.

The conference agreement does not include a provision proposed by the House regarding the Nuclear Regulatory Commission.

The conference agreement does not include a provision proposed by the House dealing with the International Thermonuclear Experimental Reactor.

The conference agreement does not include a provision proposed by the Senate regarding fully funded continuing contracts.

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL - FY 2006 (H.R. 2419)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	Conference vs. Enacted
TITLE I - DEPARTMENT OF DEFENSE - CIVIL						
DEPARTMENT OF THE ARMY						
Corps of Engineers - Civil						
Investigations	143,344	95,000	100,000	180,000	164,000	+20,656
Construction	1,781,720	1,637,000	1,900,000	2,086,664	2,372,000	+590,280
Flood control, Mississippi River and tributaries, Arkansas, Illinois, Kentucky, Louisiana, Mississippi, Missouri, and Tennessee	321,904	270,000	290,000	433,336	400,000	+78,096
Hurricane Disasters Assistance (emergency)	6,000	---	---	---	---	-6,000
Operation and maintenance	1,943,428	1,979,000	2,000,000	2,100,000	1,989,000	+45,572
Offsetting collection	---	-181,000	---	---	---	---
Hurricane Disasters Assistance (emergency)	145,400	---	---	---	---	-145,400
Storm damage - (P.L. 108-234, Sec. 401) (emergency)	10,000	---	---	---	---	-10,000
Hurricane Katrina Supplemental (P.L. 109-62) (emergency)	200,000	---	---	---	---	-200,000
Subtotal, Operation and mantenance	2,298,828	1,798,000	2,000,000	2,100,000	1,989,000	-309,828
Regulatory program	143,840	160,000	160,000	150,000	160,000	+16,160
FUSRAP	163,680	140,000	140,000	140,000	140,000	-23,680
Flood control and coastal emergencies	---	70,000	---	43,000	---	---
Hurricane Disasters Assistance (emergency)	148,000	---	---	---	---	-148,000
Hurricane Katrina Supplemental (P.L. 109-62) (emergency)	200,000	---	---	---	---	-200,000
General expenses	165,664	162,000	152,021	165,000	154,000	-11,664
Office of Assistant Secretary of the Army (Civil Works)	3,968	---	4,000	---	4,000	+32
Total, title I, Department of Defense - Civil	5,376,948	4,332,000	4,746,021	5,298,000	5,383,000	+6,052
TITLE II - DEPARTMENT OF THE INTERIOR						
Central Utah Project Completion Account						
Central Utah project construction	30,560	31,668	31,668	31,668	31,668	+1,108
Fish, wildlife, and recreation mitigation and conservation	15,345	946	946	946	946	-14,399
Subtotal	45,905	32,614	32,614	32,614	32,614	-13,291
Program oversight and administration	1,720	1,736	1,736	1,736	1,736	+16
Total, Central Utah project completion account	47,625	34,350	34,350	34,350	34,350	-13,275
Bureau of Reclamation						
Water and related resources	852,605	801,569	832,000	899,569	883,514	+30,909
Offsetting collection	---	-30,000	---	---	---	---
Subtotal, water and related resources	852,605	771,569	832,000	899,569	883,514	+30,909
Central Valley project restoration fund	54,628	52,219	52,219	52,219	52,219	-2,409
California Bay-Delta restoration	---	35,000	35,000	37,000	37,000	+37,000
Policy and administration	57,688	57,917	57,917	57,917	57,917	+229
Drought conditions Nevada (P.L. 108-324) (emergency)	5,000	---	---	---	---	-5,000
Total, Bureau of Reclamation	969,921	916,705	977,136	1,046,705	1,030,650	+60,729
Total, title II, Department of the Interior	1,017,546	951,055	1,011,486	1,081,055	1,065,000	+47,454

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL - FY 2006 (H.R. 2419)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	Conference vs. Enacted
TITLE III - DEPARTMENT OF ENERGY						
Energy supply and conservation	1,806,936	1,749,446	1,763,888	1,945,330	1,830,936	+24,000
Clean coal technology:						
Deferral of unobligated balances, FY 2005	-257,000	257,000	257,000	257,000	257,000	+514,000
Deferral of unobligated balances, FY 2007	---	---	-257,000	-257,000	-257,000	-257,000
Rescission request	---	-257,000	---	---	---	---
Rescission, uncommitted balances	---	---	---	---	-20,000	-20,000
Total, Clean coal technology	-257,000	---	---	---	-20,000	+237,000
Fossil Energy Research and Development	571,854	491,456	502,467	641,646	597,994	+26,140
Advance appropriations, FY 2007	---	257,000	---	---	---	---
Total, Fossil Energy Research and Development	571,854	748,456	502,467	641,646	597,994	+26,140
Naval Petroleum and Oil Shale Reserves	17,750	18,500	18,500	21,500	21,500	+3,750
Elk Hills School Lands Fund	72,000	84,000	84,000	84,000	84,000	+12,000
Strategic petroleum reserve	169,710	166,000	166,000	166,000	166,000	-3,710
Northeast home heating oil reserve	4,930	---	---	---	---	-4,930
Energy Information Administration	83,819	85,926	86,426	85,926	86,176	+2,357
Non-defense environmental clean up	439,601	349,934	319,934	353,219	353,219	-86,382
Uranium enrichment decontamination and decommissioning fund	495,015	591,498	591,498	561,498	562,228	+67,213
Science	3,599,871	3,462,718	3,666,055	3,702,718	3,632,718	+32,847
Nuclear Waste Disposal	343,232	300,000	310,000	300,000	150,000	-193,232
Departmental administration	238,503	279,976	252,909	280,976	252,817	+14,314
Miscellaneous revenues	-121,024	-123,000	-123,000	-123,000	-123,000	-1,976
Net appropriation	117,479	156,976	129,909	157,976	129,817	+12,338
Office of the Inspector General	41,176	43,000	43,000	43,000	42,000	+824
Atomic Energy Defense Activities						
National Nuclear Security Administration:						
Weapons activities	6,331,590	6,630,133	6,181,121	6,574,024	6,433,936	+102,346
Transfer from Department of Defense approps	(300,000)	---	---	---	---	(-300,000)
Total, Weapons activities (program level)	(6,631,590)	(6,630,133)	(6,181,121)	(6,574,024)	(6,433,936)	(-197,654)
Defense nuclear nonproliferation	1,409,033	1,637,239	1,500,959	1,729,066	1,631,151	+222,118
Emergency appropriations (H.R.1268)	84,000	---	---	---	---	-84,000
Subtotal, Defense nuclear nonproliferation	1,493,033	1,637,239	1,500,959	1,729,066	1,631,151	+138,118
Naval reactors	801,437	786,000	799,500	799,500	789,500	-11,937
Office of the Administrator	353,350	343,869	366,869	343,869	341,869	-11,481
Subtotal, National Nuclear Security Administration	8,979,410	9,397,241	8,848,449	9,446,459	9,196,456	+217,046
Defense environmental cleanup	6,808,319	6,015,044	6,468,336	6,366,771	6,192,371	-615,948
Other defense activities	687,149	635,998	702,498	645,001	641,998	-45,151
Defense nuclear waste disposal	229,152	351,447	351,447	277,000	350,000	+120,848
Total, Atomic Energy Defense Activities	16,704,030	16,399,730	16,370,730	16,735,231	16,380,825	-323,205
Power Marketing Administrations						
Operation and maintenance, Southeastern Power Administration	5,158	38,313	38,313	38,313	38,313	+33,155
Offsetting collection	---	-38,313	-32,713	-32,713	-32,713	-32,713
Subtotal, O&M, Southeastern Power Administration	5,158	---	5,600	5,600	5,600	+442
Operation and maintenance, Southwestern Power Administration	29,117	31,401	31,401	33,166	33,166	+4,049
Offsetting collection	---	-28,235	-1,235	-3,000	-3,000	-3,000
Subtotal, O&M, Southwestern Power Administration	29,117	3,166	30,166	30,166	30,166	+1,049
Construction, rehabilitation, operation and maintenance, Western Area Power Administration	171,715	393,419	379,654	523,919	517,154	+345,439
Offsetting collection	---	-335,300	-148,500	-279,000	-279,000	-279,000
Offsetting collection (P.L. 98-381)	---	-4,162	-4,162	-4,162	-4,162	-4,162
Subtotal, O&M, Western Area Power Administration	171,715	53,957	226,992	240,757	233,992	+62,277
Falcon and Amistad operating and maintenance fund	2,804	2,692	2,692	2,692	2,692	-112

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL - FY 2006 (H.R. 2419)
(Amounts in thousands)

	FY 2005 Enacted	FY 2006 Request	House	Senate	Conference	Conference vs. Enacted
Offsetting collection	---	-2,692	---	---	---	---
Subtotal, Falcon and Amistad O&M fund	2,804	---	2,692	2,692	2,692	-112
Total, Power Marketing Administrations	208,794	57,123	265,450	279,215	272,450	+63,656
Federal Energy Regulatory Commission						
Salaries and expenses	210,000	220,400	220,400	220,400	220,400	+10,400
Revenues applied	-210,000	-220,400	-220,400	-220,400	-220,400	-10,400
Total, title III, Department of Energy	24,419,197	24,213,307	24,317,857	25,077,259	24,289,863	-129,334
Appropriations	(24,263,197)	(23,920,307)	(24,281,857)	(25,041,259)	(24,253,863)	(-9,334)
Advance appropriations from previous years	(36,000)	(36,000)	(36,000)	(36,000)	(36,000)	---
Advance appropriations, FY 2007	(36,000)	(257,000)	---	---	---	(-36,000)
Emergency appropriations	(84,000)	---	---	---	---	(-84,000)
TITLE IV - INDEPENDENT AGENCIES						
Appalachian Regional Commission	65,472	65,472	38,500	65,482	65,472	---
Defense Nuclear Facilities Safety Board	20,106	22,032	22,032	22,032	22,032	+1,926
Delta Regional Authority	6,000	6,000	6,000	12,000	12,000	+6,000
Denali Commission	66,464	2,562	2,562	67,000	50,000	-16,464
Nuclear Regulatory Commission:						
Salaries and expenses	657,475	693,376	714,376	734,376	734,376	+76,901
Revenues	-530,079	-559,643	-580,643	-598,643	-617,182	-87,103
Subtotal	127,396	133,733	133,733	135,733	117,194	-10,202
Office of Inspector General	7,458	8,316	8,316	8,316	8,316	+858
Revenues	-6,712	-7,485	-7,485	-7,485	-7,485	-773
Subtotal	746	831	831	831	831	+85
Total, Nuclear Regulatory Commission	128,142	134,564	134,564	136,564	118,025	-10,117
Nuclear Waste Technical Review Board	3,152	3,608	3,608	3,608	3,608	+456
Tennessee Valley Authority: Office of Inspector General	---	9,000	---	---	---	---
Offset	---	-9,000	---	---	---	---
Total, title IV, Independent agencies	289,336	234,238	207,266	306,686	271,137	-18,199
Grand total	31,103,027	29,730,600	30,282,630	31,763,000	31,009,000	-94,027
Appropriations	(30,489,627)	(29,437,600)	(30,246,630)	(31,727,000)	(30,993,000)	(+503,373)
Emergency appropriations	(798,400)	---	---	---	---	(-798,400)
Advance appropriations from previous years	(36,000)	(36,000)	(36,000)	(36,000)	(36,000)	---
Advance appropriations, FY 2006 and 2007	(36,000)	(257,000)	---	---	---	(-36,000)

CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2006 recommended by the Committee of Conference, with comparisons to the fiscal year 2005 amount, the 2006 budget estimates, and the House and Senate bills for 2006 follows:

[In thousands of dollars]

New budget (obligational) authority, fiscal year 2005	$31,166,027
Budget estimate of new (obligational) authority, fiscal year 2006	29,730,600
House bill, fiscal year 2006	30,283,530
Senate bill, fiscal year 2006	31,763,050
Conference agreement, fiscal year 2006	31,009,000
Conference agreement compared with:	
New budget (obligational) authority, fiscal year	−157,027
Budget estimates of new (obligational) authority, fiscal year 2006	+1,278,400
House bill, fiscal year 2006	+725,470
Senate bill, fiscal year 2006	−754,050

DAVID L. HOBSON,
RODNEY P. FRELINGHUYSEN,
TOM LATHAM,
ZACH WAMP,
JO ANN EMERSON,
JOHN DOOLITTLE,
MICHAEL K. SIMPSON,
DENNIS R. REHBERG,
JERRY LEWIS,
PETER J. VISCLOSKY,
CHET EDWARDS,
ED PASTOR,
JAMES E. CLYBURN,
MARION BERRY,
DAVID R. OBEY,
Managers on the Part of the House.

PETE V. DOMENICI,
THAD COCHRAN,
MITCH MCCONNELL,
ROBERT F. BENNETT,
CONRAD BURNS,
LARRY E. CRAIG,
CHRISTOPHER S. BOND,
KAY BAILEY HUTCHISON,
WAYNE ALLARD,
HARRY REID,
ROBERT C. BYRD,
PATTY MURRAY,
BRRON L. DORGAN,
DIANNE FEINSTEIN,
TIM JOHNSON,
MARY L. LANDRIEU,
DANIEL K. INOUYE,
Managers on the Part of the Senate.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4176

Mr. DOOLITTLE. Madam Speaker, I ask unanimous consent to have the gentleman from Nevada (Mr. GIBBONS) removed as a cosponsor of H.R. 4176.

This bill involves public lands that cross our adjacent districts. The gentleman's name was added to the bill erroneously.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

THE NOMINATION OF JUDGE ALITO TO THE U.S. SUPREME COURT

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, I hope that as this Congress, particularly the other body, begins to proceed with their hearings on Judge Alito, that no predecisions will be made.

I, frankly, believe that this is one of the most important confirmation processes that we will see in our lifetimes, for it has the possibility of altering the Court drastically to one position versus another. For any Member of this body or Congress to suggest that there may not be a need for a filibuster to me is suggesting that there is no need for principles.

The legacy or the history of Judge Alito is of many different kinds, many different decisions. My view is that his nomination and confirmation will alter this Court and not make it the balanced Court that Americans have come to believe in. So I would warn those who would automatically suggest that a filibuster is not appropriate. Hearings are appropriate and maybe an up-or-down vote ultimately, but it may be that a filibuster is appropriate to save the United States Supreme Court.

PRAYERS FOR TORNADO VICTIMS

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Two a.m. Sunday morning in Newburgh, Indiana, the rains came down, the winds blew and beat against the homes of that community, and it fell with a great crash.

□ 1930

It was the worst loss of life for a tornado in the State of Indiana since April 1974.

Nancy Grimes said to me today in an e-mail of the experience, ''It had to be the scariest thing I have ever been through. The noise and the debris hitting our house was incredible. I think I screamed for 5 to 10 minutes during the duration, and then there was total calm. And the next morning I cried when I walked out onto our front porch and saw the destruction.'' She spoke of finding a needlepoint Christmas ornament with the word ''Hope'' stitched into it. She wrote, ''It will certainly find a place on our Christmas tree this year.''

I urge my fellow Hoosiers and all Americans who have watched the grim reports from southern Indiana and northern Kentucky to be generous in prayer, to take every opportunity to come to the material aid of the families and communities affected by this horrendous tornado.

WORKING TOWARDS ALTERNATIVE FUEL SOURCES

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Madam Speaker, I wanted to say that while I cannot stand filling up my car at $3 a gallon, like anybody else, there is one good thing about it, and that is that there are a lot of people out there thinking, well, what alternatives are there to fossil fuel energy? What other ways can we get fossil fuel out of the ground? What other ways can we buy it from other countries? We do not really like being 58 percent dependent on the Middle East for fossil fuels.

So, at $3 a gallon, people have almost daily reminders: What can we come up with? Hydrogen-powered cars such as the type General Motors is working on, and they had it last week at the Capitol. They will be really up and running probably in 5 to 10 years. Very exciting.

Ethanol. In Brazil, 40 percent of the cars run on ethanol. In America, only 3 percent do. There are fuel cells, there is even nuclear power. There are all kinds of things, new types of electrical cars that we need to be putting money into.

The Republican Congress has put money and tax credits towards research and development so that our universities, our labs, our start-up enterprises can come up with alternative fuel sources, and I am proud that we are moving in the right direction, but we need to do it faster.

SPECIAL ORDERS

The SPEAKER pro tempore (Mrs. DRAKE). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

INFLUENZA PREPAREDNESS AND PREVENTION ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. LEWIS) is recognized for 5 minutes.

Mr. LEWIS of California. Madam Speaker, today I have introduced the Influenza Preparedness and Prevention Act, authorizing legislation that takes urgently needed steps towards preparing our Nation for the threat of pandemic flu. As an appropriator, I have rarely introduced authorizing legislation. It is something I have only done a handful of times in my career in the House, but I firmly believe this looming catastrophe calls for action.

In 1918, the Spanish flu killed 40 million people worldwide, and more died from the flu than through combat during World War I. Experts warn us that we are overdue for another pandemic flu outbreak. Although this avian flu

virus has not yet transferred from human to human, it looks and acts like the virus of 1918, more so than any other influenza outbreak in this century. Of the more than 100 people known to have contracted the virus in Asia, 50 percent have died.

If a pandemic flu hits our shores, all levels of government must work together if we are to avoid thousands of deaths. We in Congress must make sure the infrastructure and resources are in place to prepare for and combat a pandemic flu crisis.

The President has issued a call for action by a National Strategy on Pandemic Influenza. The key components of this strategy are international surveillance, domestic surveillance, vaccine development, stockpiling antivirals, communication, and State and local preparedness.

The legislation I have introduced today, the Influenza Preparedness and Prevention Act, supports and complements the administration's strategy. Most importantly, it sets us on a course to quickly develop and purchase vaccines and antivirals. For example, my bill calls for Health and Human Services to stockpile enough antivirals to treat 25 percent of the U.S. population. As the President has made clear, though, stockpiling is only a part of the strategy to combat a pandemic.

Vaccines are the ultimate defense against a pandemic. A vaccine developed by NIH shows early signs of promise for preventing the most dangerous strain of avian flu. My legislation calls on the Secretary of HHS to begin to stockpile doses of a viable vaccine. It also supports the continuing development by NIH of an effective vaccine and new technologies that will make it faster and easier to produce.

Madam Speaker, we do not have the vaccine manufacturing capacity in the United States to produce the doses we need to combat a pandemic. The number one barrier is more vaccine production, and to that production is the threat of lawsuits. We must have sensible liability reform as we search for a vaccine and build manufacturing capacity. My bill proposes limited liability protections for vaccine manufacturers and providers, with an exception to allow suits to proceed against companies who act with willful misconduct.

Education and communication are vital to prepare for a pandemic. The Centers For Disease Control and Prevention does fabulous work in public health education. My bill expands and supports their efforts to work with health providers and State and local health departments in this effort.

It is critical that we educate the public on both pandemic influenza and the garden variety flu we see every year. The more people become used to taking the annual flu vaccine, the easier it will be to get them in quickly for vaccinations in a pandemic. And the more business we provide for vaccine makers, the better our chances they will be ready to gear up for the kind of production that we will need to stop a new strain from reaching pandemic levels.

Of course, the way to stop the avian flu outbreak from becoming a pandemic is spotting it and containing it as soon as possible. The CDS is working across the globe to detect and identify the avian flu virus and is working with foreign health officials on strategies to prevent outbreaks. This bill will expand this critical program and create an assistance program for helping nations to combat avian flu.

The pandemic may never happen, but we cannot put American lives at risk by failing to prepare and make proper investments. This legislation is just the beginning of the commitment that I will make to head off this potential pandemic. As chairman of the Appropriations Committee, I vow we will respond to the administration's emergency supplemental request, and the pipelines will be filled to meet this challenge.

GOP DOUBLE-TALK ON ENERGY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

Mr. EMANUEL. Madam Speaker, this Wednesday, some of the biggest names in the oil industry are coming to Capitol Hill to testify why their companies are making record profits at the same time Americans are struggling to heat their homes and fill their cars with gasoline.

We are hearing some big talk out of the Republicans now. Senator DOMENICI said the oil executives ''are going to get pounded on the price.'' Last week, my colleague from Georgia (Mr. KINGSTON), my friend, said that oil companies should ''give back to the American people and put some of that profit toward lowering the cost of gas.'' Even the Speaker of the House said, ''The oil companies need to do their part.''

Man, you would think we were all Rip Van Winkle around here, as if we just woke up after 100 years. You might actually believe the Republicans were trying to do something about gas prices. I only wish this was the attitude and intention when we had the energy bill up on the Floor just only 6 weeks ago. Their tune was different then and winners were different then. Back then, they were all singing the energy industry's hymn. The chairman of the Energy and Commerce Committee said, ''This is a darned good bill, and this is going to help this country. The sooner we get it implemented, the better.'' Senator DOMENICI said that the energy bill was ''the most important piece of energy legislation by Congress in 50 years.''

Republicans may be talking a good game now, but the fact is that, until recently, the Republican Congress has done everything in its power to help oil and gas companies. The energy bill they passed this July actually contained $14.5 billion in taxpayer subsidies to oil and gas companies to drill for oil. We are subsidizing oil and gas companies when the price of a barrel is 65 bucks a barrel. In fact, the bill they passed, according to the Department of Energy, the bill actually increases the cost of gasoline. It increases the cost of gasoline so consumers pay more at the pump, and because of the tax subsidy, on April 15, we also pay more, all for big oil companies who are making record profits.

I think what the big oil companies miss and what we need is a little free market in this process. There is too much corporate welfare going on. Most recently, this Congress passed a refinery bill with an additional $2 billion in handouts to oil and gas companies. The worst part of it is that the refiners did not even ask for the bill; the Republican Congress just gave it to them.

So why the sudden change towards the oil industry from cheerleader to detractor? Gas is around 3 bucks a gallon. Utilities are now predicting that families could pay as much as 70 percent more to heat their homes this winter, and 1 year from today is Election Day. So all of a sudden, everybody is realizing that they have to act really tough on the big oil companies.

Natural gas prices are so high that the Energy Department predicts the average bill for the average family will be $350 more this season. American families are struggling with sky-high energy bills, and oil and gas companies are struggling with ways to count their cash.

ExxonMobil recently reported that their profits increased by 75 percent in the third quarter. Shell's earnings increased 68 percent. Phillips' third quarter, 89 percent; BP Amoco, a 34 percent rise in quarterly earnings. And what did we do in Congress the same season? We gave them $14 billion a year to help them drill for oil, which is their business plan.

Now, I do not know about you, but my view is, if you are making record profits, somewhere north of 80 percent, the last thing we want to ask the consumers is to subsidize your business plan. You are in the business of looking for oil and getting it to consumers, and the taxpayers should not be in the business of subsidizing it. You should get a wake-up call on what the free market is like.

ExxonMobil is the largest donor to the Republican Party, and that is why we produced a piece of legislation that gave them one of the biggest handouts to corporate beneficiaries. But I cannot fault the oil companies; it is just a good investment for them. Since 1980, big oil and big gas have given the Republican Party well over $200 million in support, and they have gotten $14.5 billion in taxpayer subsidies. Where else can you get an investment like that with a return like that? You cannot get that on Wall Street.

Now, with their approval ratings at an all-time low, all of a sudden, Republicans are trying to figure out how to

punish big oil. Big, big talk. Do you think anything is going to come out of it? The first thing they can do is give back the $14 billion. The second thing they can do is give back the $2 billion, all of which were assessed on the taxpayers to subsidize these companies.

So, Madam Speaker, it is wrong to hand out money to energy companies who are making massive profits, and then cut home heating assistance for our most vulnerable citizens, our senior citizens. And it is wrong to claim to be doing something when you are not, nor do you have any intention. And when you had a chance to do it, rather than help the consumers, what did you do? You actually produced a bill that actually increased the price of gas at the pump and gave $14 billion that you did not have to big oil companies to support them to execute their business plan.

□ 1945

Those are not the values of this country, and thank God they are not the values of the American people. We need a change of priorities. We need a new set of priorities. And we can do better, Mr. Speaker. The American people can do better. It is time we returned the People's House back to the people rather than to the auction house it has been to the big oil and gas companies.

HURRICANE RELIEF EFFORTS

The SPEAKER pro tempore (Mrs. DRAKE). Under a previous order of the House, the gentleman from Texas (Mr. MCCAUL) is recognized for 5 minutes.

Mr. MCCAUL of Texas. Madam Speaker, the people in the gulf coast States have always lived with the threat of devastating tropical weather, including hurricanes. In fact, the worst natural disaster to ever befall America was the Galveston hurricane of 1900.

To this day, I personally know many families who lost loved ones in this horrific hurricane some 105 years ago. In fact, my grandfather, who was only 8 years old at the time, barely survived the devastation, while some 10,000 perished trying to overcome the high waters.

My grandfather was heroically saved by rescuers who found him clinging to a tree in the flooded streets of Galveston. Sadly, it seems that history and nature have a way of repeating themselves.

Like in the Galveston hurricane of 1900, the streets of New Orleans were flooded to the tops of trees and homes by Hurricane Katrina, and people relied on the goodwill of others to survive that devastation. To that end, my home State of Texas has done an outstanding job in the Katrina relief effort, persevering in the face of Hurricane Rita, which made landfall on the Texas coast 1 month after Hurricane Katrina.

It goes without saying that our hearts and prayers are with those who are fighting for their lives and their communities and the areas hit by these hurricanes. Despite their dire situation, I know how brave and capable the people are in Texas, Louisiana, Mississippi, and Alabama. They will overcome the damage and fully recover. They will rebuild and return home as they were meant to, but they will need our help and support.

Before Hurricane Rita hit, I visited the Katrina relief efforts in my district, and Vice President CHENEY and I met with the Texas Emergency Management Agency. They used computer models to demonstrate the effects of a hurricane similar to Katrina hitting the Texas coast. The images revealed that Galveston Island could be completely submerged and the streets of Houston flooded if a strong hurricane were to hit that region.

At the time, we could not have known that this similar scenario would play itself out in Texas in just a matter of days. Fortunately, Galveston and the greater Houston area were saved; and unlike Galveston a hundred years ago, there was no direct loss of life due to Hurricane Rita. This is due to the efforts of the real heroes of the State and local first responders who protected life before the storm struck.

To that end I would like to thank everyone who has stepped forward and helped the hurricane victims by donating, volunteering, and working together to overcome this tragedy, especially Texas Governor Rick Perry; Austin Mayor Will Wynn; Houston Mayor Bill White; Katy Mayor Doyle Callendar; Tomball Mayor, Hap Harrington; Harris County Judge Robert Eckels; Ann Hodge and the Katy Chamber of Commerce; Bruce Hillegeist and the Tomball Chamber of Commerce; Tomball Fire Department Chief Randy Parr; and the Interfaith Ministries of Greater Houston. Their leadership, persevering through sheer tragedy, has been invaluable to the response and recovery process from both storms.

This cooperation partnership, brotherhood, community and faith, all succeeding in the face of absolute disaster, is truly an example of the resilience of the American spirit.

If nothing, this can teach us that if we plan ahead and work together, we can save lives and overcome the worst of nature's fury. This common bond is our duty as friends, as neighbors, and as Americans.

40TH ANNIVERSARY OF MEDICARE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Madam Speaker, I rise this evening during this 40th anniversary year of Medicare as a strong supporter of this critical health insurance lifeline to all of America's families. On July 30, 1965, President Lyndon Johnson signed Medicare into law, the most important and successful family insurance program our Nation has ever known.

Medicare was created to provide health insurance to the elderly and disabled in part because only about half of our Nation's elderly and almost all of the disabled actually never had had health insurance. Medicare also played a fundamental role, along with the Civil Rights Act of 1964, in desegregating the American health insurance system by assuring access to care regardless of race or age.

Medicare began with 19 million beneficiaries, and since then it has served a total of approximately 105 million people over the last 40 years. Medicare has evolved over time to help beneficiaries maintain health, prevent disease and injury and provide better benefits, including more preventive care, even as inflation pushed the cost of health care higher and higher.

Medicare, which covered about 42 percent of expenditures for the elderly in 1968, covered about 55 percent by 1997. Without it, citizens simply could not cope financially as private companies reneged on their promised health and pension benefit to retirees.

Today, Medicare provides comprehensive health insurance for nearly 42 million Americans, which includes more than 35 million senior citizens and 6 million people under 65 years of age who are permanently disabled. It continues to achieve its purpose of improving health and financial security for beneficiaries by assuring access to affordable health care and contributing to the significant decrease in poverty among the elderly, which has fallen from nearly 30 percent in 1966 to approximately 10 percent in 2002. What a profound accomplishment we have achieved as a people to make the golden years livable, not threatening.

Most recently, however, in 2003, this Congress moved to add a prescription drug benefit coverage program to Medicare. While I have always supported Medicare as an important lifeline for seniors and the disabled, I could not support this particular legislation championed by the current Republican Party and the pharmaceutical industry. It did nothing to lower the exorbitant prices of prescription drugs, and yet it provides windfall profits to these very drug companies.

The bill is known as the Medicare Prescription Drug Modernization Act, and it was passed in this Chamber only after the Republican leadership bent their own rules during an all-night session to hold open the vote past the normal 15 minutes to nearly 3 hours as they twisted arms to get the bill passed.

I supported the Democratic plan that would have really provided an affordable drug plan for our seniors. Among the shortcomings of the law that seniors are now dealing with is that our government is not permitted to negotiate with the drug companies for the best price. I tried to get that amendment included in the bill and waited up in the Rules Committee until 4:30 in the morning and was denied my ability

to offer that particular amendment. I shall never forget that moment.

The current program also prohibits seniors in America from buying reimported drugs from countries like Canada. Does that make any sense? Well, it makes lots of ''cents,'' in fact, millions and millions of dollars for the drug companies that want to bar our seniors, particularly those in the North and in the South who can go to other places to buy the very same drugs that are for sale in this country at exorbitant prices.

The plan that passed here in the Congress was jerry-rigged in that it requires seniors to pay thousands of dollars for prescription drugs before they reach the $5,000 cap. How are they going to get those thousands of dollars?

The bill that passed has a big hole right in the middle that is going to come out of the pockets of our seniors in additional premium costs.

The Bush plan also intends to phase out the traditional Medicare program starting in 2010 for almost 7 million seniors, saying that they would no longer need to have a defined benefit plan, but they would get a voucher and could go on to the private market and try to get affordable prescription drugs.

Well, tell me now, how affordable do you think that can be? The Republican law, in essence, fails to provide a guaranteed prescription drug benefit plan through the traditional Medicare program that is affordable.

Until such full coverage is possible, I would urge my colleagues to support the Pharmaceutical Market Access Act of 2005, H.R. 328, which would allow reimportation.

Finally, in closing, let me say, H.R. 376 would permit the Government of the United States to negotiate the best price for our seniors, and I would urge our seniors to call their area Office on Aging to get advice on what to do in the current situation until we can improve this bill.

SENIORS TRY TO DECIPHER DRUG OPTIONS

(By Luke Shockman)

Bob Cain speaks for many senior citizens when the subject is Medicare's new prescription drug plan.

''It's confusing,'' he said as he stood outside a senior center in Toledo's Uptown neighborhood. ''I got the big book [from Medicare], and I looked on the Internet. But I'm a college graduate, and I couldn't understand it.''

Over and over, in senior centers, nursing homes, assisted-living complexes, and around kitchen tables nationwide, senior citizens and their family members are trying to make sense of Medicare's drug plan.

It hasn't been pretty.

''I don't think I've met any seniors who are [happy] with it,'' said Julie Dangelo, executive director of Senior Centers Inc., the senior center where Mr. Cain frequents. ''Everybody is confused.''

That said, Ms. Dangelo and other senior advocates have a message for the 43 million Americans on Medicare: Yes, this is confusing, and you are certainly free to complain about it. But ready or not, the clock on the decision-making process will begin ticking Nov. 15.

By May 15, seniors will have to decide whether to sign up for Medicare's drug program. If they participate, they must determine which drug-plan option is best for them.

Despite all the hassle, the federal government expects seniors who take part in the program could end up saving quite a bit on their prescription-drug costs. Those with low income or on Medicaid likely will have all or most of their drug costs covered by Medicare—above and beyond the standard financial help available through the new program.

In an effort to alleviate confusion for seniors and their family members facing this important decision, The Blade has gone to experts and senior advocates to answer some basic questions.

So, what should you do first? Relax.

''You don't need to make a decision right now. There's no rush,'' said Kathy Keller, a spokesman for AARP Ohio. ''Don't jump and say, 'It's Nov. 15 and I have to make a decision.' Collect all the information, and get your questions answered before doing anything.''

The deadline for taking action and picking a plan is not Nov. 15 but May 15. However, seniors who wait until after May 15 likely will face penalties and have to pay higher premiums and other costs.

The first thing seniors need to decide is whether they should even join a Medicare prescription-drug plan. If seniors get their drug benefits through a retirement plan from their union or former employer, they already might be receiving a better deal than what Medicare will provide. By law, those former employers or unions have to send a letter telling seniors whether that's the case. Veterans eligible to receive drug benefits through the Department of Veterans Affairs get a better deal through the VA, for example, so they should stick with that.

If Medicare's drug plan does sound like it might be a good option, the most important thing seniors will need to have available when picking a plan—or when talking to someone who will be assisting in selecting a plan—is a list of all the drugs they are taking, the dosage amounts, and how often they take the drug. That's a list that doctors say seniors should have handy whether they choose to go with a Medicare drug plan or not.

Another key piece of information for seniors to know is whether they qualify for extra financial assistance. The Medicare drug program, in its standard form, doesn't cover all expenses. However, for many low-income seniors, including those on Medicaid, there is extra financial help available. Medicaid recipients automatically qualify.

Those not on Medicaid will need to apply for the help, which is available to those making less than $14,355 annually ($19,245 as a couple). The Social Security Administration handles applications, and seniors can call 1–800–772–1213 to learn if they qualify.

And remember, there are many people and places with resources available to help seniors in need of help in making these decisions. Use them. While insurance companies will have a vested interest in the plans that seniors choose, area senior centers and many pharmacies and doctors offices are offering assistance, and there's a host of toll-free phone numbers available.

Perhaps the best advice for seniors right now: Take your time in making a decision.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Ms. ROS-LEHTINEN. Madam Speaker, I ask unanimous consent to take the time of the gentleman from Indiana (Mr. BURTON).

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

GLOBAL WAR ON TERROR

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Madam Speaker, a number of news sources have recently dedicated space and air time to headlines concerning our progress in the war on terror, such as ''What the New York Times doesn't tell you.''

Indeed, as we all have had occasion to note in some of our Nation's widely read news publications, the editorial rule is often there is no news like bad news. But in these Halls of Congress, no such rule abounds, so truth-telling must begin here.

Since the brutal terrorist attacks of September 11, the United States has responded with policies that offer a pragmatic approach to the challenges that we face in the region today. These have included taking the fight to the terrorists and their supporters, denying them the resources and safe sanctuaries, keeping them on the run so that they cannot target us at home, all while simultaneously assisting the developing Middle East democracies so that they can become a bastion of stable, free market democratic societies and as a means of addressing the root causes of terrorism and Islamic extremism.

As Chair of the House Subcommittee on Central Asia and the Middle East, I am proud of the success that these policies have enjoyed, particularly in the frontline states in the war on terror of Iraq and Afghanistan.

However, if we are to fully grasp where both countries are now, and where both are heading politically, we must understand what these nations have endured under brutal regimes that systemically denied the Iraqi and the Afghan people their freedom and shackled their hopes and aspirations.

Saddam Hussein's terrorist regime wreaked havoc on Iraq society and stunted the country's growth and development.

The mass graves are but one sad example of how this brutal ruler destroyed Iraqi lives. He indiscriminately slaughtered Iraqis, regardless of background, with an estimated 300,000 having disappeared from the time that Saddam took power in 1979 until his removal almost 25 years later.

Thus, the progress achieved thus far by the Iraqi people toward establishing a true democratic government, just a few years after the termination of his regime, is nothing short of miraculous.

Within this past year alone, the people of Iraq have not only held free elections and approved a new Iraqi constitution this past October, but they are diligently preparing for nationwide elections on December 15.

Today, the Iraqi people remain engaged in a political process aimed at creating a unified and democratic Iraq, to the envy of the neighboring countries such as Iran and Syria, and to the chagrin of those tyrannical regimes.

In particular, the women of Iraq who, under the Hussein regime were routinely subject to public execution, under the pretext of fighting prostitution and widespread rape and abuse, are now fully participating in the nation's political life.

I was fortunate to have had the opportunity to visit Iraq as part of a historic all-female congressional delegation, during which we met with women from all sectors and educational backgrounds. They now have a voice in charting the path for their country's future and in helping to ensure that this course is toward a vibrant and prosperous Iraqi nation.

Likewise, in Afghanistan, U.S. efforts have also contributed to significant positive changes in the lives of women in Afghanistan where the Taliban's brutality and blatant disregard for the lives and well-being of the Afghan people impacted all the people of that country.

The shroud of misery placed upon the people of Afghanistan when the Taliban captured Kabul in 1996 was removed in 2002 by the United States with the help of our allies and the Afghan people themselves.

As a nation whose recent history has been marked more by war than by peace, more by upheaval than by progress, Afghanistan's transition to democracy has also been nothing short of miraculous.

In a state of effective war for most of the last quarter century, Afghanistan was allowed to fester for most of the 1990s, ultimately hosting al Qaeda and enduring the extremist Taliban regime.

In liberating the Afghan people, we brought an end to the deplorable human rights violations under the Taliban regime, which included the barbaric practices of beatings, tortures, rapes, executions that were carried out by Taliban's Department of Promotion of Virtue and the Prevention of Vice.

□ 2000

Today, the Afghan people are determined to take steps to ensure Afghanistan's survival as a free and democratic nation. We are on the road to victory, and the selfless dedication of our men and women in uniform should always be congratulated.

AHMAD CHALABI

The SPEAKER pro tempore (Mrs. DRAKE). Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

Mr. GEORGE MILLER of California. Madam Speaker, somebody ought to call the cops. Today I am not talking about collusion, corruption and cronyism and the leaking of sensitive classified information that has irreparably damaged the national security of the United States. No, I am not talking about Scooter Libby or Karl Rove, though their involvement in outing a female CIA agent to silence her husband's criticisms of the President's Iraq policy deserves closer scrutiny.

No, I am talking about another shadowy character and administration ally, someone whose deception played a large role in leading the United States into war in Iraq. I am talking about Ahmad Chalabi. Mr. Chalabi is the Deputy Prime Minister of Iraq's newly constituted government. But Mr. Chalabi also is a convicted bank swindler who, we now know, fed the Bush administration false intelligence about Saddam's weapons of mass destruction and capabilities and Iraq's ties to terrorism.

Many Americans remember Mr. Chalabi as a man who convinced Vice President CHENEY that the United States would be greeted as a great liberator in Iraq. Some have even said it was Mr. Chalabi who promoted the false story about Iraq's attempted purchase of nuclear material in Niger. Chalabi fed false stories about Iraq's weapons capabilities to New York Times reporter Judith Miller, a story that the Times was later forced to publicly discount.

Mr. Chalabi, who supplied information to the White House Iraq working group, a mysterious cabal, as Colin Powell's former chief of staff recently said, that hijacked U.S. foreign policy and hyped the case for war in Iraq. The bottom line is that Mr. Chalabi played a central role in the orchestrated deception leading to the invasion of Iraq.

After the administration discovered that Mr. Chalabi provided false intelligence, instead of investigating, the Department of Defense attempted to prop Mr. Chalabi up as a candidate of choice in the post-war Iraq.

Keep in mind what Mr. Chalabi did next. He was suspected of leaking classified information about U.S. intelligence capabilities to Iran. He was suspected of telling the Iranians that we had broken the code by which we were learning information about their activities.

Seventeen months ago, then National Security Adviser Rice promised an FBI inquiry into who leaked information to Iran. Seventeen months ago, and yet nothing has happened. Despite the fact that Mr. Chalabi was a prime suspect, the FBI has never interviewed him. In fact, the Wall Street Journal quotes the FBI as having said they have little active interest in this matter. Little active interest in a person who is leaking intelligence material to Iran in the middle of the war in Iraq?

Just this week the administration invited this criminal to meet with the Secretary of State and maybe even Vice President CHENEY in the West Wing to discuss his candidacy for the Iraq presidency in this December's election. I would be curious to learn from the President what role granting a U.S. entry visa to a man suspected of spying for Iran plays in the administration's terrorism strategy.

Mr. Chalabi's actions are an insult to every American, especially those serving in our Nation's Armed Forces, and his high-level visit to the United States is an additional affront. Chalabi's crimes cannot go unanswered. He belongs in jail for his misdeeds. Instead, he gets a White House photo-op.

As the Senate concludes its investigation into the administration's use of false and misleading intelligence to make the case for war, no such inquiry would be complete without Mr. Chalabi's testimony under oath. While he is sashaying around the streets of Washington, D.C., the Senate Intelligence Committee and the House Intelligence Committee may want to issue a subpoena for his presence. He has offered to testify, but no intelligence agency of the United States has interviewed him, nor has the FBI, as we learned today.

He should be detained in this country until he gives that testimony. I know I speak for all Americans when I say that our idea of democracy is not propping up a bank swindler, kidnapper and extortionist whose lies and deceptions contributed to the 14,000 U.S. soldiers injured and over 2,000 killed in action and is an intractable quagmire with no end in sight. Americans deserve the truth about the Bush administration's manipulation of intelligence to justify this tragic war.

Calling the cops to arrest Mr. Chalabi, while he is here, so he can be interrogated, would be a good beginning to understand how extensive the manipulation, how false the evidence was, that caused the President to take us to war and which was championed by the Vice President and the President and the cabal to try to justify to the American citizens the reason for this war.

Mr. Speaker, call the cops. Mr. Chalabi should not be allowed to run free on the streets of this Nation's capital.

[From The Wall Street Journal, November 7, 2005]

TOP SECRET: STATUS OF CHALABI INQUIRY

(By Scot J. Paltrow)

As Iraqi Deputy Prime Minister Ahmad Chalabi arrives this week in Washington for talks, there is little sign of progress in a Federal investigation of allegations that he once leaked U.S. intelligence secrets to Iran.

More than 17 months after then-National Security Adviser Condoleezza Rice publicly promised a full criminal inquiry, the Federal

Bureau of Investigation hasn't interviewed Mr. Chalabi himself or many current and former U.S. government officials thought likely to have information related to the matter, according to lawyers for several of these individuals and others close to the case.

The investigation of Mr. Chalabi, who had been a confidant of senior Defense Department officials before the war in Iraq, remains in the hands of the FBI, with little active interest from local federal prosecutors or the Justice Department, these people said. There also has been no grand-jury involvement in the case.

The investigation centers on allegations that one or more U.S. officials in early 2004 leaked intelligence to Mr. Chalabi, including the fact that the U.S. had broken a crucial Iranian code, and that Mr. Chalabi in turn had passed the information to the Baghdad station chief of Iran's Ministry of Intelligence and Security. The assertions about Mr. Chalabi's involvement came after U.S. intelligence agencies intercepted a cable from the station chief back home to Iran, detailing what the chief claimed was a conversation with Mr. Chalabi about the broken code.

Former intelligence officials said such a leak could have caused serious damage to U.S. national security. The broken code had enabled U.S. intelligence agencies to monitor covert cable traffic among Iranian operatives around the world. The encrypted cable traffic was a main source of information on Iranian operations inside Iraq. The leak also threatened U.S. efforts to monitor any Iranian steps to develop nuclear weapons. And there was concern that the disclosure could prompt other countries to upgrade their encryption, making it more difficult for the U.S. to spy on them.

Mr. Chalabi has strongly denied the allegations. He once was a close Bush administration ally and a key proponent of the Iraqi invasion, though he has more recently appeared to fall from American favor. Before the war, during his long period as a prominent Iraqi exile, he also cultivated close ties to the government in Iran, which was his ally in opposing former Iraqi leader Saddam Hussein. Just this weekend, Mr. Chalabi made a trip to Tehran to visit Iranian government leaders.

The handling of the Chalabi investigation so far stands in contrast to the aggressive inquiry conducted by special counsel Patrick Fitzgerald into the leaking of intelligence agent Valerie Plame's name, which led to the indictment of I. Lewis Libby, Vice President Cheney's former chief of staff.

Questions about the progress of the Chalabi investigation also follow the FBI's disclosure last week that it had closed an investigation into forged documents purporting to show Iraq had sought uranium ore from Niger. The Niger claim set off an intense intelligence debate, which was at the center of the leaking of the intelligence agent's identity.

Whitley Bruner, a former longtime undercover Central Intelligence Agency official in the Middle East who has followed Mr. Chalabi's career closely since 1991, said that, in contrast to Mr. Fitzgerald's investigation, the Chalabi leak inquiry ''just sort of disappeared.''

FBI spokesman John Miller strongly denied that the Chalabi investigation has languished. ''This is currently an open investigation and an active investigation,'' he said, adding that ''numerous current and former government employees have been interviewed.''

Mr. Miller said that, because the investigation is an active one, he couldn't discuss specific individuals nor comment on how the inquiry is being conducted. A Justice Department spokesman declined to comment.

Mr. Chalabi's lawyer, Boston attorney John J.E. Markham II, said neither the FBI nor Justice Department ever responded to an offer to have Mr. Chalabi come to Washington to answer law enforcement questions and aid in the investigation. Mr. Markham made available a copy of a letter he said he had sent on June 2, 2004, to then-Attorney General John Ashcroft and FBI Director Robert Mueller. It categorically denied that Mr. Chalabi had leaked any U.S. intelligence. And it stated ''Dr. Chalabi is willing and ready to come to Washington, D.C. to be interviewed fully by law-enforcement agents on this subject and to answer all questions on this subject fully and without reservation.''

Mr. Markham, a former Federal prosecutor, said that, ordinarily in a leak investigation, ''the first thing you would do would be to get the tippee,'' the person to whom the information was leaked, ''in there and say 'Who talked to you?' '' But, he said, ''That never happened.''

The FBI's Mr. Miller said he wouldn't comment on Mr. Chalabi but said the FBI, in general, interviews witnesses when an investigation indicates it is best to do so, not necessarily at the beginning of an inquiry. He added, ''The fact that this person or that person has or hasn't been interviewed yet is just not material to whether there's an active investigation.''

One likely focus of FBI inquiries would be a small group of people in the Pentagon and White House who had frequent contact with Mr. Chalabi and also probably knew the closely guarded secret of the broken code. Interviews indicate that many of these individuals haven't been questioned by the FBI.

Among the officials with whom Mr. Chalabi at one time had close ties, for instance, was Douglas J. Feith, who until earlier this year was an undersecretary of defense and headed the Pentagon's powerful office of policy and planning. In an interview, Mr. Feith said he has never been questioned by the FBI or federal prosecutors in connection with the investigation and that if others had been, he was unaware of it.

Lawrence Di Rita, spokesman for Defense Secretary Donald Rumsfeld, said in an emailed response to questions that he had no knowledge of the FBI or federal prosecutors having questioned current or former Defense Department officials. ''I don't know anything about a [Department of Justice] investigation in this matter,'' Mr. Di Rita said.

Mr. Chalabi had been considered a trusted ally by influential figures within the administration, but last spring those ties appeared to have ruptured. On May 20 of last year, Iraqi police backed by U.S. troops raided Mr. Chalabi's headquarters, searching for evidence of corruption and leaked American intelligence.

Since then, however, the Bush administration has become more open to dealing with Mr. Chalabi again, spurred on by his rise in the current Iraqi government, the possibility that he might become prime minister and his current control over, among other things, Iraqi oil production.

Mr. Chalabi's visit to Washington this week is his first since the leak allegations. He is scheduled to meet with Treasury Secretary John Snow and with Ms. Rice, now secretary of state. He also is to give a speech to the conservative American Enterprise Institute.

Senate Democrats have been pressing for an investigation into the role Mr. Chalabi played in drumming up support for a war to depose Mr. Hussein. They also are critical of Mr. Chalabi because of alleged corruption; in 1992, he was convicted in absentia by a Jordanian court of having embezzled $288 million from a bank at which he was managing director. He has strongly denied the corruption allegations.

Spokesmen for both Mr. Snow and Ms. Rice said they were meeting with Mr. Chalabi, despite past events, because he is a powerful government figure in Iraq. State Department Iraq adviser James Jeffery said Mr. Chalabi ''is deputy prime minister of a critically important country at a critically important time, he was democratically elected, and it's on that basis that we see him.''

IRAQ

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. OSBORNE) is recognized for 5 minutes.

Mr. OSBORNE. Madam Speaker, in roughly 1 month, general elections will be held in Iraq. I would like to comment on my perceptions as to what I have seen as I visited there on three different occasions and talked to many of our soldiers. Soldiers often comment on the fact that there are really two wars, apparently, going on in Iraq. There is a war that they see on CNN, and they watch cable television regularly. Then there is the war that they are actually fighting.

Apparently, in their minds, at least, there is some discrepancy between the two versions. They have asked me to come back on occasion and talk about what they see happening over there.

First of all, in the area of education, 746 schools have been renovated, and these projects have all been completed; 36,000 teachers have been trained since the war started; attendance in the schools is up by 80 percent, and most of these increases are young women, who are attending school for the first time.

In the area of health care, 17 new hospitals have been built; 3.2 million children under the age of 5 have been vaccinated for the first time, 97 percent of all children have been vaccinated; 700,000 pregnant women have been vaccinated; and 142 new clinics are currently under construction or have been completed. It is certainly not perfect, but it is an improvement.

As far as the economy is concerned, many small businesses and entrepreneurial activities are springing up. As you fly over Baghdad at tree-top level, you see satellite dishes on practically every building. They were not there under Saddam. Newspapers are springing up. Many news outlets that were not there are present today. There are 1 million more automobiles in Iraq today than under Saddam, and Iraqi income, of course, has increased as well.

As far as a political process, as many people know, the elections for a constitutional assembly were held last January, and the turnout exceeded expectations. The constitution was written in August. The constitution was approved about 2 weeks ago, October 15, with a 78 percent approval rating. A new government will be elected December 15, and the Sunnis have been kind of a wild card here. They boycotted in

large numbers the first election, and it appears that they will participate fully in the December 15 elections.

As far as an exit strategy, you often hear that there is none. Yet at the present time 210,000 Iraqi security forces have been trained and equipped as of this date. The goal is 270,000 total, so we are more than three-fourths of the way toward our goal. There is no shortage of recruits. Every time they put out a call, more people volunteer than they have room for in the Iraqi army.

Some areas of Iraq are totally controlled at the present time by Iraqis with no American backup. The intent is to draw down U.S. troops as Iraqis are prepared to control their own destiny. That is the exit strategy. We are moving in that direction. It is certainly not done yet, and we will be there for some time.

The next few weeks will be violent before the elections. It will be a very difficult time. Some agree and some disagree that we should have gone into Iraq, but we are there, and this is an irrefutable fact. The observation from a soldier in Kuwait is something I would like to pass on at this time. He said this: We pull out and we pull out prematurely, three things are going to happen.

Number one, every soldier who died or was wounded will have been sacrificed in vain. Currently the morale of our troops is generally very good. They do not want to leave prematurely. Many of them have reenlisted.

Secondly, if we pull out early, Iraqis will die in large numbers. Tens of thousands and possibly hundreds of thousands will die. We will have broken a promise, and this is what happened after the first Gulf War. We cannot let the Iraqi people down at this point.

Thirdly, if we pull out prematurely, at this point terrorists will be encouraged worldwide. They will be shown that terrorism does work. The U.S. will become an even bigger target, and our population will be under a greater threat.

This is a difficult and a dangerous process. Nothing is certain at this point. It is difficult, but many positive things have happened. I think it is important that the American people be aware of these issues.

BUDGET RECONCILIATION: BALANCING THE BUDGET ON THE BACKS OF MEDICAID BENEFICIARIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GENE GREEN) is recognized for 5 minutes.

Mr. GENE GREEN of Texas. Madam Speaker, I rise tonight to speak out against the budget reconciliation bill, which we will consider soon. The bill contains a number of harmful provisions, but my primary opposition to this legislation stems from its $11.9 billion in cuts to the Medicaid program. This reconciliation process has been flawed from day one.

The Energy and Commerce Committee was given an arbitrary budget number and was forced to mold the policy to achieve that number. Without doubt, there are certainly ways that we can improve the Medicaid program, but sound public policy, not budget targets, must be the driving force behind any Medicaid reform.

This quest to meet budget targets superseded Congress's responsibility to ensure that the Medicaid program continues to provide comprehensive and quality health care to our Nation's most vulnerable. Unfortunately, the bill the House will consider takes away that assurance and further frays the safety net that Medicaid beneficiaries depend on.

While the Senate's bill largely shielded the beneficiaries from any cuts to Medicaid, the House bill places a bull's-eye squarely on the backs of Medicaid beneficiaries and aims Medicaid cuts directly at them. In fact, $8.8 billion of these cuts in this bill are achieved through cost-sharing and benefit reductions for beneficiaries. The increased cost-sharing allowed for in the bill exposes Medicaid beneficiaries to new premium requirements and copays that many beneficiaries simply cannot afford. The reason you are on Medicaid is because you are poor.

What is more, Medicaid beneficiaries already pay a higher percentage of out-of-pocket health care costs than higher-income individuals who can better afford out-of-pocket costs. In 2002, higher-income adults with private insurance paid 0.7 percent of their income on the out-of-pocket medical expenses. Yet during the same year low-income, nondisabled adults on Medicaid spent more than three times as much, 2.4 percent of their income on out-of-pocket expenses.

Low-income disabled adults on Medicaid fared even worse, forced to spend 5.6 percent of their income on out-of-pocket medical expenses. Unfortunately, the growth of out-of-pocket health care spending is more than double that of the income for Medicaid adults, with income growing at 4.6 percent annually, out-of-pocket increases increasing by 9.4 percent annually.

This bill is only going to make worse a problem we already know is occurring. Faced with increased out-of-pocket costs, Medicaid beneficiaries are less likely to seek health care, which is exactly the result that proponents of this bill are looking for. The problem is, health care conditions worsened for these folks, and they will only seek care when their health problems reach emergency portions and the cost of care is exponentially greater.

While we do not want to encourage overutilization, we also do not want to cut off our nose to spite our face by discouraging preventive care. To make matters worse, the bill takes an extremely heavy-handed approach to the enforcement of those with cost-sharing measures. The bill will allow health care providers to refuse to treat sick Medicaid patients if they do not have the copay on hand.

The State can also drop Medicaid beneficiaries altogether if they cannot afford the premium for the Medicaid. A recent study of cost-sharing on Medicaid beneficiaries in Oregon foreshadows what will happen under these circumstances. Less than a year after Oregon implemented premium increases through a waiver process, its Medicaid population decreased by one-half.

Make no mistake about it, the Medicaid program is the health insurer of last resort. Without health insurance through Medicaid, it is safe to say that these folks in Oregon joined the growing ranks of the uninsured, a trend we will likely see continued if we enact this bill to allow every State in the Nation to follow Oregon's lead.

□ 2015

Not only does the bill make Medicaid beneficiaries pay more for health care; it also reduces the health care benefits they receive under Medicaid.

The bill allows States to reduce benefits as long as the Medicaid package mirrors private coverage or SCHIP coverage.

The flaw in that policy lies in the fact that the Medicaid program was always intended to provide benefits that low-income individuals could not afford to purchase through private coverage, such as an array of benefits needed by disabled individuals.

This reduction in benefits flies in the face of the goal shared by Democrats and Republicans alike to remove the institutional bias inherent in the Medicaid program by providing the necessary tools to keep disabled individuals in the community.

Without these benefits, low-income disabled individuals will have no option other than to enter a nursing home setting.

This bill also eliminates a benefit that has long served as the cornerstone of the Medicaid program's approach toward children's health.

If Medicaid costs are truly growing at an unsustainable rate, there is no way increased costs can be attributed to children.

Health care for pregnant women and children is arguably the most cost-beneficial aspect of the Medicaid program, with pregnant women or children accounting for nearly 70 percent of all Medicaid enrollees, but only 30 percent of the program's costs.

The bill's elimination of the Early, Periodic, Screening, Detection and Treatment program for children above the poverty level means that childhood illnesses will not be detected as early, and more low-income children will lack the good health that puts them on the path of learning and productivity.

According to the March of Dimes, the situation would be even more dire for children with significant physical and developmental conditions.

In a recent analysis of Medicaid coverage in all 50 States, the March of Dimes found that each State would significantly restrict coverage for services needed by children with physical and developmental disabilities, States that were exempt from the mandates of the Early, Periodic, Screening, Detection and Treatment program.

Unfortunately, this bill puts the wheels in motion for States to deny necessary health care benefits to disabled children.

Madam Speaker, the light has been shined on this process. This is not a process to reduce the deficit. This is a process to finance additional tax cuts.

There is no way to deny this fact when the same budget that protects $34.7 billion in decreased mandatory spending allows for $70 billion in tax cuts that will decrease revenues used to fund government programs.

It is inconceivable Congress would balance this budget on the backs of low-income Americans, but to finance tax cuts on the backs of America's most vulnerable, that is downright shameful.

The SPEAKER pro tempore (Mrs. DRAKE). Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

(Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Mr. BURGESS. Madam Speaker, I ask unanimous consent to go out of order and claim the unclaimed time of the gentlewoman from Texas (Ms. JACKSON-LEE).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

PANDEMIC PLAN—AVIAN INFLUENZA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

Mr. BURGESS. Madam Speaker, we heard the chairman of the Appropriations Committee come to the floor and speak about his bill that he has introduced to fund preparation for a possible pandemic flu outbreak, and I thought it might be useful to come down to the floor and just review some of the reasons that scientists are concerned about this outbreak of avian flu in the world and some of the reasons why we need to be concerned and some of the reasons why we need to be prepared and some of the good news to share as well.

Madam Speaker, the influenza virus with which we are all familiar undergoes a continuous process of change. It is constantly changing its genetics. It drifts from one genetic makeup to another.

For the past several years, the flu type known as H3N2 has been the type for which we commonly receive inoculations; and because of this genetic drift, a new inoculation is required each and every year.

With the absence of a flu vaccination last year, I did not take a flu shot; but there is still some immunity that carries over from year to year; but about every 30 years, there is a major change in the genetics of the flu virus. These major changes took place during the last century in 1957 when 170,000 people in this country died from an outbreak of what was called Asian flu and in 1968 when 35,000 people in this country died from the Hong Kong flu.

The term pandemic applies when there is a big, big animal reservoir of the virus and no underlying immunity, and those conditions exist today.

The assumptions and the knowledge of prior pandemics certainly have become part of the pandemic plan that was revealed by the Department of Health and Human Services last week; but the important thing is the study of prior pandemics tells us that this virus, if it were to achieve pandemic status, could overwhelm almost all of the available resources that we would have at our disposal in this country, not to mention what would happen in the rest of the world.

The virus that is under consideration for this pandemic, the so-called H5N1 virus, has some similarities with the Spanish flu from the 1918 pandemic. Both of these illnesses cause lower respiratory tract symptoms, high fever, muscle aches and pains, and extreme, extreme fatigue. That fatigue can persist for 6, 8, 10 weeks after recovery. If the patient recovers from the illness, that fatigue may persist for many, many weeks thereafter; and that, of course, could have implications for people returning to the workforce. The virus can cause a primary or a secondary pneumonia. The pulmonary tree is unable to clear itself of secretions and debris. The vast majority do recover, but the potential to kill is certainly related to the virulence of the microbe.

Some of the trouble signs that are on the horizon, things that have gotten the Secretary of Health and Human Services and the chairman of the Committee on Appropriations concerned, some of the trouble signs include the wide geographic setting with involvement of not only birds but now other mammals. Bird-to-human transmission has occurred. It has not been easy for the virus to go from bird to human, but it has happened; and it appears in some instances, although it has not been an easy transmission, there has been transmission from human to human.

If the virus undergoes that last step that allows it to have efficient human-to-human transition, that is what would signify the onset of a worldwide pandemic. It is also entirely possible, and I do need to stress this, that efficient human-to-human transition will never be developed and that the pandemic will never occur.

So the chairman is quite right. We need to devote resources to this problem, but we must also recognize that the problem that we are concerned about today may not be the problem that we face. One of the very important aspects of the legislation that has been introduced by Chairman LEWIS and legislation that will be taken up by my committee, the Energy and Commerce Committee, is how do we facilitate the ramp up, the surge capacity, the production of antiviral or the production of antiviral vaccines if an entirely different virus or somewhat different virus from this avian flu is actually the one that causes the outbreak.

There are other antiviral medications available, medications such as Tamiflu and Relenza have activity against the H5N1 virus, and they are going to be one of our first lines of defense.

Again, some good news is that a vaccine has been developed, and it was developed in a relatively short period of time. It was undergoing trials. It appears to be safe. One of the troubles, though, is since we have no underlying immunity to that virus, it takes a lot of that vaccination for us to develop immunity.

Some of the things we are going to have to consider, and the chairman appropriately referred to these, the Federal Government will have to share some of the risks with companies that are manufacturing the vaccines. That means not only some of the liability risks but the risks of guaranteeing purchase of these products if they ramp up production and the pandemic does not materialize. Some guarantee of purchase will have to be there and to allow drug companies to communicate with each other to discuss among themselves what are some of the techniques for producing some of these medications. So perhaps some antitrust reform will have to be included in whatever our preparation and our response is to the flu.

Madam Speaker, I wanted to bring these facts to the floor tonight because I know this is important legislation that this House will be considering in the next couple of weeks, and it is imperative that we all do have accurate and timely information.

HEALTH CARE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Pennsylvania (Mr. MURPHY) is recognized for 60 minutes as the designee of the majority leader.

Mr. MURPHY. Madam Speaker, tonight, a number of the members of the Republican Conference are going to speak on an issue we know all Americans are concerned about and Members

of the Congress are deeply concerned about and that has to do with health care.

I would like at this point perhaps to step off from the comments just made by the gentleman from Texas (Mr. BURGESS), my co-committee man, who just spoke about influenza, the avian influenza, and use that as a stepping off point to talk about some areas that we need to be working on in Congress and some areas we are working on when it comes to dealing with concerns about infections and infectious diseases. The reason I want to start from this point is to show what we need to do and what we are doing in Congress to deal with a number of potentially large issues.

Everyone will remember just a couple of short years ago we had the concerns about the SARS virus, which quickly spread throughout parts of the world. Luckily, it did not stay around very long; but because people who had the disease treated other folks who then traveled throughout this country and others, we saw that disease spread quickly.

We also remember just a few years ago the Ebola virus and the worries about that. We worry also about mad cow disease, and of course, we are concerned about bioterrorism.

In all of these instances, how Health and Human Services, how county and State health departments, how hospitals, physicians, nearly all health care providers, handle such instances around the world makes a huge difference in containing the diseases and also with regard to saving lives.

Recently, President Bush made some comments in calling for $7 billion in congressional appropriations to help deal with a number of aspects of concerns about avian flu. Buying enough inoculations for that, so the people could have some immunizations against the flu; working on other areas of research; preparing health plans, all these are part of it.

What we are going to be talking about tonight will be some aspects of how we can be better prepared, what our health care system needs to be doing, and how even such things as changes in Medicaid, we are going to be using the clout of the Federal Government to make some changes.

Actually, I would like to, as long as the gentleman from Texas (Mr. BURGESS) is here and the gentleman from Georgia (Mr. GINGREY), my good friend, is here, too, I would like to use a few moments to open up a dialogue with them about some issues about the avian flu, if I may, and ask about a couple of aspects here that have to do with how this really works; and as physicians here, I thought I would perhaps start off with the gentleman from Texas (Mr. BURGESS) and ask a question or two, if I may, if the gentleman would not mind standing for a colloquy on this.

A lot of Americans are very concerned about what happens with the transmission of this disease, in many cases do not understand, well, how can I have a flu one year, but the Spanish flu, the avian flu have something very different.

My understanding of this is that many times people have the flu, those who are at risk for severe problems and death are perhaps the very young, the infirm, those with chronic diseases, the very old, because this flu tends to weaken the system and there could be other bacteriological problems such as pneumonia would take them over.

But there is something really virulent or bad, deadly, about avian flu that is the concern; and you were mentioning a little bit about that. Could you talk about how that is so different that we need to understand it is more of a concern, the deadliness of it.

I yield to the gentleman from Texas (Mr. BURGESS), my friend.

Mr. BURGESS. Madam Speaker, I thank the gentleman for bringing this topic to the floor tonight and for including me in the discussion.

In the Spanish flu outbreak in 1918, one of the observations was, instead of the very young, the very old and the infirm who were the victims of this illness. It was, in fact, young people age 28 to 45 who appeared to be the primary victims of this illness.

Undoubtedly, part of that is related to the fact that we do not have any underlying immunity to this disease and people who are, as a general rule, exposed to a lot of other people, that is, people in school, people in the workplace, in other words, your 20- to 45-year-old age group, would have a greater chance to come down to exposure to this virus, which was very virulent, had a high ineffectivity rate, and simply a cough in the room was enough to expose someone to the virus; and, again, with no native immunity, it could overwhelm their system fairly quickly.

There is no question it is still a deadly virus to the very young. It is still a deadly virus to the very old, but I think one of the striking epidemiological features of the 1918 flu was that people who were generally regarded as being in good health also seemed to fall victim to this illness.

Also bear in mind, we were in the last months of the First World War so there were a lot of recruits who were stationed together in barracks and tents, and the virus seemed to be particularly virulent in its outbreaks in those types of situations.

So some differences from 1918 to now and certainly our ability to know about an outbreak. Syndromic surveillance will be an important part of the pandemic plan that the Secretary has unveiled.

□ 2030

The other important concept, since this disease is so widespread, about a quarter of the globe right now is affected with the bird flu. Because the geographic footprint is so large and because birds can fly from place to place and people travel from place to place so easily, an outbreak anywhere has to be regarded as an outbreak everywhere. So if the disease appears to travel easily from person to person in Vietnam, in Indonesia, that means that our full pandemic plan has to come into play in this country.

The gentleman mentioned the experience with SARS, when we first came to Congress in 2003, a deadly, deadly illness that previously was only known in an animal host in China. The transmissibility of SARS was with a little more difficulty than with influenza; that is, you had to get a little closer to the infected person with SARS than with the flu, which meant that health care workers and close household contacts were the types of people who were most at risk.

But bear in mind, we conquered SARS, we beat back SARS without developing a vaccine for the virus and without any specific treatment for the virus. This was accomplished through studies of epidemiology, knowing where the outbreaks were, what travel patterns were and then very careful quarantine of those individuals in whom the disease was suspected and very careful isolation techniques for health care providers when it was suspected they were dealing with a case of that disease. The few times we forgot those principles in dealing with SARS is when the outbreak was allowed to, in fact, reignite or reengage.

Quite different from our current situation. No vaccine for the virus, although the virus was identified by the use of genomics. The virus was identified very quickly, but no vaccine was developed and no effective treatment. With the avian flu, there is a vaccine that is already now available; it has been developed, it is in testing. And, of course, there are antiviral medications that are effective in treating the H5N1 virus. So some differences there between those two.

If I could make one last point, and I did not make it during my previous remarks, and I should have: Although the regular flu shot will provide no protection against the bird flu, we should all still get our regular flu shots and keep the appearance of regular flu to a minimum this year, this flu season, because the fewer people who are sick and the fewer people are who are debilitated by the regular flu virus, I think that will improve our overall odds in keeping the pandemic flu at bay.

I yield back to the gentleman and thank him for his time.

Mr. MURPHY. Madam Speaker, I thank the learned gentleman on these issues, so important to understanding infectious disease. I know one of the aspects of this, too, and I will ask my friend and colleague, Dr. Gingrey of Georgia, to comment on this, and that is helping us in Congress put this in perspective.

Back in 1976, an 18-year-old Private David Lewis came into his base at Fort Dix, staggering in, was given some resuscitation, and soon afterwards they

determined that he had something called swine flu. Soon after that there was a declaration that this would be a deadly virus, perhaps reaching the level of the Spanish flu of 1918. Even at that time, President Ford went on television saying, ''I have just concluded a meeting on a subject of vast importance to all Americans. I have been advised there is a very real possibility that unless we take effective counteractions, there could be an epidemic of this dangerous disease next fall and winter here in the United States.'' At that time President Ford asked Congress to appropriate $135 million to fight it; and of course, huge problems did not develop with swine flu.

I always have the concern that when we are engaged with a public health activity, we have two possible dangers. One is that the disease really does have an outbreak and there is great deal of harm; and two is that if it does not occur, it will leave the public feeling much like the boy who cried ''wolf,'' and then saying there is no concern, we do not really need to do anything.

And from your perspective, Dr. Gingrey, I wonder if you could comment on how the public best needs to put this in the perspective of what we need to be thinking of here, and comment on how Congress can best handle that. And I yield to the gentleman.

Mr. GINGREY. I thank the gentleman for yielding, Madam Speaker, and am happy to be with him during this time and conducting this special order. My colleague, Dr. Burgess, of course, just did a 5-minute on this issue of avian flu, and also engaged in a colloquy with the gentleman from Pennsylvania just moments ago.

We are in a situation, Madam Speaker, where you are darned if you do and you are darned if you don't in regard to what is the proper level of response to this avian flu outbreak in the Far East. I was interviewed recently on television, and the very first thing the reporter asked was, Congressman, do you think that what the President is recommending in regard to this potential, in combating this potential pandemic of flu is just a make-up call for his slow inadequate response to Hurricane Katrina? I immediately challenged him in regard to what he was suggesting.

But it is important, I think, that the media get it right. I do not think, quite honestly, they got it right in regard to Katrina. There was terrible, terrible loss, and the loss of any lives is tragic, but at one point they were predicting 10,000 lost lives along the gulf coast; and it was closer to 1,000. They missed it pretty badly. It is important they understand their need to get it right, Madam Speaker. Because while we want to be prepared, and I commend the President and Secretary Leavitt for bringing this plan to us, we do not want to create a pandemic of panic.

The gentleman from Pennsylvania, Dr. Murphy, was talking about 1976–77 and the so-called swine flu. Well, at that time, as Dr. Murphy pointed out, the government actually purchased something like $150 million worth of vaccine, subsidized that, and began to administer vaccine for swine flu. Lo and behold, what happened shortly after that was people started getting some side effects, which may or may not have been related to the vaccine, but there were some cases of a neurologic condition called Gillian Barre syndrome where all of a sudden you became paralyzed. Fortunately, it is usually a temporary condition, but the Federal Government, assuming all liability for this vaccination against swine flu, not only had the $150 million cost, but ended up spending about $90 million more settling hundreds of claims of liability.

So we really need to be very careful, particularly, I would say, in regard to a mass immunization against avian flu, bird flu, H5N1, as Dr. Burgess described it, that type of flu.

Now, we have, and there has been some money suggested and appropriated for the NIH to develop something like 20 million doses of this vaccine to the bird flu, when as yet there have been no, and I repeat no incidents of human-to-human transmission. There have been a total of about 125 cases in the Far East where humans have contracted this so-called bird flu. But in every instance it was people working very closely with poultry, maybe in their back yard slaughtering chickens with unsanitary conditions. But absolutely no incidents of human-to-human transmission.

So while I commend the President and the Secretary of Health and Human Services for the plan and do not necessarily say that they are asking for too much money, I think we need to look very closely at how this money is spent. I think it is appropriate, I say to my colleague from Pennsylvania, to spend money to develop a technique where we can go from egg-based vaccine production to a cell culture technique, which is much more efficient. But it is going to cost some money, and I think in the $7.1 billion it calls for about $2 billion to develop that technique.

Also, as Dr. Burgess said, it is very important that we are better able to vaccinate against the routine, I think he described it as H3N2-type virus, against the typical garden variety flu and not just vaccinate children under 2 and seniors over age 65 or first responders. We need to be able to do better than that. We are losing 36,000 people every year dying from influenza in this country, and I think we can do better than that.

So, again, I think the President does find himself in a Catch 22 situation. This is the worst possible time for us to have to deal with this, but we do have to deal with it. And whether it is $7 billion or something less than that, hopefully not more, I think we, the Congress, are going to have to step up to the plate and realize there is something that has to be done.

Mr. MURPHY. Madam Speaker, I thank the gentleman. One of the ways that our Nation needs to be dealing with this potential and other issues is to have a better health care system overall. The gentleman mentioned Hurricane Katrina, and I would like to use that as a stepping-off point to talk about some of the work this Nation needs to be doing in some of the things we are doing.

When Hurricane Katrina hit and, subsequently, Hurricane Rita, we saw something we had not really been prepared for, not only the huge devastation of 90,000 square miles, almost double the size of Pennsylvania, but we also saw hospitals were closed, records were destroyed, physician offices were inaccessible and patients were inaccessible. Patients by the hundreds of thousands traveled around the country, many without their medications, without their medical records, and in some cases not even knowing what their medications were. We had to essentially reinvent for many of them a system of health care.

Now, let me take this on another smaller role here too with regard to individuals. When a person goes to their own physician, many times you have what I refer to as 21st century medical technology kept track of in a 19th century system, and that is paper and pen records. Now I have seen these myself through many years of working in hospitals and in my own practice settings where you write your notes down, and when lab results come, you stick them in the chart, and it could be for a typical patient perhaps the pile of papers could be much thicker than this.

Yet, when a person goes to the hospital, it is not unheard of, for example, I was talking to someone at one hospital; and I would be interested to hear if my colleague's experiences are the same. But say a woman showed up in an emergency department in labor. Some notes may be made there. She then may go up to the delivery area to deliver. After that, she goes to recovery and her baby goes to pediatrics. And each time separate mounds of medical records are made, which may not really be collated together for hours, sometimes days afterwards simply because of what is happening there, not to mention her own medical records from her own obstetrician back home. That is the way the system operates every day.

Let us take another scenario. Take a single mom who has a son who has asthma. And perhaps because of whatever housing, perhaps she is on Medicaid, low income, and she finds a situation where she has to move to a different part of town and it becomes difficult for her to get across town to see her other doctors, so she goes to a new doctor. And they have to essentially reinvent what has been done for this child or call for those records and have them shipped over.

Now, if one has the luxury of days, sometimes that can be done, with the

situation of establishing new relationships with new physicians and new nurses. But you also have the situation, if the child goes into acute distress with something like asthma, of showing up in an emergency department and having to have all the medical staff there trying to track down what is the child's medical history, what prescription drugs is he on, are there any particular allergies he has, if he is on other medications will there be drug interactions, what is his blood type. Even the most basic information is important to have, but they do not have it.

Now, in some hospitals around the country we see some changes being made. University of Pittsburgh Medical Center, where I am from, is one that is doing this, but there are other centers, at Northwestern, and other States have this, where they are emerging towards the technology of electronic medical records and electronic prescribing. I want to talk a little about how that is done and show some things that are being done on Medicaid.

Imagine going to a medical office and filling out a clipboard with your name, address, phone number, your medical history, and allergies, if you can remember it all. Very often, it is tough. Certainly my colleagues in Congress, I think we would all be hard-pressed to remember every doctor we ever saw, every medication we ever took, or every diagnosis that was ever placed in our chart, but it is important information. Add to that every x-ray we have ever taken, every lab test that has ever been done. Those are oftentimes lost to the ether.

Some studies have indicated that perhaps as much as 14 percent of medical records are missing, some important information, important enough that it would change the direction of what the provider would diagnose or call for treatment in those cases, and in some cases, physicians say major changes in how they would diagnose.

Perhaps a patient was set up for a blood test and they never showed up for the blood test. Or perhaps they did show up, and the information was never forwarded to the physician's office. Or if it was forwarded, maybe it was misfiled or placed somewhere else. A whole host of things can go wrong when you are dealing with reams and reams of paper filings.

□ 2045

Then the moment of truth comes when the doctor needs it, where is the information. If it is missing, they may have to call for repeat tests or write a prescription and then find out that it causes problems with the patient, which can cost lives as well as money. It is estimated that 150 million times a year pharmacists call physicians to double-check medications. Perhaps they cannot read their handwriting, or double-check the decimal point on the medication dosage level, or perhaps to say Mr. Smith is on another medication from another doctor which is identical, or it is one that would have a bad drug interaction with this other medication. That is a grave concern, how do we fix this.

Well, by using electronic medical records, the medical record could actually be placed on a computer, perhaps in the physician's office. In some cases, individuals can carry their own. I brought a sample, smaller than a stick of gum. This is a 64-bit memory chip. It happens to be on a key ring. It is quite possible in the near future we may be seeing individuals who carry their own extensive medical records that can fit into their wallet or on a key ring. If an emergency came up and if something came up, they could, at a moment's notice, hand it to a doctor. They plug it in and pull up the records right away.

This is critically important for those with complicated cases. That involves a huge investment in the medical infrastructure in America, but if we use a situation like Hurricane Katrina or an outbreak of a pandemic in this Nation where the medical system of this country would be taxed beyond anything we can imagine. Again with Hurricane Katrina, hundreds of thousands of patients moving about, many psychiatric patients let out of hospitals with no recall of their medications. People had to start from scratch and diagnose them.

What if we had medical records on file that people could use in a secure and confidential way and could tap into. Or what if some individuals carry their own medical records in their wallet. It would be incredibly valuable in moments of need and help reduce health care costs.

This is not something that should just be in the best of hospitals or in the hands of those who can afford it. If we are going to lower health care costs, we need to put it in the hands of every American. RAND Corporation released a study a few weeks ago that said if our Nation switches to electronic medical records, we could save in the nature of $160 billion-plus per year. $160 billion per year. In a health care system where we are so concerned that costs are moving completely out of control, where people cannot afford health care, where businesses can no longer afford the double-digit increases in costs, we need something major, something comprehensive, something that completely shifts how we provide health care in this Nation. And electronic medical records is just that treatment.

Not only does it save money in terms of doctors not having to take time to review the chart, worry about mistakes they may have made, call for new MRIs, X-rays, CT scans, blood tests, not only that reduction in costs, and not only the savings of lives, because a mistake has not been made or a delay has not occurred in care; but Rand goes on to say you save massive amounts of money in terms of jobs, people not losing work because of complications or having to go back to a doctor to have tests done again.

Think of it this way: If a doctor asks for an X-ray and it is done, and he says did you bring the X-ray, no, they did not give it to me. The doctor says, we will take another one. You pay for that X-ray, the person's time who has to have another test done, all of that is duplication of work. But what if, again, that individual carried the X-rays, films of their surgeries, all of those details on a chip, or if it was on a computer screen in the physician's office. Not only would the doctor have instant access, but he would not be going page by page through the medical records, what did I prescribe before, because nobody can possibly remember the details of all of the patients they see.

But in an instant, tapping a button could call up those X-rays. Added to that, if the physician had questions and needed a consultation, he does not just call his old mentor in medical school, I need to call Dr. O'Hare and get his consult and mail him the X-ray and ask him to comment back. Literally, at the stroke of a key, he can have another doctor look at the X-ray, consult with him, and provide valuable information back in time faster than the speed of light. It saves valuable time, critical information, and saves lives.

But how do we get that into Medicaid, is my question. Well, first of all, let us look at what Medicaid has done here and look at some costs. In 2006, the Federal Government is spending in billions, about $190 billion. This is going to increase by $66.4 billion, or 34.8 percent, over the next 5 years. We are up to $200 billion in 2007; 2008 to $217 billion; 2009 is $237 billion; and by 2010 it is $257 billion. The Federal Government general increase in what it is spending on Medicaid is going to increase 7 percent over the next several years.

The budget package that Congress is putting together now to try to reduce some of the deficit is going to do some things that the Governors of States have asked for. The Governors of States have said that Medicaid spending, in some cases, is almost 20 percent of the State budget. They need some mechanisms by which to control this.

I was pleased that a bill I introduced has been put into the Medicaid package of our deficit reduction package, which will put $100 million in grants to go to hospitals that have high Medicaid populations, perhaps inner-city hospitals, perhaps community health centers, and nursing homes and other centers that have high Medicaid populations so they can partake in electronic medical reports.

Basically, a hospital has to convert their files into computer programs and be able to pull those up. There are a couple of nuances that go on. You have to make sure that different offices of doctors and hospitals can all speak to each other on this because otherwise there can be a medical Tower of Babel, that is, one hospital may use one type of computer program for their records

and another hospital another type of record.

But I want to call upon my colleague and ask the gentleman from Georgia (Mr. GINGREY) from a physician's standpoint on what he says our Nation can be doing to assist this transition, how it helps medical practice, and perhaps some experiences of your own work. I believe you have delivered 5,000 babies or so in your time, so how it makes a difference from being able to have information instantaneously as opposed to waiting for files or trying to make a best guess on a patient.

Mr. GINGREY. Madam Speaker, there is no question what the gentleman from Pennsylvania is talking about is very important. He mentioned the potential of saving $160 billion a year. I am not sure if that figure includes the savings that would be affected from cutting down on medical errors and the liability costs, not just for the physician health care provider, but also for the facility provider, for the hospital systems, many of which are essentially what we call going bare. They have a huge deductible. In some instances, a huge hospital system, it would not be unusual to have $20 million for no insurance coverage for some of these claims for medical errors. So that $160 billion may be a very conservative estimate.

I think it is absolutely essential that we move in this direction. I know my colleague is a member of the Committee on Energy and Commerce, and they are working closely on trying to develop a system. We are working closely in Congress with Secretary Leavitt of Health and Human Services to make sure that we have one system. We have to have this ability to communicate.

I think it is important and I want to mention this, there are a lot of private vendors out there. There is a very excellent company in my district, the 11th Congressional District, which is essentially west Georgia. In the heart of my district there is a wonderful company, the Greenway Company. They have been working on this for a number of years. They have this software package, and we refer to it as electronic medical records; and we are not just talking about billing. That is kind of old hat. That has been around for a while, but this is taking it much beyond that so that no matter where you are in this country, indeed in the world, when you have that little radio frequency ID card that he is talking about or swipe card, if you can charge something on American Express when you are visiting India, certainly you ought to be able to go to the hospital if an illness overcomes you or you fall victim to some accident out of country, they would be able to clearly identify your entire medical record almost in an instant.

Some of these companies, like Greenway and others that have developed these systems, they want to make sure that they can connect and communicate with a hospital as well. So as our committees of jurisdiction, which of course would be Energy and Commerce and the Committee on Ways and Means, and our appropriators, we want to make sure whatever money we spend, that we give an opportunity for entrepreneurs to connect and be part of this; and it not just be hospital driven.

I have heard some discussion about giving some incentives to staff members who practice at a certain hospital so there is some benefit to get them to communicate with a hospital. But again, competitiveness, the free marketplace is usually important, but they have to have a similar system, at least one that speaks to the other. That is usually important.

Madam Speaker, the opportunity to communicate with Dr. Murphy on this issue, and let me just say this, we cannot overemphasize the importance of this. The gentleman described the cost of this Medicaid program which is running wildly out of control. In 2010 it is $257 billion. We all know there is a price to pay in the State budget, and in some States, of course, the Federal match can be as high as 75 percent. But that is just a couple of States, and many, many are 50/50. We have got to get this working and save money out of this system.

And more importantly, it is not just cutting down on the cost of these entitlement programs. It is also a matter of saving lives and increasing and saving productivity. You mentioned both of those points, and I think those are extremely well taken.

Mr. MURPHY. Madam Speaker, I would like to shift to a couple of areas of health care here and some other things that we are moving on and we need to continue to push for.

One has to do with some mental health issues. I mentioned earlier about Hurricane Katrina and some of the folks who had psychiatric illnesses, and as the hospitals were emptied, people did not know their medications; and I mentioned how those problems occurred.

We also have to pay attention not only in terms of using electronic medical records so people can find their record when they need to, but making sure we have the security so that people cannot get into the record when they do not need to. Part of what Dr. David Brailer, who the White House appointed to work on this issue, along with many companies, such as in Pittsburgh, the University of Pittsburgh Medical Center, and there are many private companies trying to come up with solutions, so we have a great many other aspects that we are working towards in order to make sure that these records are secure and confidential.

I want to ensure my colleagues that this is something that I am in complete agreement with, what Secretary Leavitt is working on in HHS and also Dr. Brailer, that these electronic records need to be secure and confidential so people can always trust that their records are not going to be viewed by somebody who should not get into them.

In the Committee on Energy and Commerce, we are working on some other technological aspects. We are working with the committee to offer some amendments to make sure we also have reporting.

□ 2100

Interestingly enough, one of the areas we find loopholes as we are moving forward on issues is that right now if there is a breach in security of some kind of records, health records, unless someone reports that there is not something that is done and what we really want to make sure is happening is hospitals are regularly scanning their records as many of them do now and look for any sort of attempts people may have to get into those computer files. Similarly when we have our own paper records in our own office, we have to keep those under lock and key. We have to make sure that those who are not authorized to see them don't get in there to see them.

In the mental health area, I want to talk for a few minutes about a couple of aspects and again give my colleague time if he has some issues he wants to get into, but I want to talk about mental health care treatment for chronic diseases and how they can lower health care costs. For many individuals with chronic diseases like asthma, arthritis, heart disease, cancer, diabetes, lupus, and many other areas, interestingly enough, the incidence of depression can be double that of the general population. Whereas in any given life span, perhaps about 16 percent of the population may suffer from some severe depression, when you have a chronic illness like heart disease, those rates can double. And some cardiologists tell me that the numbers would really be even much higher than that. After all, when you are told you have a debilitating disease or something that can be life threatening, it is expected that a person would have a severe reaction. Many times it is overwhelming stress. Sometimes that can move into a sense of depression.

Depression is not just a sad feeling as we all feel at times. We have a bad day, the loss of a loved one, job stress. Depression is part of life in terms of having some sense of sadness. It reaches a point, however, in some folks where it really becomes a wall around them. It affects them physically. It affects them mentally. Thoughts are sluggish. Oftentimes they have a hard time getting out of bed in the morning but then a hard time sleeping once they are there. They may find themselves with no appetite. They may find themselves overeating. They may find themselves seeking other things to alleviate their depression such as drugs and alcohol. And I am not talking about prescribed drugs. It may be things where they are angry, they are edgy, they are moody.

It may be that they are withdrawn. All sorts of things can happen. What is interesting is how this really becomes not just a mood and an emotional reaction and this is not something that is just a sign of weakness, it is a real chemical, neurochemical reaction that occurs in the brain then that becomes debilitating. For someone who has heart disease or diabetes, I was mentioning, double the incidence, think of this: That the stress can be so prolonged on their body and their system and it depends on the individual, it is almost as if there is a point at which the body says, We can't handle the stress anymore and depression begins to overcome.

Why does it increase so much with things like heart disease? Perhaps because of the stress, but here is an interesting factor. Patients diagnosed with depression have higher rates of chronic medical illness and use health care services more often. Patients with chronic medical illness and untreated depression have higher health care costs in several categories of care: primary care, regular doctor visits, medical specialty care, medical inpatient care, pharmacy, lab costs, all increase, when compared to those with chronic medical illness and treated or with no depression. Much higher.

As I said before, clinical depression affects about 16 percent of the population at one time or another in their lives. Unlike the normal experience of sadness or loss or mood states, it becomes much higher. For example, 31 percent with diabetes have depressive symptoms. Interestingly enough, the increased psychological stress or depression increases platelet reactivity to thrombosis, or blood clotting. In other words, when you have heart disease, untreated depression in ways we are not quite clear yet can actually lead to an increases in clotting of those little blood cells, the platelets that we have. This can in turn lead to almost doubling the cost of health care for folks with heart disease.

Again, you have folks with and without heart disease. Those with heart disease may have double the incidence of depression. And those with untreated depression or not responding to treatments can have double the health care cost. Some are intuitively obvious: Perhaps the person is not following up with doctor visits; perhaps they are not following the treatment plan; they are not going through and taking medication; maybe they are not seeing the doctor; exercising; all the things they should be doing. But even in that case if they are doing that, there is something physical that is taking place in those patients that may actually contribute to increased medical complications.

Very often treatment for mental illness is not provided by a mental health professional. A person does not see a psychiatrist for their medications, maybe does not see a psychologist for other behavioral therapies that may go with that. Actually psychiatric medications are prescribed by nonpsychiatrists 75 percent of the time, most frequently by primary care, general and family physicians. But when we combine medical and behavioral health services to coordinate the diagnosis and treatment of the full spectrum of diseases, we can see some huge changes in that.

When you have, as I said before, untreated depression, it has been found to increase health care costs by complicating symptoms and treatments of such things as back pain, diabetes, headache and heart disease annually from $1,000 to $3,000 per patient. Very, very important when you are dealing with someone, for example, who is an employee who has some of these problems, when you see this untreated depression in them, increased costs. Untreated depression costs employers more than $51 billion per year in absenteeism and lost productivity, not including higher medical and pharmaceutical costs.

When we use information technology and much of what we have been talking about this evening, it can be used to track diseases and intervene with appropriate care. So now with a physician seeing a patient with a chronic illness and into that computer he types in or she types in the diagnosis, up in the screen should not only appear, here is confirmation of the diagnosis of this disease but up also arise some questions as prompts to the physician. Again if he types in coronary heart disease, what may also show up is, ask the patient the following questions: Ask about mood, ask about appetite, sleep problems, problems in their relationship with their spouse, to see if there is any indication of other psychiatric or psychological disorders for which that patient could be referred over for help. This information about provider system performance will be extremely valuable to have this. But unfortunately in many cases a physician may not have those prompts available and if they may only have a handful of moments to see a patient, it becomes very, very difficult.

If we saw depression as a medical condition for what it is and other psychiatric illnesses for the medical conditions they are, we could reduce health care costs and save lives. Unfortunately, and I know our colleagues as well, there are some folks here who believe there is no such thing as mental illness and I have heard such statements made, saying, oh, it's just a chemical reaction in the body, or there really are no other emotional components. We have heard Hollywood stars talk about this with an incredible amount of prejudice and ignorance. But it is true. There is such a thing as mental illness. As much as we want to pretend it is not there, as much as we want to ignore it, it does not make it go away. It does not help if we continue to treat mental ilness with the same level of insight and ignorance as the Salem witch trials. There are times that we have not advanced much beyond that. But when on the other hand we recognize this incredible integration between mental health treatments and other medical treatments, I say other medical treatments because they are both medical, we can see with those patients huge changes and huge cost savings. Increased psychological stress or depression increases platelet reactivity, as I said, thrombosis. But there are also aspects, too, with treatment here that we find really can save a great deal of money.

A 2000 report by the Office of Personnel Management for Federal health employees provides an example of several major employers who through managed care programs have discovered they can offer mental health benefits to their employees in order to maintain a higher quality workforce. These employers included companies like AT&T, American Airlines, Eastman Kodak, General Motors, IBM, Massachusetts Group Insurance Commission, Pepsico. The list goes on. The most important finding of this report was that employers who provide generous mental health and substance abuse benefits to their employees and their families are committed to providing these benefits because they are convinced that doing so is essential to the corporate bottom line. What they indeed found was the mental health coverage put on par with physical health coverage only costs employers about 1 percent or $1.32 per enrollee per month according to a 2004 analysis by Price Waterhouse. But they also found it actually saves a great deal of money for individual businesses.

As we are proceeding through efforts to save money through Medicaid, as we are looking at such things as Medicare, I call upon our colleagues to make sure we are saying, you don't just save money by cutting rates of growth. It is important we do that. It is important we work with States to reduce that. But it is also important we work with States to help them understand and employers to understand that when you deny an aspect of critical care, and that is mental health care, you can actually be harming the patient. And so it is vitally important that we look in all these areas now and other bills that may be before us in the future, that we use them in such ways, this huge amount of spending the Federal Government gets involved with health care, but also encouraging employers to do the same thing.

Congress budgeted $20 million for the development of comprehensive State mental health plans to improve the mental health services infrastructure in 2005. The amount we need to, however, spend is probably much more than that. Unfortunately, the way the Congressional Budget Office works in this Federal Government, it only tells you what you spend. It does not tell you what you saved. It would be much like if we looked at how much we are

going to spend in immunizations but did not see what we saved in lives and money for flu. It would be ridiculous if we did not say that that indeed would be a savings. We have to keep working at these aspects here. We have to look at how Medicare and Medicaid reimburse. We have to look at pay-for-performance incentives to help physicians and mental health professionals work together in a comprehensive and integrated way. We have to make sure we are helping businesses understand that these Medicaid transformation grants, for example, that I mentioned earlier are, I believe, going to be $100 million invested, but when we use these for such things as county nursing homes, skilled nursing facilities, federally qualified community health centers and similar facilities and inner city hospitals, we will see tremendous savings come through this whole system here.

Just to wrap up my comments and I will turn back to the gentleman from Georgia if he has some other thoughts he wanted to say in wrapping things up tonight, it is so vitally important that we work together, not only the handful of health care professionals that are here in Congress but it is so important that as Members of Congress we work together to understand that health care is not just about what you spend, it is also about what you save by your spending. If we are ever going to get control of this juggernaut of health care costs, it is not just going to be by having the discussion go in terms of who is spending; it is not just a matter of saying we are going to have health care savings accounts so people can pay more attention to what they are spending, that is important; and it is not just in terms of saying, nobody can afford health care so let's have the Federal Government take over. It is about not just who is paying but what we are paying for. That is why the comments we have made tonight about what we are spending money and how we are going to spend it on dealing with the concerns about the avian flu be done in a careful and thoughtful manner. That is why other aspects I mentioned before about medical records, electronic medical records and also integrated health care and other aspects we can get into, too, about prevention, et cetera, it is so important we deal with these in a comprehensive manner to look at those savings.

I wish that we could get the Congressional Budget Office to do more aspects of looking at how we can save money in this, but that is going to be something that we are going to have to carry the torch on. I know my colleague has carried the torch on many of these aspects here. I think we have about 7 or 8 minutes left. I know you have a number of other aspects you would like to talk about. I always enjoy these colloquies with you about looking at this. It is an important aspect that we team up together on here to get this Nation thinking about other ways of saving lives and saving money by, and I will leave with this chart here, about the health transformation. We cannot just make reforms within the current framework. We have to look at our current health care system and if we fail to change, it will decay into a system we cannot afford anymore. If we work toward real change to a 21st century health care system, that is where we should be going. I believe our Nation, whether it is private employers or the Federal Government, will see tremendous changes that save tens of thousands of lives and tens of billions of dollars. I thank my colleague for being such an adamant supporter of moving this health care system forward.

Mr. GINGREY. I just want to say that what you have brought to the Members tonight regarding what I think you would agree we could call mental health parity is a hugely important issue. I think my colleagues in the medical profession who are still practicing, especially those whom I know so well back home in Marietta, Georgia, expected when I came to Congress that I would have all of the answers and be able to solve all of our problems but the truth is I have learned just about as much as I have contributed and realizing today after being out of the practice of medicine, the bedside care of patients for almost 4 years now, how important this issue of mental health parity is that you bring to our attention tonight. You are right, absolutely. There are so many people who suffer from mild, moderate, severe depression, they are not psychotic, they do not need to be institutionalized, they do not even need to be hospitalized, but their illness, their depression, results in decreased productivity. You mentioned that. Away from their job. It also is detrimental to their physical well-being whether, as you point out, it is heart disease, diabetes, or whatever. You talked about the effect on platelets. There is no question about that. And, of course, the very important point you made about their compliance with medical treatment, again, whether that is heart disease or diabetes. If they are depressed, they are not going to follow the regimen they need to follow and it is going to end up costing this country, particularly when the money is coming from the Federal revenue and John Q. Taxpayer, it is going to cost more.

□ 2115

As the gentleman points out, we get more credit for the fact that we are, overall, going to reduce health care costs by paying more attention to something like this.

I know a lot of my colleagues will try to treat mental illness and, really, I will use the expression ''on the fly,'' I think Dr. Murphy knows what I am talking about, in a hurry. You do not have time and you do not do a prolonged mental health inventory, a counseling session, with the patient, you just write a prescription for some antidepressant, whether it is Effexor or Zoloft or whatever, in many instances, not all. Certainly some general physicians, internists, family practitioners, even gynecologists take a special interest in mental health care and know a good bit about medications. But I think in many instances, those patients are better served by a mental health professional, a psychologist or a psychiatrist, but I really appreciate the gentleman bringing that point to us.

Madam Speaker, if the gentleman will allow me to continue, I did want to just shift just for a few minutes to the issue of the Medicare Part D, the prescription drug part that is part of the 2003 Medicare modernization program. We are in tough budget times. My colleagues understand this, and of course we talked earlier in the hour during a colloquy about avian flu and the fact that the President has no choice but to bring to the Congress a request for money, in this instance an additional $7 billion, to help prepare for the possibility of a worldwide pandemic right on the heels of the need to spend $150 billion to $200 billion on the horrific hurricane that struck the gulf coast, Hurricane Katrina.

We just had tornadoes in Indiana and Kentucky with the loss of life. Last summer we had four hurricanes strike Florida, and we continue to spend necessary money fighting this global war on terrorism. I mean it is a tough, tough time. And people in my district, the 11th District of Georgia, and I feel sure the gentleman's constituents from Pennsylvania, are very concerned with fiscal responsibility and hopefully look for some offsets.

That is what we are about in the Congress this week. Hopefully, we will have an opportunity to exercise some fiscal discipline in regard to the growth rate. Not cutting mandatory spending, but just limiting the rate of growth from 5.7 percent to 5.6 percent, looking for $50 billion in savings over the next 5 years. These things are hugely important, and our constituents are demanding it.

But this suggestion that we find some savings by delaying or indeed canceling the Medicare Part D prescription drug benefit as a part of Medicare modernization I think would be a huge mistake, Madam Speaker. Because, as Dr. Murphy pointed out, we have heard this estimate of $750 billion additional Medicare costs over 10 years, but that is giving absolutely no credit to the fact that if this program works, and I truly, in the deepest depths of my being, feel that it is the right thing to do and that it will work and will shift some cost away from Part A and Part B, that part that pays for open heart surgery, it pays for an emergency room visit if you had a stroke. Indeed, it pays a little money under Part A and Part B for prolonged skilled nursing home care, possibly for the rest of your life.

Mr. MURPHY. Madam Speaker, if the gentleman will yield, one of the things that is in this Medicare bill we passed a while ago now, that many people are forgetting, has to do with the entry physical that people get, but there are also elements in there that have to do with some patient management, the pharmacist is working more monitoring the medication, and communication. I would ask my colleague to speak on that, because that may be a thing that we really are not quite used to, physicians and pharmacists working more closely together as part of that Medicare bill so that there is less hospitalization.

I know one hospital in my district, Washington Hospital, really found that by doing careful patient management of those with heart disease, they reduced rehospitalizations by 50 percent. That is a massive savings in costs and certainly much better for the patients, in many cases saving some lives. I wonder if the gentleman could comment about that.

Mr. GINGREY. Madam Speaker, I am very familiar with Washington Hospital, although I did not realize it was in the gentleman's district, the great work that they did. But there is no question about it, this issue.

I mentioned the cost-shifting from Part A and Part B, and I think that will be substantial. But this emphasis, and the gentleman is right, it is part of this bill, not just prescription drugs Part D, but also that entry level physical, that focus on disease management and making sure that people, whether they do it through Medicare Advantage, whether an HMO-type program, or even traditional Medicare, in screening for things like colon and rectal cancer, breast cancer with mammograms, prostate cancer screening, cholesterol screening so that we do not wait until the person has a heart attack and has to have that quadruple bypass that is very expensive. So again, I wanted to make sure, and I appreciate the gentleman from Pennsylvania giving me the opportunity to have time to discuss that, because we are hearing it. We are hearing it on the floor of the House, maybe from both sides of the aisle, and folks back home, naturally they want us to spend what we have to spend, but not a dime more, and I agree with that.

But I think this will be clearly the wrong message to send to our seniors. I mean, this President and this Congress were not the first elected folks to promise to deliver a prescription drug benefit for our seniors. Indeed, Medicare started in 1965, so what are we talking about is about 40 years of the program, and they have been waiting a long time. And to ask them to wait a couple of years or indeed maybe indefinitely so that we can offset some of these costs of responding to the bird flu or responding to Hurricane Katrina, I think would be a huge mistake.

Mr. MURPHY. Well, Madam Speaker, I think it is one of those areas that, again, I think that when one just looks at the numbers of costs up front, and we have some of those frightening numbers, I do not know how many hundreds of billions it may be. And I understand the concern of our colleagues who may have opposed the Medicare bill for Part D because they were concerned about the cost. But I believe this has some innovative aspects in it and some that we have to pay attention to.

Oftentimes, people say that one of the definitions of insane behavior is doing the same thing over and over again, expecting the same results, but this patient management aspect and the integration of care between physicians and pharmacists is vitally important. I am hoping that as people review their Medicare Part D options that they also ask questions about that, when they call 1–800–Medicare or go to medicare.gov, or particularly when they call 1–800–Medicare, feel free to ask about that, or ask Members' offices to talk about that. It is something that is so very, very important. It is going to be a different aspect of health care that we follow up on.

Mr. GINGREY. Yes. And I think too it needs to be said that when we had this debate, a huge debate, in December of 2003, as my colleague recalls, we were freshmen at that point in our political careers, both of us, but there were a lot of folks, particularly on the other side of the aisle, that were very angry, very angry with AARP, the American Association of Retired Persons, because they had the unmitigated gall, the audacity to support this President and this Republican leadership in trying to get this Medicare modernization prescription drug bill passed and to fulfill this promise that was made. They even suggested that people tear up their AARP card as an act of defiance and protest against this bill, and discourage people, the working poor who could get the prescription drug discount card in that transitional program, and get $600 worth of credit for each of 2 years during that program's existence, $1,200. To think that they discouraged people, and many of them were discouraged and did not get that benefit. I hope now that for Medicare Part D, and the sign-up is beginning soon, that they will be encouraging them, not discouraging them, to sign up.

Mr. MURPHY. Madam Speaker, I thank the gentleman for his time tonight and also the indulgence of our colleagues in listening to this. We will continue to push these health care issues so vitally important for the health of our constituents and of all Americans.

On my own Web site at murphy.house.gov I have further information on health care, FYIs, as I call them and sent to my colleagues every week. I hope people will look at that, and I hope my colleagues will continue to work with us, but really all Members of Congress, not only those with a health care background, but together, we will see some major changes in not only saving lives, but saving money.

REPUBLICAN BUDGET CUTS BAD FOR AMERICA

The SPEAKER pro tempore (Mrs. DRAKE). Under the Speaker's announced policy of January 4, 2005, the gentlewoman from California (Ms. WOOLSEY) is recognized for 60 minutes as the designee of the minority leader.

Ms. WOOLSEY. Madam Speaker, I am the cochair, along with BARBARA LEE from Berkeley, California, of the 62-member Congressional Progressive Caucus. Our progressive promise includes a fair and balanced budget that represents all people in this country. So I am pleased to take this time in this special order this evening to talk about the cruel and shameful budget and the tax cuts the Republican majority wants to ram through this House on Wednesday or Thursday of this week.

After hearing my Republican colleagues in the first hour special order tonight, I would hope that they are paying a great deal of attention to what is going on with this reconciliation budget. Otherwise, there is not going to be any money for all of those good ideas they have for health care. It was a pleasure to hear their good ideas, now that we are going to talk about where the money will be and where the money is going in our budget, and it is something we are going to be dealing with straight up Wednesday or Thursday of this week.

It is also time for the people of this country to know what is going on. It is time to stop this railroad and help the American people learn just what the Republicans are up to. They keep acting as Robin Hood in reverse. It comes out in the various committees, and in bringing up this vote this week on the House Floor, a vote that will hurt hard-working Americans because of a package of bills in the billions of dollars, at least $50 billion, that will include hurtful budget cuts.

But make no mistake about it. These budget priorities are outrageous. They, meaning the Republicans, want to provide $70 billion to $100 billion in new tax cuts for the powerful and the privileged in America who need them the least, while cutting programs for the rest of the country. And they are going to pay for these irresponsible tax cuts for the most well off by shredding the safety net for the most vulnerable in our society, those who live under or near the poverty line, and by breaking the social contract with hard-working, middle-class Americans as well.

And, oh, yes, what the Republicans do not wring out of the blood, sweat, and tears of working and impoverished Americans through budget cuts will just be added to the debt of the next generation of Americans. Can you believe it? This is the first budget reconciliation package in the history of our country that actually increases

Federal deficits at least another $25 billion, which will be added to the deficit this year without batting an eye. While pretending to be the guardians of our Treasury, Republicans in charge of this Congress just keep borrowing and spending, piling up debt that our grandchildren and their children will owe.

Ten years ago, the Republicans took control of this House, trumpeting their Contract With America with great fanfare, if you will all remember it. But now, one decade later, it is plain for all of us to see that their slick marketing gambit has proven to be a ''Contract on America,'' particularly those struggling to face financial ends.

The numbers and the budget tradeoffs recommended in this budget package speak for themselves, but let me cite a few examples for my colleagues. To pay for a $70 billion to $100 billion tax cut, and these are new tax cuts, by the way, the Republicans in control of this House want to slash $844 million from the food stamp program, which would result in 300,000 families being kicked off of this antihunger program. It would leave 40,000 children ineligible for school lunches.

□ 2130

Apparently, the Republicans do not realize the number of malnourished children and Americans grew by more than 2 million in the past year. The Republicans want to cut $14.5 billion from student aid programs at precisely the time when paying for college education has become more difficult than in any generation in the past. These shortsighted education cuts, including the largest cut in the history of the student loan program, are certain to increase the interest rates and the fees that many students will have to pay.

The Republicans are going after single mothers. They are cutting $500 million in Federal support for child care assistance, leaving an additional 250,000 children without quality child care. Adding insult to injury, the Republicans are cutting almost $5 billion from child support enforcement programs that help to collect money from dead-beat dads. So much for compassionate conservatism when it comes time to give tax cuts to rich cronies of the Republican majority.

The Republicans are cutting $9.5 billion from Medicaid, the Federal program that extends basic health care to the poorest and neediest of Americans.

Home heating bills are expected to be 30 to 50 percent higher this coming winter, but that is not keeping the Republicans in control of this House from voting against full funding of the Low Income Home Energy Assistance Program, LIHEAP.

And evidence is strong and persuasive that many of these programs while not perfect, we know that, have made progress towards goals shared by Americans across the political spectrum, such as preventing hunger, destitution and homelessness, protecting children's health, and rewarding low-paid work.

When our constituents experience crises in their personal lives such as job loss or disabilities, these programs can cushion them against deep poverty.

When people have low earnings or little or no health insurance, these programs can supplement their incomes and provide essential health care coverage.

And when people reach retirement age, these programs provide some measure of retirement and health security. Research and data from the Center on Budget and Policy Priorities and other experts around the country show that the United States system of income support benefits have helped make tens of millions of Americans healthier and more secure.

Without properly funded programs like food stamps, Medicaid, State Children's Health Insurance Programs, unemployment insurance and the supplemental security program for the elderly and disabled poor, ours will be a harsher and less compassionate society with more extreme hardship, especially among children and people who are elderly and people who do have disabilities.

The Happy Warrior, Senator Hubert Humphrey, used to remind us that the character of a society can best be judged by how it cares for those in the dawn and the twilight of life.

By this measure, the Republicans, who are in charge of all branches of our government today and who are responsible for these budget and tax cuts, are failing the American people woefully. They are particularly failing our children and students and their education.

As I said earlier, the Republican reconciliation budget will pay for between 70 and $100 billion in new tax cuts for the rich by cutting very critical social programs.

This budget would break the backs of hard-working poor and middle-class families in order to break the bank to pay for tax cuts for wealthy families.

Let us talk about how this budget actually affects family values. Let us talk about how we could use that 70 billion to $100 billion to keep some important promises to the average American family.

For instance, the Head Start program offers low-income families the promise that their young children will not start school at a disadvantage, but we serve fewer than half of the eligible 3- and 4-year olds nationwide.

Yet, instead of providing the $5 billion increase that it would take to ensure this opportunity for every eligible child this year, President Bush and the Republican Congress are cutting 70 to $100 billion in taxes at the very top level.

Almost 4 years ago, President Bush and the Republican Congress passed the No Child Left Behind Act and joined in a bipartisan promise to American families that we would provide schools with resources they need to educate all of our children.

They said that they would use No Child Left Behind to diagnose where dollars were needed to turn poorer performing schools and school districts around so that actually no child would be left behind. Since then, the President and the Republican Congress have fallen more than $40 billion short of keeping that promise. And so No Child Left Behind has become punitive instead of helpful.

We could do better by our children if we spent that $40 billion on those children and did not cut taxes for the wealthiest people in this country. In 1975, the Federal Government promised families that it would fully fund its share of IDEA, the Individuals With Disabilities Education Act. But 30 years later we are less than halfway there.

Last year, President Bush and the Republican Congress made another bipartisan promise to increase funding for IDEA by $4 billion this year and to fully fund IDEA by the year 2011. It sounded good. A lot of us voted for it, and a lot of us did not.

But within a few months of signing the new law, the President broke his promise by more than $3.5 billion, no, billion dollars. So we could use $3.5 billion of the tax cuts for the wealthy to keep this bipartisan promise to fund IDEA as was promised. Or even better, we could use $13.2 billion to fully fund IDEA up to the Federal responsibility.

Another, Federal student aid for college offers low-and middle-income families the promise of an education to prepare them for jobs in the 21st century. $14.3 billion would enable us to offset the cuts that the Republican reconciliation budget would make to Federal student aid programs, the largest cuts, by the way, in history.

These cuts would add $5,800 to the cost of the typical student's college loans, while students whose families can pay outright for the best colleges, and do not need loans, get another tax cut.

Another $4.2 billion would enable us to keep another promise that President Bush has not come close to keeping. That would be to increase the annual Pell grant for low-income students to $5,100. Or we could reduce the tax cuts for the wealthy by $7 billion to keep the bipartisan promise made in 1998 to increase the Pell grant to $5,800.

But at a time when the buying power of Pell grants is only about half of what it was at its peak, the President and the Republican Congress have virtually frozen Pell grants since the year 2002.

My colleagues, how we choose to allocate Federal resources is a reflection of our values, our values as Members of Congress, our values as leaders of our country. And the choices we will make this year will be one of the most critical choices any of us will make during our time in Congress.

We can pass the Republican reconciliation budget, which, I believe, makes a mockery of the term ''family

values,'' unless of course, the only families you value are the nation's wealthiest families; or we can pass a budget that truly helps all of America's families.

I hope that we will make the right choice. I hope that we will invest in our families and their children, which, by the way, is an investment in our Nation's ability to compete in the international marketplace.

OUR NATION'S ENERGY ISSUE

The SPEAKER pro tempore (Mrs. DRAKE). Under the Speaker's announced policy of January 4, 2005, the gentleman from Pennsylvania (Mr. PETERSON) is recognized for 60 minutes.

Mr. PETERSON of Pennsylvania. Madam Speaker, I appreciate the opportunity to share tonight what I believe to be one of the most compelling issues facing this country, and it is our energy issue.

Energy is what makes everything run. It heats our homes. It makes our businesses run. It helps us transport ourselves and goods from place to place. Energy is a part of everything we do.

Now, I come from right near Titusville, Pennsylvania, where the first oil well was drilled, and nothing has changed the world more than when we found petroleum and how it developed our whole Industrial Revolution in this country and we became the leaders of the world and how we developed our transportation system.

But today, you know, we hear a lot about the price of oil because it is published daily, and we hear a lot about the price of gasoline at the pump. And that is important to us. And it has been painful some time back when we hit over $3 for gasoline.

But, folks, when gasoline prices were at $3, they had doubled in the 5-year period. The real issue facing America is the price of natural gas, which has increased 700 percent in the same period of time, 5 years.

Why is it a crisis? Well, the impact is we heat our homes. It could threaten homeownership. We heat our schools, our hospitals, our YMCAs, our YWCAs, our churches, our colleges, our universities, our small businesses. Yes, everybody uses natural gas in some way, from cooking to baking to heating their homes, running something.

And we have major industries like steel, aluminum, brass, all our metals, that melt steel, that heat it to bend it or shape it. Petrochemicals, they use natural gas as a heat. They use natural gas as an ingredient. Every chemical that we buy in the grocery store or the hardware store is a derivative of natural gas.

Polymers and plastics, we do not have anything that does not have polymers or plastics connected to them. Again, polymers and plastics, a major ingredient is natural gas; and of course it is used again and again to melt it and to shape it.

Fertilizer, our farmers have been devastated this year with huge increases in fertilizer cost. Nitrogen fertilizer, the one most common, 70 percent of the cost of fertilizer is natural gas.

So our farmers have been hit very hard with the energy crisis because they have paid a lot more to run their tractors, to cultivate their farms. They have paid again to harvest their crops. They have paid with natural gas to dry the grains before they put them in storage in the big elevators. They have been hit with natural gas every way they turn.

Why are natural gas prices more harmful than oil prices? Well, when we buy $65 oil, as it was a few weeks ago, or 58 or 59 or $60 oil, as it is today, that is the world price. And all our competitors, far and wide, around the world pay that same price.

But that is not true of natural gas. When we paid $14 for several months, we are down around 12 now, maybe 11, still the highest price in the records that have ever been kept, we are alone. We are the only country paying that. Canada is considerably cheaper. Europe is usually about half of our price. Our economic competitors, Japan, Taiwan and China, a third of our price. Thinking of giving all those manufacturers and processors over there another huge advantage over us economically, not only cheap labor, but cheap energy.

How can our employers compete when energy is a large part of their cost? The fact is they cannot. I was today at a celebration of the expansion of a lime company that put in new kilns and invested $60 million in my district. And I asked them, what fuel do you use to fuel these kilns to make lime, because you heat it to 2,400 degrees. And they said, we use coal. And I said, you can be glad you do. And they said, well, we have plants all over the States. We have plants in Canada and plants in Mexico. We have natural gas plants. And I said, well how are they faring? And they said, well, we are not running those. Today's natural gas prices we cannot afford to make lime.

Folks, the problem we face with the natural gas prices that are going to be high for a long time to come, they are going to be devastating to homeownership. They are going to be devastating to small business. But they are going to force major companies to leave this country, because if they want to compete, if they want to make products that are saleable, you cannot pay three, four and five times as much.

□ 2145

In South America natural gas is only $1.60. In Russia it is only 90 cents. And I named all of our other competitors.

How did this happen? Well, for decades gas was under $2 and oil was around $10. Nothing competes, none of the renewables. None of the new initiatives work with those cheap, cheap prices that we had for a long time.

Now, about 10 years ago we changed a major policy in this country. Historically, it was against the law to use natural gas to make electricity. It was considered not prudent. I think we were right then, but that was changed. And so 10 years ago we took away the limitation of using natural gas to make electricity, and today one-fourth of our electricity is made with natural gas. So huge reserves of natural gas now go into making electricity.

Now, I remember at the same time when that was happening I went to a briefing in the Senate and a Daniel Yergin, who wrote the book ''The Prize'', a Pulitzer Prize-winning book, he said if we used a lot of natural gas to make electricity and we did not open up supply, in a few years we would develop a real shortage of natural gas in this country. That happened, because I remember the first year that it reached up over $3, that was from under $2 gas to over $3. That was a major bump in the cost of heating our homes and running our businesses.

Well, the next year it was up in the high $4s and that again was a huge percent increase of natural gas costs, and we all watched and learned. The next year, the average price last year, the average price for natural gas during the summer months when we fill our storage, in the summertime we produce more gas than we can use and we put it in huge caverns, many of them in my district in Pennsylvania, and we store it for winter usage because we do not produce enough in wintertime.

Last summer the average price was $5.30. That was the highest price we ever paid for summer gas. It was very alarming to those who watched that. This year was even worse. We were bouncing along between $7 and $8 all summer; and those were waiting for new contracts, waiting for the price to come down, it just never happened. Then as we were approaching the fall we got up to around $9 gas and sometimes even close to $10, and then came Katrina and the other storms and a shortage of gas coming out of the gulf, and we hit $14.50. And that was a record for gas prices in this country, and it stayed there for some month or two and now just recently has edged down into the elevens. But still it is way above.

We were talking this summer that probably sometime this winter, when the cold Canadian air comes down into the States, that we could be looking at $10 and $11 gas this winter. Well, we are back at $10 and $11 gas now and we think that is pretty good compared to $14 a few weeks ago, but it is a huge shock to our system. It is not a price companies can pass on.

I have companies in my district that, when it reached $8, they do not produce any more because they cannot pass that on. That cost makes it prohibitive.

Now, how did this all happen? What could we do to fix it? Well, we have huge reserves in our West and we have huge reserves on our Outer Continental

Shelf. What is the Outer Continental Shelf? That is our shoreline. The States control the first 3 miles of the Outer Continental Shelf, and then for the next 197 miles, 200 miles is controlled by the Federal Government.

Historically, most countries in the world produce oil and natural gas there. But about 20-some years ago the President of the United States put a moratorium. It was supposed to be temporary; it was while we had an inventory to see where the best supplies were so we could open up with the least environmental damage. So that moratorium carried into the Clinton administration, and they just extended it to 2012, and our current administration has not dealt with it.

Well, that has closed up 80 percent of our shoreline with huge reserves. Some estimate that it is 400 trillion cubic feet. Others feel it is far in excess of that because we have never used the most modern seismographic equipment to tell us what is there today, if we did that, because Congress has not allowed us to. We have not allowed the Outer Continental Shelf to be measured with the modern technology of today to tell us how much oil and gas is there, because if we found out there was a lot we might go after it, and that would be a terrible thing to do.

Well, I am sorry, but there has never been a natural gas well that has ever polluted a shore. I am promoting natural gas production, and I will explain my legislation a little later here.

But we have also not had a major spill from oil production in the water since 1969. I do not know how long the industry has to be perfect before we can do it there and be trusted.

In the gulf when we had the series of storms that hit this year, the worst ever, a 60-foot wall of water, rigs were destroyed, platforms were destroyed, but there were no major spills because the technology that we have today works. The wells are locked in at the ocean floor, and the gas and oil is held there until we can repair the platforms, until we can reconnect those wells and get them back into the system. So it is safe technology today.

Well, how safe is it? How can we be sure? Well, Canada is a very environmentally sensitive country. They produce right off the coast of Maine and right off the coast of Washington. They actually drill for natural gas in our Great Lakes every day and sell the gas to us. Does that make sense? I do not think so.

The United Kingdom, an environmentally sensitive country. They produce a lot of their oil and gas both on their Outer Continental Shelf. Belgium, Norway, Sweden and Norway, very green countries. Where do they produce their energy? On their Outer Continental Shelf. New Zealand, Australia produce there every day.

Our future depends on the price of energy. If we are going to have businesses that compete, if we are going to be able to afford home ownership, if churches are going to be able to heat their churches this winter—I have churches in my district that are talking about not using the auditoriums, but using their basements and not heating the rest of the church because they will not be able to afford to.

Most of the churches and schools and small businesses in my district had $6 and $7 contracts for natural gas last year. They buy outside the controlled system. They buy direct from the producers and they use the pipeline that the public system has. And all of them have had a doubling, not a 10 percent increase, not a 20 percent increase, but a doubling of their gas costs for this year. So if a YMCA spent $12,000 last a month for natural gas, this year it will cost them $24,000.

Most YMCA's, most churches, most small businesses do not have those kinds of cash reserves to use to heat their buildings.

Now, who opposes our production on the OCS? Well, I have to be honest. We have a lot of good friends in Florida, and I love them dearly. But the Florida delegation and Florida State government has been a real obstacle to production on the Outer Continental Shelf. They have really been much of the dictation of policy, and for, I believe, all the wrong reasons.

Now, the plan we have is the Peterson-Abercrombie plan. We want to remove the moratorium on all of our shoreline for natural gas only. We will give the States 20 miles of protection instead of 3. So when you get past 12 miles, it is all out of sight; nobody will know it is there. The production lines are all underground coming into the shore. And it is the best and most sensitive environmental way to produce natural gas. And there is no good argument, I have yet to have anyone show me an accident in the history of the production of natural gas offshore, of a natural gas well ever polluting a beach, ever polluting a shoreline, ever causing detrimental damage to fish and aquatic life.

All the studies have shown that aquatic life and fish life are far more prevalent where platforms and drilling rigs have been because they like the protection from the hot sun. They congregate there, and the fishermen find that that is the best fishing. That has been historic.

In the gulf when there was talk about not rebuilding some of the platforms, the fishermen were saying, Please leave them there. Please do not take them out. That is where we catch our fish.

So it is not detrimental to aquatic life. It is not detrimental to clean beaches. It is not a sight problem because you cannot see it; it is out of sight. But it is about our home owners. It is about our businesses. It is about our employers, our churches, our Ys, our schools. There has never been a natural gas well that has polluted a beach or shoreline.

Someone said in a debate the other day that there was no sense in doing this, that it would take 7 to 10 years for production. That is not true. It would take several years for production.

Now Tract 181 in the gulf, I think it is a tragedy that it has not been leased. It was scheduled to be leased during the Clinton administration. And here we are 6 years later and Tract 181 has never produced. Now Tract 181 is about 200 miles from the Florida coast. It lies mostly under Mississippi and Alabama. It only gets near to Florida along the panhandle of Florida. And I am told now they will cut the corner off, so it is more than 100 miles from Florida, which really Florida should have never had any jurisdiction or should never have been able to stop the use and leasing of Tract 181.

Tract 181 is the best known reserve we have. It is millions of acres, right beside where we produce in the gulf today. And every well that was drilled would automatically be hooked into the system, gas or oil, and we could help our supply problem.

Now, I do not believe we can drill our way out of the oil problem in this country. I think we ought to be diverting from the use of oil everywhere we can. But natural gas is really the almost perfect fuel. There is no pollution to natural gas. It burns the cleanest of any fuel. Even CO_2, you have one fourth of the CO_2 that you have with other fuels. It is almost the perfect fuel.

Now, I do not particularly think we should be using a fourth of our natural gas for electric generation, but that is a debate for another day, but we have to open up our supply so prices moderate. What could that do for us?

Natural gas could be very much a part of our transportation system. We have a bus system in my district, State College, that uses all natural gas for their bus system. There are bus systems in California that are all natural gas. Today those systems are paying a premium. Historically, natural gas was less expensive than gasoline, but today it is more expensive.

Now, in the cities, if you used natural gas, and a gasoline engine can be easily converted. This is not some expensive technology. All our short-haul delivery trucks, all our taxi cabs, all of school buses, all our construction vehicles, they do not have to go long distances, could be running on natural gas, saving the need to build refineries, saving the need to import more oil, and in the cities, helping them get attainment for the clean air mandates.

Natural gas should be the bridge to our future, not the wall that it is today because of prices no one can afford. Natural gas is almost our clean, perfect fuel, and we need to be using it wisely. We need to be producing it, though, in quantities that are affordable. It really is a part of almost everything we create from fertilizers to all the chemicals, even face creams.

Now I do not think the average woman when she puts on make-up or

any of us who use skin softeners think we are using natural gas, but we are. Those are all made from a derivative of natural gas. It is just so much a part of our lives. It is almost hard to explain an item that we get out of the ground, gas, with all of these qualities that have such a part of our industries.

Now, when these prices increase 700 percent, companies who use huge amounts of that just cannot exist. As I said earlier, the lime companies told me they were not running their plants that are on natural gas. They could not afford to sell the lime if they did that.

So just think of a steel company. I spoke this spring at a breakfast of steel makers, and I gave them my natural gas speech, and a gentleman sitting at my table was quite alarmed. He said, I cannot believe what you just told me. And I said, Why? And he said, I used $10 million of natural gas last year to melt steel.

□ 2200

I never knew, I thought there was a little price differential, but I never knew there was this huge differential, that my steel companies in neighboring countries could buy natural gas so much cheaper and have such an economic advantage on me in making steel.

Folks, if we are going to have steelmaking in this country, if we are going to make aluminum in this country and petrochemicals and fertilizer, and these are some of the best jobs we have left, they are all huge energy consumers. They all use huge amounts of natural gas.

If our seniors, who are approaching their years and want to live in their homes, they are going to use a lot of natural gas to heat them, to heat their water and cook with. The current prices of natural gas are going to prevent homeownership. We are going to have a lot of people shut off this winter who could not afford to pay their gas bills, and they will be terminated. We can even actually have people freeze to death in our cities where people do not know they are there and do not know that they are having the problem.

So I just find it an argument that I have been making for some time here in Congress, and I guess I have been so shocked and surprised that we have not been successful yet at opening up the Outer Continental Shelf and opening up the production in the Midwest.

The Outer Continental Shelf, I think this is the most advantageous thing to do because the Outer Continental Shelf lies near the population. The bulk of the population in this country is along the shorelines; and so when you produce gas along the shorelines, you are going to have it near where the people are. One of our problems of Midwest gas is getting it to the market needs.

We are told this winter that Wisconsin and Minnesota and Michigan, those areas are going to pay considerably more for natural gas than the Northeast because they are supplied out of the gulf more than the Northeast is. So with the gulf having so much of their gas still shut in from the storms, there is going to be a shortage in their pipeline system because these systems are not all connected.

I want to share with you what the Associated Industries of Florida said, and then I am going to call on my friend from New Mexico who has just joined us, but while we have had all this opposition from the government of Florida, we also have the Associated Industries of Florida wrote a letter to our Minerals Management Service saying:

''We appreciate that MMS is going to review all of the current OCS areas, including the areas that have until now been off limits due to the moratoria, which include the Atlantic, Pacific and Eastern Gulf of Mexico regions. Research documents that these areas hold substantial undiscovered but technically recoverable energy resources that will be absolutely critical to America's national security and to the continued growth of our economy and to securing jobs for virtually every sector of our economy.''

They go on to say later in the letter: ''If America doesn't look to expanding exploration and drilling in these OCSs, then America will unnecessarily pay a high price and incur a heavy burden. The U.S. Energy Information Administration forecasts that by 2025 petroleum demand will increase by 39 percent and natural gas demand will increase by 34 percent. Higher energy prices have exacted a toll on our economy by slowing our growth from between .5 to 1 percent based on pre-hurricane prices. Farmers have paid $6 billion more for energy in the last 2 years. Natural gas costs for the chemical industry in America have increased by $10 billion since 2003! Of 120 chemical plants,'' this is an alarming figure, ''being built around the world with price tags of $1 billion or more, only one is being built in the U.S.

''As a result, Associated Industries of Florida,'' this is 10,000 business people, ''recommends to the MMS that expanded lease sales are important to our country, to our citizens, and to our way of life. To not utilize all of our available energy resources, when it can be accomplished in an environmentally sensitive way, would be a disservice to our country. We need to ensure that we have a brighter future by adopting an expansive OCS leasing program.''

I am pleased to be joined by the gentleman from New Mexico (Mr. PEARCE) who understands this issue maybe even better than I, and I yield to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Madam Speaker, I thank the gentleman from Pennsylvania (Mr. PETERSON) for bringing this important issue to the floor of the House.

I understand the issue. My father worked in the oil fields. My father actually began life as a sharecropper in west Texas, and I was born in 1947. There was a drought in 1947 and 1948, and my father was a sharecropper on dry-land farming, which is peculiar to that particular area; and with no rain, literally they went broke. Mom and Dad picked up the three kids they had at that point, eased across the New Mexico line to where we had the oil fields. Actually, it is the Permian Basin that is there in west Texas and eastern New Mexico, and this is where Dad raised six children.

I was able to get a college education. My brother was the first to get a college education, but all these things came because my father was working there. He was just a worker in the oil industry, and from my earliest days I have watched the oil industry drill in and out of the cycles of high and low prices. Frankly, I do not think that we have enough capacity, not enough oil wells really to drill in the United States right now to lower the price of oil that is at a historic high of about $70; but as the gentleman has pointed out adequately time and time again, the natural gas price is an internal price to the United States.

Natural gas does not move back and forth between markets, and it is possible for us to drill enough to begin to lower that price of gas. That is why what we are going to see this winter is we are going to see our seniors on fixed incomes and low-income families paying an extraordinarily high price for their natural gas.

Many people, and especially our friends on the other side of the aisle in this body, are pointing to the industry and saying they are price gouging. The truth is that it is a market price set by our policies for the last 20 or 30 years. Even today, the Governor of the State of New Mexico has brought suit to stop drilling for natural gas in New Mexico, and New Mexico is one of the largest producers of natural gas.

You have people who claim to have good intentions; but at the bottom, they are obstructing the drilling of these wells which would help us to lower the price. The price of natural gas is simply an economic outcome of an increasing demand.

The U.S. Government is requiring that we convert electrical producing plants, our utility plants that create electricity. They are converting those at the direction of the U.S. Government from coal to natural gas. That has increased the demand. On the other side, we have not increased the supply. So you have a demand and supply imbalance which creates a higher price.

If the people who are bringing suit to stop the production of gas wells and the permitting of gas wells on public lands, if they were to drop those objections, we would begin to see more economic activity, more drilling of wells. That would increase the supply, the balance would come back, and the price would begin to moderate.

But for some reason, we have people in this country who are willing to obstruct, even at the risk of losing major

industries; and the gentleman from Pennsylvania (Mr. PETERSON), my friend, has pointed out well that the chemical industries are among the first who feel this because they use a very large amount of natural gas in the production of their products.

One of the other industries that experiences the great pressure that comes from the high natural gas price is farming and also the production of fertilizer.

Our economy and our way of life in this country has two basic parameters that it depends on. Our way of life depends on two different things in our lives, that is, an affordable food supply and an affordable energy price. Affordable energy is the bedrock of many of our industries. Our economy is fueled by affordable energy, and so right now we have prices that are above $14. The price is up and down, but historically our economy and our way of life is built on $2 gas, and now it is $14. You just cannot experience those kinds of increases without experiencing the economic pressures that come along with it.

We are going to find it both in the lowering of our economic base and status in the country, and also in our personal lives. So there is a twofold threat, but I will tell you that the second way we are going to find it is in increasing food costs. I was just talking to farmers in our area this past weekend, and they are telling me that they are getting three and four bales of cotton per acre; and yet because of the irrigating cost, the price is just the same. The net profit is the same as what they had experienced before.

Now, exactly the same thing is happening with our food crops, and we are going to see the cost of food on the shelves begin to increase. So we are going to have a double effect on our families and especially those families with limited income; and still we have people, our friends on the other side of the aisle in this institution, who are willing to obstruct and say, no, you cannot drill here. You cannot drill in my backyard. You cannot drill off the Outer Continental Shelf. You cannot drill in ANWR. You cannot drill in Alaska.

I am sorry, but when do we begin to recognize that we are paying the price for that obstructionist policy that they are willing to engage in? It is time for us to have some common sense and to recognize that the technology of drilling oil wells has changed tremendously in the past 30 years. These arguments that are directed at an industry that existed 30 years ago have been bypassed, and yet they still hold the arguments in place.

We are able at this time in our history to drill one single well bore and come down to, say, 10,000 feet; and we can turn the bit and start moving sideways laterally and achieve drilling into areas that previously we could not do.

When we begin to understand the new technologies, we begin to see that many of the complaints are dated into the past, and so we are paying a higher price of gas at the pump. We are paying more to heat our homes. We are at risk of losing industry, and we are going to pay more for our food because we have got people who are responding to the past practices.

In Alaska, many times we have the observation that we cannot drill there because it will destroy the tundra. What we are doing in Alaska now is we build ice roads. We build those ice roads in the wintertime. We drill in the wintertime; and when spring comes, the ice thaws, the roads are gone, and all we have is the one pipe sticking up out of the ground.

Actually, when people talk about the way that drilling is going to affect the wildlife, we find that the herd there is now five times larger than when we first laid that first Alaska pipeline from Alaska down to the southern 48. The objections are running the risk of destroying the economic base of this country.

Right now we have people that are willing to come across the oceans to get to this country at any price because of the hope and the opportunity that exists here that does not exist in many other nations in the world. Here we have a group of people that are willing to obstruct and break that promise of hope and opportunity that draws people from around the world, that hope and opportunity that gives your children and my children, that gives your grandchildren and my grandchildren some promise for the future, and other things that cannot be explained. We are running the risk of giving that up.

I see the gentleman has other comments. At closing time, I would have other comments, but I really appreciate the gentleman bringing this important conversation before the body tonight.

Mr. PETERSON of Pennsylvania. Madam Speaker, there are a couple of issues maybe we can both talk on.

You talked about fertilizer and the cost to farmers. I know those prices have doubled a couple of years in a row, and it has been a huge, huge cost to farmers.

Forty-four percent of our fertilizer industry has left this country in the last 3 years because of natural gas prices; and if we do not deal with them, they will all leave. Our farmers will be using Russian or South American fertilizer, and this is a tragedy because a lot of people have been employed in this country in the fertilizer business. They make money making the fertilizer, storing the fertilizer, then hauling it to the distribution centers and to our farmers.

The question I wanted to ask you is, today, we are drilling in old, tired fields that we have been producing out of for years. They are drilling deeper; and like I said, they are drilling horizontally trying to get more gas. We are drilling more than twice as many wells as we historically did.

If your problem is putting a hole in the ground, that is going on in spades today; but we are not getting more gas. We are getting the same amount of gas that we were getting before when we were drilling half as many wells.

If we were in fertile, productive fields, we could probably drill a lot less holes in the ground, am I wrong there, and have a lot greater production of gas because we would be in new, fertile fields where the gas pressure is high and we would get great production.

Mr. PEARCE. Madam Speaker, if the gentleman would yield, the gentleman is exactly correct. Let me use some numbers to tell you about the way the situation exists.

Today, we use about 22 trillion cubic feet of natural gas a year. The estimates are that by 2025 that we are going to need 30 trillion cubic feet.

□ 2215

Now, we are able to have a supply that just about equals that annual consumption, but we do not have any large pockets. And, in truth, the amount of wells, the numbers of new leases have declined significantly in the past 7 or 8 years. So we really do need access to the dramatic deposits, and the Outer Continental Shelf. Keeping in mind that we use 22 trillion cubic feet, the Outer Continental Shelf has about 400 trillion cubic feet, the most dramatic source of natural gas that is available.

I know that when my father worked for Humboldt back in the 1960s and 1970s, they were saying that oil in our particular town, and gas, would be gone by 1980. That seemed to be so far out in the future. And then the 1980s came and went; we were seeing those declines the gentleman was talking about.

But in truth we are finding new stimulation techniques. But the stimulation techniques cannot keep up with the increasing demand. What we need is access to more sites with more gas. And it has been a disappointment that the regulatory agency that is in charge of this, the Department of the Interior, has not found ways to really encourage those leases.

Right now, I do not think that the Department of the Interior requires any particular office to describe the amount of natural gas or oil that they produce. Now, that is curious because our entire economy is based on these things, and we do not even measure them. So I have made suggestions, and we still hope that they will be listened to, that we begin to hold these field offices of the Bureau of Land Management, the BLM offices, accountable for the amount of contribution they make to the national energy plan, the amount of contribution of oil and gas reserves they have available and that they are actually producing, and the number of wells where they are finding good, safe environmental ways to drill.

Instead, what we are finding is that for a 3-month period we shut down all drilling because we have some prairie

chicken that they say breeds in that season and the sound of the rotary rigs might interrupt the breeding process. Now, that is not what I know to be true about the typical breeding process. The sound of nothing tends to interrupt that, but maybe the male prairie chicken is particularly sensitive. But in truth we are finding reasons to justify actions that are tied to the past, and our entire economic future is at stake.

I yield back to the gentleman if he has other observations.

Mr. PETERSON of Pennsylvania. Well, the thing I have found, and I was at dinner tonight with some friends, some scientists, and they were stunned to know about the difference in prices. Everybody thinks that oil and natural gas is a world price, and I have to explain that to most people. When I explain this issue in my district, I just do not have people opposed to the production of natural gas on the Outer Continental Shelf because they know that we desperately need it to heat our homes, to run our businesses and to make products.

It is such an integral part, and it is the clean fuel; as I said, it is almost the perfect fuel. If we could produce enough natural gas that the price was more affordable, maybe a little less than gasoline and fuel oil costs, it could be the bridge to the future. It could relieve the need for building more refineries, which will take years. It can relieve our need to increase our dependence on foreign oil from unstable parts of the world.

Now, there are those who think liquefied natural gas is the way to go, and I do not really want to get into that discussion tonight, I think it can be helpful, but many are pinpointing our whole future. That means we build the most expensive ships, we build very controversial ports to bring the gas back, because you chill it, you put it in ships, bring it back here, regasify it and put it in these ports; and many people look at those in a very negative fashion, plus it is very costly.

But I am even more concerned about where we get it. We get it from countries like Algeria, Nigeria, Libya, and Russia. Do we want to be further energy dependent on Third World countries that are unfriendly, with unstable governments, when we have such an ample supply here? There are many who feel that the Outer Continental Shelf has more than twice as much gas as the gentleman mentioned, 400 trillion cubic feet, but one of the reasons we do not know is we have not really measured it. The law has prevented us from having modern seismographic measurements of what is on the Outer Continental Shelf for either gas or oil.

I want to share something I have here. Osram Sylvania has three plants in my district and 14 plants in the Northeast, and here is what they said in a letter that I received from them, dated October 26: ''In the past 5 years, we have seen natural gas prices escalate from $3 per Mcf to well over $10 on the spot market. As compared to natural gas costs in 2000, our bills in 2005 will be $24 million higher. In fact, for 2004 to 2005 alone, gas costs for us have escalated by $7 million. This is the single largest rate of increase in any of our costs of production. At current supply levels, we expect to see gas prices exceed $12 per Mcf in '06 and '07,'' I think that will happen this winter, not next winter, ''which will add another $7 million to our energy bills. Accordingly, since 2000, the rate of annual increase will exceed 25 percent.'' That means their cost of gas went up 25 percent a year.

Here is the important part. ''Furthermore, while the vast majority of our production is based in the United States,'' that means they are making their products, and part of these are light bulbs, they are all, almost all, made in the United States, ''nearly 60 percent of our competitors' products are manufactured outside of the United States, some in Europe, where natural gas costs are less than $5 per Mcf, and Asia, particularly China, where gas is less than $4 per Mcf. By 2007, competitive disadvantage will be over $20 million on top of the wage gap versus China, which is already overwhelming.

We are deeply concerned that if natural gas prices continue to skyrocket, our competitiveness will erode, having unhappy consequences for a U.S.-based manufacturing strategy.

While some people may argue that passing the cost on to consumers is the remedy, price increases in the lamp market, with so many global competitors, it is an impossibility. Price increases to consumers to cover natural gas cost increases should be unnecessary as long as a timely, viable natural gas strategy is implemented. Globally competitive energy costs, especially natural gas, are a necessity to maintain our financial vitality and keep good paying and suitable jobs in the United States.

We agree with you that coastal offshore drilling for new natural gas supplies carried out in a responsible and expeditious manner is the most important priority in new energy legislation that should be taken up and enacted by Congress before the end of 2005.''

Would the gentleman from New Mexico have any examples he could share?

Mr. PEARCE. There is one thing I would like to go back and touch on a bit, Madam Speaker.

The gentleman pointed out adequately some of the objections to LNG, but the main objection that people unfamiliar with LNG are going to eventually raise, and I have LNG in the district, so I know what it takes to deliver LNG to a house. You put in a 500-gallon tank. This is just a steel tank, and you put it in either the back or the front yard. You have a truck come up and you offload that high pressure gas into these 500-gallon or 1,000-gallon tanks.

Now, people try to hide the fact that they have an air-conditioning unit outside their house. They put landscaping around it, or they will berm up around it, or they will put bricks around it to where it looks like a piece of the house. But a 500-gallon or a 1,000-gallon tank is really going to be hard to plant a hedge around. And if you do that, you always have to have it serviced. If it runs out, it is like the gas in your car, when it runs out, then you no longer heat your house until you get that truck to come back out again.

I remember spending winters in Arkansas. I was stationed at the Air Force Base there at Blytheville Air Force Base. I flew in Vietnam during the Vietnam War. But there in Blytheville, I had one of those 500-gallon tanks out by my house. And the one time we had like 20 straight days of ice storms, many people in that area were running out of gas and the trucks could not get there.

Now, this is not the sort of dependable, affordable delivery mechanism that Americans are used to. They are used to natural gas that comes through the house in lines they do not see. They turn on the tap and the furnace is always running, day and night. It runs off a thermostat. So life will be significantly different if we decide that LNG is our solution to our natural gas problem.

Again, many, many things are causing the price of natural gas to go up, but one of the things is the bureaucratic delay and restrictions to the approval of drilling new wells. When leases with access into known and proven reserves, and these are not leases that are in pristine areas where there has never been drilling before, these are leases in areas that have been drilled before. So there is no real objection that, listen, we are contaminating a new environment in a sensitive area. It is just that the agencies either have been directed or, for whatever reason, come up with reasons to delay, terminate or reduce access to the Federal lands that are available. This is all occurring during a time when we are seeing this skyrocketing price of natural gas, which is threatening the livelihood and the way we live our lives. So those elements are some that we need to be aware of.

I would mention to my colleague that during the last 4-year average period we have seen a decrease of almost 30 percent of our ability to drill on public lands and Federal lands from the previous 8-year average. So we really do have some bureaucratic restrictions that are creating bottlenecks in the approval process to where we can go on and put a nice clean hole in the ground that goes down and taps into this gas reservoir.

Gas wells are typically very clean producing. They do not have a pump jack that stands there and pumps up and down. They just have the center pipe coming out of the ground and then a series of valves on that, and then it goes straight to the pipeline. Usually it has to be refined in some small amount

before it goes on to the consumer, but it is a safe, easy delivery mechanism. And why we have people who are willing to obstruct that has always been beyond me.

I am not exactly certain how much time we have remaining, so I will yield back to the gentleman and will get a couple more thoughts ready.

Mr. PETERSON of Pennsylvania. Madam Speaker, as someone who has been in the business, the gentleman can speak to this, but I often describe a gas well as a 6-inch hole drilled in the ground. A steel pipe is placed in that hole, it is cemented at the bottom, it is cemented at the top, and then we hook it to a pipeline system and we let gas out. Is that a fair description?

Mr. PEARCE. It is. And people a lot of times unfamiliar with it will say, well, does that not contaminate the water? Well, in southeast New Mexico, where I live, we get our water from the Ogallala aquifer that lies underneath five different States. The process has a way of running pipe through those zones with water so that we never do get drilling fluids out into the water. We do not get the fresh water back into the well.

We usually have three concentric series of pipes at the surface down to about 800 feet. We have very large, sometimes 13½ or 13⅛, that size of casing, that will go down to about 800 feet, then another string maybe down to 1,500 or 2,000 feet. And, finally, we have the 6-inch string the gentleman is talking about that runs on to the total depth of the well. We then go in and put cement outside of that pipe.

The particular company that I owned really was charged with going in and repairing those strings of pipe as holes got in them or as problems came along. The science in the industry has come a long ways in the many years since my father was in the business, and I can remember growing up when there were environmental problems.

□ 2230

But I will tell you, most of the young people working in those companies now are as environmentally sensitive as anyone you know. They take care because none of us want to contaminate the water for our children, and we do not want to contaminate the surface of the soil for our children. So they have used the large companies' budgets to do research and development, provide new technologies, new abilities, new safety processes. Those things should be considered when we are dealing with the ability of our people to make payments for their energy even in today's market.

I just hope that the Nation is listening as you present your comments. I know you have been tireless in supporting these causes. I would like to mention that your amendment that you presented during the energy bill hearing had five or six very commonsense modifications to the Endangered Species Act. It is not going to hurt the recovery of any single species; but what it did, it untied the bureaucracy, untied the hands of the bureaucracy to where we can get just a little bit of common-sense adjustments for some of the approval processes for drilling.

In my visits back to the State since then, people are extremely complimentary about the amendment you got added into the bill. It is time to take another step. Let us look at the factors, let us look at those policy decisions for the last 30 years that have caused these situations to exist.

I will tell you that we cannot cure the problem before this winter. For those people who are saying we are going to do something before the wintertime, it is not possible. We have dismantled the drilling industry to the point that back in the 1970s and 1980s, we had over 4,000 rigs running. Today we have 1,200 and they are all working, but we cannot give up three-quarters of our industry's capacity and respond the way we should be responding.

But if we will take corrective steps and make common-sense judgments that the gentleman is presenting, I know by next year we can begin to moderate this price that has been created by our own decisions, the decisions of the government to not pursue those current supplies of energy that could help modify the prices.

The energy bill we passed this summer has good long-term incentives for renewables. There are six or seven kinds of renewables in that bill. There is biomass, nuclear, geothermal, there is solar, there is wind, there is hydrogen. All of those have great stimulations, but they are not market oriented right now. You cannot go out and fill your car. And if you had a hydrogen fuel cell car, you cannot get it serviced. If you had solar power in your home, there is no one to work on it. My brother has been in the solar industry in Denver for over 20 years. He still teaches school and does a solar business together because he cannot make a living just on the solar business alone.

We must recognize that if we are to modify and moderate the cost to our consumers, we have to have a long-term strategy of conversion to different supply sources, but in the meantime we must be doing something to lower the price of gasoline at the pump and lower the price of natural gas into our homes.

The gentleman is exactly correct in what he is proposing. I would encourage us as a body to really move forward on the suggestions that I know he has presented. A bipartisan group, Members from both sides of the aisle, recently introduced that bill that would allow us to begin to expand our drilling into the areas with the greatest promise. I think that is extremely important for us to step up to the plate, take responsibility for our past, and take control of our future.

Mr. PETERSON of Pennsylvania. Madam Speaker, the point I want to make tonight, and we were debating this issue on the Interior bill, sooner or later we will open up the Midwest and improve the permitting process. We are having a hearing on natural gas on Wednesday. I would like the gentleman to come and be my adviser. We will have the Energy and Interior Departments there, and we will be there all morning dealing with the natural gas issue.

If we do not deal with this issue, and the gentleman said it best, we will sooner or later. If we deal with it now, we will maintain the fertilizer business in this country. We will maintain the petrochemical, polymers and plastics, steel and aluminum and brass. All of those businesses, I have talked to their CEOs and associations. They have spoken for the last couple of years, but Congress and this administration have had a deaf ear. They cannot compete having natural gas prices twice that of Europe, three times that of Taiwan, China and Japan, five times that of South America, and 10 times that of Russia and be competitive. There is just no way they can make those products in the United States.

We will be saying good-bye to several million jobs in this country that are the backbone of the blue collar workers in this country who have a good job that pays benefits, they can afford a home, afford a new vehicle, and send their kids on to college and have the American Dream. We are going to say good-bye to those.

Mr. PEARCE. Madam Speaker, there are people that are amazed that we can make the assertion that we are going to lose an industry. They do not think it is possible. I would simply refer them to the timber industry. In the timber industry, we used to have 22 saw mills in my district. New Mexico had 22. Now we have two. Both of those remain in my district, and they are struggling to say alive.

In one forest alone, we are growing 50 million board feet of timber a year, and yet we cannot get the Forest Service to cut 12 million board feet. That would be enough to economically keep that mill running. We have given up the entire infrastructure of that industry, and we are in the process of giving up the entire infrastructure of our chemical industry and our potash industry. These are good jobs that are being outsourced, not outsourced because of greedy CEOs, but outsourced because of the policies of obstruction that many in this country are willing to push, and some of our friends on the other side of the aisle.

Mr. PETERSON of Pennsylvania. Madam Speaker, too many of our urban Members do not understand that timber is one of the most renewable resources. I come from the hardwood forest of Pennsylvania, one of the best timber areas in the country; and I also come from an original oil well and some of the early gas wells, but we do not compare to the southern production in energy.

I want to share a release put out by Dow Chemical. Mr. Liveris, the CEO, noted that the domestic price of natural gas, which was approximately $2 per million Btu 6 years ago, exceeded $6 in February of this year, increased to $10 in the days just prior to Hurricane Katrina, and then jumped to $12 immediately after the hurricane struck the gulf coast.

We all know when the first Canadian air comes south and goes all of the way down the coast and jacks up the use of natural gas, and the prices always spike, they will go even higher. When he wrote this, the price of natural gas was $14, which is equivalent to $7 per gallon for gasoline and $28 per gallon for milk. He noted that this renders the United States chemical industry, which uses natural gas as a fuel and a raw material, simply uncompetitive with the rest of the world. It does the same to aluminum, it does the same to brass, it does the same to steel, it does the same to polymers, plastics and fertilizers. Those industries will leave our shores. Several million Americans will not have a decent job, and a lot of them will not have money to take their vacation on our beautiful coastlines.

Mr. PEARCE. Madam Speaker, we had an opportunity to be in the Resources Committee when we had testimony from the union workers in the pulp wood industry and the timber industry in the Northeast. They were there saying that well-meaning individuals told them they could get jobs in tourism. That is what the answer is from the people who would obstruct good solid industries: you can get a job in the tourism industry. Those good workers came before the committee and said we want our jobs, the ones we grew up with and understand. They are good, clean jobs. The trees grow back, they are renewable; and yet there is a deaf ear by many in this country to the plight of working Americans.

I hope that the gentleman's efforts are successful because our future, our economic future in this Nation depends on good policies coming from this body, good choices coming from this body; and I would encourage the gentleman to continue his efforts to have common sense prevail and have us drill for natural gas in the continental U.S. and off the Continental Shelf.

Mr. PETERSON of Pennsylvania. Madam Speaker, I close with the following statement: what this Congress does in opening up production of natural gas and bringing the price down, allowing our industries to compete and our seniors to heat their homes will depend on whether we remain a leader Nation or become an also-ran Nation. Natural gas is the clean fuel that I think really sets our future, and what we do about it depends on what kind of country we are.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Mrs. DRAKE). Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes.

Mr. MEEK of Florida. Madam Speaker, it is an honor to be before the House once again. We would like to thank the Democratic leadership for allowing us to have this hour. This is the 30-Something Working Group. Madam Speaker, we come to the floor night after night when we are in session to talk about the differences as it relates to the budget or response to natural disasters or the general functions of the government and how it can be better on behalf of all Americans.

Tonight, as usual, we are joined by the gentleman from Massachusetts (Mr. DELAHUNT) and the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) and the gentleman from Ohio (Mr. RYAN). I would just like to talk for a moment on the issue of budget, just to kind of set the Democratic principles that we have within our budget, our budget alternative to the majority side. And to explain to some of the Members and staff here in the Capitol that as we know, and everyone does not know, that the majority side, because they have more Members here in this House, they actually prevail as it relates to legislation.

They would like to see a budget passed out of the Budget Committee, and it is passed just on simple numbers on partisan lines. We do commend one member of the Republican Caucus for voting with the Democrats for a budget that balanced by 2010, and also does it in a way that does not hurt everyday Americans or will play a counterproductive role in achieving the goal of fiscal responsibility.

The Democratic alternative to the Republican budget, which we will talk about tonight, does balance the budget by 2010. It also makes sure that we include enforcement measures to protect Social Security, making sure that we have budget enforcement procedures there to block tax or spending legislation that would borrow large amounts of money or any amount of money from the Social Security trust fund. I think that is very important to the preservation of Social Security.

Also, we do more for education. There are $14 billion in cuts that the Republicans have proposed. In our budget, we make no cuts whatsoever because we know education is the future of this country, the whole argument of making sure that our young people are on equal footing, and even adult education is important. Vocational education is important, to make sure that we cannot only compete, but we can be the country to provide young people to make our country strong, not only in the present but in the future.

I think it is important to point out that in our budget we have protection for veterans, some $1.6 billion more than the Republican budget, and over the next 5 years, $17 billion more than the Republican budget. The cuts that the Republicans are making to veterans we will talk about a little later. It is very unfortunate that that is a proposal which has been put forth.

Also we have a commitment in our budget to communities and families. I think it is important that we reflect on that, especially during this time when we talk about devolution of taxation. We want to cut certain taxes here and say we are doing a wonderful job and saving families and communities from paying more taxes. In all actuality, the majority side is cutting Medicaid. Medicare will be on the table as it relates to this budget when it goes to conference; if it goes to conference, that is going to turn the clock back on many families, and they are going to have to kick in more to be able to make it happen.

□ 2245

I just wanted to start off really talking about some of our principles within our budget that we would like to see prevail, not only here on this floor, we would also like to see, we talked about last week, that the majority side, the Republicans, respect the spirit of the rules of the House. We know when the budget comes up, if it comes up, the gentleman from Massachusetts has been here longer than any of us here, the majority side, they usually hold the voting clock open not only for several minutes but as of recent several hours to see it their way. There are a number of articles that are out that I know that we are going to reference today that allude to that.

Last week the gentleman from Massachusetts brought out Congress Daily A.M. This is what we get here in the Congress, we get an a.m., a p.m. There is also a Congressional Quarterly magazine that comes out. This is the outlook on the week at the beginning of the week. We all get it here. We find out what is going on in different committees. Here is a story which is the head story, House leadership this week are putting some Members on the spot with the fact that they are going to take one of their toughest votes in recent years. A $53.9 billion deficit reduction package that is drafted would hit child support enforcement, food stamps, Medicaid beneficiaries and student loans and would open arctic and coastal areas to energy exploration. I think it is important for us to understand that, of course, it is going to be a tough vote because they are calling for tough cuts that is going to hurt America.

Mr. DELAHUNT. If my friend would yield for a moment, I do not know if you are aware or had the opportunity to read the editorial today from the New York Times, but it follows with what we read in the Congressional A.M., so to speak. Let me just read the first paragraph here:

That rare bird, the moderate Republican lawmaker, is suddenly in sight, forcefully objecting to the House leadership's abominable package of budget cuts. The 5-year, $54 billion proposal is

headed for a floor vote this week disguised as an overdue act of fiscal responsibility and government savings. In truth, it is so over-the-top in its inequities and giveaways that embarrassed moderates are actually rebelling, withholding support unless some of the more outrageous measures are killed.

Again, we do not know what is going to happen this week. The Republicans are having discussions intraparty, clearly without any consultation with our side of the aisle, but we know that is the rule rather than the exception. What we do know, however, is that the Senate Finance Committee reported a bill that cut Medicare, not Medicaid but Medicare, by $5.7 billion over 5 years and by $40 billion over 10 years. What does that mean? What can those such as myself who will shortly be eligible for Medicare at age 65 expect in terms of Medicare? There is a group within the Republican caucus called the Republican Study Group. They came in with a proposal to defer that so-called prescription drug benefit for 2 years. I think we are going into very uncertain times, uncharted waters, if you will.

Mr. RYAN of Ohio. If the gentleman will yield, I think this brings up a real contrast. First, we have made it a point here in the 30–Something Working Group that this is not about party. This is about doing what is best for the American people. Because together America can be better. I just want to take this opportunity, having talked to all of you already tonight, to just say we hope that the moderate Republicans will stand up, because they can have a tremendous voice in this body. Not in a partisan way but in a way that actually acts on behalf of the American people. We hope that those moderate Republicans step up to bat and help the Democrats moderate some of these drastic cuts that are going to the most disadvantaged and the middle-class people in this country.

I think it is important as the Senate has made cuts out of the Finance Committee of almost $6 billion, the Medicare program if it comes out of the Senate as is now, $6 billion in cuts. And then the Republican Study Committee, the most conservative people in this Chamber, want to delay the prescription drug bill. Here is an opportunity where I think they could maybe take a Democrat initiative, a Democratic Party initiative, to reduce the cost of the Medicare prescription drug program. Instead of cut it and reduce benefits for seniors, why not put a provision in the Medicare prescription drug bill that says you can negotiate down the drug prices. Give the Secretary of Health and Human Services the ability to negotiate down like the Veterans' Administration does. Why not let the Secretary of Health and Human Services do that? Why not let the reimportation from Canada to help reduce the cost of drugs? There are a couple of provisions here that will help reduce the cost without reducing the benefits to the Medicare recipients.

Mr. DELAHUNT. I think it is important for those who might be viewing our conversation right now for you to explain what you mean by negotiating down in what was in the original prescription drug so-called part D benefit plan that most of us voted against because of its cost and because of the fact that it does not really deliver what senior citizens need in terms of their prescription drugs.

Mr. RYAN of Ohio. One of the provisions, as you said, was giving the Secretary of Health and Human Services who basically in his department administers the Medicare part D, this new prescription drug bill, giving him the ability to go to Merck or Pfizer or one of the major drug companies and basically say, on behalf of these millions of Medicare recipients, if you want the contract to sell them drugs, you need to sit down with me and talk price. The Democrats were not saying we need to create a whole new bureaucracy. We did not say we have got to put a whole new office building in Washington, D.C. to do it. Just give the Secretary of Health and Human Services the ability to go and basically negotiate down these drug prices.

Mr. DELAHUNT. Because of the bulk purchasing power.

Mr. RYAN of Ohio. The bulk purchasing power, some studies say, would at least save 10 to 15 percent. I have seen some people say it could save up to 20 percent. So you take $700 billion and you take 10 or 15 or 20 percent of that, you are talking upwards of saving the American taxpayer over the course of the next few years $140 billion that could go into Katrina relief.

Mr. DELAHUNT. But that did not happen, did it?

Mr. RYAN of Ohio. That did not happen. The Republican majority in this Chamber rejected the proposal.

Ms. WASSERMAN SCHULTZ. If the gentleman will yield, I think we should expand this conversation beyond just what this budget reconciliation, budget cut proposal that we will consider this week means. Because what was initially rolled out by the Republican Study Committee after Katrina was this chart that you have right here. I think it would be helpful for us to go through just exactly what the true intentions are of the Republican Caucus. How many Republican members are there in the caucus?

Mr. DELAHUNT. There are 228 Republican members here in this Chamber.

Ms. WASSERMAN SCHULTZ. So 228 members of their caucus and more than 100 of those members, it is my understanding, are members of the Republican Study Committee. So the vast majority of the Republican Caucus subscribes to this proposal that the Republican Study Committee put forward which is really what they would do if they could get their moderate Republicans who are not members of the study committee to swallow it. And because they know that they are in a precarious situation in their own elections in many instances, they are the ones that have been waffling on the fence here.

Let us go through what the Republicans would do if they had their way. They would delay the Medicare prescription drug bill for 1 year which the gentleman from Ohio already mentioned. They would reduce Medicaid administrative spending. But they would go further than that. They would increase the allowable copays in Medicaid. Let us describe what that means. Fully one in four children in the United States of America today get their health care from Medicaid. Often I know when people think of Medicaid, they think of it as really just purely a health care system that provides health care access to the poor. But if one in four children are getting their health care from Medicaid, that means you have that many children living in poverty in the United States of America. What this proposal would do by increasing the copays is requiring poor children's families to come more out of pocket to pay for their health care.

Mr. RYAN of Ohio. I just want to expound on that point for just one second. Those people who will see an increase in their copay will then not go to utilize the care and the service, and they will end up like Americans who do not have any health care, they will end up in an emergency room much sicker than they were when they originally could have had the problem taken care of because they were covered under Medicaid, and the taxpayer is going to end up footing the bill in the long run. We are not making this argument solely for moral reasons, but this is an economic argument that is going to save the taxpayer money in the long run and I think the Republican majority has proven in many ways that they do not know how to govern, and one of the reasons is they would rather spend more money on the tail end than do the right thing and spend it up front.

Ms. WASSERMAN SCHULTZ. If that were not bad enough, if making poor children's families pull more money out of their pocket to pay for their health care were not bad enough, the Republican Study Committee, in fact, more than that, this budget cut proposal that we are going to consider this week would allow increases in premiums for the first time and it would also let health care providers, physicians and other health care providers that are Medicaid providers, refuse care if a beneficiary cannot afford the copayment. Right now they are not able to refuse that care. There is a change in this proposal that would allow people who provide health care to Medicaid recipients to refuse care if they do not have the money to pull out of their pocket. Often we hear the argument made about the skyrocketing costs of Medicaid, the greater percentage that Medicaid has taken of the

Federal budget and of State budgets. While that may be true, what the gentleman from Ohio has just outlined is absolutely accurate. These cuts, which are supposed to be representative of savings, there is not going to be savings. It is just going to be more cost shifting of health care costs. Because these people who are on Medicaid now, they have to get their health care from somewhere. Most good parents, any good parent is not going to let their child suffer. What they do is instead of being able to take their children to the doctor for well baby visits and well child visits and make sure that the health care is preventive as opposed to reactionary and sickness and disease based, they have to wait till their child is sick enough to take to the emergency room.

I was walking door to door when I first ran for the State legislature and knocked on the door of a younger woman, it turned out. Usually when I was knocking door to door, it was senior citizens who took a long time to get to the door. But this woman, I was surprised when she answered the door, was young. Her foot was swollen to a grotesque proportion. I could not help but ask her what happened. She said I actually had caught her just as she was about to go out the door to the emergency room because she did not have health insurance and she was not able to go to the doctor when the problem on her foot was small, she had to wait till it was so infected that she had to go to the emergency room. Of course she had no health insurance and she did not qualify for Medicaid in this instance. So now what we should do is talk about the gap between people who qualify for Medicaid and people who have health insurance. There are a vast amount of people in the middle who fall through the crack.

Mr. RYAN of Ohio. That woman probably called off work and there was a ripple effect.

Ms. WASSERMAN SCHULTZ. Loss of productivity by her employer. Just think about the impact of people who cannot go to work when they are sick.

□ 2300

Think about the skyrocketing costs of health care and this administration. Ask yourself, Madam Speaker, ask yourself the last time you heard President Bush say anything about health care. I have not heard him say a word about health care. I have not heard him speak out against Medicaid cuts. I have not heard him speak in favor of helping poor children and their families afford health care. Where is the outrage?

Mr. RYAN of Ohio. Let us look at another provision on here that the Republican Study Committee is also looking to do: Increase the Medicare Part B premium by $4.6 billion.

Ms. WASSERMAN SCHULTZ. That might be a little bit of Washington-speak. I think people might get the letters confused. What is Medicare Part B?

Mr. RYAN of Ohio. Medicare Part B is the senior citizen program, the Medicare program that insures our parents and our grandparents. This is where the Republican Study Committee is going to go to pay for the tax cuts, to pay for the $16 billion in subsidies that they are giving to the oil companies, to pay for the subsidies that they are basically giving to the prescription drugs. They are going to go to our senior citizens and ask them to give up $4.6 billion in 2006 and $84 billion over the course of the next 10 years. These are senior citizens that, as I am sure they are in your district, whose pension is not going up, if they can even keep their pension. Health care costs obviously are going up here, the cost of natural gas and gasoline, heating oil, all of this is affecting how our seniors can actually survive day-to-day; and our friends on the other side are making another wrong decision by going after them and asking them to foot the bill.

Ms. WASSERMAN SCHULTZ. Madam Speaker, if the gentleman recalls a few months ago when we were talking about Social Security privatization and the impact that that would have on our seniors, imagine if that proposal had gone through and, hopefully, we are going to continue to be able to keep that off the table. But when we were on the floor during the 30–Something Working Group, my colleagues will recall that one of the things that we talked about so often was that we have so many of our senior citizens who are on fixed incomes, whose Social Security is their only source of survival.

Now, if what the Republican Study Committee would like to see happen happens, where they increase Medicare Part B premiums, which is out-of-pocket money that these seniors have to pay, and one day soon we privatize Social Security, how are these people going to be able to afford to live?

Mr. MEEK of Florida. Madam Speaker, let me just say this. I will not say the Republican Study Committee, I will say the Republican Conference. I mean, the bottom line is, we would not have the philosophy of a few come to the floor, pass the Budget Committee, and possibly a threat for it to come to the floor by the end of the week if it was not for the help of the Republican Conference.

Now, they are our friends. We are coffee together, we ride the elevator together, we walk down the hall together, we talk about raising our children, and all of the things that people do who work together. We all work together, but we have a difference in philosophy and priorities. And I will tell my colleagues right now, and I just want to make sure that Members, if you have a family member that is a veteran, I want you to go grab them because I am about to say something. I want to make sure that we understand that these cuts, and we are talking about 60 million Americans, 60 million that are on Medicaid right now, enrolled in Medicaid, 60 million Americans, not 60 million Iraqis, not 60 million Somalians, 60 million Americans who pay their taxes every day, that know what it means to punch in and punch out at work every day, know what it means to have a 15-minute lunch break, or a break in the morning if they get it, 15 minutes in the afternoon, and a 30-minute lunch break, if they get it. These are the people that we are talking about. Also, children are enrolled in this, too. So it is very, very important.

I am looking here at the Families USA, which is a voice for health care consumers. I mean, basically they are saying these cuts, this proposal, will force low-income people to pay, like you said, higher premiums that they cannot afford, and copayments. So let us just call it what it is.

It looks good when you look at the numbers and, oh, these are the cuts that we are making, but let us translate what those cuts mean. It means that for the premiums and copayments that people are making under the Medicaid plan now, which is not the greatest, because this Republican Congress has increased it time after time, now we are about to do it again. They are not going to be able to afford health care. So we might as well say that we do not have it.

We have companies now that are telling people to go and enroll in Medicaid, because they we do not have a national health care plan. They cannot participate in that program. So when folks start talking about weaning people off, let us talk about this. I have also said, we talk about the difference between Democrats and Republicans.

Now, here is one for the veterans that allowed us to be here under the lights in this Chamber, fought for this country, still fighting for this country, and also I want to call special attention to our Members who come to the floor and give great floor speeches about how we love the troops. Well, I have not seen a Member come to the floor yet and say, hey, listen, I do not like the troops. So to say that I care about the troops, we all care about the troops. We all want to make sure the troops are okay. But what happens when they come home? What happens? What happens when, after the parade, what happens? What happens after they turn their uniform in? What happens to those individuals? Let me tell you what is going to happen under this budget.

The bottom line is that the Republican budget cuts that are being made in health care are $14 million below current service over the next 5 years.

Now, I am going to tell my colleagues something. Maybe I represent too many veterans. Maybe I have heard too many stories about when someone who wants to see an ophthalmologist or a podiatrist or some sort of specialty at the VA, and they have to wait 6 months for an appointment, 6 months for an appointment, and in rural areas

it is even worse. There are areas where they have VA facilities and clinics that are only open once or twice a month.

And under this budget, with a straight face, they are going to come to the floor, and that is the reason why periodical after periodical is saying that it is hard for the Republican Conference to even vote for their own budget. Now, folks come to the floor, well, we want our friends on the Democratic side, if they could support us; yes, we want to balance the budget, but we do not want the veterans who have been waiting 6 months now to have to wait a year, because the majority side has made a 5-year cut of $14 billion. That is not chicken feed; that is a lot of money.

And then it goes further. Because facts hurt, facts hurt. Reality hurts.

We are here to make sure that we give voice to those Americans that sent us here. Some folks use it very loosely: This is the people's House. Well, guess what? We believe it. We do not use it as a punch line. We are here because people have elected us.

Furthermore, it goes on to require the Veterans' Affairs Committee to make $798 million in additional cuts over the next 5 years. Also it imposes new fees for veterans for health care by reducing veterans' benefits such as disability payments, pension benefits, and educational benefits.

Now, let me tell my colleagues something. Like we say sometimes, let us put the cookie on the bottom shelf. The bottom line is that folks are sugarcoating a number. We are making these cuts and we have to do this. One says we have to do it on behalf of the Katrina Commission. Another person says, well, we want the Katrina Commission, but because of Hurricane Katrina, we have to respond to those individuals. Some say, well, we have to make sure that we reduce the national debt and that is the reason we are making these cuts.

And we all know that even in the Senate there is a lot of chest-beating, because there is a $6 billion tax break, mainly for the top bracket and mainly for the special interests that they are going to push through this chamber. Why? Because if there is going to be a tax cut, there should be a tax cut that is going to help every day Americans. But how can we with a straight face, when we have veterans waiting 6 months for basic health care, when we have folks in devastated areas, with the three natural disasters that we have had, that cannot even get a housing voucher that were made homeless because of the natural disaster, when we have a government that is trying to figure out how we are going to continue to pay for the war in Iraq, how we are going to be able to pay for incompetence, incompetence in the government.

□ 2310

How we are going to continue to condone cronyism, a culture of cronyism at the same time? The bottom line is, ladies and gentlemen, I believe the majority side really needs to have a meeting. They need to have a meeting and talk about the true priorities of America. And then, one of those points in that meeting should be, you know, we really need to move in a bipartisan way. Oh, wow. That is a great idea. Hey, let us work with the Democrats and Republicans and let us save the country.

Now, I am coming in for a landing now. I am going to tell you something. People are saying, why are you all on the floor every night? Why? Why are you on the floor every night? Some people are saying it is a great thing, Democrats and Republicans. We are glad the people are breaking this thing down so that we can all understand, because we can use CBO and all the acronyms and folks can come to the floor and say we want to make America stronger. What I am describing here is making a country weaker, not because of the country and the people that live in it, but the leadership that is supposed to govern it on behalf of making this country stronger.

These are the facts. Third-party validators, these are the facts, like it or not. One other fact, and Ms. WASSERMAN SCHULTZ, I am getting ready to yield to you, I am going to take this chart out. You know, if I could, Mr. RYAN, I would put this chart on the front of my truck so that people can see it. If I had the resources, I would get a billboard so that people understand what is going on. This is not a woof speech. This is a reality speech. The bottom line is that the majority that is in control now, need it be the House or Senate or need it be the White House, the policies that they are putting forth are not helping and strengthening our country. Period. Dot.

I do not want to make it seem like it is some sort of extreme statement. It is not an extreme statement. What I just described was happening to veterans. The last 15 minutes we talked about what is happening to Medicaid, and Medicare is on the table, Mr. DELAHUNT. The bottom line is 42 Presidents, 1776, we were not even thought of, you know, as Members in this House here. To the year 2000, 42 Presidents, $1.01 trillion that we borrowed from foreign nations. President Bush, not by himself, with the Republican majority, not by himself, I just want to make sure that everyone understands that the President does not have the ability to do this all by himself. Trust me. 1.05 trillion from foreign nations, Mr. RYAN, including China.

And so I think it is important that people understand. This is not Democratic talk. This is not Independent talk. This is not even Republican talk. This is reality. And unless we rise up, I just want to make sure that we let the Members know we know exactly, on a majority side you can have a study group. You can have a caucus within the caucus. You can have subcommittees. The bottom line is the policy will never see the light of day if it was not for the Republican majority here in this House pushing it to the floor.

And that is the reason why, that is the reason why you have Republican conference members that have big problems. They are, you know, they are even looking at their calendar saying, well, goodness it is my son's birthday on Saturday. Maybe I can tell leadership we are going to celebrate it on Thursday because I do not want to be here for this vote because how can I explain back home how we are increasing the wait list for veterans, how we are cutting benefits for your children to go to college, and we are going to put the responsibility on your back to take up the slack because we want to give tax cuts to special interests to billionaires.

I mean, that is a hard thing to explain, especially when you are by yourself back in your district and you are not hiding behind the press release from the majority office of this House of Representatives. And that is the fact, Jack. And the bottom line is we are going to man up and woman up and leader up and say no. And that is the reason why it has not been to the floor, and I hope that is the reason why it will not come to the floor in its present form and that we go into, if we had rule XXI, which we do have rule XXI here in the House, but if we had a rule XXI like the Senate, we should go into closed session. Folks grab the mike, the leadership, and the bottom line is work out a plan that we can all work together, take from the Democratic budget, the Republican budget and do what Americans want us to do. They do not want us here talking about one another back and forth. But the bottom line is that is the road map that has been laid out by the majority. Ms. WASSERMAN SCHULTZ.

Ms. WASSERMAN SCHULTZ. Thank you. And you know it is totally understandable why you are emotional about it and why we are all emotional about it. We are all bristling with indignation here because to add insult to injury, the nightmare scenario you are describing for veterans if this budget reconciliation bill actually becomes a reality is just the tip of iceberg. Just a few months ago, I mean, I am a freshman. I just got here. And there are a lot of things that have shocked me, not the least of which is what you referred to a little while ago which is that we almost never meet in a bipartisan fashion. The idea of actually seeing Members from the other side of the aisle sit down at a meeting like you just described, at the beginning of this year, you know, to me would have been a usual matter, like we did in the legislature, coming together on most things and arguing about only the most basic of Republican and Democratic differences.

Here it is like they think we do not take showers or something. I am not

really certain why it is that they will not actually sit down with us and try to work things out. But what was more startling just a couple of months later was that, you know, we have talked about the number of Cs that apply to their ability to govern. There is corruption, there is the cronyism, and then there is the lack of competence. I mean, I could not believe that in June we had to actually appropriate $1.5 billion for the Department of Veterans Affairs because there was a shortfall in their budget that they were denying for months. Months. We kept insisting there was a shortfall. Veterans were having to wait months and months for health care. The 6-month wait for access to health care at the VA was a true reality.

And we were saying there is something wrong here. The American Legion was saying something was wrong here. And finally they owned up and realized oh, yeah, we do have a shortfall and we are going to need, we had to go and pass an emergency appropriations bill to get them the rest of the money they need.

You know, we talk about the third-party validators here. Now there is a proposal to cut $600 million out of this budget in veterans health care, which would be enough funds to care for nearly 100,000 veterans. The American Legion, this is this evening's third-party validator for me on veterans, expressed concern that that cut would mean rationing of care, hiring freezes of medical personnel, delaying repairs on facilities, growing backlogs of medical equipment, and many other fiscal-based constraints. And that was a letter that they wrote on October 17.

Mr. MEEK of Florida. Ms. WASSERMAN SCHULTZ, would you just yield for a second.

Ms. WASSERMAN SCHULTZ. Yes, I would be happy to.

Mr. MEEK of Florida. What holiday is coming up?

Ms. WASSERMAN SCHULTZ. I think that would be Veterans Day, and that is Friday.

Mr. MEEK of Florida. And it is very interesting because Members are going to be trying to run out of here and catch planes and falling over each other to go march in a parade with those that have laid down, literally put their lives on the line, lost limbs. Some will be pushed in wheelchairs. Some will be remembering the fallen members of our country that went and fought in all of the past conflicts. And just before Friday, there is a vote scheduled to set them back and what we told them we would do for them and provide them for health care. I yield back. I just wanted to talk about the gall of this whole thing at this particular time.

Ms. WASSERMAN SCHULTZ. Gall is a soft word, the softest word you could use. I really want to go ahead and transition to Mr. DELAHUNT, who is going to go through some more of this.

Mr. DELAHUNT. No, I want to commend all of you for your eloquence, your commitment. I think you ought to describe, you know, how this particular group was formed. I know I really speak for the other members of the Democratic Caucus when I say that we are very proud of your commitment, your hard work, and your dedication to the American people, because you are 30-something. You are all under 40. But it is really impressive. And I have to tell you that in many ways you are leaders now, but I am confident that you represent the future; and as more and more people listen to you, particularly people of your generation, they are going to think about these issues in a more serious way. They are going to educate themselves, because you are presenting reality.

You know, I would describe what the gentleman from Florida (Mr. MEEK) said is that tragically there is a great difference between walking the walk and talking the talk. It is great to talk about patriotism. You are right. There is going to be a lot of speeches on November 11, and terms and phrases such as a ''debt of gratitude'' to our veterans, to the men and women that have served this country and are currently serving our country now, whether it be Iraq, Afghanistan or in the multiple deployments of our armed services.

□ 2320

The gentleman from Florida (Mr. MEEK) is so right. The reality is that when they come home, will they have good quality health care available to them? Will they have access to the kind of care that they deserve? Will they receive the benefits that the generations that served in World War II, that served in the Korean War, in Vietnam have?

And the gentleman is right. There just simply are not the resources there. We can paper it over by passing supplementary or emergency budgets just to get through a difficult time. But I would suggest to our veterans to listen to their leadership and what they have said about the budget proposals on veterans' health care that have been put forth time and time and time again by the Republican Party in this House. We all see letters describing them in various terms.

Now, I am speaking of the American Legion, the VFW, the Disabled Veterans of America, the Paralyzed Veterans of America. The word that comes to my mind is a disgrace, a shame, and a dishonor to the veterans.

The gentleman speaks about third party validators to corroborate the facts as we are presenting them. Do not listen to us. Go to the leadership of these veterans service organizations if you are a veteran and ask. Unfortunately, what we are saying is truthful and accurate, and I would suggest that while we might be talking the talk, what reveals our real character is the commitment that we make. We can go and speak to the troops and tell them that we care, but we all have to make some sacrifice.

We have an all-volunteer Army and we are comfortable here. And most people in this country, because of the policies of this government, are not involved in the sacrifices that are currently being made by our military personnel all over the world. We owe it to them. It is just not policy. It is a moral obligation.

We speak of values. And I daresay that when we turn our backs by our actions on our veterans that we are not living up to the values and the moral authority that we proclaim again and again. We are indulging in hypocrisy, and that is all too sad.

Mr. RYAN of Ohio. Mr. Speaker, one of the decisions that is being made down here as we cut the vets' budget, there is a chart that explains where some of the tax cuts are going and you will see of all the tax cuts down here, $34,000 to $54,000, $840. And people who make $440,000 a year and up, $87,600.

Now, to put this into ''middle America speak,'' the Democrats are for reducing a small little portion of this, not even the whole thing, but asking these people who make a million dollars a year or more to just give up a wee little bit of that up there, just a small little tiny part of that so that we can fund some of these other priorities that we have agreed as a country are important, like making sure our veterans have the proper amount of health care.

And if, as a country, the leadership in this Chamber and the leadership in the White House, especially in the executive branch, if they do not have the guts to ask this person who makes a half a million dollars a year to give up just a small amount, a few thousand dollars of their tax cut to pay for veterans health care or to pay for Medicare, if the President of the United States cannot find it in his Constitution to ask this person, then I believe he is failing his responsibility and his oath of office. And I really believe that because that is about leadership.

To go to the person who does not have a lobby group on K Street to come over here and lobby us, okay, that is a major problem. And at the same time as these tax cuts are going on, we are cutting student loans, we are increasing the burden on our kids who go to college. And if the Republican majority—as the gentleman from Massachusetts (Mr. DELAHUNT) pointed out, the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) is a freshmen. The gentleman from Florida (Mr. MEEK) and I are in our second term. The gentleman from Massachusetts (Mr. DELAHUNT) has been here four or five terms. He is on his fifth term, I believe. If the Republican majority thinks that we are going to sit up in our office or if we are going to go home and lie on our couch and turn on C–SPAN and just watch this happen, they have got another think coming.

We are going to come to the floor every night if we can and we are going to grab every hour that we possibly can

because there are 700,000 people in northeast Ohio that count on me to come down here and talk about this stuff, because they are on the other end of this stick. Fifty percent of the people in my district did not even get a tax cut. They did not get any of this stuff, none of it. Fifty percent of the taxpayers in my district did not get any of this stuff. And if this administration and the leadership in this House does not think that we are going to come to the floor and talk about this inequity, about them cutting Medicaid services, which in the long term costs these taxpayers even more money, if they think we are going to sit by while tuition goes up 57 percent over the last 5 years and not say anything, they have got another think coming.

Mr. MEEK of Florida. Mr. Speaker, those are the same constituents and my constituents that are going to get hit by the Medicaid cuts, the same veterans that will be paying more on their copayments, waiting longer for their services. Those are the same individuals that the gentleman is describing. And the gentleman is 110 percent right, and I am glad that he is warning the majority that this stuff is not going to be quiet.

Mr. RYAN of Ohio. We are not going away. We will be here every night if we have to.

The problem is, and here is the problem that hurts me the most, is that the people who make a half a million dollars, a million dollars a year, they make it because of the benefits that have been given to them and the opportunity that has been given to them by our veterans, to be able to take advantage of a capitalistic system, to be able to take advantage of a democratic system with a strong military to make sure that you can make solid business investment and make money.

Bill Gates did not invent the Internet. It was the public tax dollars that went to do the research. Bill Gates capitalized on the Internet. So he has a responsibility to keep the system going for the next guy, but to do this and to not have the guts to pay for these people, to pay for veterans' health care benefits.

Ms. WASSERMAN SCHULTZ. The gentleman from Ohio (Mr. RYAN) was referring to the guts that they lack. It has been clear to me, and increasingly clear as the months go by, that they do not have the guts or the ability in their constitutional makeup, like the gentleman said, continuing with the C-word theme, it is their culture of cronyism that does not allow them. Their culture that propels them to take care of the people at the top and only those at the top.

□ 2330

So they do not have the ability to comprehend at least not the way I perceive it, that they are doing the wrong thing.

The culture of corruption and cronyism just continues, and although it is somewhat off topic, I think it is important because the last few times we have been here we have been talking about just their general lack of ethics and their commitment to taking care of their cronies as opposed to the American people.

We have been calling on the floor of this House for the President to fire Karl Rove, to at least ask him to step down, to eliminate the weight that is standing on his chest and the chests of the American people and our ability to actually move forward.

Do you know what his response was to calls across the country to get rid of Karl Rove? He ordered his staff in the White House to take an ethics course this week. That is what he has asked them to do. Right there in black and white, the Associated Press reported it. His response to this entire mess is that his White House staff should take an ethics class.

Mr. MEEK of Florida. Hello, ethics course? Hello. No. Like I told you once before, I do not blame the special interests for getting what they get because they do not get it unless the Republican majority gives it to them, because they are in the majority. Many of the unexplainable events that have taken place here on this floor and in committee, the mind boggling, how can that pass, how could they get all of this money, all this taxpayer money from the Congress? They do not do it. The vote has to go up on the board for them to allow them to do it.

I will say the same thing as it relates to the President, not a mumbling word from this House on outing a CIA agent. All of the speeches that were given here in this well right before me, give us the responsibility of national security, we are tough, we will make sure that we have what we need to have and we will fight the war on terror. And guess what? Someone in the White House, two people in the White House, probably even more, out a CIA agent, a CIA agent that did what? Went out to make sure that we were able to head off countries from getting weapons of mass destruction.

This is not a small issue. For far less, far less, the House of Representatives have called out Travelgate, Whitewater, all these kind of individual decisions that were made and had some possible ethic issues going along with it, but not the outing of a CIA agent, not saying, hey, you know something, she is a CIA agent and there are a number of people that are working with her, and we want you to know about it. Not a mumbling word out of this House, not one floor speech calling for resignations, not one committee cranking up a committee meeting and calling people from the White House down here before the people's House to question how could this happen, not one. Not one.

Guess what. If the Democrats were in the majority, I would tell you right now Democrat House, Republican White House, there will be hearings, and not a mumbling word, just crickets on that side of the aisle as it relates to outing a CIA agent.

So what you are saying is not alarming. The President is doing that because he is allowed to do it because the investigative body here in the House that has the responsibility of keeping this government in check is not doing its job.

Ms. WASSERMAN SCHULTZ. Can I just tell you, it gets worse. It is not just the fact that they are responding to this entire fiasco, ethical conflict, with ethics classes for the White House staff. Do you know who is giving the classes? The White House counsel's office, Harriet Miers' office. That is part of their pattern. It is not like they decided they should go somewhere outside the White House, because clearly the White House has not been emblematic of an ethical place where you could actually learn ethics from someone inside the White House. You would think they would have gone outside the White House, but they do not believe in independence.

We asked them to establish an independent Katrina commission. No. Their answer was to do it internally and create a special committee here that is lopsided, 11 Republicans and right now no Democrats because we refuse to serve on a committee that is not going to be fair and objective and really get to the bottom of it.

The bottom line, the reason I brought this up is because your point is from the top to the bottom, the culture of corruption and cronyism and incompetence just runs right through. There is not any light at the end of the tunnel, and it gets worse with every page you turn in this administration.

Mr. RYAN of Ohio. Madam Speaker, can we just say, if you have worked in the White House for 5 years and you are the chief of staff of the Vice President, indicted on five counts of lying and obstruction of justice, and you have the deputy chief of staff of the President of the United States lie to the American people on two occasions, you have the Vice President of the United States mislead on several occasions Tim Russert and the American people, you do not need ethics courses. You need to be fired. Okay. This is not brain surgery. This is probably a basic management technique. If you lie to the American people and you work at the White House, you should be fired, and there should be no place for you in representing the public.

Mr. MEEK of Florida. National security. National security. It is not lying about, well, you know, I flew to Chicago and I really did not have Federal business and I am sorry, the ticket was $450; I need to go to an ethics course. You do need to go to an ethics course.

You out a CIA agent; it goes far beyond a firing. This is not an everyday occurrence. Maybe I am just too concerned about the security of this country. Maybe I am just too concerned about it, and I do not think I am out of

step by being alarmed by this because I can tell you right now there are some Members on that side that are alarmed about it, but they are not saying anything. Definitely the leadership is not saying anything, and the White House would do what it is allowed to do.

If it is allowed to borrow $1.05 trillion from foreign countries, it will do it. If it is allowed to have our veterans waiting in longer lines to cut their benefits and have them pay higher co-pays and Medicare individuals and free and reduced lunches cut in half, they will do it. It is up to this House to rise up, and the majority's just not doing it. We can only do it for so much as it relates to bringing this back into check.

Mr. DELAHUNT. Madam Speaker, I would just make another observation.

Again, we hear much in terms of our public discourse about values and about responsibility towards our fellow citizens, and yet, I was really struck by a headline that appeared in USA Today last week. The headline was ''Louisiana Cannot Pay Katrina and Rita Bills.''

The Federal Government is requiring the State of Louisiana to come up with almost $4 billion as its share for relief from the devastation of those two hurricanes. They have no tax base left practically. New Orleans we know has been devastated. The entire annual budget for the State of Louisiana is $8 billion. It is as if we are turning our back on other Americans, and yet we are giving away billions of dollars without any strings attached, with no matching fund requirements when it comes to Iraq.

Madam Speaker, we are paying for roads in Iraq. We are paying for affordable housing in Iraq. We are paying for dams and levees in Iraq. The American taxpayer will not see a dime in return, and yet, when it comes to our fellow citizens, we are saying if you want that share, come up with $4 billion that they do not have.

Mr. MEEK of Florida. Madam Speaker, we are winding down here. There is one statement, and then we are going to close because we have a minute.

Ms. WASSERMAN SCHULTZ. Just one quick statement. We want to remind everyone that tomorrow is election day in many places, Virginia, California, New York, New Jersey. We want to urge our generation to come out in the record numbers that they came out during the 2004 elections.

□ 2340

Mr. MEEK of Florida. Mr. RYAN.

Mr. RYAN of Ohio. Just a reminder to send us e-mails at 30somethingdems@mail.house.gov, any articles or whatever, Madam Speaker, from our colleagues here so that we can talk about them on air. That is 30somethingdems@mail.house.gov.

Mr. MEEK of Florida. With that, we want to thank the Democratic leadership for this block of time, and I yield back the balance of our time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BACA (at the request of Ms. PELOSI) for today.

Mr. BECERRA (at the request of Ms. PELOSI) for today.

Mr. CARDIN (at the request of Ms. PELOSI) for today.

Mrs. JONES of Ohio (at the request of Ms. PELOSI) for today.

Ms. KILPATRICK of Michigan (at the request of Ms. PELOSI) for today and November 8.

Ms. MILLENDER-MCDONALD (at the request of Ms. PELOSI) for today on account of official business in the district.

Ms. MCKINNEY (at the request of Ms. PELOSI) for today.

Mr. STUPAK (at the request of Ms. PELOSI) for today on account of family commitments.

Ms. WATERS (at the request of Ms. PELOSI) for today.

Mr. GIBBONS (at the request of Mr. BLUNT) for today on account of business in the district.

Mr. GUTKNECHT (at the request of Mr. BLUNT) for today and until 3:00 p.m. November 8 on account of meeting with the New Zealand ambassador on trade issues.

Mr. LEWIS of Kentucky (at the request of Mr. BLUNT) for today on account of personal reasons.

Mr. RYAN of Wisconsin (at the request of Mr. BLUNT) for today on account of a family medical emergency.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. KAPTUR) to revise and extend their remarks and include extraneous material:)

Mr. EMANUEL, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. GENE GREEN of Texas, for 5 minutes, today.

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

(The following Members (at the request of Mr. MCCAUL of Texas) to revise and extend their remarks and include extraneous material:)

Mr. MCCAUL of Texas, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, today and November 8, 9, and 10.

Ms. ROS-LEHTINEN, for 5 minutes, today.

Mr. OSBORNE, for 5 minutes, today, and November 8 and 9.

Mr. POE, for 5 minutes, November 8.

Mr. MCHENRY, for 5 minutes, November 8 and 9.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. BURGESS, for 5 minutes, today.

ADJOURNMENT

Mr. MEEK of Florida. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until Tuesday, November 8, 2005, at 9 a.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5003. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Fisher and Thief River Falls, Minnesota) [MB Docket No. 05-116; RM-11188] received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5004. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Cridersville, Ohio) [MB Docket No. 04-343; RM-10799) received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5005. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations. (Cheyenne and Thomas, Oklahoma) [MB Docket No. 05-130; RM-11216; RM-11265] received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5006. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) FM Table of Allotments, FM Broadcast Stations. (Big Pine Key, Florida) [MB Docket No. 04-248: RM-10990] received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5007. A letter from the Director, Fish and Wildlife Services, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Final Rule to List the Scimitar-horned Oryx, Addax, and Dama Gazelle as Endangered (RIN: 1018-AI82) received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5008. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Central Regulatory Area of the Gulf of Alaska [Docket No. 041126333-5040-02; I.D. 082905B] received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5009. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Economic Exclusive Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No. 041126333-5040-02; I.D. 082905D], pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5010. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; White River, Mile Marker 0.0 to 2.0, Henrico, AR [COTP Memphis-05-005] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5011. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; McClellan-Kerr Arkansas River, Mile Marker 113.0 to 115.0, Little Rock, AR [COTP Memphis-05-007] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5012. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Fireworks Display for the Sara Paz Party, Miami Beach, FL. [COTP Miami 05-013] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5013. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Fireworks Display for Palm Beach Symphony, Palm Beach, FL. [COTP Miami 05-014] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5014. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; GICW MM60 to GICW NM115, Longbeach, MS to Bayou La Batre, AL. [COTP Mobile-04-035] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5015. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Gulf Intra-Coastal Waterway Mile 115 to Mile 165, Bayou La Batre to Orange Beach, AL [COTP Mobile-04-036] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5016. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Gulf Intra-coastal Waterway Mile 165 to Mile 215, Orange Beach, AL to Santa Rosa Island, FL [COTP Mobile-04-037] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5017. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Gulf Intra-Coastal Waterway Mile 215 to Mile 260, Santa Rosa Island, FL to Santa Rosa Beach, FL [COTP Mobile-04-038] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5018. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Gulf Intra-Coastal Waterway Mile 260 to Mile 350, Santa Rosa Beach to Apalachicola, FL [COTP Mobile-04-039] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5019. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Gulf Intra-Coastal Waterway Mile 350 to Ochlockonee Shoal Red Number 24, Apalachicola to St Marks, FL [COTP Mobile-04-040] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5020. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Gulf Intra-Coastal Waterway Mile 65 to 175, Mississippi and Alabama Gulf Coast [COTP Mobile-04-043] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5021. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Gulf Intra-Coastal Waterway Mile 175 to 230. Alabama to Florida Gulf Coast. [COTP Mobile-04-044] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5022. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Gulf Intra-coastal Waterway Mile 230 to 377. Florida Gulf Coast [COTP Mobile-04-045] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5023. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Mississippi Sound, Pascagoula, MS [COTP Mobile-04-053] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5024. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Gulf of Mexico, Santa Rosa Island, FL [COTP Mobile-04-059] (RIN: 1625-AA00) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5025. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Security Zone; Suisun Bay, Concord, California [COTP San Francisco Bay 04-007] (RIN: 1625-AA87) received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5026. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Marion, KY [Docket No. FAA-2005-21226; Airspace Docket No. 05-ASO-8] received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5027. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment of Class D Airspace; Worchester, MA [Docket No. FAA-2005-22069; Airspace Docket No. 05-AEA-15] received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5028. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model DHC-8-100, DHC-8-200, and DHC-8-300 Series Airplanes [Docket No. FAA-2005-20730; Directorate Identifier 2004-NM-68-AD; Amendment 39-14172; AD 2005-13-35] (RIN: 2120-AA64]) received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5029. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures, Weather Takeoff Minimums; Miscellaneous Amendments [Docket No. 30454; Amdt. No. 3129] received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5030. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class D Airspace; Eau Claire, WI [Docket No. FAA-2005-21256; Airspace Docket No. 05-AGL-04] received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5031. A letter from the Director, Regulations and Rulings Division, Department of the Treasury, transmitting the Department's final rule—Expansion of the Russian River Valley Viticultural Area (2003R-144T) [T.D. TTB-32; Re: Notice No. 30] (RIN: 1513-AA67) received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5032. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Announcement of rules to be included in regulations under section 367(a) regarding the effect of certain exchanges on gain recognition agreements and request for comments [Notice 2005-74] received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEE ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 1751. A bill to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes (Rept. 109–271). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOLF: Committee of Conference. Conference report on H.R. 2862. A bill making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; with an amendment (Rept. 109–272). Ordered to be printed.

Mr. POMBO: Committee on Resources. H.R. 2875. A bill to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, and for other purposes; with an amendment (Rept. 109–273 Pt. 1). Ordered to be printed.

Mr. OXLEY: Committee on Financial Services. H.R. 4133. A bill to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program (Rept. 109–274). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOBSON: Committee of Conference. Conference report on H.R. 2419. A bill making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes (Rept. 109–275). Ordered to be printed.

Mr. NUSSLE: Committees on the Budget. H.R. 4241. A bill to provide for reconciliation pursuant to section 201(a) of the concurrent resolution on the budget for fiscal year 2006 (Rept. 109–276). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committees on Agriculture and Education and the Workforce discharged from further consideration. H.R. 2875 referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. HOSTETTLER:

H.R. 4240. A bill to amend the Immigration and Nationality Act and other Acts to strengthen the enforcement of the immigration laws, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS (for himself and Mr. KIRK):

H.R. 4242. A bill to require the Secretary of State to seek the establishment of a conference where Iranian nationals who oppose the policies of the Government of Iran can discuss the future of the Government of Iran; to the Committee on International Relations.

By Mr. EMANUEL (for himself, Mr. EVANS, and Mr. GUTIERREZ):

H.R. 4243. A bill to amend title 10, United States Code, to lift certain restrictions on gifts to members of the Armed Forces being treated for illness or injury incurred on active duty; to the Committee on Armed Services.

By Ms. HOOLEY:

H.R. 4244. A bill to provide for grants for regional task forces to more effectively investigate and prosecute identity theft and other economic crimes; to the Committee on the Judiciary.

By Mr. LEWIS of California (for himself, Mr. REGULA, Mr. FRELINGHUYSEN, Mr. DREIER, Mrs. BONO, Mr. ISSA, and Mr. DOOLITTLE):

H.R. 4245. A bill to provide for programs and activities with respect to pandemic influenza, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Resources, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SESSIONS:

H.R. 4246. A bill to designate the facility of the United States Postal Service located at 8135 Forest Lane in Dallas, Texas, as the ''Dr. Robert E. Price Post Office Building''; to the Committee on Government Reform.

By Mrs. WILSON of New Mexico:

H.R. 4247. A bill to improve mathematics and science instruction in elementary and secondary schools by authorizing the Secretary of Education to make grants for regional workshops designed to permit educators to share successful strategies for such instruction; to the Committee on Education and the Workforce.

By Mr. CONYERS (for himself, Mr. MCDERMOTT, Mr. VAN HOLLEN, Mrs. MALONEY, Mr. SIMMONS, Ms. MCCOLLUM of Minnesota, Mr. DOGGETT, Mr. SERRANO, Mr. HONDA, Mr. BUTTERFIELD, Mr. SCHIFF, Mr. BROWN of Ohio, Mr. GRIJALVA, Mr. PAYNE, Mr. GENE GREEN of Texas, Mr. NEAL of Massachusetts, Mr. SHAYS, Mr. MARKEY, Ms. BERKLEY, Ms. CARSON, Ms. SCHAKOWSKY, Mr. SMITH of Washington, Mr. DAVIS of Illinois, Mr. SPRATT, Mr. HASTINGS of Florida, Mr. HOLT, Ms. WASSERMAN SCHULTZ, Mr. ROTHMAN, Mr. MEEKS of New York, Mr. ABERCROMBIE, Mr. WEINER, Mr. SCOTT of Georgia, Mr. MEEHAN, Ms. KILPATRICK of Michigan, Mr. EVANS, Mr. DINGELL, Mr. LARSON of Connecticut, Mr. MORAN of Virginia, Mr. PETERSON of Minnesota, Mr. MOORE of Kansas, Mr. CLEAVER, Mr. FLAKE, Ms. LEE, Mr. NADLER, Mr. BECERRA, Mr. DICKS, and Ms. EDDIE BERNICE JOHNSON of Texas):

H. Con. Res. 292. Concurrent resolution expressing the sense of Congress that the United States Postal Service should issue a commemorative postage stamp honoring the late Rosa Parks; to the Committee on Government Reform.

By Mr. WAXMAN:

H. Res. 537. A resolution providing for consideration of the bill (H.R. 3838) to establish the Independent Commission to Prevent Fraud and Abuse in the Response to Hurricane Katrina, and for other purposes; to the Committee on Rules.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 47: Mr. WELDON of Florida.
H.R. 216: Mrs. SCHMIDT.
H.R. 446: Mrs. CUBIN.
H.R. 535: Mr. UDALL of Colorado.
H.R. 551: Mr. DELAHUNT.
H.R. 602: Mr. MCKEON.
H.R. 839: Mr. MCNULTY.
H.R. 844: Mr. COSTA, Mr. PAYNE, Mr. MENENDEZ, and Mr. HOLT.
H.R. 874: Mr. CALVERT, Mrs. MYRICK, and Mr. FOLEY.
H.R. 880: Mr. PAUL.
H.R. 972: Mr. LARSEN of Washington.
H.R. 986: Mr. FITZPATRICK of Pennsylvania and Mr. LOBIONDO.
H.R. 1002: Mr. REICHERT.
H.R. 1079: Mrs. SCHMIDT.
H.R. 1083: Mr. ISTOOK.
H.R. 1106: Mr. BERMAN.
H.R. 1131: Mr. KIRK.
H.R. 1141: Ms. CORRINE BROWN of Florida and Mr. FOLEY.
H.R. 1182: Mr. JACKSON of Illinois.
H.R. 1227: Mr. PUTNAM.
H.R. 1262: Mr. CUMMINGS.
H.R. 1639: Mr. BISHOP of Georgia.
H.R. 1667: Mr. PETERSON of Minnesota.
H.R. 1668: Mr. GRIJALVA.
H.R. 1671: Mr. EVANS and Mr. MILLER of Florida.
H.R. 1688: Ms. SCHAKOWSKY.
H.R. 1748: Mr. CALVERT.
H.R. 2061: Mr. FRANKS of Arizona and Mr. ORTIZ.
H.R. 2134: Ms. HARMAN and Mr. BISHOP of Georgia.
H.R. 2238: Mr. FOLEY.
H.R. 2257: Ms. BALDWIN, Mr. ORTIZ, and Mr. HINOJOSA.
H.R. 2331: Mr. PAYNE.
H.R. 2366: Mr. CUMMINGS.
H.R. 2553: Mr. BACA, Mr. CAPUANO, Mr. EMANUEL, Mr. EVANS, Mr. FATTAH, Ms. MOORE of Wisconsin, and Mr. PALLONE.
H.R. 2727: Mr. MCGOVERN.
H.R. 2734: Mr. GIBBONS.
H.R. 2803: Mr. PEARCE.
H.R. 3022: Mr. PRICE of North Carolina.
H.R. 3361: Mr. VAN HOLLEN and Mr. FRANK of Massachusetts.
H.R. 3417: Mr. FOLEY.
H.R. 3502: Mr. HONDA, Mr. ABERCROMBIE, Mr. PALLONE, and Mr. CONYERS.
H.R. 3506: Mr. CLAY and Mr. CLEAVER.
H.R. 3561: Mr. BROWN of Ohio and Mr. HIGGINS.
H.R. 3582: Ms. WASSERMAN SCHULTZ .
H.R. 3617: Mrs. DRAKE.
H.R. 3640: Mr. PALLONE and Mr. KILDEE.
H.R. 3642: Mr. MARKEY and Mr. SMITH of New Jersey.
H.R. 3854: Mr. BAIRD, Mr. FILNER, Mr. FATTAH, Mr. LANTOS, and Mrs. MALONEY.
H.R. 3883: Mr. MELANCON, Mr. KENNEDY of Minnesota, Mr. PETRI, and Mr. BARTLETT of Maryland.
H.R. 3922: Mr. NEAL of Massachusetts, Mr. DELAHUNT, Mr. RYAN of Ohio, Mr. CAPUANO, Mr. PASCRELL, Mr. FARR, and Ms. ESHOO.
H.R. 3935: Mr. KUHL of New York.
H.R. 3940: Mr. FORTUÑO, and Mr. TIBERI.
H.R. 3949: Mr. OBERSTAR, Mr. GILLMOR, Ms. MCKINNEY, and Mr. SCHWARZ of Michigan.
H.R. 3964: Mr. CONYERS.
H.R. 3973: Mr. CONYERS.
H.R. 4015: Mr. GRAVES.
H.R. 4033: Mr. WELDON of Florida and Ms. BALDWIN.
H.R. 4094: Ms. PELOSI.
H.R. 4099: Mr. BISHOP of Georgia.
H.R. 4104: Mrs. DRAKE.
H.R. 4121: Mr. BRADY of Pennsylvania, Mr. DOYLE, and Mr. SOUDER.
H.R. 4123: Mr. BRADY of Pennsylvania.
H.R. 4129: Mr. CONAWAY.
H.R. 4155: Mr. BOUSTANY.
H.R. 4157: Mrs. DRAKE.
H.R. 4158: Mr. ENGEL.
H.R. 4188: Mr. SABO.
H.R. 4196: Mr. CROWLEY, Mr. SMITH of Washington, Mr. POMEROY, Mr. PALLONE, Mr. GORDON, Mr. DICKS, Mr. CASE, Mr. ETHERIDGE, Mrs. DAVIS of California, Ms. ESHOO, Mr. TIERNEY, Mr. OLVER, Mr. INSLEE, Mr. MARSHALL, Mr. KIND, Mr. BLUMENAUER, and Mr. CLEAVER.
H.R. 4217: Mrs. BIGGERT.
H.R. 4222: Mr. FORTUÑO and Ms. ZOE LOFGREN of California.
H.R. 4223: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FRANK of Massachusetts, Mr. CAPUANO, Mr. BRADY of Pennsylvania, Mr. DOYLE, Mrs. JONES of Ohio, Ms. WOOLSEY, Mrs. CAPPS, Ms. MATSUI, Mr. LANGEVIN, Mr. ANDREWS, Mr. MENENDEZ, Mr. ROTHMAN, Mr. PAYNE, Mr. TIERNEY, Mr. SERRANO, Mr. CROWLEY, Ms. JACKSON-LEE of Texas, Mr. PALLONE, Mr. CONYERS, and Ms. MOORE of Wisconsin.
H.R. 4228: Mr. SANDERS.
H.J. Res. 38: Mr. RYAN of Ohio.
H. Cn. Res. 231: Ms. DEGETTE.
H. Cn. Res. 235: Mr. PLATTS.
H. Cn. Res. 275: Mr. MENENDEZ and Mr. FEENEY.
H. Cn. Res. 280: Mr. SMITH of Washington.
H. Cn. Res. 285: Mr. CHABOT and Mr. FOLEY.
H. Cn. Res. 288: Mr. ANDREWS.
H. Cn. Res. 289: Mr. GORDON, Mr. SPRATT, Mr. MEEK of Florida, Mr. ABERCROMBIE, Ms. SCHAKOWSKY, Ms. WASSERMAN SCHULTZ, Mr. REICHERT, Mr. KILDEE, Mr. HASTINGS of Florida, and Mr. HOLT.
H. Res. 85: Ms. ROS-LEHTINEN and Mrs. SCHMIDT.
H. Res. 123: Mr. KIND.
H. Res. 223: Mr. VAN HOLLEN.

H. Res. 302: Mr. GILLMOR.

H. Res. 389: Mr. MARSHALL.

H. Res. 477: Mr. DAVIS of Alabama, Ms. MCCOLLUM of Minnesota, and Mr. ABERCROMBIE.

H. Res. 479: Mr. TANCREDO, Ms. ROS-LEHTINEN, Mr. ACKERMAN, and Mr. SNYDER.

H. Res. 498: Mr. KUHL of New York.

H. Res. 499: Mr. BURTON of Indiana, Mr. PENCE, Mr. SULLIVAN, Mr. ROGERS of Michigan, Mr. KELLER, Mr. CAMP, Mr. NUNES, Mr. SIMPSON, Mr. BOOZMAN, Mr. PEARCE, Mr. UPTON, Ms. HART, Mr. BARRETT of South Carolina, Mr. FLAKE, Mr. MANZULLO, Mr. AKIN, Mr. KING of Iowa, Mr. SHUSTER, Mr. SMITH of New Jersey, Mrs. JO ANN DAVIS of Virginia, Ms. ROS-LEHTINEN, Ms. BERKLEY, Mr. ENGEL, Mr. DELAHUNT and Mr. PORTER.

H. Res. 504: Mrs. DRAKE, Mr. FOLEY and Mr. WELDON of Pennsylvania.

H. Res. 505: Mr. NADLER, Mr. MARKEY and Mr. WEXLER.

H. Res. 510: Ms. LINDA T. SÁNCHEZ of California, Mr. BISHOP of Georgia, Mr. CARDIN, Mr. ENGEL, Ms. ROS-LEHTINEN, Mr. FOLEY, Mr. HIGGINS, Mr. NADLER, Ms. WASSERMAN SCHULTZ, Mr. SKELTON, Ms. WATSON, Ms. HARRIS, Mr. WAXMAN and Mr. WEINER.

H. Res. 526: Mr. ANDREWS.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 4176: Mr. GIBBONS.

H.R. 4228: Mr. LEVIN.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151 WASHINGTON, MONDAY, NOVEMBER 7, 2005 No. 146

Senate

The Senate met at 1 p.m. and was called to order by the Honorable JEFF SESSIONS, a Senator from the State of Alabama.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, give us today Your strength for our weakness. We need Your power for our helplessness. We need Your wisdom for our ignorance. We need Your purity for our sins. We need Your love for our indifference. We need Your presence for our loneliness.

Empower our Senators to begin to solve the problems that beset our Nation. Grant that at every decision crossroad they will receive the direction of Your spirit.

Remind us all that we need not face life alone, for You have promised to always be with us.

And, Lord, comfort those whose lives have been devastated by the Indiana tornado.

You are our strength for today and our hope for tomorrow.

Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEFF SESSIONS led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, November 7, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEFF SESSIONS, a Senator from the State of Alabama, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. SESSIONS thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this afternoon, we will have a period for the transaction of morning business until 2 p.m. At 2 p.m. today, we will resume consideration of the Department of Defense authorization bill. On Friday, we turned to the Defense bill under the provisions of the earlier consent agreement. We had six amendments offered, with one of those being adopted by voice vote. We expect further amendments and debate during today's session and, as we announced Friday, we will vote at 5:30 p.m. in relation to a Defense authorization amendment. The chairman and ranking member will be here throughout the afternoon today, and we will alert all Senators when that 5:30 p.m. rollcall vote is locked in. We expect to finish the Defense authorization bill on Tuesday or possibly Wednesday of this week, with rollcall votes each day.

This week, we will also consider any of the available appropriations conference reports. The conference report to accompany the Foreign Operations bill is at the desk, and we hope to schedule that measure either today or tomorrow. We look forward to another full week of business before completing our work prior to Thanksgiving.

SUDAN VICE PRESIDENT

Mr. FRIST. Mr. President, later this afternoon, I have the honor of hosting Sudan's First Vice President, Salva Kiir, in the U.S. Capitol. I have come to the floor many times to speak on Sudan, having gone to that country just about every year for the last 7 or 8 years, having spent most of that time in southern Sudan. I look forward to being with and hosting Salva Kiir, who is a founding member of the SPLM, the Sudan People's Liberation Movement.

In January of this year, the SPLM and the Sudanese Government in Khartoum signed the Comprehensive Peace Agreement, bringing an end to 21 years of a brutal civil war, a civil war that has destroyed much of that country, especially in the south.

When I first started going to Sudan, literally there was no hospital in southern Sudan, and the one hospital that was eventually reopened was a hospital that had been closed about 18 years previously, with landmines placed all around that hospital. It destroyed health care there, obviously, but it had destroyed commerce, any touch of humanity, and had driven the entire southern population out of villages, dispersing them, with 5 million people displaced and about 2 million people who died in that civil war.

In June of this year, longtime SPLM chairman and a very close friend of mine, Dr. John Garang, went back to Khartoum for the first time in 21 years. It was a momentous time. At that time, he was sworn in as First Vice President of Sudan. Up until that time,

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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he had always been in southern Sudan. It was a historic moment not that long ago, cheered by millions and millions of Sudanese.

Tragically, 1 month later, on July 30, the helicopter that was carrying Dr. Garang and his passengers crashed, a sudden crash. Why it crashed nobody knows.

Salva Kiir replaced Dr. Garang as First Vice President, and he promises to carry forward this peace process, which is challenging, but it can be accomplished.

His predecessor had worked very hard over many years to take that country to the point of peace. Under that peace agreement, Sudan enters a 6-year interim period, and 4 years into that, at the 4-year mark, nationwide elections will be held at the provincial and national levels. The interim period will culminate with a vote by the people in southern Sudan to decide their political future.

It is a fragile moment for Sudan, but it is one for great hope.

I had gotten involved and worked very hard with Dr. Garang and other leaders of the SPLA and SPLM. I had the opportunity to meet with Dr. Garang many times. I was hosted last August at his home in a place called New Site in southern Sudan, where I spent several days with Dr. Garang and his wife.

This June, not that long ago, I had the opportunity to host Dr. Garang in my Capitol office. During that meeting, he emphasized to me, looking me directly in the eye, that for the peace to hold, both parties must fulfill their obligations. He stressed that continued pressure from the United States is absolutely critical to ensure that these obligations are met.

The civil war and its aftermath have created a staggering humanitarian crisis. I mentioned 5 million people displaced from their homes and over 2 million people have died. That subjects the country to a famine and deterioration and destruction of health care systems and education infrastructure. International assistance in education, in building of roads, in the infrastructure of health care can help show a traumatized nation, after 21 years of civil war, that peace is the only way forward.

As I mentioned, this is a critical moment for Sudan. Many southerners have expressed concern about the unfair distribution and domination of key Cabinet posts by the ruling party. Soldiers from southern Sudan are still waiting for a decision regarding the formation of what are called Joint Integrated Units, with troops from the north and the south participating together, side by side. And violence against civilians in southern Sudan is slowing down, hindering humanitarian and reconstruction efforts in this war-ravaged region of the country.

The road forward is not going to be easy. In the best of worlds, it is not going to be easy. Millions have lost their lives in this 21 years of struggle. But the days, weeks, and months ahead do hold great promise not only for the north and the south but for the entire country.

During our meeting this afternoon, I hope to hear Salva Kiir's assessment of the peace process and his suggestions, his counsel, his recommendations on how we in this body and the United States can help.

I also hope to discuss the deteriorating situation in Sudan's western region, Darfur. Last week on the floor, I summarized again the deterioration of what is happening in that Darfur region. I also had the opportunity to visit, a little over a year ago, the country west of Darfur, Chad, where there are so many refugees today.

In the past few weeks, we have witnessed a serious escalation in violence among the Jingaweit militias who are supported by government forces. They are ravaging villages, they are ravaging these refugee camps and attacking—and these are the descriptions we continue to get—attacking civilians, attacking humanitarian groups, and attacking the African Union peacekeeping forces.

The recent split among the leadership of Darfur's main rebel group further threatens to undermine the peace talks that are scheduled to resume in the Nigerian capital on November 21, a couple of weeks from now.

It is imperative that all parties bring the violence to a halt. Only peaceful negotiations and dialog ultimately are going to bring true resolution. The Comprehensive Peace Agreement shows that it can be done.

Before his death, Dr. Garang told a hopeful country that the peace agreement between the north and the south—and these are his words—will change Sudan forever and engulf the country in a democratic and fundamental transformation.'' And he is right.

It is now First Vice President Kiir's great challenge and opportunity to carry forward that torch and lead his country toward that permanent and lasting peace.

I look forward to our discussion this afternoon. On behalf of the American people, I offer our hope and our optimism to the First Vice President and to the people of Sudan.

Mr. President, I yield the floor.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business until 2 p.m., with the time equally divided between the majority and the minority.

The Senator from New Mexico.

INDEPENDENT COMMISSION ON DETAINEE TREATMENT

Mr. BINGAMAN. Mr. President, I rise to speak in support of Senator LEVIN's amendment to create an independent commission to investigate the policies and practices relating to the treatment of what we have come to call detainees but what are, in fact, prisoners being held by the Government.

I am proud to be a cosponsor of that important amendment. I urge my colleagues to support it as well.

Let me say a word, initially, about the use of language. We sometimes use language without focusing on the implications of that language. Unfortunately, in the case of this discussion, we have fallen into the practice of referring to these individuals at Guantanamo and elsewhere as ''detainees.'' Of course, the suggestion that someone is being detained is a lot less onerous or implies a lot less of a taking of that person's freedom than the phrase ''being imprisoned.'' The truth is, these individuals are being imprisoned.

The amendment that Senator LEVIN has offered would have an independent commission evaluate the current practice of indefinitely imprisoning individuals at Guantanamo without ever charging them with a crime in either Federal court or under a competent military tribunal.

This commission would then report back to Congress and give us recommendations on whether we should change existing law or change policy on this set of important issues. The current practice of holding detainees or prisoners indefinitely, without affording them basic due process rights, has been widely criticized in this country and throughout the world. For a country such as ours that has consistently advocated for the rule of law, the policies of the current administration are nothing short of a major embarrassment.

Since September 11 of 2001, the administration has asserted extraordinary new powers with respect to the imprisoning of individuals suspected of being involved in terrorism. The President has argued that the Government has the authority to indefinitely imprison any person that he, the President, determines to be an ''enemy combatant.'' They have that authority whether or not the person is a U.S. citizen. Of course, our Government has also forcefully opposed any judicial review of the President's determination in that regard.

There are over 500 people who are currently being imprisoned in Guantanamo. Many of these individuals have been held for over 3 years without being afforded the ability to challenge the basis for their detention. The administration has developed a new category of detainee, the ''unlawful enemy combatant,'' and they have argued that neither the laws of war nor traditional criminal laws apply to these individuals. In essence, we have created a new type of prisoner who is unable to seek the protections of the Geneva Conventions or to take advantage of the rights afforded to individuals in this country under our criminal justice system or

under the criminal justice system that applies in our military. Under the current procedures, every Guantanamo prisoner is reviewed by a combatant status review tribunal to determine whether the Department of Defense believes that individual is an ''enemy combatant.'' If a person is found to be an enemy combatant, they may be held indefinitely, although they are entitled to go before an administrative review board once a year to prove that they are no longer a threat. Of the approximately 500 prisoners at Guantanamo, 4 individuals have been charged to date. The remaining 496 or so have not been charged.

Serious concerns have been raised with regard to the rights we are affording these prisoners under the current procedures for processing the prisoners. I have repeatedly raised concerns regarding this approach. I believe that it challenges our historic commitment to the rule of law. I have never advocated that the Department of Defense release these prisoners but, rather, have said that they should be tried in the criminal justice system or they should be tried in the military justice system, but they should be tried somewhere and be given an opportunity to challenge the basis for their detention. I believe it is appropriate to ensure that they do not indefinitely remain in a state of legal limbo and are afforded basic due process rights that allow them to assert their innocence.

Last week, on November 1, there was an article in The Washington Post that highlighted some of the problems that occur when people are imprisoned indefinitely without recourse to any viable legal process. According to the article, there have been 36 attempted suicides at Guantanamo. Clearly, when people are desperate and have no hope, they turn to drastic measures. I ask unanimous consent that article be printed in the RECORD following my comments.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BINGAMAN. I strongly believe that due process rights of some sort are at the bedrock of American values and they should not be discarded lightly, due process rights that apply even to individuals who are not citizens of this country. It is disappointing that in the eyes of the world, the United States has drifted from its longstanding adherence to the rule of law. In my view, we have an obligation to the American people to confront these difficult issues, and I believe Congress needs to act in that regard.

Establishing this independent commission to look into these prisoner issues is an important first step. There have been multiple abuse scandals over the last couple of years that have hurt our image abroad and tainted the image of a vast majority of our soldiers who serve with honor and distinction. Now the European Union is investigating news reports that the CIA is holding suspected terrorists in Soviet-era detention facilities in eastern European countries. This is a troublesome development considering the widespread reports that our own Vice President continues to urge that bipartisan legislation passed in this Senate that would prohibit the CIA from using interrogation techniques that amount to cruel and inhuman treatment in these types of facilities be deleted from legislation on its way to the President.

Our own President is in the very awkward position. During his current trip to Latin America, I saw him on television this morning trying to assure our allies in that region that the U.S. policy does not contemplate torture of prisoners. That is a sad day when we are having to publicly reassure our allies of something as basic as that.

It is time that we seriously investigated these issues and came up with policies that the American people feel comfortable with, policies that are consistent with our Constitution and with the values of the American people.

I yield the floor.

EXHIBIT 1

GUANTANAMO DESPERATION SEEN IN SUICIDE ATTEMPTS

(By Josh White)

[From the Washington Post, Nov. 1, 2005]

Jumah Dossari had to visit the restroom, so the detainee made a quick joke with his American lawyer before military police guards escorted him to a nearby cell with a toilet. The U.S. military prison at Guantanamo Bay, Cuba, had taken quite a toll on Dossari over the past four years, but his attorney, who was there to discuss Dossari's federal court case, noted his good spirits and thought nothing of his bathroom break.

Minutes later, when Dossari did not return, Joshua Colangelo-Bryan knocked on the cell door, calling out his client's name. When he did not hear a response, Colangelo-Bryan stepped inside and saw a three-foot pool of blood on the floor. Numb, the lawyer looked up to see Dossari hanging unconscious from a noose tied to the ceiling, his eyes rolled back, his tongue and lips bulging, blood pouring from a gash in his right arm.

Dossari's suicide attempt two weeks ago is believed to be the first such event witnessed by an outsider at the prison, and one of several signs that lawyers and human rights advocates contend point to growing desperation among the more than 500 detainees there. Lawyers believe Dossari, who has been in solitary confinement for nearly two years, timed his suicide attempt so that someone other than his guards would witness it, a cry for help meant to reach beyond the base's walls.

Two dozen Guantanamo Bay detainees are currently being force-fed in response to a lengthy hunger strike, and the detainees' lawyers estimate there are dozens more who have not eaten since August. Military officials say there are 27 hunger strikers at Guantanamo Bay, all of whom are clinically stable, closely monitored by medical personnel and receiving proper nutrition.

The hunger strikers are protesting their lengthy confinements in the island prison, where some have been kept for nearly four years and most have never been charged with a crime. The most recent hunger strike came after detention officials allegedly failed to honor promises made during a previous hunger strike.

Military authorities do not publicly discuss individual detainees and declined to comment on Dossari. Lt. Col. Jeremy Martin, spokesman for Joint Task Force Guantanamo, said yesterday that there have been a total of 36 suicide attempts by 22 different detainees, including three in the past 20 months. Martin said all detainees are treated humanely and ''any threat of injury or suicide'' is taken seriously.

He added that rapid intervention in suicide attempts has prevented deaths. No detainee has died at the military prison, he said.

The protests come amid rising international concern about the treatment of detainees at Guantanamo Bay. Human rights organizations and the United Nations have complained about the lack of access to the detainees and voiced concern about allegations of physical and psychological abuse, including prolonged solitary confinement.

U.S. officials are trying to return many of the detainees to their home countries, but the process has been fraught with delays and diplomatic wrangling.

Three U.N. experts said yesterday that they would not accept a U.S. government invitation to tour Guantanamo unless they are granted private access to detainees, a concession the U.S. has not been willing to make, citing the ongoing war on terror and security concerns. Last week, the United States invited the U.N. representatives on torture and arbitrary detention to the facility, and the experts said yesterday that they hope to visit in early December. But they described their demand for access to the detainees as ''non-negotiable.''

''They said they have nothing to hide,'' Manfred Nowak, U.N. special rapporteur on torture, said yesterday at a news conference in New York. ''If they have nothing to hide, why should we not be able to talk to detainees in private?''

Colangelo-Bryan said he fears that many detainees would rather die than be held indefinitely. He said he was shocked but not surprised by Dossari's Oct. 15 suicide attempt, given his ''horrible ordeal.''

He said he knows only that medical personnel apparently were able to revive Dossari, he had surgery and is in stable condition.

Detainees ''see it as the only means they have of exercising control over their lives,'' Colangelo-Bryan said in publicly describing the incident for the first time. ''Their only means of effective protest are to harm themselves, either by hunger strike or doing something like this.''

Martin said claims that hunger strikers are near death are ''absolutely false.'' He said the latest protest began on Aug. 8 and at one point had 131 participants but is now much smaller.

''This technique, hunger striking, is consistent with the al Qaeda training, and reflects the detainees' attempts to elicit media attention and bring pressure on the United States government,'' Martin said. The military also has long argued that terrorist groups have instructed fighters to invent claims of abuse if incarcerated.

Dossari has told Colangelo-Bryan that he has endured abuse and mistreatment on par with some of the worst offenses discovered at any U.S. detention facility over the past four years. In declassified notes recording the meetings, Dossari describes abuse and torture that stretches back to his arrest in Pakistan in December 2001, through the time he was turned over to U.S. forces in Kandahar, Afghanistan, and ultimately to his stay in Guantanamo Bay.

Dossari, 26, said U.S. troops have put out cigarettes on his skin, threatened to kill him

and severely beat him. He told his lawyer that he saw U.S. Marines at Kandahar ''using pages of the Koran to shine their boots,'' and was brutalized at Guantanamo Bay by Immediate Response Force guards who videotaped themselves attacking him.

The military says the IRF squads are sent into cells to quell disturbances.

Dossari told his lawyers that he had been wrapped in Israeli and U.S. flags during interrogations—a tactic recounted in FBI allegations of abuse at Guantanamo—and said interrogators threatened to send him to countries where he would be tortured.

Dossari maintains that he is not connected to terrorism and does not hate the United States. A fellow detainee said that he saw Dossari at an al Qaeda training camp, his lawyer said.

Colangelo-Bryan is a private New York lawyer with the Center for Constitutional Rights, which represents some of the detainees. The group plans a ''Fast for Justice'' rally today in Washington to bring attention to the Guantanamo Bay hunger strike.

Colangelo-Bryan said Dossari has tried to commit suicide before. Prolonged solitary confinement has given him almost no contact with others and access to only a Koran and his legal papers.

''In March, he looked at me in the eye and said, 'How can I keep myself from going crazy?'''' Colangelo-Bryan said.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. MURKOWSKI). Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. SESSIONS. Madam President, I would like to make some general comments about our Defense bill and where we are, so I ask the chairman whether that should be in morning business?

Mr. WARNER. Yes. I thank my distinguished colleague, who is a very valued member of our committee. We are anxious this afternoon to pursue amendments. I will review at an appropriate time what we have achieved so far and what we have planned for the day. But it would be the managers' preference that as you speak to the bill, you do so in morning business because we are on a rather tight time constraint. I thank the Senator for his courtesy.

Mr. SESSIONS. I thank the chairman.

Madam President, I ask unanimous consent I be allowed to speak for up to 5 minutes in morning business.

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

DEPARTMENT OF DEFENSE AUTHORIZATION BILL AND IRAQ

Mr. SESSIONS. Madam President, I believe we have a very fine Armed Services Committee. I have now been honored to serve on that committee for a number of years. With regard to this year's authorization bill, we have had 35 hearings in the committee or subcommittee. We have undertaken to deal with complex issues facing our military. The chairman and our committee have responded repeatedly to the requests of Democratic Senators to conduct a plethora of hearings dealing with any problems they can find, such as prisoner issues and that kind of thing. We have also conducted those in the Judiciary Committee, in the Intelligence Committee, in the House committees also. We have done quite a lot, frankly, as we have gone forward.

I think it is time for us to give the highest priority, however, to assisting our men and women in uniform, men and women we have sent in harm's way to execute the policy of the United States of America—a policy that was adopted by the House of Representatives, a policy that was adopted by more than a three-fourths vote of this body. A majority of both parties voted to adopt these policies to execute force, to remove Saddam Hussein unless he complied with the U.N. resolutions, and to otherwise carry out our roles and responsibilities.

We have done that, but we need to focus on how to help those soldiers we have sent be successful in creating a good and stable and democratic government in Iraq. It is important for us, it is important for the world, and, most of all, it is important for the people there who have suffered the greatest oppression for so many years.

I think our committees have served well. I think we have worked at these issues well. We have now prepared a bill, a legislation piece, that will empower our military to be able to do their job better. I could not be more pleased than to serve under Chairman WARNER and his leadership in the committee. He works collegially with all members of the Senate in our committee to move legislation along effectively. He has worked hard to get this bill where it is today. Without strong leadership, frankly, I am not sure we would be here today.

We have passed the Defense appropriations bill, but we have not passed the Defense authorization bill. It would be unfortunate if we were not able to do so this year. Hopefully, if our colleagues will cooperate, if they have an amendment and bring it down and present it, they will be able to have all the amendments that have been promised, and we can get something done. We certainly do not need to delay or drag these matters out.

I think this issue of our involvement in Iraq needs to be recalled a bit—how we came to vote. They say—some do—there were lies that led us into this war. But all of us talked about this possible conflict for months—months. We knew it was coming. The President talked about it. We talked about it openly on the floor.

In fact, in the 1990s, when President Clinton was President, we voted and established a policy for the United States of America. That policy was that we would effect a regime change in Iraq. And up until these hostilities occurred—for years—American and British planes, enforcing the no-fly zones to keep Saddam Hussein from oppressing the Kurds and the Shiites, flew missions over Iraq, and were fired upon, sometimes on a daily if not weekly basis.

We dropped bombs and missiles on them in retaliation, regularly, for years. In fact, we were in a state of hostility because Saddam Hussein had failed to comply with the agreements he made with the United Nations in 1991 when he was kicked out of Kuwait after he had invaded his neighbor—a peaceful, decent member of the world community.

He attacked them to seize their oil and to increase his power. We had to create a world coalition to give him a demand to remove himself from Kuwait. He refused to do so, and GEN Norman Schwarzkopf led the coalition forces that defeated his army and removed him from Kuwait. He made agreements so we would not continue marching on to Baghdad to get our hands around his neck. He made these commitments to the U.N. and agreements were reached. He did not comply with them. He was in violation of 16 different resolutions of the United Nations.

So all that was there. Also, 9/11 had occurred. And we knew he was violating the Oil-for-Food Program—a program that was set up to allow him to sell oil, which was being embargoed because of his violation of the rules and regulations of the U.N., and it allowed him to do that if the money would be utilized to take care of food and medicines for the people of Iraq because we wanted to help them.

I have been to Iraq three times. I know the chairman has been there numerous times. You can see the palaces he built with that money that was supposed to feed his people. We know he was reconstituting his military. He declared he had been the victor in that war, not the loser. It was clear he was reconstituting his military power because he desired and had not given up his fantasy ambition to dominate the Middle East.

These were the forces that were at work. These were strategic realities that occurred at that time. The Economist magazine wrote an editorial not long before we voted, and it talked about how the embargo was failing, how, in fact, the embargo was really hurting the people of Iraq more than it was hurting Saddam Hussein, but that it was falling apart; that Saddam Hussein had a systematic plan to break the embargo, and nations, such as France and others, were working behind the scenes to undermine the effect of that embargo, and that if we did not do something pretty soon, he would be unleashed again. They said the question simply is, Do we turn him loose or do

we go to war? Our vote is to go to war, said the London-based Economist magazine.

So those are the decisions we were dealing with. Every intelligence agency in the world concluded that Saddam Hussein had weapons of mass destruction. I am not aware of any that did not believe he had some. Certainly, that is what the President of the United States was told. Certainly, that is what the Members of the Senate were told.

But the more troubling, deeper, strategic imperative, to deal with Saddam Hussein, was what galvanized the attention of the President and, I think, of the Senate. When I looked at my remarks from the time I had discussed my decision to support a war in Iraq, I hardly mentioned weapons of mass destruction.

It was this idea—that Saddam Hussein had not been faithful to his agreements, that he was determined to get out of those agreements, that he was determined to reconstitute his military, that he could be a threat to the region and that he could easily, and we thought he did, have weapons of mass destruction that he would use. We know he used a weapon of mass destruction, poison gas, against his own people, the Kurds. We know he used it. So it would have been unthinkable to think he had none at the time. Whatever happened to it, I don't know.

We made a commitment in this Nation to remove Saddam Hussein, and that has been done. We have had two elections in Iraq toward establishing a democratic government. For that, I am most proud and hopeful that this new election in December, which will create a new permanent government, will help further to demonstrate the confidence the Iraqi people have in that government and make attacks upon it even more difficult to sustain and defend.

I ask my colleagues to remember this one thing—it is still a dangerous place there. Our soldiers are there because we sent them. We asked them to go there to execute the policy we in the Senate voted for. We ought not do things and say things out of political anger or partisanship that are exaggerated, unfair to the President or our troops and how they conduct themselves, that puts their lives more at risk and makes their job more difficult.

I am pleased that this authorization bill came out of Chairman WARNER's committee unanimously with a bipartisan vote. As we go forward with it, we will improve the quality of our military, their effectiveness, and help execute more effectively the policies we have established.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, I thank our distinguished colleague. He has taken an active role in a number of issues and that, together with his work on the Judiciary Committee, gives him a special insight into the issue of detainee matters.

The distinguished ranking member has arrived. I had hoped that Senator CORNYN could speak for 15 to 20 minutes, if that is agreeable, and then following that, perhaps the Senator from Michigan and I will have some matters to address the Senate on. For the benefit of all Members, the bill is open for amendment at this time.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Madam President, that certainly is fine with me. I always welcome the opportunity to hear from our colleagues. I understand there are a number of amendments on the side of the Senator from Virginia that may be ready to go this afternoon. We believe we have one that will be ready at 4:30.

Mr. WARNER. I thank my distinguished colleague. I say, with a sense of modesty, that we are making good progress on the bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Madam President, I ask unanimous consent to speak as in morning business.

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

IRAQ

Mr. CORNYN. Madam President, I thank the chairman and distinguished ranking member of the Armed Services Committee. It is more with sadness than in anger that I rise to respond to recent allegations made by some Democrats that the Bush administration ''manufactured and manipulated intelligence in order to sell the war in Iraq.'' War is serious business. I don't need to remind my colleagues that more than 2,000 Americans have sacrificed their lives fighting to liberate the Iraqi people, and many brave Texans are among them.

Today, Iraq represents the central front in the global war on terror. Yet we have even seen the sad occasion of having sustained 2,000 deaths of America's fighting men and women in Iraq spark an ill-advised and premature call for withdrawal of our troops by the angry antiwar left. That call has been picked up, in part, if not in whole, by some politicians seeking to capitalize on that anger. But merely venting anger without proposing alternative solutions is not the work of serious people. It is a sad commentary on our public discourse when politicians seek to use the sacrifice of our men and women in uniform to advance a political agenda.

While the critics focused on 2,000 Americans killed in action in Iraq, another important number to remember is 3,000—the number of innocent Americans killed on September 11. Is there any doubt that if we pulled out of Iraq prematurely without stabilizing security, without building the necessary infrastructure, and without allowing Iraqis to build successful democratic institutions as they are doing, that 9/11 would be repeated over and over and over again by an enemy that would continue to target innocent civilians in pursuit of their perverse ideology? If Iraq descends into civil war or is overrun by terrorists, if Iraq becomes a place where terrorists recruit, train, and export terror with impunity, how long do the critics believe it would take until we would be hit again on our own soil?

The war on terrorism is a war we must win. The stakes are too high to use the war on terror as a political football. If there is any doubt about the enemy and their goals, all one needs to do is read the letter from Osama bin Laden's chief deputy, Zawahiri, his chief lieutenant in Iraq. Zawahiri clearly describes al-Qaida's vision of establishing an Islamic caliphate that would rule the Middle East and eventually the world. It would also, not incidentally, include the destruction of our best ally in the Middle East, the state of Israel.

Although we are making progress in Iraq, as we saw most recently during the successful referendum on the constitution, there is obviously more work that needs to be done. We know that our troops have the will to win. I am concerned that there are some here at home and even in the Senate who do not share this same resolve because they stubbornly refuse to learn the lessons of 9/11.

The latest accusation by some in the Democratic leadership, that the administration has manipulated intelligence and has exaggerated the threat, is nothing more than an effort to use the war in Iraq for political gain. That is shameful. It devalues the sacrifice our men and women are making on the battlefield every day. It places at risk everything that Americans have sacrificed on behalf of the cause of liberty here and abroad. Do the critics need to be reminded that it was a few years ago when Democrats joined Republicans in a bipartisan acknowledgment that Saddam Hussein posed a threat to the world?

In fact, it was the Senate, in 1998, that unanimously passed the Iraq Liberation Act that called for the United States to support efforts to overthrow that terrible dictator. It was President Clinton who so eloquently described the threat posed by Saddam Hussein and the consequences of inaction when he said:

> The hard fact is that so long as Saddam remains in power, he threatens the well-being of his people, the peace of the region, the security of the world. The best way to end that threat once and for all is with the new Iraqi government, a government ready to live at peace with its neighbors, a government that respects the rights of its people.

President Clinton went on to say:

> Heavy as they are, the costs of action must be weighed against the price of inaction. If Saddam defies the world and we fail to respond, we will face a far greater threat in the future. Saddam will strike again at his

neighbors; he will make war against his own people. And mark my words, he will develop weapons of mass destruction. He did will deploy them, and he will use them.

President Clinton was correct in that assessment made in 1998. We are fortunate that today Saddam Hussein is no longer a threat to the region or to the world due to the bipartisan vote of the Congress to authorize the use of force to remove Saddam Hussein in October of 2002. It was a bipartisan vote of the Senate that authorized that use of force.

Today, the political dynamics have changed. For their own cynical reasons, some Democrats have charged that the Bush administration has somehow manipulated intelligence to justify the war in Iraq. These same individuals are calling for yet another investigation to somehow justify their patently false claims. I remind my colleagues that this issue has been investigated not only by the Senate Select Committee on Intelligence but the bipartisan Silberman-Robb Commission. Of course, the results of both investigations do not support the charges of manipulation, so we hear yet another call for another investigation. Wishing that the results were different cannot make it so. What do they propose? To initiate investigation after investigation until somehow they manage to will into existence the results they have been hoping for, I imagine.

I wish to ask my colleagues, did President Clinton lie when he discussed the intelligence that led him to support the forced ouster of Saddam Hussein? Did he manipulate intelligence to justify his bombing in Iraq? Or did he rely upon the same intelligence that this administration and this Congress and our allies did when they came to the same conclusion that Saddam was a threat to the region and to the world? Are there Senators who today would renounce their vote to remove Saddam by force in October of 2002? Out of the bipartisan 77 who voted to authorize the use of force to remove Saddam Hussein, I have only learned of two who have said they regret that vote and would renounce it.

Before the war, a leading Democrat—in fact, the Democratic leader—clearly stated his position in Iraq. As of this morning, his quotation was still on his Senate Web site. It says:

> What is my position on Iraq? Saddam Hussein is an evil dictator who presents a serious threat to international peace and security. Under Saddam's rule, Iraq has engaged in far-reaching human rights abuses, been a state sponsor of terrorism, and has long sought to obtain and develop weapons of mass destruction.

I agree with this statement on the Web site of Senator REID of today, November 7, 2005. But today we are told by the same Democratic leader that somehow this administration was responsible for manipulating intelligence to authorize the war in Iraq when, in fact, he took the same position at the time that force was used. At least his Web site takes that same position today.

For the record, I would like to read the conclusions of the Intelligence Committee investigation and the Silberman-Robb investigation so there will be no doubt that the Bush administration did not manipulate intelligence to justify this war. The Intelligence Committee report, which was supported by both Democrats and Republicans, states the following:

> The Committee did not find any evidence that Administration officials attempted to coerce, influence, or pressure analysts to change their judgments related to Iraq's weapons of mass destruction capabilities.

Likewise, the Silberman-Robb Commission, a bipartisan commission appointed to look into our intelligence failures, concluded:

> The Intelligence Community did not make or change any analytic judgments in response to political pressure to reach a particular conclusion, but the pervasive conventional wisdom that Saddam retained WMD affected the analytic process.

Madam President, this much is clear. No one attempted to manipulate intelligence leading up to the war in Iraq—not President Clinton, not Members of the Senate, not this administration, all of whom, based upon the same intelligence, concluded that Saddam represented an imminent threat to the national security of the United States. Instead, we found that while some of our intelligence was wrong on Hussein, it was obvious, and it is obvious today, that he was a threat to the civilized world.

I believe all of this crystallizes into a question about how doubts are resolved in a dangerous and uncertain world. Do we resolve doubts in favor of a tyrant who has used weapons of mass destruction on his own people, who demonstrated an interest in acquiring nuclear weapons, who refused to cooperate with weapons inspectors after 17 Security Council resolutions ordered him to do so, and who at last count murdered at least 400,000 of his own people who are lying in mass graves?

Giving Saddam Hussein the benefit of the doubt would have been a crazy and irresponsible thing to do. Of course, the 77 Senators who voted for the use of force against Saddam in October 2002 weren't buying that Saddam was some harmless individual then.

So why now? Sure, we need better intelligence and we have undertaken substantial and meaningful intelligence reform to remedy the defects. Intelligence by its very nature is never certain, but we are restructuring our intelligence community to ensure the President of our country, whether he be Democrat or Republican, gets the most accurate intelligence available.

Meanwhile, I hope the Members of this body who have politicized this issue by making false allegations of manipulation of intelligence would realize that their allegations only serve to divide the American people and to dishonor the sacrifice of our brave men and women in uniform and undermine critical American resolve to finish the important work that we are about in Iraq.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. Madam President, I ask unanimous consent to speak as if in morning business but on the amendment before us.

Mr. WARNER. Madam President, we have certainly no objection to that. At this juncture in the bill, it does not impair our ability to manage. I ask the Senator to please proceed.

Mr. ROCKEFELLER. I thank, as always, the distinguished senior Senator from the State of Virginia.

TREATMENT OF DETAINEES

Mr. ROCKEFELLER. Mr. President, I commend Senator LEVIN and others for their leadership in proposing this amendment. I am proud to be an original cosponsor of the amendment based on the belief that a comprehensive, objective, and independent investigation into the collection of intelligence through the detention, interrogation, and rendition of prisoners is long overdue. While I am a strong supporter of the amendment, I regret greatly the fact that we have been forced to seek the creation of a national commission on such a critically important matter that falls squarely within the oversight responsibility of the Congress. Unfortunately, Congress's unwillingness to carry out these oversight duties in the past year has left us with no remaining alternative but to seek the creation of a national commission.

Why do I say this? The collection of intelligence through interrogation and rendition is an extremely important part of our counterterrorism effort. The interrogation of captured terrorists and insurgents is, in fact, one of the most important of intelligence tools. We must ensure that those interrogations are carried out in a proper and effective manner. This tool, as with all others, must be applied within the bounds of our laws and our own national moral framework, and it must be subject to the same scrutiny and congressional oversight as every other aspect of intelligence. This, unfortunately, has not been the case.

Despite the critical importance of interrogation-derived intelligence and the growing controversy surrounding retention, interrogation, and rendition policies and practices, the Congress has largely ignored the issue, holding a limited number of hearings that have provided limited insight.

More disturbing, the Senate Intelligence Committee, the Senate committee charged with overseeing U.S. intelligence programs and the only one with jurisdiction to investigate all aspects of this issue, is sitting on the sidelines and effectively abdicating its oversight responsibility to media investigative reporters.

As the Intelligence Committee's vice chairman, I have been pushing for the past 10 months for a formal investigation into the legal and operational

questions at the heart of the detention interrogation controversy, as has my colleague from the State of Michigan, Senator LEVIN.

My proposal that the Intelligence Committee conduct an investigation into this matter was rejected. A decision was made that the Intelligence Committee, as it is charged to do, would not formally examine the legal and operational aspects of our detention and interrogation program despite compelling and disturbing evidence that serious, possibly criminal, abuses had occurred.

Now, this decision is particularly curious given the litany of investigations carried out by the Intelligence Committee in the past. In recent years, our committee has produced detailed investigative reports into prewar intelligence on Iraq, technology transfer to China, the bombing of the USS *Cole*, and the shooting down of the missionary plane in Peru, and on and on. In fact, on July 30, 1999, a few years before he became our current chairman, Senator PAT ROBERTS wrote to then-Chairman RICHARD SHELBY and Vice Chairman Bob Kerrey requesting an investigation into the intelligence related to the downing of CDR Michael Scott Speicher's F–18 plane in the early stages of the Persian Gulf war.

The committee responded favorably to Senator ROBERTS' request, conducted the investigation, and produced a report. Each of the committee reports was produced as a result of formally authorized investigations, and each was a constructive contribution to understanding not just how and why intelligence failures occur but what action should be taken to avoid them in the future. Our unanimously approved first phase of our Iraq report last July, which was the weapons of mass destruction aspect, was a rather thorough and devastating critique of the collection and analytical failings of our intelligence community prior to the war that has provided, frankly, a very critical momentum to an intelligence reform movement that was already gathering steam and ended up in the passage of landmark legislation in December, which most people would have said a couple of months earlier was not possible. Yet when presented with a similar set of compelling reports on how the United States detains and interrogates prisoners, the majority on the committee has prevented us from pursuing an investigation.

Why? Well over a year has passed since the appearance of photographs graphically portraying the abuse of Iraqi prisoners at Abu Ghraib prison. As my colleagues know, these images and other reports of abuse provided a powerful propaganda tool to our terrorist enemies. Since then we have seen a steady stream of accusations relating to the way the U.S. military and intelligence agencies treat individuals in their custody. Allegations of mistreatment have surfaced wherever the United States holds prisoners overseas—across Iraq, Afghanistan, and at Guantanamo Bay, Cuba.

Troubling new revelations have become an almost daily occurrence, with a disturbing number of these instances resulting in prisoner deaths. At least 26 prisoners have died in American custody, and the unsettling charge has been leveled against the United States that we are exporting torture through rendition practices that lack accountability.

Who can honestly say that these events and allegations are not serious enough to warrant an Intelligence Committee investigation? My good friend and chairman of the Senate Armed Services Committee, Senator JOHN WARNER, believed such an investigation was needed back in February of this year, and at the February 18 open Intelligence Committee hearing on worldwide threats, which we do once a year, Senator WARNER remarked:

> And there's an issue out here, I say to my distinguished chairman and ranking member and colleagues on the committee, which I think we've got to address both in my committee and in this committee, and that is the manner in which we gain intelligence from those that are captured, either on the battlefield or in other areas.

My hope was that sort of congressional inquiry referenced by Senator WARNER back in February would have become a reality.

The Armed Services Committee and the Intelligence Committee with their respective oversight of the military and intelligence communities could have provided the sort of complementary reviews into troubling allegations swirling around our interrogation of prisoners in Afghanistan, Iraq, and, as I said, Guantanamo Bay. Regrettably, our efforts and those of Senator LEVIN to authorize and conduct such an investigation have not succeeded. We are now, therefore, left by default with the remaining option of turning over this responsibility to a national commission to carry it out.

If the Senate oversight committees are either unwilling or unable to tackle the tough but necessary questions associated with detention, interrogation, and rendition of prisoners, then we should step aside, if we have to, regrettably, and let the work be done by those unfettered by other considerations.

I am confident that this new national commission, like the 9/11 Commission, and the Weapons of Mass Destruction Commission before it, will provide the sort of comprehensive review of U.S. policy and practices relating to the treatment of detainees that has been absent so far.

Our amendment calls for a 12-month investigation in which all aspects of all of this must be looked at. More specifically, the 10-person commission will examine and report upon the policies and practices of the United States relating to the treatment of individuals detained since September 11, 2001. The commission will also be tasked to evaluate causes and factors that have contributed to the alleged mistreatment of detainees, including an assessment of either those directly or indirectly responsible for the mistreatment.

I am worried about the legal aspects of our underpinning, and I will more or less close with this: On May 18, 2005, the Central Intelligence Agency issued a statement that ''CIA policies on interrogation have always followed legal guidance from the Department of Justice.'' That may or may not be so, but was that legal guidance supportable? That is what you have to ask. Was it supportable? Was it factual?

A lengthy legal opinion on the Department of Justice interrogation practices, which had been issued in secret, in August, 2002, was quickly repudiated by the White House when it became public in June of 2004 and was then superseded by a public Justice Department legal opinion in December of 2004.

As that episode shows, secret interpretations of the law beyond the oversight of the Congress are an invitation to potentially great error.

What supporting roles do the CIA and FBI play in the interrogation of suspects of military-run prisons and how are their activities coordinated? It has been publicly reported that the CIA requested that a number of prisoners held in Iraq not be registered and be kept from international inspection; therefore, the so-called ghost detainees.

More recently, it has come to light that FBI officials lodged strenuous complaints about what they considered to be the mistreatment of prisoners held at Guantanamo Bay. These reports and others strongly suggest that different agencies are operating under different sets of rules, or they are not coordinated. This is a recipe for disaster which will come back to haunt us one of these days.

The commission will also review policies regarding the controversial practice of the United States of rendering detainees to foreign governments for interrogation.

Our practice of contracting out to foreign governments the interrogation of detainees is, to this Senator, particularly troubling. There have been numerous reports of individuals turned over by the United States to a foreign government for interrogation allegedly being tortured.

In addition to the ethical and legal considerations associated with this practice, the veracity of the information gained from these and other detainees is called into question if these statements were made under physical coercion. Therefore, it is important that we have a thorough evaluation of the current policy guidelines and field directives for when it is appropriate to render a detainee to another country and what intelligence is gained from such a practice.

More specifically, we must examine the validity of assurances that the

United States is given when detainees are rendered to other countries that they will not be tortured.

The PRESIDING OFFICER (Mr. COBURN). The Senator's time has expired.

Mr. ROCKEFELLER. I hope my colleagues will support the amendment. I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I do have the privilege of being an ex officio member of the Intelligence Committee. I served 8 years on that committee, and my concluding years was as ranking member. I have a very high respect for that committee and find, from my participation, together with others on it, under the leadership of Chairman ROBERTS and Senator ROCKEFELLER, that the committee does a very good job.

Mr. President, I wish to speak in opposition about this question of the need for this country to establish an independent commission to investigate the detention and interrogation operations conducted by the Department of Defense and other elements of the Government in conjunction with the war on terrorism.

Mr. President, I ask unanimous consent to speak in morning business.

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

INDEPENDENT COMMISSION TO INVESTIGATE DETENTION AND INTERROGATION OPERATIONS

Mr. WARNER. Mr. President, in my judgment, a further investigation is simply unnecessary. The Department of Defense has conducted 12 major investigations. Over 400 criminal investigations and hundreds more informal investigations have been or are being conducted to determine the responsibility and, if appropriate, culpability and accountability.

The combined investigations are unprecedented in scope. The CIA and the Department of Justice are also conducting investigations into the actions of their employees related to detention and interrogation activities.

Responsibility and accountability have been assessed. Over 400 criminal investigations have been conducted and 168 remain open; 95 military personnel have been criminally charged with misconduct, and 75 have been convicted to date. In addition, 177 military personnel have been administratively disciplined. Almost 20 percent of those disciplined have been officers.

Congress has held 30 open hearings, received over 40 closed briefings, and countless staff briefings. The Department has been very forthcoming, providing complete investigations that include over 2,800 interviews and over 16,000 pages of related documents.

The combined investigations have made 442 recommendations, over 300 of which have been implemented, and the rest are in progress, including standardization policy and procedures for detention and interrogation operations, revising policies regarding the International Committee of the Red Cross visits and reports, improved training and clear policy guidance for interagency detention activities.

Investigations have universally concluded that there was no policy of abuse and that no policy led to abuse. As the Schlesinger report stated—that was a commission established by the Secretary of Defense, indeed at the urging of the Congress and our committee, but it was Secretary Schlesinger and Secretary Harold Brown, both former Secretaries of Defense, one a Republican and one a Democrat, men who have had extraordinary reputations throughout their lives. I feel that was one of the major landmark investigations connected with this ongoing problem. They stated:

> No approved procedures call for or allow the kind of abuse that, in fact, occurred. There is no evidence of a policy of abuse promulgated by senior officials or military authorities.

Any discussion of detainee abuse must be kept in perspective. Substantiated cases of abusive conduct by DOD personnel are small in comparison to the 70,000 persons who have been detained and the hundreds of thousands of interrogations that have been conducted humanely, safely, and effectively over the past 4 years.

An independent commission would send potentially the wrong message to our Armed Forces of our lack of confidence in their conduct and would seriously undermine ongoing intelligence-gathering activities.

On a daily basis, we collect intelligence from detainees that provides valuable information to our troops in the field, whether it is Iraq or Afghanistan or other farflung posts. Simply put, this information saves American lives, certainly of the men and women in uniform, and I firmly believe it has helped prevent further serious attack, such as 9/11, on our Nation.

The investigative process has reassured the American people, strengthened the Armed Forces, and demonstrated to the world that we are a nation of laws. Last month, 90 Senators voted in the affirmative for an amendment that required civilized treatment of prisoners at detention facilities. That is the McCain amendment, and I have been a partner with him in the very initiation of those efforts.

The amendment banned cruel, inhumane, and degrading treatment. That vote sent a strong signal. Who among us was not affected when Senator MCCAIN said that he and fellow prisoners in Hanoi knew and took great strength from the belief that ''we were different from our enemies, that we were better than they, that we, if the roles were reversed, would not disgrace ourselves by committing or countenancing such mistreatment of them.''

Move on we must to win this war in Iraq and Afghanistan. Replaying these dreadful and inexcusable instances again in public forum will bring no remarkable insights and no lessons learned, nor will it do anything to reduce the fighting. It will, in fact, draw resources from the war effort by placing a heavy burden on senior commanders and key civilian leaders.

The Committee on Armed Services held over half a dozen hearings on this issue. We still have these matters under review. Still, the question of accountability remains, but we have to wait until there is a conclusion of more of the military cases before I think we probably will do our final work on this chapter, a chapter that I characterize—that is Abu Ghraib—as one of the most serious I ever witnessed in my many years of public service, either in the Pentagon or in the Senate as a member of the Armed Services Committee.

Mr. President, I see the distinguished Senator from Georgia. For that purpose, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. CHAMBLISS. Mr. President, on behalf of Senator PRYOR, Senator ISAKSON, and myself, I rise to call up amendment No. 2433 to S. 1042 and request that Senator LANDRIEU be added as a cosponsor. I believe the amendment is at the desk.

The PRESIDING OFFICER. The Senator should be advised that the bill is not currently pending.

Mr. WARNER. Mr. President, on that point, I suggest that we now go to the bill. I believe there is a pending amendment which requires a UC to be laid aside; am I not correct?

The PRESIDING OFFICER. That is correct.

Mr. WARNER. I so ask at this time.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006—Resumed

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

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

Pending:

> Nelson (FL) amendment No. 2424, to repeat the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan.
>
> Allard amendment No. 2423, to authorize a program to provide health, medical, and life insurance benefits to workers at the Rocky Flats Environmental Technology site, Colorado, would otherwise fail to qualify for such benefits because of an early physical completion date.
>
> Reed (for Levin/Reed) amendment No. 2427, to make available, with an offset, an additional $50,000,000 for Operation and Maintenance for Cooperative Threat Reduction.
>
> Levin amendment No. 2430, to establish a national commission on policies and practices on the treatment of detainees since September 11, 2001.

Inhofe amendment No. 2432, relating to the partnership security capacity of foreign military and security forces and security and stabilization assistance.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside. The Senator from Georgia is recognized.

AMENDMENT NO. 2433

Mr. CHAMBLISS. Mr. President, I call up amendment No. 2433, which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Georgia [Mr. CHAMBLISS], for himself, Mr. ISAKSON, and Mr. PRYOR, proposes an amendment numbered 2433.

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

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

The amendment is as follows:

(Purpose: To reduce the eligibility age for receipt of non-regular military service retired pay for members of the Ready Reserve in active federal status or on active duty for significant periods)

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

SEC. 538. COMMENCEMENT OF RECEIPT OF NON-REGULAR SERVICE RETIRED PAY BY MEMBERS OF THE READY RESERVE ON ACTIVE FEDERAL STATUS OR ACTIVE DUTY FOR SIGNIFICANT PERIODS.

(a) REDUCED ELIGIBILITY AGE.—Section 12731 of title 10, United States Code, is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) has attained the eligibility age applicable under subsection (f) to that person;''; and

(2) by adding at the end the following new subsection:

''(f)(1) Subject to paragraph (2), the eligibility age for purposes of subsection (a)(1) is 60 years of age.

''(2)(A) In the case of a person who as a member of the Ready Reserve serves on active duty or performs active service described in subparagraph (B) after September 11, 2001, the eligibility age for purposes of subsection (a)(1) shall be reduced below 60 years of age by three months for each aggregate of 90 days on which such person so performs in any fiscal year after such date, subject to subparagraph (C). A day of duty may be included in only one aggregate of 90 days for purposes of this subparagraph.

''(B)(i) Service on active duty described in this subparagraph is service on active duty pursuant to a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of this title in support of a contingency operation. Such service does not include service on active duty pursuant to a call or order to active duty under section 12310 of this title.

''(ii) Active service described in this subparagraph is service under a call to active service authorized by the President or the Secretary of Defense under section 502(f) of title 32 for purposes of responding to a national emergency declared by the President or supported by Federal funds.

''(C) The eligibility age for purposes of subsection (a)(1) may not be reduced below 50 years of age for any person under subparagraph (A).''.

(b) CONTINUATION OF AGE 60 AS MINIMUM AGE FOR ELIGIBILITY OF NON-REGULAR SERVICE RETIREES FOR HEALTH CARE.—Section 1074(b) of such title is amended—

(1) by inserting ''(1)'' after ''(b)''; and

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

''(2) Paragraph (1) does not apply to a member or former member entitled to retired pay for non-regular service under chapter 1223 of this title who is under 60 years of age.''.

(c) ADMINISTRATION OF RELATED PROVISIONS OF LAW OR POLICY.—With respect to any provision of law, or of any policy, regulation, or directive of the executive branch that refers to a member or former member of the uniformed services as being eligible for, or entitled to, retired pay under chapter 1223 of title 10, United States Code, but for the fact that the member or former member is under 60 years of age, such provision shall be carried out with respect to that member or former member by substituting for the reference to being 60 years of age a reference to having attained the eligibility age applicable under subsection (f) of section 12731 of title 10, United States Code (as added by subsection (a)), to such member or former member for qualification for such retired pay under subsection (a) of such section.

(d) EFFECTIVE DATE AND APPLICABILITY.—The amendment made by subsection (a) shall take effect as of September 11, 2001, and shall apply with respect to applications for retired pay that are submitted under section 12731(a) of title 10, United States Code, on or after the date of the enactment of this Act.

Mr. CHAMBLISS. Mr. President, I ask that Senator LANDRIEU be added as a cosponsor.

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

Mr. CHAMBLISS. First, Mr. President, I wish to thank the chairman of the committee, as well as the ranking member, Senator WARNER and Senator LEVIN, for their great leadership on this bill. This has been a difficult process we have gone through, having spent, I guess, a week and a half at one point in time and having to suspend further proceedings and now we are back on it. In my opinion, all the work in this body is certainly very critical to the Nation itself, but there is no more important legislation we take up every year than the Defense authorization bill. When we are a nation at war, as we are right now, there certainly is no more important legislation to show support by this body, by the House, and by the American people to our men and women in uniform by making sure that we provide quality of life issues for them, whether it is pay raises, looking after their families, or making sure they have better than adequate housing, but to also say to them that we are going to provide you with the best weapons available in the world today, that we are going to provide you with the best training in the world today to make sure that you remain the strongest military in the world, and as you fight for freedom and democracy on foreign soil, as our men and women are doing today, that they know and understand, without any hesitation, the American people and the Members of Congress stand firmly behind the work they are doing.

I wish to preface my comments with regard to this particular amendment by stating something with which no Member of the Senate would disagree, and that is that the way our Nation uses the Reserve components of the U.S. military has fundamentally changed over the last 15 years.

Several of my colleagues already alluded to this fact during discussion of TRICARE coverage for reservists earlier this year. I support that legislation and commend my colleagues, specifically Senator GRAHAM from South Carolina and Senator CLINTON from New York, for their perseverance on this issue of providing TRICARE for Guard and Reserve members.

Over the last decade and a half, the Reserve components have changed from a force in reserve to an absolutely essential component of the war fight in almost every operation the military engages and in every career field represented in the Army, Navy, Air Force, and Marine Corps.

The Reserve components are now, and continue to become, a true operational Reserve that our military cannot operate without. This is reflected primarily in the rate of deployments and mobilizations of the Reserve components.

The contribution of the Reserve components has increased over 60 times from the pre-Desert Shield/Desert Storm time period to the present. From the post-Desert Storm period, from between 1993 and 1997 to the present, the Reserve contribution has increased between 5 and 10 times, depending on which year you consider. The same trends are illustrated if you look at the number of support days reservists have performed over the last 20 years. The trend over the last 5 years is exponential.

My point, which cannot be any more clear, is that the way we are using the Guard and Reserve has fundamentally changed. Based on this fact, I think it is only appropriate to consider that the way we compensate and reward our reservists needs to change.

Another important factor to be considered is the current recruiting trends for the National Guard and Reserve. The overall trend in Reserve component recruiting is negative. In fiscal year 2005, the Army and Air National Guard, the Army Reserve and the Navy Reserve, all did not meet their enlisted recruiting goals. In fiscal year 2002, the Army National Guard exceeded its goal by recruiting 104 percent of its objective, but in fiscal year 2003 and fiscal year 2004 that number dropped to 87 percent. It now stands at 80 percent. A similar story can be told for the Army Reserve where it exceeded its goal for fiscal year 2002 with 108 percent of its objective only to see that percentage drop to 84 percent for fiscal year 2005. Although not a crisis yet, these trends are definitely a cause for concern.

Retention numbers for the Guard and Reserve are holding fairly steady for now. However, I do not believe anyone

expects the retention rate to hold steady if we keep using our Reserves at the current rate. I believe the current rate at which we are using reservists, as well as current recruiting trends, necessitates that we reexamine the way we manage the Reserve.

As the former chairman of the Armed Services Committee, Subcommittee on Personnel, and the current cochairman of the Senate Reserve Caucus, this is an issue with which I have wrestled considerably and want to be sure that we account for as we provide oversight of the personnel policies of the Department of Defense.

The Department of Defense has made changes in this area by improving the process of training and equipping the Reserve and supporting changes in personnel policies that improve quality of life for members of the Reserve. However, with the possible exception of the TRICARE issue, these changes have been at the margins. The amendment I am calling up today makes what I believe is a relatively minor adjustment to the Reserve retirement system. My amendment would lower the age at which a reservist can receive their retirement annuity by 3 months, counting down from age 60, for every 90 days a reservist spends on active duty during a fiscal year. Any service credited under my amendment would have to be served in support of a designated contingency operation. This amendment specifically rewards the members of the Guard and Reserve who have been called or ordered to active duty, had their civilian lives interrupted for an extended period of time, and in many cases placed themselves in harm's way in defense of their country.

Currently, the average reservist, if they collect any retirement pay at all, receives a small fraction of the annuity that an Active-Duty member receives. If this amendment becomes law, that percentage will rise slightly but in no way will this amendment result in a major change with large financial implications.

I do not have a formal CBO estimate for the current version of my amendment. However, based on CBO scoring for an earlier version, I suggest that the cost of this amendment will be approximately $300 million over 5 years.

There have been several other bills and amendments related to Reserve retirement introduced in Congress and for the sake of comparison, I believe my amendment provides the right incentives and rewards, and it is also the least costly alternative which has been offered so far.

I think it is very important that we strike a balance between the Active-Duty forces and the Reserve component with respect to compensation, quality of life, and other assets and incentives that we offer for people coming into Active-Duty service. I know and understand that we can never totally equalize the benefits to the Active Duty along with those of the Guard and Reserve for the simple sake that if somebody joins the Active Duty, they need to be incentivized to come in and do the work that they are assigned to do knowing that they will be compensated in a way that has been provided for them for decades relative to retirement in this case. We cannot do that with the Guard and Reserve, but we do need to provide more incentives to do something about these drastic reenlistment, as well as enlistment, numbers that I alluded to earlier in my comments.

One way I think we can certainly do that, from a retirement standpoint, is to provide some small incentive to our reservists and our Guard men and women so that they will be somewhat comparable, though never totally comparable, to the Active-Duty members. I believe this amendment is significant and important because it recognizes the increased contribution our reservists are making, rewards them for the service in support of the global war on terrorism, and provides reservists in the middle of their careers with an incentive to stay on board.

I have received some very good feedback from the Department of Defense on this amendment because, first, it incentivizes voluntarism. Secondly, it provides a motivation for retention. Thirdly, it is relatively low cost.

The Reserve Officers Association of America, the National Guard Association of the United States, and the Reserve Enlisted Association also support this amendment and see it as an important, responsible step forward in support of our reservists.

There is no more important issue facing the Senate Armed Services Committee than how we treat our men and women in uniform and their families. It is my hope that as we proceed with this bill over this week, and as the committee entertains legislation and policy changes in the coming months, that we keep the people at the receiving end of our decisions and deliberations foremost in our minds.

We will continue to include the members of the Reserve components in those deliberations and ensure that the Senate adopts policies that work to their advantage that are fiscally responsible and that recognize the significant changes that have taken place in the Reserve over the past decade and a half.

I close by saying, again, that without the leadership of Senators WARNER and LEVIN, we simply would not be providing the compensation, nor the incentives, that we have in place today to the members of the Guard and the Reserve. I thank them for not just their great leadership but their cooperation in working through these very difficult issues, a lot of which are driven strictly by budget. That is what makes it particularly difficult when we have to talk about providing incentives like compensation versus buying weapons systems. It makes it very difficult, and to their credit they have provided the great leadership that is necessary to make sure that we continue to be in a position to be the strongest military in the world. And we are because our men and women who volunteer for that military, whether it is Active Duty or Guard or Reserve, are the very finest young men and women America has to offer.

I ask my colleagues to support the amendment, and I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I thank the distinguished Senator from Georgia. We are studying this amendment very carefully. I am anxious to get the views of my distinguished colleague, the ranking member, and his group.

As I listened carefully to the Senator's remarks, I was reminded by my own experience—I had a very modest career in the military—I think I spent a total of 14 years in the Marine Corps Reserve and witnessed and participated in a callup of the Reserves in connection with the war in Korea. I recall very vividly that war hit us out of the blue in the summer of 1950. The then-Secretary of Defense, Louis Johnson, under President Truman, was cutting and slashing the military right and left. It was down to the raw bone. Suddenly this war engulfed the United States and there were thoughts in the beginning that it would be fairly simple to end the war.

I remember MacArthur was commander in chief of the forces at that time, and he made a famous statement—I think it was in late September or October—that this war will be over and everybody will be home by Christmas.

Well, that was the fall of 1950, and action did not end until 1953, which had many names from the ''forgotten war'' to a ''police action,'' but it did cause over 50,000 casualties.

The point I wish to make is I witnessed with my own eyes the Reserves being brought in. I was with a group that was called up on 30 days' notice. Most of them had been in World War II. I had brief service at the end of World War II in the Navy. We were all basically former World War II veterans and just beginning to reestablish ourselves. It was only an interval of about 4 years since most had been released then in 1946 and, whammo, in 30 days we were in it.

At first I remember in the training detachments down in Quantico there was a decided feeling among the old regulars of the Marine Corps that we were second-class citizens, but once our folks hit the battlefield, whether it was on the ground or in the air—I was assigned to an air unit as a ground officer—Reserve pilots flew right along with the regular pilots, and one could not tell the difference. They pulled equal missions together, took equal risks. I do not know how the casualties bear out, but I know a lot—not a lot, but a number of our Reserve squadron lost their lives, wounded.

So I say to the Senator, as I listened, I thought back of those days and how

in the ensuing years that was the first time in the Korean War that we really involved the number of Reserves that were needed, and our regular forces then, not unlike now, had been pared down in numbers. As a consequence, today I believe 60 percent of the persons serving in Iraq are Reserves at this very moment. I use the term ''reserves'' to apply to the Guard as well. So they are full partners.

Then, fast forwarding, I remember serving in the Pentagon during Vietnam, and we decided to have, under the leadership of an extraordinary Secretary of Defense, Melvin Laird, the concept of a total force; in other words, whether one is Guard, Reserve, or regular, they are a total force. The total force concept moved on through the years.

I think the Senator is right on target. If the Senator will bear with us a little bit, we are trying to determine exactly how we are going to treat this amendment. At the moment I am very impressed with the Senator's objective. I ask forgiveness for taking the time of the Senate to dwell on what I actually saw years ago and have seen, as the Senator has, on our visits to Iraq, one cannot distinguish between the Guard and the Reserves. They are all amalgamated into the regulars. Actually, many Guard and Reserve units are functioning as units, somewhat augmented, I suppose, with some regular officers, and vice versa some of the regular units are augmented with the Reserve and Guard officers. But it certainly is a total force and a magnificent force we have serving today.

The Senator is right, all of these trends with regard to personnel, they begin to—it is like the awakening of the dawn. The sun does not break through, and one begins to wonder what about this cloud cover, and there is some cloud cover associated with the recent statistics regarding the introduction of new Guard and Reserve persons.

I will say I think the retention has been pretty good in many areas of our Guard and Reserves, but nevertheless we need an inducement. I think this amendment has the beginnings of something that is very important.

The Senator is a valued member of our committee. The Senator fought hard for this one. Give us a little time to work it around.

Mr. CHAMBLISS. If the Senator will yield very briefly, I say the passion that the Senator from Virginia has relative to the men and women in our Armed Forces has been exhibited in our committee time and again. It is pretty obvious to see why. It is because of men and women like the Senator who have served in the Guard and Reserve over the last 50 years that we now truly are a blended force. We are a force of military men and women when it comes time to join hands and go to the fight. It truly is a seamless integration between the Active Duty and the Reserve and the Guard today in Iraq. That is why I think it is very important.

I thank the Senator for his comments and his leadership.

Mr. WARNER. Mr. President, just to add a note, the Senator touched on this, but we cannot and do not—and I do not think this will—erode the base of pay and benefits given to the regular force. Those individuals have committed to a career in the military. In a career of 20 years, they will move 10 or 12 times. On the other hand, the reservist is at home, most of them, in a status where there is an ever-present risk of being called up. For that, I think they should be given some special recognition.

I believe the Senator has that embraced in these valuable ideas that the Senator has in this amendment.

That is because they are ready to respond and they have to, not just move on a set of orders, but they have to try to keep their families in place in their homes; they have to try to work out some relationship with their employers so they can go back. They have a whole set of problems that are quite different than those in the regulars.

I do not think in any way this legislation encroaches on the important category of benefits for the regular forces, but does things that recognize the importance of the Guard and Reserve.

I see another distinguished colleague on the floor.

Mr. LEVIN. If the Senator will yield, I say to the Senator from Maine I will be very brief because the Senator is waiting, but I want to comment on the amendment that has been offered by the Senator from Georgia.

First, I commend him for offering this amendment. It is a very fair amendment. It is a very balanced amendment. It takes on a very important subject and deals with it very forthrightly, which is the fact that our Reserve Forces are called upon more and more now and are put under greater demands, and there is a lot of pressure and a lot of stress now.

We do not require our Active-Duty Forces to wait until they are 60. After they get their 20 years in, they are eligible for retirement. What the amendment of the Senator does, as I understand it, is to credit the Reserve personnel for 90 days of mobilized active-duty service toward—it allows them to gain 3 months reduction from the current requirement that they be 60 years of age.

It is a very important amendment. It addresses an inequity that we have, which is we require our Reserve Forces, even after they have been mobilized, even if they are mobilized year after year, not to get any credit for that active-duty service the way our regulars do.

I commend the Senator. It is a very fair amendment. It has a lesser cost than the one that was opposed by the Department of Defense last year. I hope the Department of Defense will not oppose the Senator's amendment. We have not received a statement from the Department of Defense yet, but I hope, even though they opposed the amendment last year, they will not oppose the amendment of the Senator from Georgia.

It is a worthy amendment. It has bipartisan support. As I understand, in addition to his colleague from Georgia, Senators LANDRIEU and PRYOR are cosponsors. We very much support his effort.

Mr. WARNER. Mr. President, if I might add, last year an amendment somewhat similar to this, but considerably more extreme in its reach, was considered by the Senate. At that time I, along with others, established the Commission on the National Guard and Reserve. It was included in our Defense Authorization Act. That commission is now in operation. As a matter of fact, the distinguished Senator from Georgia and I attended the opening meeting here just days ago. It has an extraordinary list of members. I ask unanimous consent to have a fact sheet and a list of membership printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMISSION ON THE NATIONAL GUARD AND RESERVES FACT SHEET

MISSION

The independent Commission on the National Guard and Reserves is charged by Congress to recommend any needed changes in law and policy to ensure that the Guard and Reserves are organized, trained, equipped, compensated, and supported to best meet the national security requirements of the United States. The Commission was established by the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005.

KEY ISSUES REQUIRING REVIEW

Among the questions the Commission will address:

Roles and Missions—What are the appropriate roles and purposes of the Guard and Reserves in meeting the national security needs of the United States?

Capabilities—How can reserve components and personnel best be used to support Armed Forces operations and achievement of national security objectives, including homeland defense, while at the same time meeting disaster response objectives?

Operational Support—How effective is the Department of Defense implementation plan for the new ''Operational Support'' personnel accounting category which has been developed to account properly for reserve members on active duty in support of total force missions?

Organization and Structure—How effective are the current organization and structure of the Guard and Reserves? Are Department of Defense and individual service plans for the future organization and structure of the Guard and Reserves adequate?

Training—Are the current organization and funding of training adequate? What changes are needed to achieve training objectives and operational readiness?

Readiness—How effective are policies and programs for achieving operational readiness—troops trained and equipment on hand, maintained, and functioning—as well as personnel readiness, including medical and family readiness?

Personnel Compensation and Benefits—Are compensation and benefits, including the availability of health care benefits and health insurance, appropriate and adequate? For both regular and reserve components of the Armed Forces, what are the likely effects of proposed compensation and benefit changes? What are feasible options for improving compensation and benefits, particularly in regard to cost-effectiveness and any foreseeable effects on readiness, recruitment, and retention of personnel?

Career Paths—How effective are traditional military career paths? Are there alternative career paths that could enhance professional development and help move personnel toward a continuum of service?

Funding—How adequate is the funding provided for equipment and personnel in both active duty and reserve military personnel accounts? How can funding best be provided?

Other—What other issues relevant to the purposes of the Commission will be included in its assessment?

COMMISSIONERS

As specified in the authorizing legislation, 13 Commission members were appointed by the chairs and ranking minority members of the House and Senate Armed Services Committees and the Secretary of Defense. Appointed are: .

Arnold L. Punaro, Chairman—Chairman Punaro is a retired Marine Corps major general who served as Commanding General of the 4th Marine Division (1997–2000) and Director of Reserve Affairs at Headquarters Marine Corps during the post–9/11 peak reserve mobilization periods. Following active duty service in Vietnam, he was mobilized three times: for Operation Desert Shield in the first Gulf War, to command Joint Task Force Provide Promise (Fwd) in Bosnia and Macedonia, and for Operation Iraqi Freedom in 2003. He worked on Capitol Hill for 24 years for Senator Sam Nunn and served as his Staff Director of the Senate Armed Services Committee for 14 years. He is currently Executive Vice President of Science Applications International Corporation.

William L. Ball, III—Commissioner Ball is currently Chairman of the Board of Trustees of the Asia Foundation, an international NGO operating in 18 Asian countries. He served in the Navy for six years followed by 10 years service on the U.S. Senate staff for Senators Herman Talmadge and John Tower. He joined the Reagan Administration in 1985, serving as Assistant Secretary of State for Legislative Affairs, Assistant to the President for Legislative Affairs at the White House, and Secretary of the Navy in 1988–1989.

Les Brownlee—Commissioner Brownlee was confirmed as the Under Secretary of the Army in November 2004 and served concurrently as the Acting Secretary of the Army from May 2003 to November 2004. He was appointed by both Senators Strom Thurmond and John Warner to serve as the Staff Director of the Senate Armed Services Committee. He is retired from the United States Army and served two tours in Vietnam. He is currently President of Les Brownlee & Associates LLC.

Rhett Dawson—Commissioner Dawson is currently President and CEO of the Information Technology Industry Council. He is the former Senior Vice President, Law and Public Policy, for the Potomac Electric Power Company. During the last two years of the Reagan Administration, he was an Assistant to the President for Operations. He also served as Staff Director of the Senate Armed Services Committee. He served on active duty as a ROTC-commissioned Army officer from 1969 to 1972.

Larry K. Eckles—Commissioner Eckles retired as the Assistant Division Commander for the 35th Infantry Division, headquartered at Fort Leavenworth, Kansas, after 37 years of service. He refired with over 31 years of full-time civil service employment with the Nebraska Army National Guard and has served in numerous positions at state headquarters including Chief of Staff of the Nebraska Army National Guard, battalion commander, and Director of Personnel.

John (Jack) M. Keane—Commissioner Keane is Senior Managing Director and cofounder of Keane Advisors, a consulting and private equity firm. He is a director of MetLife, General Dynamics, and Allied Barton Security. He served as the 29th Vice Chief of Staff of the Army, retiring after 37 years of service. General Keane was a career paratrooper and a combat veteran, who was decorated for valor. He commanded the famed 101st Airborne Division and the legendary 18th Airborne Corps.

Patricia L. Lewis—Commissioner Lewis served over 28 years with the federal government, including service with the Senate Armed Services Committee for Chairmen John Warner, Sam Nunn, and Scoop Jackson. Ms. Lewis began her federal career in 1975 with the Department of the Navy and has held positions in Naval Sea Systems Command, the Office of the Navy Comptroller, and in the Office of the Secretary of Defense. She is currently a partner with Monfort-Lewis, LLC.

Clinton (Dan) McKinnon—Commissioner McKinnon was founder, Chairman and CEO of North American Airlines. He undertook special projects for the Director of Central Intelligence and also served as Chairman of the Civil Aeronautics Board, during which time he implemented airline deregulation. He has owned radio stations in San Diego. Early in his career, he spent four years in the United States Navy as an aviator where he set, and holds, the U.S. Navy helicopter peacetime air/sea record of 62 saves.

Wade D. Rowley—Commissioner Rowley is currently a Military Border Infrastructure Construction Consultant with the Department of Homeland Security, U.S. Customs and Border Protection. He served over 23 years with the California Army National Guard and Army Reserves. His last military assignment was with the California Army National Guard, where he served as an Engineer Officer, Company Commander, and Facility Commander for the California National Guard Counterdrug Task Force in support of the U.S. Border Patrol.

James E. Sherrard, III—Commissioner Sherrard served as Chief of Air Force Reserve, Headquarters USAF, Washington, DC and Commander, Air Force Reserve Command, Robins AFB, Georgia from 1998 to 2004. He is a retired lieutenant general with more than 38 years of commissioned service in the United States Air Force. As Chief of Air Force Reserve and Commander, Air Force Reserve Command, he was responsible for organizing, training, and equipping more than 79,000 military and civil service personnel required to support operations and combat readiness training for 36 flying wings, 14 detached groups, 13 Air Force Reserve installations, three Numbered Air Forces, and the Air Reserve Personnel Center (ARPC). As Chief of Air Force Reserve, he directed and oversaw the mobilization of Air Force Reserve personnel in support of military operations in Kosovo, Afghanistan, and Iraq. During his career, General Sherrard commanded an airlift group, two Air Force Reserve installations, two wings, and two Numbered Air Forces.

Donald L. Stockton—Commissioner Stockton currently owns and operates the Marshfield Drayage Company in Missouri. He is a retired lieutenant colonel from the U.S. Air Force Reserves where he served nearly 30 years. His last command was with the 934th Maintenance Squadron, a subordinate unit of the 934th Airlift Wing, Air Force Reserve, in Minneapolis where he was responsible for the unit's C–130E aircraft and training of some 175 reservists.

E. Gordon Stump—Commissioner Stump retired in January 2003 from his position of Adjutant General and the Director of Military and Veterans Affairs in Michigan after serving for 12 years. He commanded and directed a total of 157 Army and Air National Guard units, two Veterans Nursing Homes, and 12 Veterans Service Organizations. His prior assignments included Squadron Commander 107th TFS and Commander and Deputy Commander of the Headquarters Michigan Air National Guard. He flew 241 combat missions over North and South Vietnam. He also deployed to South Korea during the Pueblo Crisis. He served as President of the National Guard Association of the United States and as a member of the Reserve Forces Policy Board. Prior to his assignment as Adjutant General, he was Vice President of Automotive Engineering for Uniroyal Goodrich Tire Co. He is currently President of Strategic Defense Associates, LLC.

J. Stanton Thompson—Commissioner Thompson is currently an Executive Director for the U.S. Department of Agriculture's Farm Service Agency. He is a retired naval rear admiral with over 35 years of military service. He is the former Special Assistant for Reserve Matters to the Commander, U.S. NORTHCOM and North American Aerospace Command. He also served as a principal advisor to the commander for maritime homeland defense. During his recall to active duty, he provided active duty support to Operation Desert Shield/Desert Storm.

TIMETABLE AND ACTIVITIES

December 2005—First formal meeting of the Commission

March 2006—Ninety-day report to include strategic work plan, discussion of planned activities, and any initial fmdings, submitted to the House and Senate Armed Services Committees and the Secretary of Defense

December 2006—Final report of Commission to include recommended reforms in legislation and Defense Department policies, submitted to the House and Senate Armed Services Committees and the Secretary of Defense

March 2007—Commission terminated.

Mr. WARNER. They have begun their work and they will examine issues related to your amendment and to other structural missions and compensation of the Guard and Reserve Forces in the coming years.

I do not believe this commission, which is underway, should be used as a deterrent for the Senate to consider at this time the Senator's amendment. I point out that the subject he raised, that is intrinsic to this amendment, is under careful study by an extraordinary group of individuals appointed by myself, Senator LEVIN, our leaders, and others. That will be part of the RECORD.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. WARNER. Mr. President, the Senator from Maine has an amendment. It is one of the 12 amendments we have under the unanimous consent agreement. There is a time limit on it, of which the Senator is aware.

The PRESIDING OFFICER. The Senator from Maine is recognized.

AMENDMENT NO. 2436

Ms. SNOWE. Mr. President, pursuant to the pending unanimous consent agreement, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maine [Ms. SNOWE], for herself and Ms. COLLINS, Ms. LANDRIEU, Mr. WYDEN, and Mr. CORZINE, proposes an amendment numbered 2436.

Ms. SNOWE. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To require the Secretary of Defense, subject to a national security exception, to offer to transfer to local redevelopment authorities for no consideration real property and personal property located at military installations that are closed or realigned as part of the 2005 round of defense base closure and realignment)

At the end of subtitle D of title XXVIII of division B, add 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.

(a) OPTION ON TRANSFER OF REAL PROPERTY AND FACILITIES.—Paragraph (2)(C) of section 2905(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 inserting ''(i)'' after ''(C)''; and

(2) by adding at the end the following new clause:

''(ii)(I) Except as provided in subclause (II), in the case of any real property or facilities located at an installation for which the date of approval of closure or realignment is after January 1, 2005, including property or facilities that would otherwise be transferred to a military department or other entity within the Department of Defense or the Coast Guard under clause (i), or would otherwise be transferred to another Federal agency—

''(aa) the Secretary shall instead offer to transfer such property or facilities to the redevelopment authority with respect to such installation; and

''(bb) if the redevelopment authority accepts the offer, transfer such property or facilities to the redevelopment authority, without consideration, subject to the provisions of paragraph (4).

''(II) The requirement under subclause (I) shall not apply—

''(aa) to a transfer of property or facilities to a military department or other entity within the Department of Defense or the Coast Guard under clause (i), or to the Department of Homeland Security, if the Secretary of Defense determines that such transfer is necessary in the national security interest of the United States; or

''(bb) to a transfer of property or facilities to an Indian tribe or tribal organization pursuant to section 105(f)(3) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450j(f)(3)).''.

(b) OPTION ON TRANSFER OF PERSONAL PROPERTY.—Paragraph (3) of such section is amended—

(1) in subparagraph (C)(i), by striking ''subparagraphs (E) and (F)'' and inserting ''subparagraphs (F) and (G)'';

(2) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(3) by inserting after subparagraph (D) the following new subparagraph (E):

''(E) In the case of any personal property located at an installation for which the date of approval of closure or realignment is after January 1, 2005, including property that is determined pursuant to the inventory under subparagraph (A)(i) to be excess property that would otherwise be transferred to another Federal agency under subchapter II of chapter 5 of title 40, United States Code, pursuant to the authority in paragraph (1)(A)—

''(i) the Secretary shall, unless the Secretary determines that a transfer of such property to a military department or other entity within the Department of Defense or the Coast Guard, or to the Department of Homeland Security, is necessary in the national security interest of the United States, instead offer to transfer such property to the redevelopment authority with respect to such installation; and

''(ii) if the redevelopment authority accepts the offer, transfer such property to the redevelopment authority, without consideration, subject to the provisions of paragraph (4).''.

(c) ECONOMIC REDEVELOPMENT.—Paragraph (4)(A) of such section is amended by striking ''purposes of job generation'' and inserting ''purposes of economic redevelopment or job generation''.

(d) CONFORMING CHANGE.—Paragraph (4)(B) of such section 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''.

Ms. SNOWE. Mr. President, in August the Base Realignment and Closure Commission issued its fifth round of base closures since 1988. Soon the Department of Defense will begin implementing the BRAC report, undoubtedly having a direct and lasting impact on States across this country, including my own State of Maine. I rise today as a congressional veteran of all five previous base-closing rounds to introduce this amendment along with my colleague from Maine, Senator COLLINS. It is as well being cosponsored by Senators CORZINE, WYDEN, and LANDRIEU, and endorsed by the Association of Defense Communities, to place the communities that are directly affected by base closures in this recent round in the driver's seat with respect to the critical economic development decisions our base-closing communities are going to be confronting, and not placing the Department of Defense in control of their economic development and their economic futures.

Our amendment would require that, when making determinations concerning the transfer of property and installations, the Secretary of Defense must offer that property first to the local redevelopment authority, or the LRA, that represents the community and is required to be established under the law. If the LRA accepts the offer, the Secretary is required to transfer the property to the LRA free of cost.

Incredibly, the Defense Base Closure and Realignment Act now provides for the first time in any base-closing round the Secretary shall seek fair market value in the case of an economic development conveyance through which the Secretary transfers product to affected communities for economic development purposes. In short, the law now says the first order of business is for the Department of Defense to receive fair market value, no matter the cost in economic development, no matter the cost to the communities themselves.

What kind of a perverse situation do we have, when the taxpayers and communities are facing closures or realignments and they are now confronted with a triple burden? They have already contributed mightily toward the cost of Iraq—more than $200 billion, $28.5 billion of which was spent on redevelopment efforts in that country. Now their facilities are being realigned or closed and now the statute is requiring of them, if you want this property for economic recovery, for economic development—because now they are reeling from the impact of a base closure—you will be required as a community or communities to buy it back from the Department of Defense at fair market value. That obviously is going to cost millions upon millions of dollars to these communities that are already reeling from the economic impact as a result of base closure.

It is no wonder communities are going to feel slighted and, indeed, abandoned by those they have supported for so long. Is this the message we want to send, that we are going to make the recovery process Defense Department centered and not community centered?

As I said earlier, I have been a veteran of five previous base-closing rounds when they first started in 1988. I have been through every one of those rounds. It has always been, What can we do to mitigate the economic impact on the communities directly affected by base closures? But now, regrettably, we are seeing a reversal in that approach under the current statute. Now we are saying the U.S. Defense Department is better equipped to move the development decisions in the Department as opposed to concentrating and allowing the communities to make those decisions.

Are we to believe the Department of Defense is better equipped to make decisions as to which property transfers will be most beneficial to a community's economic development, that the Department of Defense has a greater understanding of the individual challenges confronted by our towns and communities in the aftermath of base closures than the towns and communities themselves?

I suggest such a notion is on its face absurd. Indeed, it is so preposterous I can hardly believe we are standing here today to offer this amendment, that we are in a situation that we have to offer this amendment. Why would we continue to require the economic future of our BRAC-affected communities to be determined by the highest bidder the Defense Department can identify?

So it is going to be the Defense Department that is going to be driving the sale, the transfer, and the future economic plans of a particular community and not the communities themselves. It contradicts the purpose of what we need to do as a result of the base closures. In fact, in the aftermath of decisions that were made by the Base Realignment and Closure Commission, I had the opportunity to speak with one of the commissioners, who said one of the purposes in making this decision—regrettably, on Brunswick—was the fact that we wanted to put the communities in the driver's seat. We wanted the communities to be able to dictate their own future economic destiny, not the Department of Defense, because the original decision was a proposal for realignment, and they recognized they could close the facility, the Navy could take the personnel and transfer the squadrons to Florida and keep the facility and hold the communities hostage to an idle facility that would not generate jobs. So they decided to allow the communities to make those decisions.

They made the decision, regrettably, to close the facility, but because they wanted the community to be able to take charge of its own future economic destiny and be able to dictate what the use of that abandoned base would be. So it makes no sense now to discover that we have in statute where it says the Department of Defense is going to require, is going to insist on fair market value for transferring these properties to the community. Ultimately, obviously, the Defense Department is going to be looking for the highest bidder. Ultimately the Defense Department could potentially dictate the use of those facilities, even if it contravenes the interest, the position, and the decisions by the local communities in terms of how they want to use that facility.

What happens if the Federal Government's idea of opportunity is a Federal prison or an oil refinery that a community strongly opposes? Legislation has already been introduced in the House which, if enacted, could impose oil refineries on these communities. In fact, it has been part of their Energy bill in the House of Representatives.

Ultimately, under current statutes, these decisions would rest not with the State, not with the town, or the city, but with the Department of Defense. Rather, we ought to look at the model established in the State of Maine by the success achieved after I secured a free transfer of land of the former Loring Air Force Base in Limestone, ME, that was closed in the 1991 round and subsequently closed its doors in 1994 as a result of that 1991 round.

At the height of its activity, the Loring Air Force Base augmented the native population of Aroostook County by 10,000 individuals. Today the community is only now beginning to see progress in recovering from its prior base closing loss, replacing 1,100 lost civilian jobs with 1,400 new civilian jobs. I could not imagine where we would be today if not for the free land transfer. Can you imagine if they cannot have the ability to make decisions about their future without being handicapped about paying fair market value for this property? It would have handicapped them from making the kind of decisions to allow them to move forward, if they were first required to pay for this property to the Department of Defense.

It was bad enough they lost the base. It was bad enough they lost 10,000 people who were located on that base.

I might add 10,000 is larger than many of the communities in the State of Maine.

Thousands of jobs depended on that base.

And we now say to the community, Well, sorry. You are now going to have to pay fair market value to get it back. With the current base-closing round, America faces 22 major base closures and 33 alignments. Outside Maine, leaders and residents in States such as California, Georgia, Indiana, Kansas, Michigan, Mississippi, Texas, Utah, Oregon, New Jersey, Virginia, Pennsylvania, Alaska, Wisconsin, and New Mexico will face considerable challenges as they attempt to successfully transition local economies following base closures and realignments.

In fact, according to the data contained in the 2005 base-closing round, almost 33,000 civilian jobs will be lost in base closures and realignments.

The Naval air station had a $211 million direct impact on the local economy in 2004. But now the communities surrounding the air station are expected to directly lose 3,275 military and civilian jobs, as well as indirectly losing another 2,590 jobs, for a total of 5,865 jobs, or 15 percent of this labor market. While there are only 32,000 people who live in Brunswick and the neighboring town of Topsham combined, such a significant loss will cause a catastrophic unemployment increase in the area to an incredible 15 percent.

These communities need tools, not obstacles.

For those of you who are confronting the base-closure process for the first time, I can assure you that this will undoubtedly have a substantial and detrimental impact on these communities.

In the final analysis, the base-closing act, as it stands today, places a very difficult burden on the community because it places an inappropriately high priority on the Secretary of Defense to obtain fair market value at the expense of the best interests of the community's economic recovery.

I know you will hear opponents in the Department of Defense make its arguments. They will say, Well, suppose the community doesn't want to accept the property for any reason. Of course, our amendment says if the community doesn't want it, and it would be mutually beneficial to the community and the Department of Defense to have the property transferred through another channel, the community need only to refuse the offer process.

Similarly, the amendment would not require that the community request or accept all the property at an installation in order to receive any portion of that property.

The Department of Defense will also say we need the funds we would recoup from selling property at fair market value to contribute to the account used for closing or realigning military installations or environmental restoration and mitigation.

The Department of Defense may also claim that it requires the proceeds for the sale of closed base property in order to pay for that property's cleanup and redevelopment. However, history tells us that this is absolutely not the case. In fact, according to the January 2004 GAO report, over the previous four base-closing rounds, proceeds from land transfers account for only 2.6 percent of the Department of Defense budget for cleanup, redevelopment, closure, and realignment costs.

Selling off closed base property is clearly not necessary to these efforts and are certainly unwarranted when one considers the harm that it can cause to these communities that it purports to help.

Finally, it is critical to know that this amendment also incorporates the safeguards currently applicable to these economic conveyances to ensure the integrity of these types of transfers.

For instance, a property conveyance can only be provided to an LRA for economic development or job generation. Moreover, once the property is transferred to an LRA, the proceeds from the sale or lease of the property within the next 7 years must be spent in support of economic redevelopment of the installation.

That is an important point because that would mean that it could reduce the Federal expenditures and environmental mitigation or other expenditures that are required and are associated with the closure of military installations.

In addition, this amendment retains safeguard provisions currently contained in the BRAC Act to ensure the integrity of a transfer to a community.

For instance, it retains the provisions covered under the Comprehensive Environmental Response and Liability Act of 1980 to ensure that the property will be environmentally restored.

The amendment also includes an exception that protects the ability of the Secretary of Defense to make transfers necessary for our national security.

I hope that we can work with my colleagues in addressing these issues with this amendment. I certainly will invite the chairman of the committee and members of the committee to critically think about the impact of the current statute on those communities that will be directly affected by base closures.

Are we intending the Department of Defense to be the economic developer for these communities, for my communities in Maine, for Brunswick and Topsham that will not be able to plan for their economic futures and their economic well-being? They want to be able to dictate those choices. Are we now saying we are going to hamstring them where we say it will require fair market value for the property of the closed installation? Ultimately, they are going to be at the mercy of the Defense Department.

The Defense Department is going to say we are going to sell it to the highest bidder, and it is one of several options under the statute. The Department of Defense could sell it at auction to the highest bidder. It could sell to a private entity, to an LRA. It could do a number of various things under the statute.

In the final analysis, they could override the interests of the community, not to mention the fact that it will require the community to pay fair market value.

This is the first time for this to occur under the base-closing statute. This is the fifth round. In the four previous rounds, this was not the case.

I hope that we will reverse this course because it will have an enormous impact on my communities in Maine and the 22 other States across this country that will be in similar positions.

I hope we can work through these issues.

I implore my colleagues to support this amendment on behalf of the base-closing communities, those directly impacted by the devastating loss of a military installation that will cost hundreds of millions of dollars, the thousands of jobs in my communities in the State of Maine and communities and taxpayers across this country who continue to spend hundreds of billions, $30 billion of which we are spending on the reconstruction of Iraq.

We have even closed bases in order to finance not only the war but the expenditures within the Pentagon. And now we are saying to communities, You are going to pay a price for a third time. We are going to make you pay for those closed installations if you want to develop them. You are going to have to pay fair market value.

I submit that is unacceptable, it is unreasonable, and it is not fair to the communities that are directly on the line.

To dispel any misconceptions, let me clarify the goals of the amendment and what it would and would not do.

If there is property that a community does not want, or it would be mutually beneficial to the community and the DoD to have the property transfer through other channels, the community need only refuse the offer of property. Similarly, the amendment would not require that the community request or accept all of the property at an installation in order to receive any portion of that property.

Moreover, it is critical to note that, while it is true that the revenue that the DoD receives from selling installation property goes into accounts that are used for such purposes as closing or realigning military installations, or environmental restoration and mitigation, this amendment would not significantly deplete those funds to the detriment of affected communities.

The fact remains, the BRAC account has historically been funded primarily with congressional appropriations from the general treasury, rather than proceeds from property sales and leases. While the DoD may point to a few isolated examples where it recently obtained a large amount of money in return for a property transfer—for instance for transfers in places like Orange County, CA—those isolated examples are not indicative of what it can be expected to receive elsewhere in the Nation, where property values are considerably lower.

According to the BRAC Report, there have been a total of 97 base and 5 installation closures categorized by DoD as ''major'' as a result of the 1988 through 1995 processes. In addition, the DoD has stated that there were 55 ''major'' realignments and at least 235 smaller-sized closures and realignments as a result of past actions.

Yet, a January 2005 Government Accountability Office report found that DoD's total land sales and related revenue was only about $595 million for the prior four base rounds combined. The $595 million is minimal in comparison to the approximately $23 billion Congress appropriated to the BRAC accounts for the four prior BRAC rounds. In fact, the revenue from sales only represented about 2.6 percent of those accounts.

Furthermore, that $595 million figure is dwarfed by the amount that the DoD has saved as a result of BRAC closures—about $28.9 billion in net savings through fiscal year 2003 from the prior four closure rounds, according to GAO, and a projected $7 billion annually thereafter. And these are net savings, that already take into account BRAC implementation cost! Unlike these BRAC savings, which accrue to taxpayers across the Nation, the negative impacts of base closures are disproportionately and unfairly borne by the communities where bases have closed.

This amendment also incorporates the safeguards currently applicable to EDCs to ensure the integrity of these types of transfers. For instance, the property conveyances could only be provided to an LRA for economic redevelopment or job generation. Moreover, once the property is transferred to an LRA, the proceeds from a sale or lease of the property, within the next 7 years, must be spent in support of economic redevelopment for the installation.

I have not been informed of any abuses that these safeguards would not address, and from what I understand, the DoD tracks and audits such transactions to ensure compliance. If further oversight is necessary, I would not oppose it.

Some would contend that local towns and communities would not be best served by their own, unsupervised redevelopment efforts. In response, I ask, are we saying that the United States Department of Defense is better equipped to make decisions as to which property transfers will be most beneficial to an individual community's economic development? That the DoD has a greater understanding of the individual challenges faced by our towns and cities in the aftermath of base closures than the towns and cities themselves?

I would suggest that such a notion is, on its face, absurd. So why would we continue to require the economic future of our BRAC-affected communities to be determined by the highest bidder the Department of Defense can identify?

Rather, we should look to the model established in my own State, by the success achieved at the site of the former Loring Air Force Base in Limestone, ME, closed in 1994 as a result of a BRAC round. At the height of its activity, the Loring Air Force Base augmented the native population of Aroostook County by 10,000 individuals. That is why I worked tirelessly to ensure that the base was transferred to the community's redevelopment authority for free.

And I can tell you firsthand that the redevelopment of Loring—replacing the 1,100 lost civilian jobs with 1,400 new civilian jobs—would not have been as successful, if the community had not been placed in charge of its own redevelopment and had not received the majority of the installation property for free as an indispensable redevelopment tool.

I am open to continuing to work with my colleagues on any reasonable concerns about this amendment, but would emphasize the importance of passing it now. Should additional reasonable changes be necessary, we can always address those issues through future legislation—but we should not lose this opportunity to enact meaningful and necessary change.

I implore my colleagues to support this amendment on behalf of the BRAC affected communities across our Nation, who continue to contribute to the Iraqi war and reconstruction efforts, while simultaneously struggling to convince our Government to support their economic recovery, right here at home.

I reserve the remainder of my time.

Mr. WARNER. Mr. President, first, I wish to recognize our distinguished colleague from Maine, former member of the Armed Services Committee. We deeply regret that the Senator moved on, but she is now on the Tax Committee. As someone said, that is where the money is.

It is with great reluctance that I say to my good friend that we will have to very strongly oppose this. She makes an equitable argument, persuasive argument. But we have to take a look at the broad picture.

This is the fifth BRAC round. When the original legislation was written, there was quite an analysis put into that bill as to what happens to the properties if the BRAC Commission declares it to be closed. That framework of laws has guided four previous BRAC Commissions.

Let us step back and think. While this particular base, Brunswick—and I know it well, having been Secretary of the Navy—served the Nation magnificently, I was somewhat surprised to see it was closed, but the decision was made. And believe me, BRAC also hit my State severely. The decision was made to close it. That is over. We can't repeal that. But this base property does not just belong to the citizens of Maine but all Americans. It is Federal property. As such, it is owned by all Americans. All Americans, through their tax collections, provided the funds to improve this base over the years and to maintain the base.

We have to be careful as the BRAC Commission lays down a matrix of closure adjustments all over America. In some instances, some communities would benefit enormously. Mind you, this bill governs BRAC decisions, wherever it was in the United States of America on BRAC round 5, the one currently being administered.

When Congress enacted the first BRAC law, they very carefully assessed that there would be so many different locations, different circumstances that we had to put down a series of steps that the BRAC Commission and subsequently those that are entrusted with the closing—namely, the DOD—must follow by law.

For example, when a facility such as this is closed, the first thing to determine is, is there another military operation that could utilize this base? This was primarily a Naval base. It could well be needed by the Army or other departments of the military. That is the first thing. Are there other DOD missions? Second, other Federal agencies are constantly relocating and reestablishing areas. The Federal Government is disbursing a lot of it out of Washington. Could not this property, owned by all citizens of America, be utilized by another Federal agency?

It is rather interesting. Through the years, there has crept in a doctrine that the next priority should be, for example, maybe the Indian tribes. Oftentimes, there are agreements that go back years and years regarding Federal property that was once occupied by the Indians. Sometimes it might revert to the Indians. Maybe the Senator would seek to advise the Senate. I understand that the Senator recently amended the amendment to protect the interests of the Indians. But the Indians are only one small segment. A number of base installations, through the 16 years of BRAC, have been provided as shelters for the homeless.

Then we move down to the public benefit conveyances. Sometimes it was determined that these Federal facilities should be transferred to local transportation or to airport authorities or veterans centers.

In other words, there is another whole category of not quasi-Federal but certainly uses paralleling what the Federal Government provides people—that whole category.

Then they have economic redevelopment conveyances; again, as the Senator said, either at fair market value or DOD can determine certain circumstances so they could follow the very narrow provisions of the Senator's bill, turn it over to the local LRA. That is established maybe at no cost.

It is important that we don't take a carefully crafted, a carefully time-tested framework of laws regarding how the properties are to be used following a closure and suddenly wipe it off the books.

There are a number of old deeds. For example, one installation I have—Fort Monroe, which has been in business for a very long time—under the deed, if BRAC were to close it—and indeed this time BRAC did close it—then it reverts to certain community interests.

This amendment, as I read it, would wipe out that deed.

I am not speaking from a selfish point of view. I am simply saying that there are other Senators who should very quickly, if they are inclined to support Senator SNOWE's amendment, check with your local State to make sure that if you are affected by this round, the fifth round of BRAC, there may be some old deeds, conveyances, and agreements, with a facility having been closed in your State, as to how that facility then reverts to other interests.

This is not a very simple thing. You pull at the heartstrings when you talk about, yes, Maine can use it. I don't doubt that Maine can use it. It is a first-class facility. But it belongs to the taxpayers. They have paid for the construction of it. They have paid for years and years of maintenance.

I suggest the framework of laws which has been in existence these 16 years remain intact and this closure be conducted in a manner consistent with the closures that have taken place in the several States represented in this Senate over a period of some 16 years.

I yield the floor.

The PRESIDING OFFICER (Mr. BURR). The Senator from Michigan.

Mr. LEVIN. I, too, must reluctantly oppose this amendment. I have come through significant base closings in my State and am going through them right now. I know exactly what the Senator from Maine is referring to.

There are many occasions when land needs to be granted to a local economic redevelopment authority at no cost. There are many cases like that, but there are other uses that have to come first that she would not allow for, including such things as parks or schools, conveyances for those public purposes which it seems to me must come first if we are using Federal property and deciding what to do with Federal property. In terms of the priority list, it seems to me public purposes such as parks and schools should have priority over the economic redevelopment, as desirable as that can be.

But there is another problem with that amendment, and that is it does not provide discretion. It makes it mandatory that the land always go free to a local reuse even though that land may have tremendous value and the proceeds we have been able to obtain, which are not great, nonetheless have been there to help us clean up property which we want to turn over to local governments. We have huge cleanup costs. We have been able to obtain money for the resale of land. That money has gone into the cleanup of these bases before they are turned back to the local authority.

I have nothing but understanding for the Senator from Maine in the situation she and her State face. We have a number of facilities which have been realigned in my home State which have value. In one case, we have a property where a buyer is willing to purchase it if we could get the military to negotiate with that purchaser. That would be money which would come to the Federal Treasury. The buyer is willing to pay to the Federal Treasury. Instead, the Air Force prefers to auction the property. The question is whether, under all the circumstances that exist, it is fairer to auction that property or to negotiate with a private buyer with whom the Government had long been negotiating.

Without getting into that issue as to which is fairer—an auction or a negotiated sale—neither one of them would be permitted under the amendment of the Senator from Maine. It would have to go for nothing to somebody even though you have a buyer out there who wants to pay for it. We should not take such an absolute position on the disposition of these properties. There will be occasions—and I happen to agree with the Senator from Maine—where property should be turned over to a local development or redevelopment authority for free. That is true. But there are also occasions where the property has tremendous value, where the Government, as our dear friend from Virginia has said, has invested an awful lot of money in this base and where it has great value and where those dollars are needed in the Treasury, in part to pay for the cleanup of

property before it is turned over for any other use. I don't see why we would want to write an absolute rule into the law which says that the property must be given away to a local reuse authority rather than there should be an effort made to obtain fair compensation for it. It does not say that there always must be compensation; it says that there will be an effort to seek fair compensation. There are certain ways of building discretion and flexibility into that.

We have another situation where we have a significant piece of property that will be available as a result of this last round of base closures. This property has immense value. I don't know that we can come close to equating it to the Presidio in San Francisco, but it has, nonetheless, immense value. The question is, What will the military do with this property? It is my belief that the military should keep it because part of the base that was kept open and not realigned needs the property for its own use. But the military may decide it does not need that property. It may decide that property is expendable and can be surplused. Then what?

Under the Senator's amendment, extraordinarily valuable property which any developer would like to get their hands on and pay for it and pay the National Treasury money for must go for nothing to a local redevelopment authority. We cannot get any financial benefit from that land no matter how valuable if it goes to a local redevelopment authority.

That is too rigid. That is too inflexible and deprives the Federal Treasury of desperately needed money, including money for cleanup. We have a huge cleanup bill for these properties. We cannot simply give away the opportunity to recoup some funds for the Federal Treasury from highly valuable land.

I have lost a lot of bases in my home State. All three of our Strategic Air Command bases have been closed. We have lost other facilities, as well. I know firsthand what a complicated process this is. I do know, as the Senator from Maine says, there are occasions when property under all the circumstances should go to a local redevelopment agency without reimbursement to the Government, but there are other occasions when land is extraordinarily valuable and when people are willing to pay for that land where, if it is not going to go for a public use and it will be put up for private redevelopment, there should be some recouping to the National Treasury.

I am afraid this is too rigid, and I cannot support it.

Mr. WARNER. Mr. President, the Senator talks about cleanup, but over the years $1.4 billion has been recouped by the Department of Defense. That money simply goes to the Treasury to an account earmarked for precisely what the Senator from Michigan said, for cleanup and other expenses.

Again, the Federal taxpayers who once owned the land now do not have to add additional burdens out of their pockets for cleanup as a consequence of this existing framework of laws that has been there for 16 years that enable some properties to bring about money for the Federal Government, but it goes precisely into that account for the cleanup, to save Federal taxpayers the added burden of cleanup expenses. The Senator made a key point.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. How much time remains?

The PRESIDING OFFICER. The Senator from Maine has 11½ minutes remaining.

Ms. SNOWE. I respond to several of the issues raised by the chairman and ranking member of the Committee on Armed Services. It is important. We have to establish the fact that this is the first time we are applying the statute in this fashion. It is the first time this statutory language is applying to a base-closing round that allows the Department of Defense to establish and impose fair market value for the use of this property as opposed to transferring it for free to a local redevelopment authority. This is not some special interest authority. These are local communities, State officials who have a genuine interest in the future of their communities, whereas the Department of Defense is interested in a one-time sale.

I hope we would respect the interests of the community that is directly affected. After all, they are the ones who are disproportionately bearing the burden of the base closure. Why isn't it that they wouldn't have a direct interest in shaping it?

This is the first time this statute is going to apply to a base-closing round. Is it fair, at a time we are asking our citizens, our constituents, to pay $200 billion for the reconstruction of Iraq, losing your bases, and then we are saying, If you want them back and you want that property, you pay for it?

We have had four previous base-closing rounds. We had 97 major base closures. Then we had 235 smaller sized closures and 55 major realignments. And we never asked for fair market value. We have never said the Department of Defense was in the business of economic development. We said they were in the business of national security and running the defense of our country and wars, not being real estate developers. Do they have an interest of where the future is going to go in Brunswick and Topsham, ME? I say not.

At Loring Air Force Base, it worked out very well. They had a compatible relationship with the Defense Department. We have a defense agency there which is great. We have Job Corps there. We have private sector entities. We didn't disregard public benefits or the public agencies. In fact, the DOD, under this statute, does not have to consider, does not have to transfer to any public agency, could consider transferring some of this property to another public agency but does not have to. It is no different from the LRA. This is wrong. This is contravening the intent.

The chairman raises the question about deeds. Reversion will stand as it is. It will not revert back to the owner, as the Congressional Research Service said, to the original owner. This language will not do anything to reverse that in any way. I make that clear.

We are moving in an entirely different track. All of America will benefit from the savings, but not all of America is going to bear the disproportionate burden of the base closure. For the Department of Defense now to say we are going to take charge and hold these communities, such as Brunswick and Topsham, hostage to the decisions that are made by the Department of Defense and how they will use that property, frankly, I find it rather surprising, dismaying, and disappointing we are at this point, and I have been through all five base-closing rounds. I have been through it all.

We talk about environmental cleanup. Supposedly, according to the Department of Defense, they have a net savings of $28 billion. They should have been able to clean up all of the bases by now.

Under my legislation, what it would allow is that the LRAs for the next several years, for any money they made, would go back to the installation for job generation and for helping to clean up so it can mitigate the Federal costs for environmental litigation, which, by the way, the Department of Defense is not doing a very good job of in other installations. That is a serious concern. They have diverted those proceeds for purposes other than those for which they were intended.

That is the issue. They have had a net savings, according to their numbers, of $28 billion, but they have not used it for what it was intended, which was to clean up other facilities from the four base-closing rounds. They have not done it, so the local communities would be in control, be able to help dictate their futures, so we do not have the Department of Defense saying: Well, you better take this or else—or else you get nothing.

I do not think that is fair. I do not think that is fair to communities that have embraced the military for generations. At a time in which we are exacting a great cost from our constituents and taxpayers, with more than $200 billion in Iraq—supplemental upon supplemental, reconstruction, schools, security, sewage systems, power—we are saying now to communities that have just lost their bases:

Oh, by the way, you are going to have to pay hundreds of millions of dollars if you want it back and if you want to generate jobs.

Now, tell that to my communities, which are going to lose more than 5,000 jobs, that if they want to create jobs, they are going to have to pay hundreds

of millions of dollars before they can start that process. If they don't, the Department of Defense is going to tell them how their future is going to go. They will tell them whether they want an oil refinery because they are not going to have any choice. I cannot imagine that is the direction we want to take with this statute.

It has worked very well in the past. As I have said, for hundreds and hundreds of base closures, it has worked well. It worked very well for the former Loring Air Force Base. There has been a very compatible relationship up there that has been a success, but that is because I was able to secure a free transfer for facilities like Loring back in 1991 so they could start with the tools they needed to help shape their future. It has worked. Allow that process to work. It has been demonstrated it can work. But let's not create another obstacle by now having the Department of Defense in the business of developing real estate. I think it is a very unfortunate direction.

I hope my colleagues will support this amendment, support what is right for the communities that are going to bear a tremendous burden, and allow this process to work. It is in the best interests of the communities and in the best interests of this country,

Mr. President, I yield the floor.

Ms. COLLINS. Mr. President, I rise in support today of this amendment offered by my colleague from Maine and myself to the fiscal year 2006 Defense/Authorization Bill.

Our amendment focuses on one goal, to provide the communities that are losing bases through the BRAC another opportunity to control their future redevelopment, recovery, and economic well-being.

The ''no-cost conveyance'' amendment that we have proposed would modify the BRAC Act to give the affected communities the ''right of first refusal'' with respect to the transfer of property on the base. Specifically, it would require that when making determinations concerning the transfer of property at a base, the Secretary of Defense must first offer that property to the community through its redevelopment authority. If the redevelopment authority accepts, the Secretary is required to transfer the property to the community at no cost.

This legislation provides for an important exception in the case of national security, in order to allow the Secretary to transfer the property to a military service or other entity within the Department of Defense, the Coast Guard, or the Department of Homeland Security, if such action is necessary in the national security interest of the United States.

I support this amendment because I know personally what the true impact of a devastating base closure can cause to a close-knit community. I grew up just 10 miles from the now-closed Loring Air Force Base. After the base shut its doors in 1994, tens of thousands of people left northern Maine and moved away because of the limited opportunities available to them once the Air Force left town.

Given the rural area of the former Air Force base, the fact that the base was eventually transferred to the community at no cost was critically important to spurring economic growth in an area that had just been devastated by the loss of thousands of jobs overnight.

The collateral damage of the base's closure went far beyond active duty military personnel and their families. It also affected many small business owners who were forced to close their businesses and leave the area permanently. When a base closes, the need to attract new economic development is even more difficult and compounded by the fact that supporting professionals have already left the area. The resulting job losses and their impact on the local economy further highlight the need for providing the option of no-cost conveyance at a time when many areas can ill-afford to spend millions of dollars to purchase vacant buildings.

Much like a decade ago, the Midcoast region of Maine is now suffering the same devastating fate through the closure of the last active duty airfield north of New Jersey, the Brunswick Naval Air Station. Not only will this region lose 2,667 active duty personnel, 5,704 Navy family members, 715 civilian jobs, and an additional 1,300 drilling reservists who contribute to the local economy each month, but also the community will have to pay the Department of Defense fair market value for the base's property.

Communities affected by a large base closure are already reeling from the economic loss of the military as its neighbor, and to add the hardship of forcing the same community to pay the Department for vacating the area is essentially a ''double closure.''

This amendment is not just to assist a base closing in my home State of Maine, but it is to help all bases affected across the country. I urge all of my colleagues to support this amendment, and in doing so support the communities nationwide that are experiencing the far-reaching ramifications of closure or realignment due to the recent base closing round by the Department of Defense.

The PRESIDING OFFICER. Who yields time?

The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent that at 5:30 today, the Senate proceed to a vote in relation to the Allard amendment No. 2423, with no amendments in order to that amendment prior to the vote. My understanding is this request has been cleared on both sides.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WARNER. Mr. President, the bill is open for further amendment, as Senator LEVIN and I are here.

The PRESIDING OFFICER. Who yields time?

The Senator from Michigan.

AMENDMENT NO. 2430

Mr. LEVIN. Mr. President, very briefly, on the question of the independent commission, my good friend from Virginia rattled off a bunch of statistics as to how many investigations have taken place, how many hearings have been held, how many witnesses have been interviewed, with something like 12 major investigations. We have had 40 closed hearings, I think he said, 30 open hearings, and 16,000 pages of documents have been obtained.

As I thought was going to happen, those kinds of numbers were going to be utilized. The problem is, they are not particularly relevant to the point which this commission amendment seeks to address, which is there are huge gaps in these investigations. There could be 20 hearings or 50 hearings or 100 hearings, but these investigations have not gotten to 5 major points, such as, What is the role of the intelligence community?

The people who have done the investigating have said they have not gotten to that point, they have not reached that issue. The CIA has not cooperated with them. So we have that huge gap in the investigations that have taken place so far. Are there secret prisons around the world being maintained? What about the ghost detainees? There is not a week that goes by that we are not reading about an issue that relates to the intelligence community, particularly the CIA's role in terms of interrogating detainees. Yet that is an almost complete blank slate.

All of those investigations which have been made, which the Senator from Virginia referred to, have said: Well, we have not gotten into that issue. We were not allowed to get into that issue.

Another major area is the U.S. Government policy on rendition. We have not had any investigation on that.

Another major area is the role of contractors. We have not had any investigation on that.

Another major area is the legality of the interrogation techniques, particularly the two major documents setting forth the techniques which were going to be used, the so-called second Bybee memo and the memo from Mr. Yoo to the Department of Defense general counsel, Mr. Haynes. We have not gotten there. So there has been no investigation of the legality of the interrogation techniques permitted by the Office of Legal Counsel's memos to which I have just referred. And there are a number of outstanding document requests which have been flatout denied relative to what happened at Guantanamo.

Now, it does not make any difference how many hearings have been held—as long as you have those gaps which are greater than the amount covered, you have not had a thorough investigation, or anything close, of detainee abuses and these so-called secret prisons around the world which are allegedly

maintained. That is the point. That is why you need an independent commission. You cannot sweep this under the rug. It is going to pop up again. There is going to be another captain who is going to show up—and my friend from Virginia met with this captain. This is a letter to Senator MCCAIN from Captain Fishback, who is in a parachute infantry regiment in the 82nd Airborne Division at Fort Bragg, talking about the way intelligence personnel were used to give directions to soften up detainees. But we have had no investigation of intelligence.

So you have an honorable member of the U.S. military, CPT Ian Fishback. I had a personal conversation with this captain where he described to me what I just said, that there were directions from the intelligence community to soften up detainees. He says:

Instead of resolving my concerns, the approach for clarification process leaves me deeply troubled.

This is a letter to Senator MCCAIN. I ask unanimous consent it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Sept. 28, 2005]

A MATTER OF HONOR

DEAR SENATOR MCCAIN: I am a graduate of West Point currently serving as a Captain in the U.S. Army Infantry. I have served two combat tours with the 82nd Airborne Division, one each in Afghanistan and Iraq. While I served in the Global War on Terror, the actions and statements of my leadership led me to believe that United States policy did not require application of the Geneva Conventions in Afghanistan or Iraq. On 7 May 2004, Secretary of Defense Rumsfeld's testimony that the United States followed the Geneva Conventions in Iraq and the ''spirit'' of the Geneva Conventions in Afghanistan prompted me to begin an approach for clarification. For 17 months, I tried to determine what specific standards governed the treatment of detainees by consulting my chain of command through battalion commander, multiple JAG lawyers, multiple Democrat and Republican Congressmen and their aides, the Ft. Bragg Inspector General's office, multiple government reports, the Secretary of the Army and multiple general officers, a professional interrogator at Guantanamo Bay, the deputy head of the department at West Point responsible for teaching Just War Theory and Law of Land Warfare, and numerous peers who I regard as honorable and intelligent men.

Instead of resolving my concerns, the approach for clarification process leaves me deeply troubled. Despite my efforts, I have been unable to get clear, consistent answers from my leadership about what constitutes lawful and humane treatment of detainees. I am certain that this confusion contributed to a wide range of abuses including death threats, beatings, broken bones, murder, exposure to elements, extreme forced physical exertion, hostage-taking, stripping, sleep deprivation and degrading treatment. I and troops under my command witnessed some of these abuses in both Afghanistan and Iraq.

This is a tragedy. I can remember, as a cadet at West Point, resolving to ensure that my men would never commit a dishonorable act; that I would protect them from that type of burden. It absolutely breaks my heart that I have failed some of them in this regard.

That is in the past and there is nothing we can do about it now. But, we can learn from our mistakes and ensure that this does not happen again. Take a major step in that direction; eliminate the confusion. My approach for clarification provides clear evidence that confusion over standards was a major contributor to the prisoner abuse. We owe our soldiers better than this. Give them a clear standard that is in accordance with the bedrock principles of our Nation.

Some do not see the need for this work. Some argue that since our actions are not as horrifying as Al Qaeda's, we should not be concerned. When did Al Qaeda become any type of standard by which we measure the morality of the United States? We are America, and our actions should be held to a higher standard, the ideals expressed in documents such as the Declaration of Independence and the Constitution.

Others argue that clear standards will limit the President's ability to wage the War on Terror. Since clear standards only limit interrogation techniques, it is reasonable for me to assume that supporters of this argument desire to use coercion to acquire information from detainees. This is morally inconsistent with the Constitution and justice in war. It is unacceptable.

Both of these arguments stem from the larger question, the most important question that this generation will answer. Do we sacrifice our ideals in order to preserve security? Terrorism inspires fear and suppresses ideals like freedom and individual rights. Overcoming the fear posed by terrorist threats is a tremendous test of our courage. Will we confront danger and adversity in order to preserve our ideals, or will our courage and commitment to individual rights wither at the prospect of sacrifice? My response is simple. If we abandon our ideals in the face of adversity and aggression, then those ideals were never really in our possession. I would rather die fighting than give up even the smallest part of the idea that is ''America.''

Once again, I strongly urge you to do justice to your men and women in uniform. Give them clear standards of conduct that reflect the ideals they risk their lives for.

With the Utmost Respect,

CAPT. IAN FISHBACK,
1st Battalion, 504th Parachute Infantry Regiment, 82nd Airborne Division, Fort Bragg, NC.

Mr. LEVIN. He sets forth what has happened here in terms of abuses and how it hurts our military. It hurts him. It is not just hurting our honor, it makes their lives more dangerous in case they are ever captured. And he ends by saying:

If we abandon our ideals in the face of adversity and aggression, then those ideals were never really in our possession. I would rather die fighting than give up even the smallest part of the idea that is ''America.''

Now, that is a member of the U.S. military.

We cannot sweep this under the rug. The investigations so far have swept critical issues under the rug. They are going to surface sooner or later. Better to have an independent commission take a look at them, get it away from any partisanship, and have a commission the way the 9/11 Commission was appointed, with five Democratic appointees, five Republican appointees, and have the President appoint the chairman of the commission.

But we owe it to the Captain Fishbacks of this world. We owe it to all the men and women who serve so honorably, which is 99 percent, probably 99.9 percent, of our military. We owe it to them to protect them. One way to protect them is to make sure we have a thorough investigation, without these major gaps, as to what went wrong.

Mr. President, I ask unanimous consent that additional material be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GAPS IN THE DOD DETAINEE ABUSE REVIEWS

The carefully-carved out mandates of the nearly a dozen reviews have left significant gaps and critical issues unexamined.

1. Role of CIA: Limited or no cooperation from CIA with investigations.

2. Rendition: No investigation into practice of rendering prisoners to foreign countries for interrogation.

3. Contractors: Insufficient information on role of contractors in interrogations and detainee abuse.

4. Special Operations Forces: Allegations of abuses by Special Operations Forces remain unexamined.

5. Legality of Interrogation Techniques: Investigations have avoided looking at the legality of the interrogation techniques that may have been authorized by DoD officials and others.

6. Key Documents Missing: Key policy and legal documents from the Defense and Justice Departments not provided to Congress.

[From the Washington Post, Nov. 2, 2005]

CIA HOLDS TERROR SUSPECTS IN SECRET PRISONS

(By Dana Priest)

The CIA has been hiding and interrogating some of its most important al Qaeda captives at a Soviet-era compound in Eastern Europe, according to U.S. and foreign officials familiar with the arrangement.

The secret facility is part of a covert prison system set up by the CIA nearly four years ago that at various times has included sites in eight countries, including Thailand, Afghanistan and several democracies in Eastern Europe, as well as a small center at the Guantanamo Bay prison in Cuba, according to current and former intelligence officials and diplomats from three continents.

The hidden global internment network is a central element in the CIA's unconventional war on terrorism. It depends on the cooperation of foreign intelligence services, and on keeping even basic information about the system secret from the public, foreign officials and nearly all members of Congress charged with overseeing the CIA's covert actions.

The existence and locations of the facilities—referred to as ''black sites'' in classified White House, CIA, Justice Department and congressional documents—are known to only a handful of officials in the United States and, usually, only to the President and a few top intelligence officers in each host country.

The CIA and the White House, citing national security concerns and the value of the program, have dissuaded Congress from demanding that the agency answer questions in open testimony about the conditions under which captives are held. Virtually nothing is known about who is kept in the facilities, what interrogation methods are employed with them, or how decisions are

made about whether they should be detained or for how long.

While the Defense Department has produced volumes of public reports and testimony about its detention practices and rules after the abuse scandals at Iraq's Abu Ghraib prison and at Guantanamo Bay, the CIA has not even acknowledged the existence of its black sites. To do so, say officials familiar with the program, could open the U.S. government to legal challenges, particularly in foreign courts, and increase the risk of political condemnation at home and abroad.

But the revelations of widespread prisoner abuse in Afghanistan and Iraq by the U.S. military—which operates under published rules and transparent oversight of Congress—have increased concern among lawmakers, foreign governments and human rights groups about the opaque CIA system. Those concerns escalated last month, when Vice President Cheney and CIA Director Porter J. Goss asked Congress to exempt CIA employees from legislation already endorsed by 90 Senators that would bar cruel and degrading treatment of any prisoner in U.S. custody.

Although the CIA will not acknowledge details of its system, intelligence officials defend the agency's approach, arguing that the successful defense of the country requires that the agency be empowered to hold and interrogate suspected terrorists for as long as necessary and without restrictions imposed by the U.S. legal system or even by the military tribunals established for prisoners held at Guantanamo Bay.

The Washington Post is not publishing the names of the Eastern European countries involved in the covert program, at the request of senior U.S. officials. They argued that the disclosure might disrupt counterterrorism efforts in those countries and elsewhere and could make them targets of possible terrorist retaliation.

The secret detention system was conceived in the chaotic and anxious first months after the Sept. 11, 2001, attacks, when the working assumption was that a second strike was imminent.

Since then, the arrangement has been increasingly debated within the CIA, where considerable concern lingers about the legality, morality and practicality of holding even unrepentant terrorists in such isolation and secrecy, perhaps for the duration of their lives. Mid-level and senior CIA officers began arguing two years ago that the system was unsustainable and diverted the agency from its unique espionage mission.

''We never sat down, as far as I know, and came up with a grand strategy,'' said one former senior intelligence officer who is familiar with the program but not the location of the prisons. ''Everything was very reactive. That's how you get to a situation where you pick people up, send them into a netherworld and don't say, 'What are we going to do with them afterwards?' ''

It is illegal for the government to hold prisoners in such isolation in secret prisons in the United States, which is why the CIA placed them overseas, according to several former and current intelligence officials and other U.S. government officials. Legal experts and intelligence officials said that the CIA's internment practices also would be considered illegal under the laws of several host countries, where detainees have rights to have a lawyer or to mount a defense against allegations of wrongdoing.

Host countries have signed the U.N. Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, as has the United States. Yet CIA interrogators in the overseas sites are permitted to use the CIA's approved ''Enhanced Interrogation Techniques,'' some of which are prohibited by the U.N. convention and by U.S. military law. They include tactics such as ''waterboarding,'' in which a prisoner is made to believe he or she is drowning.

Some detainees apprehended by the CIA and transferred to foreign intelligence agencies have alleged after their release that they were tortured, although it is unclear whether CIA personnel played a role in the alleged abuse. Given the secrecy surrounding CIA detentions, such accusations have heightened concerns among foreign governments and human rights groups about CIA detention and interrogation practices.

The contours of the CIA's detention program have emerged in bits and pieces over the past two years. Parliaments in Canada, Italy, France, Sweden and the Netherlands have opened inquiries into alleged CIA operations that secretly captured their citizens or legal residents and transferred them to the agency's prisons.

More than 100 suspected terrorists have been sent by the CIA into the covert system, according to current and former U.S. intelligence officials and foreign sources. This figure, a rough estimate based on information from sources who said their knowledge of the numbers was incomplete, does not include prisoners picked up in Iraq.

The detainees break down roughly into two classes, the sources said.

About 30 are considered major terrorism suspects and have been held under the highest level of secrecy at black sites financed by the CIA and managed by agency personnel, including those in Eastern Europe and elsewhere, according to current and former intelligence officers and two other U.S. government officials. Two locations in this category—in Thailand and on the grounds of the military prison at Guantanamo Bay—were closed in 2003 and 2004, respectively.

A second tier—which these sources believe includes more than 70 detainees—is a group considered less important, with less direct involvement in terrorism and having limited intelligence value. These prisoners, some of whom were originally taken to black sites, are delivered to intelligence services in Egypt, Jordan, Morocco, Afghanistan and other countries, a process sometimes known as ''rendition.'' While the first-tier black sites are run by CIA officers, the jails in these countries are operated by the host nations, with CIA financial assistance and, sometimes, direction.

Morocco, Egypt and Jordan have said that they do not torture detainees, although years of State Department human rights reports accuse all three of chronic prisoner abuse.

The top 30 al Qaeda prisoners exist in complete isolation from the outside world. Kept in dark, sometimes underground cells, they have no recognized legal rights, and no one outside the CIA is allowed to talk with or even see them, or to otherwise verify their well-being, said current and former and U.S. and foreign government and intelligence officials.

Most of the facilities were built and are maintained with congressionally appropriated funds, but the White House has refused to allow the CIA to brief anyone except the House and Senate intelligence committees' chairmen and vice chairmen on the program's generalities.

The Eastern European countries that the CIA has persuaded to hide al Qaeda captives are democracies that have embraced the rule of law and individual rights after decades of Soviet domination. Each has been trying to cleanse its intelligence services of operatives who have worked on behalf of others—mainly Russia and organized crime.

ORIGINS OF THE BLACK SITES

The idea of holding terrorists outside the U.S. legal system was not under consideration before Sept. 11, 2001, not even for Osama bin Laden, according to former government officials. The plan was to bring bin Laden and his top associates into the U.S. justice system for trial or to send them to foreign countries where they would be tried.

''The issue of detaining and interrogating people was never, ever discussed,'' said a former senior intelligence officer who worked in the CIA's Counterterrorist Center, or CTC, during that period. ''It was against the culture and they believed information was best gleaned by other means.''

On the day of the attacks, the CIA already had a list of what it called High-Value Targets from the al Qaeda structure, and as the World Trade Center and Pentagon attack plots were unraveled, more names were added to the list. The question of what to do with these people surfaced quickly.

The CTC's chief of operations argued for creating hit teams of case officers and CIA paramilitaries that would covertly infiltrate countries in the Middle East, Africa and even Europe to assassinate people on the list, one by one.

But many CIA officers believed that the al Qaeda leaders would be worth keeping alive to interrogate about their network and other plots. Some officers worried that the CIA would not be very adept at assassination.

''We'd probably shoot ourselves,'' another former senior CIA official said.

The agency set up prisons under its covert action authority. Under U.S. law, only the president can authorize a covert action, by signing a document called a presidential finding. Findings must not break U.S. law and are reviewed and approved by CIA, Justice Department and White House legal advisers.

Six days after the Sept. 11 attacks, President Bush signed a sweeping finding that gave the CIA broad authorization to disrupt terrorist activity, including permission to kill, capture and detain members of al Qaeda anywhere in the world.

It could not be determined whether Bush approved a separate finding for the black-sites program, but the consensus among current and former intelligence and other government officials interviewed for this article is that he did not have to.

Rather, they believe that the CIA general counsel's office acted within the parameters of the Sept. 17 finding. The black-site program was approved by a small circle of White House and Justice Department lawyers and officials, according to several former and current U.S. government and intelligence officials.

DEALS WITH 2 COUNTRIES

Among the first steps was to figure out where the CIA could secretly hold the captives. One early idea was to keep them on ships in international waters, but that was discarded for security and logistics reasons.

CIA officers also searched for a setting like Alcatraz Island. They considered the virtually unvisited islands in Lake Kariba in Zambia, which were edged with craggy cliffs and covered in woods. But poor sanitary conditions could easily lead to fatal diseases, they decided, and besides, they wondered, could the Zambians be trusted with such a secret?

Still without a long-term solution, the CIA began sending suspects it captured in the first month or so after Sept. 11 to its longtime partners, the intelligence services of Egypt and Jordan.

A month later, the CIA found itself with hundreds of prisoners who were captured on battlefields in Afghanistan. A short-term solution was improvised. The agency shoved its highest-value prisoners into metal shipping containers set up on a corner of the Bagram

Air Base, which was surrounded with a triple perimeter of concertina-wire fencing. Most prisoners were left in the hands of the Northern Alliance, U.S.-supported opposition forces who were fighting the Taliban.

''I remember asking: What are we going to do with these people?'' said a senior CIA officer. ''I kept saying, where's the help? We've got to bring in some help. We can't be jailers—our job is to find Osama.''

Then came grisly reports, in the winter of 2001, that prisoners kept by allied Afghan generals in cargo containers had died of asphyxiation. The CIA asked Congress for, and was quickly granted, tens of millions of dollars to establish a larger, long-term system in Afghanistan, parts of which would be used for CIA prisoners.

The largest CIA prison in Afghanistan was code-named the Salt Pit. It was also the CIA's substation and was first housed in an old brick factory outside Kabul. In November 2002, an inexperienced CIA case officer allegedly ordered guards to strip naked an uncooperative young detainee, chain him to the concrete floor and leave him there overnight without blankets. He froze to death, according to four U.S. government officials. The CIA officer has not been charged in the death.

The Salt Pit was protected by surveillance cameras and tough Afghan guards, but the road leading to it was not safe to travel and the jail was eventually moved inside Bagram Air Base. It has since been relocated off the base.

By mid-2002, the CIA had worked out secret black-site deals with two countries, including Thailand and one Eastern European nation, current and former officials said. An estimated $100 million was tucked inside the classified annex of the first supplemental Afghanistan appropriation.

Then the CIA captured its first big detainee in March 28, 2002. Pakistani forces took Abu Zubaida, al Qaeda's operations chief, into custody and the CIA whisked him to the new black site in Thailand, which included underground interrogation cells, said several former and current intelligence officials. Six months later, Sept. 11 planner Ramzi Binalshibh was also captured in Pakistan and flown to Thailand.

But after published reports revealed the existence of the site in June 2003, Thai officials insisted the CIA shut it down, and the two terrorists were moved elsewhere, according to former government officials involved in the matter. Work between the two countries on counterterrorism has been lukewarm ever since.

In late 2002 or early 2003, the CIA brokered deals with other countries to establish black-site prisons. One of these sites—which sources said they believed to be the CIA's biggest facility now—became particularly important when the agency realized it would have a growing number of prisoners and a shrinking number of prisons.

Thailand was closed, and sometime in 2004 the CIA decided it had to give up its small site at Guantanamo Bay. The CIA had planned to convert that into a state-of-the-art facility, operated independently of the military. The CIA pulled out when U.S. courts began to exercise greater control over the military detainees, and agency officials feared judges would soon extend the same type of supervision over their detainees.

In hindsight, say some former and current intelligence officials, the CIA's problems were exacerbated by another decision made within the Counterterrorist Center at Langley.

The CIA program's original scope was to hide and interrogate the two dozen or so al Qaeda leaders believed to be directly responsible for the Sept. 11 attacks, or who posed an imminent threat, or had knowledge of the larger al Qaeda network. But as the volume of leads pouring into the CTC from abroad increased, and the capacity of its paramilitary group to seize suspects grew, the CIA began apprehending more people whose intelligence value and links to terrorism were less certain, according to four current and former officials.

The original standard for consigning suspects to the invisible universe was lowered or ignored, they said. ''They've got many, many more who don't reach any threshold,'' one intelligence official said.

Several former and current intelligence officials, as well as several other U.S. government officials with knowledge of the program, express frustration that the White House and the leaders of the intelligence community have not made it a priority to decide whether the secret interment program should continue in its current form, or be replaced by some other approach.

Meanwhile, the debate over the wisdom of the program continues among CIA officers, some of whom also argue that the secrecy surrounding the program is not sustainable.

''It's just a horrible burden,'' said the intelligence officials.

ACCOUNTABILITY OF SENIOR-LEVEL OFFICERS

Name	Investigative findings	Accountability
Overall	Schlesinger Panel: ''[T]he abuses were not just the failure of some individuals to follow known standards, and they are more than the failure of a few leaders to enforce proper discipline. There is both institutional and personal responsibility at higher levels.''	No action taken.
Lt. General Ricardo Sanchez, Commander, CJTF–7	Jones Report: Findings included: CJTF–7 policies memos ''led indirectly to some of the non-violent and non-sexual abuse.'' Sanchez ''failed to ensure proper staff oversight of detention operations.'' Schlesinger Panel Report: LTG Sanchez established ''confused command relationship'' at Abu Gharib.	Army Inspector General finds allegations of dereliction of duty improperly communicating interrogation policies to be unsubstantiated. Rejects 15 findings from the reports of Generals Kern and Jones and the Schlesinger Panel.
Maj. Gen. Walter Wojdakowski, Deputy Commander, CJTF–7.	Jones Report: MG Wojdakowski ''failed to ensure proper staff oversight of detention and interrogation operations.'' Schlesinger Panel Report: MG Wojdakowski ''failed to initiate action to request additional military police for detention operations after it became clear that there were insufficient assets in Iraq.''	Army Inspector General finds allegation of dereliction of duty to be unsubstantiated. Rejects 10 findings in reports of Generals Kern and Jones and of the Schlesinger Panel.
Maj. Gen. Barbara Fast, C/J–2, Director for Intelligence, CJTF–7.	Schlesinger Panel Report: MG Fast ''failed to advise the commander properly on directives and policies needed for the operation of the [Joint Interrogation and Detention Center], for interrogation techniques and for appropriately monitoring the activities of Other Government Agencies (OGAs)'' in Iraq.	Army IG finds allegation of dereliction of duty to be unsubstantiated, rejecting findings in reports of Generals Kern and Jones and of the Schlesinger Panel.
Maj. Gen. Geoffrey Miller, Commander, JTF–GTMO	Schmidt-Furlow Report: Found that: ''the creative, aggressive, and persistent interrogation of [Detainee 063] resulted in the cumulative effect being degrading and abusive treatment.'' MG Miller ''failed to monitor the interrogation and exercise commander discretion by placing limits on the application of otherwise authorized techniques and approaches used in that interrogation.'' Recommendation: MG Miller ''should be held accountable for failing to supervise the interrogation of ISN 063 and should be admonished for that failure.''	General Craddock, Commander, U.S. Southern Command disapproves the recommendation MG Miller be held accountable, saying the interrogation ''did not result in any violation of any U.S. law or policy, and the degree of supervision provided by MG Miller does not warrant admonishment under the circumstances.'' General Craddock forwards report to Army IG for review and action as appropriate.

Mr. LEVIN. Mr. President, I yield the floor. I believe the Senator from Iowa is ready, in case the Senator from Virginia is ready to have his amendment offered.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, first I want to clarify one thing. The distinguished Senator from Michigan, as the ranking member of our committee, participated in all of the hearings of the Armed Services Committee. There were many hearings on the issue of the detainees, Abu Ghraib. Then we went through the series of analyses by the Army inspector general. And on and on we went.

I do hope when he made a reference to sweeping things under the rug—I do not think our committee ever tried to sweep anything under the rug.

Mr. LEVIN. I thank my good friend from Virginia. What our committee has done is held some hearings. They are important hearings. They are valuable hearings. They have not covered five critical areas. Those areas have to be brought to the surface. As to those areas, I am not saying the chairman or our committee has swept them under the rug. We have allowed those issues to be unaddressed.

Mr. WARNER. Mr. President, I say to the Senator, when you use the term ''we,'' let's be more specific. You mean the Congress in its various oversight capacities? Maybe the Intelligence Committee, which basically has primary jurisdiction over intelligence issues, like you point out the intelligence aspects of this? The Foreign Relations Committee has held hearings on this issue. Indeed, the Defense Appropriations Subcommittee has held some hearings. So I judge that the ''we'' you refer to is the broad responsibilities of the several committees in the Congress?

Mr. LEVIN. I thank my good friend for that clarification. The ''we'' applies to the Congress. We, the Congress, have oversight responsibility. We have not carried it out. There are at least five major areas where we have failed to carry it out. We have to address those

areas. We have been unable to do so. I see no evidence that we will. Therefore, the only way we can do this is with an outside, independent, 9/11-type panel.

But I was not in any way suggesting that any one committee has been the source of this failure. It is all of the Congress together, which, obviously, is in the control of the Republican majority. That is a fact. But, nonetheless, we as a Congress have not carried out the oversight responsibility which our troops deserve.

I hope I have assured my friend.

Mr. WARNER. Thank you, Mr. President. I just wanted to make certain.

Mr. LEVIN. I did not mean in any way to impugn—

Mr. WARNER. In our committee, you have sat side by side through almost every minute of the many hours of hearings we have had on this subject. While there may be areas which our committee may yet probe on this matter—as a matter of fact, I do not think the whole series of hearings we have had has come to a conclusion. We still have the issue of the overall accountability. So there may be some point in time—but I have always felt we should allow more of the court-martial and various Uniform Code of Military Justice prosecutions, which are underway, to be completed. I will be discussing that further with the Senator. But I just did not want it indicated that our committee had brushed anything under the table.

Mr. LEVIN. I thank my friend again. I would say of all the committees I know of, our committee, the Armed Services Committee, have carried out their responsibilities better than other committees. I wish to give credit where credit is due—to our chairman. I do not know of any more honorable, decent, hard-working, fair person in this body or any body in which I have ever served.

We have still, overall, as a Congress, failed in five major areas to look at the way in which detainees have been handled. That failure is going to come back to haunt our troops, and it is haunting our Nation right now. But I surely did not mean in any way to single out our committee as being the source of that failure. But we are part of a larger failure in terms of the whole Congress failing to carry out its oversight responsibility.

Now, Mr. President, I wonder if my friend would accept a unanimous consent request that the time we have just taken on this subject be in morning business rather than deducted from the time on this amendment, given the interest in it.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Who yields time?

Mr. WARNER. Mr. President, I see our distinguished colleague from Iowa has taken the floor on a matter relating to the bill.

I yield the floor.

Mr. LEVIN. Will the Senator yield for a unanimous consent request?

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I ask unanimous consent that there be 5 minutes provided to Senator SALAZAR prior to the vote at 5:30.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Iowa.

AMENDMENT NO. 2438

Mr. HARKIN. Mr. President, I ask unanimous consent that the pending amendment be laid aside, and I call up an amendment I have pending at the desk.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for himself and Mr. DORGAN, proposes an amendment numbered 2438.

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

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

The amendment is as follows:

(Purpose: Relating to the American Forces Network)

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.

Mr. HARKIN. Mr. President, I ask the Chair to notify this Senator when I have spoken for 15 minutes.

This amendment, offered by me, Senator DORGAN, and a number of others, addresses the problem of the extreme imbalance of political programming on American Forces Radio. As my colleagues know, for American servicemembers and their families stationed in more than 177 countries and territories around the world, as well as for Department of Defense civilians and their families, American Forces Radio is intended to broadcast a ''touch of home'' programming that reflects a cross section of what is widely available to stateside audiences. Making U.S. entertainment and news programming available to American servicemembers wherever they are located is important for their morale and to keep them informed. But in order to accomplish this, American Forces Radio needs to provide a wide variety of programming and views. Unfortunately, in recent years, it has failed to do so, in violation of its own guidelines.

The amendment Senator DORGAN and I are offering is designed to address this imbalance. The Department of Defense directive 5120.20R states that: American Forces Radio and Television Services Broadcast Center shall provide a free flow of political programming from U.S. commercial and public networks. It shall maintain the same equal opportunities balance offered by these sources. Outlets should make extensive use of such programming.

That is what is in their directive. It also requires ''reasonable opportunities for the presentation of conflicting views on important controversial public issues.''

That is what we would expect. We would expect that our Armed Forces personnel would have reasonable opportunities to hear the presentation of conflicting views on public issues. Yet in spite of these clear guidelines, the programming offered by American Forces Radio is anything but balanced. Instead, American Forces Radio carries the shows of noted conservatives such as Rush Limbaugh, Dr. Laura Schlesinger, and James Dobson, to the near total exclusion of any progressive talk radio hosts.

On American Forces Radio's talk radio service, 85 percent of the short commentary or talk radio programming with political content is conservative—Mark Merrill, James Dobson, Dr. Laura, and Rush Limbaugh. Only 15 percent is progressive—Jim Hightower and Dave Ross. Here is what it comes down to in hours: More than 10 hours a week of conservative talk radio compared to less than 2 hours of progressive talk radio and commentary.

Mind you, when I said ''offered,'' this is what is offered. The 33 American Forces Radio outlets around the world are offered 85 percent, more than 10 hours of conservative talk radio, and 15 percent, less than 2 hours, of progressive talk radio. Now it gets worse. Again, what I mentioned is what is just offered to the American Forces stations. The programming that is actually used by local stations is even more unbalanced. Of the 33 local stations around the globe, 177 countries and territories that our Armed Forces personnel listen to, 100 percent of what they actually get the chance to listen to is conservative talk radio, 100 percent; zero percent of progressive talk radio. Less than 2 hours of progressive talk radio is what is offered. What they actually get is nothing on the progressive side. But they get 100 percent of Rush Limbaugh, 2,460 minutes a week; Dr. Laura, 1,245 minutes a week; and James Dobson, 60 minutes a week.

That is balanced? That is fair? That is not balanced. That is monopoly. This is propagandizing our troops.

This is wrong. The amendment Senator DORGAN and I are offering, along with Senators OBAMA, DODD, MIKULSKI, LAUTENBERG, KENNEDY, and DAYTON addresses this imbalance in two simple ways. First, it will codify the American Forces Network's obligation to provide political programming that is fair and balanced. What I read before was just a DOD directive. It has no force or effect of law. It says it should be balanced, should provide equal opportunities. We need to make this law. That is what our amendment does. It codifies the directive.

Secondly, it establishes an independent office of the ombudsman to address imbalances, to report annually on whether American Forces Radio is satisfying its mandate to provide fair and balanced political programming.

What this amendment does not do is prescribe specific content or programming. That is not the role of the Senate. But I believe we do have an obligation as Senators to all of our constituents to make the network's talk radio programming representative of the diversity of opinion in America.

While I generally do not agree with Rush Limbaugh's commentaries—I am sure that comes as no surprise to anyone—I do not object to the fact that they are run on the American Forces Network. I have never called for American Forces Radio to pull the commentaries of Rush Limbaugh or any other conservatives from its talk radio service.

On last year's defense authorization bill, we offered an amendment that simply asked that DOD develop appropriate methods of oversight to ensure the network provided fair and balanced political programming. This year, since they haven't done it, we want to codify it. But last year when I pointed out the imbalance in programming—100 percent conservative talk radio, Rush Limbaugh and Dr. Laura Schlesinger, James Dobson; zero for progressives—Rush Limbaugh went ballistic on his radio show: Senator HARKIN is now trying to take me off the air. He said I wanted to deny the troops the opportunity to hear him. He went on and on. I had other reporters and press people ask me about it.

I said: Typical of Rush Limbaugh. He doesn't understand what is happening. He wouldn't know the truth if it hit him in the face. I said: All I'm asking for is balance on taxpayer-funded radio. What Rush Limbaugh wants is monopoly. To him, to have someone oppose him and get equal time might be the same as, in his mind, taking him off the air. That is probably the way he thinks.

But I have never called for taking him off the air. I just think there ought to be some opposing views, representative of the diversity of opinion in America. I take issue with the fact that there is no commentary broadcast on this network that would even begin to balance the extreme views that Rush Limbaugh routinely expresses on his program. And where there is no alternative viewpoint, where there is no balance, what you are left with is one-sided propaganda. And that is not what we want on American Forces Radio. The men and women of our Armed Forces deserve and expect balance, not thinly disguised propaganda.

What I object to is that Rush Limbaugh is on all week, and our troops get to hear him, but they don't get to hear any viewpoints from the other side of the political spectrum.

Let's talk about one specific case in point, the scandal at Abu Ghraib. We all know what happened there. I don't need to remind anybody of the pictures, the torture, the shame and disgrace it brought upon our country. We know what happened just a couple weeks ago with the McCain amendment: 90 to 9, we voted to insist that our Armed Forces and others follow the Army Field Manual on Interrogations; that we will not condone torture, we will not condone the type of thing that we saw at Abu Ghraib. Ninety to nine on the Senate floor.

Here is what Rush Limbaugh had to say about Abu Ghraib: He called it—these are his words, not mine—''a fraternity prank.'' He likened it to a fraternity prank. He dubbed the humiliation of inmates ''a brilliant maneuver, no different than what happens at the skull and bones initiation at Yale.'' This is Rush Limbaugh talking about Abu Ghraib. He described the images of torture as ''pictures of homoerotism that looked like standard, good-old American pornography.'' That is Rush Limbaugh talking to our troops 100 percent of the time. He said of the pictures at Abu Ghraib—this is a quote from Rush Limbaugh—''if you take these pictures and bring them back and have them taken in an American city and put on an American Web site, they might win a video award from the pornography industry.''

I ask, does this represent the views and attitudes of the average American citizen? It may represent a few, but I think the vote in the Senate more accurately reflects the views of the American citizens. Ninety Senators, Republicans and Democrats, conservatives, liberals, and everybody in between, basically said on the McCain amendment, no, we don't want to have what happened at Abu Ghraib ever happen again. We don't want to be engaged in torturing prisoners or detainees.

Now, it is in the newspapers that even Vice President CHENEY is fighting the McCain amendment. Maybe Vice President CHENEY and Rush Limbaugh feel that way, but I don't think too many other Americans do. That is why we had a 90-to-9 vote here. Yet what do our Armed Forces personnel and DoD civilians hear when they tune in the radio from their assignments around the world? They hear Rush Limbaugh telling them it is a prank, a brilliant maneuver, good-old American pornography. That is what they are hearing.

So what are our troops to think? Are they to think, that is Rush Limbaugh and that is what we hear so, therefore, that must represent what the American people back home feel about this? Maybe it wasn't so bad after all.

That is why we need some opposing views on American Forces Radio. Our troops need to hear the other side of

the story to get a balance. I have never said take Rush Limbaugh off. But the network does need someone to give the other side of the story.

Again, that is what this amendment does. It codifies it. Again, 16 months ago, the Senate adopted a sense-of-the-Senate amendment I offered calling on the Secretary of Defense to ensure that the policies of fairness and balance of American Forces Radio were being fully implemented and to develop appropriate methods of oversight to ensure they were followed. That was last year.

Sixteen months later, the Department of Defense has made no progress in balancing out the more than 62 hours a week of conservative programming broadcast on the 33 American Forces Radio stations, compared to zero of progressive, 16 months later, after this Senate adopted a sense-of-the-Senate resolution saying it ought to be fair and balanced.

On October 19, just a few weeks ago, I and 12 of my colleagues sent a letter to Secretary Rumsfeld expressing our concern, once again, with the utter failure to address the lack of political balance.

Sixteen months later, no progress. As I said, we wrote this letter to the Secretary of Defense on October 19. On Thursday of last week, we received a letter from the Deputy Assistant Secretary for Public Affairs, Mr. Lawrence Di Rita. It says:

> The network plans to offer the show of one progressive talk radio host Ed Schultz.

The letter makes absolutely no representations as to how soon or when it plans to offer Mr. Schultz's show on the network.

''Offer,'' it said ''offer.'' They didn't say they would ensure the broadcast. They said they are going to offer it.

As I pointed out earlier, they offer 15 percent per week of progressive talk radio, less than 2 hours, and guess what. None of the AFR stations carry that paltry amount. Not one of their stations out of 33 around the world, even bothers to broadcast any portion of those two hours.

Let me note that in response to a letter Senator DORGAN and I sent to the Department earlier this year, Deputy Assistant Secretary Allison Barber replied that DoD ''recognizes that the domestic political talk market has grown more diverse and that the time has come to consider expanding the AFN choices.''

I respectfully disagree with Deputy Assistant Secretary Barber. It is not that the time has come to consider expanding the choices. We are long past the time for that. The time has come for the DoD to act on expanding and broadening the political discourse on American Forces Radio. There is no reason our servicemembers should receive 10 hours—more than 10 hours—of rightwing conservative talk radio and absolutely zero hours, zero minutes, zero seconds of progressive talk radio. They need competing views.

As I said, that was part of the mandate so our troops would have the ability to get a wide variety of programming to keep them informed, a cross-section of what is widely available to stateside audiences. That is what they should have.

I suppose after my talk today old Limbaugh will come on the radio again blasting me, saying HARKIN wants to take him off the air, wants Congress to tell the radio networks what to carry. I can hear him now talking about it. He got it wrong last year; there is no reason why he would probably get it right this year—correct, I should say; he gets everything right but never gets it correct. Leave Limbaugh on there, but give someone else equal time. I would like to see Ed Schultz have as much time as Rush Limbaugh. Why not? Ed Schultz is entertaining. He has a viewpoint. It is more progressive, obviously, than Rush Limbaugh's, but there is no doubt he is doing well. In fact, I found that in almost every market where Ed Schultz went up against Rush Limbaugh, more people listened to Ed Schultz than listened to Rush Limbaugh.

Oh, now maybe the scales are falling from my eyes. Maybe now I see why Rush Limbaugh doesn't want Ed Schultz on Armed Forces Radio. Our servicemen might tune him out and decide they would like to listen to Ed Schultz more than they would listen to him.

Our amendment is needed because it codifies that fairness and balance on taxpayer-funded radio is an obligation, and sets up an ombudsman to help ensure that goal. That is not unique. We have ombudsmen in other things. We have ombudsmen for both of the other two major federally funded broadcasting agencies. The Corporation for Public Broadcasting and the Broadcasting Board of Governors—that is the Voice of America—have statutory language providing for diversity and balance in their programming and both the Corporation for Public Broadcasting and National Public Radio have an ombudsman in place.

I fully intend, when the Secretary of Defense comes up for his appropriations hearing next year—I happen to be on the Appropriations Committee. I happen to sit on the Defense Appropriations Subcommittee, and I intend to ask him these questions. Why do they think this is fair? Do they think this represents balance, a fair representation of the diversity of American thought? Or do they feel it ought to be more balanced, and if so, let's get on the stick.

I am saying to the Secretary of Defense, time for consideration is past. Move, move now. There is a lot of progressive talk radio in America that gives an opposite view of Rush Limbaugh or Dr. Laura or James Dobson. Get them on there. Let's even the pie. That is all we are asking for—fairness.

Mr. President, I reserve the remainder of my time under my regular time of 15 minutes for other Senators to speak, and I thank the Senator from Virginia for his kindness.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, we are going to take this amendment and study it. Senator INHOFE, who is quite interested in this subject, is unable to be here at this time, but tomorrow we will have further opportunity to debate it.

I am advised that the Department does not try to manage these programming agendas in such a way as to exclude, I am told, any particular political bent or bias. Rather they go out and use nationally known and presumably credible organizations that establish ratings and select programs which have very high ratings. In other words, people want to listen to them.

That is the procedure, as I understand it, that is being followed by the Department. I think Mr. Di Rita, who was trusted with this recently, made a statement to the effect that is the process. I will read from at this juncture a letter to Senator LEVIN from Lawrence Di Rita, Principal Deputy Assistant Secretary of Defense for Public Affairs. It says:

> Thank you for your October 19th letter to Secretary Rumsfeld concerning the radio programming distributed by the Armed Forces Radio and Television Services on its American Armed Forces Network.
>
> The [Armed Forces Radio] attempts to make available to forces stationed overseas a breadth of programming that reflects the quality and diversity that would be available to servicemembers and their families if they were in the United States.
>
> AFRTS provides 105,000 hours of programming choices per year to programmers at 33 stations around the world.

I understand we have 33 stations geographically around the world so that the beam can reach even the most remote of men and women in the Armed Forces. I am paraphrasing my own thoughts at this time. They are the ones, the 33 stations, that make pretty much the decision as to their region and the consumer interest among the uniform people in certain programs. So they provide 105,000 hours of programming at 33 stations around the world.

> Programmers at individual stations choose from the . . . mix of content they wish to air on their multiple broadcast channels.

So there is a mix of Armed Forces Radio and Television Services programming, and then each of the 33 has a certain degree of autonomy. They go into that list and pick those programs they think their listeners will enjoy and utilize.

> I am advised that the Armed Forces Radio and Television Service managers are updating the programming mix and have decided to include additional programs, including the Ed Schultz Show, that apparently meet the criteria for that [Armed Forces Radio and Television Service] managers apply to such decisions.
>
> As is the practice, these programs will be made available to local [Armed Forces Radio and Television Service] programmers. Local

programmers decide which programs are broadcast. These programmers typically are military or civil servants who have the best insights into the interests and preferences of their local audiences.

[Armed Forces Radio and Television Service] managers will continue to monitor the programming mix and do their best to provide a broad, high quality range of choices for local station managers.

I think the Senator's points are well taken, but it appears that this system is working well at the moment. But I judge the Senator has views to the contrary. The Senator from Iowa can respond on my time.

Mr. HARKIN. Mr. President, I say to my friend from Virginia, he is a very thoughtful individual. I know he is fair and always has been fair. To air commentary of the nature I discussed earlier—that which Mr. Limbaugh made about Abu Ghraib—with absolutely no counterbalance or rebuttal, sends entirely the wrong message to our troops.

Last year when we had the sense-of-the-Senate resolution—this was posted on CNN.com; they carried an article on it—Deputy Assistant Secretary of Defense Allison Barber said:

It's not about conservative or liberal, it is about the full selection of radio programming based on popularity——

Here in the States. That is ratings.

Still, Howard Stern has millions of fans, and his show is not sent to the troops.

Barber explains:

His issue is one of content that is not appropriate.

They say it is popularity, but then they decide whether it is appropriate.

Are we to believe that the Abu Ghraib comments by Mr. Limbaugh are excusable because of the high ratings his show receives? I partially agree with the Deputy Assistant Secretary's statement. It appears that content is sometimes a factor in deciding which commentaries to run on American Forces Radio. At the same time, I also agree with the directive DoD already has in place. There should be fairness and balance in political programming on American Forces Radio. To use commercial market share ratings as an excuse not to offer fair and balanced programming will no longer suffice. When there are 33 stations around the globe, and they do not even carry 1 minute of an alternative to Rush Limbaugh, that has to say something. That it is not just ratings. Something else is going on there.

One would think that at least they would carry the 15 percent that is offered. They do not even carry that, if the Senator knows what I mean. The 33 stations around the world were offered 15 percent progressive talk radio a week. They are offered it, but they do not carry any of it. So something is going on out there. I do not know what it is, but something is.

Mr. WARNER. I certainly do not want the Senator to feel that we are trying to control these stations in such a manner as to preclude members of the Armed Forces and their families from having an opportunity to hear opinions that differ. So in the course of the evening, I and others will look into this. We thank our friend from Iowa.

Mr. HARKIN. I thank the Senator.

The PRESIDING OFFICER. Who yields time?

Mr. LEVIN. Would the Senator from Iowa yield 1 minute to me?

Mr. HARKIN. I yielded the floor.

The PRESIDING OFFICER. Who yields time?

Mr. HARKIN. How much time do I have remaining?

The PRESIDING OFFICER. The Senator from Iowa has 13 minutes 6 seconds remaining.

Mr. HARKIN. I thought I had 14 minutes 30 seconds.

Mr. President, I ask unanimous consent to speak as in morning business. There is no one else on the floor, so I do not want to use up my time. I ask unanimous consent for up to 10 minutes in morning business so I may yield some time to whoever wants it.

The PRESIDING OFFICER. Is there objection?

The Senator from Virginia.

Mr. WARNER. Mr. President, I do not object, but we do have a 5-minute request from the other side of the aisle, I say to my distinguished colleague. We have the proponents of the amendment of the Senator from Colorado and others. I ask unanimous consent that the proponents of the amendment and those in opposition have at least 5 minutes each in addition to that. So that is 15. That would leave time for further debate by others on this amendment. So I would say at the hour of 5:15 that 5 minutes be allocated to Senator SALAZAR; is that correct?

Mr. LEVIN. That is correct.

Mr. WARNER. To be followed by Senator ALLARD, to be followed by those of us who oppose the Allard amendment.

The PRESIDING OFFICER. Is there objection to the request made by Senator WARNER?

Without objection, it is so ordered.

Is there objection to the unanimous consent request by Senator HARKIN that he be allowed to speak as in morning business until 5:15?

Without objection, it is so ordered.

The Senator from Iowa.

Mr. HARKIN. I thank the Senator from Virginia. If anyone shows up to talk on something else, I will obviously yield the floor. But I would yield to the distinguished minority ranking member of the committee whatever time he desires.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I thank my friend from Iowa. I support his amendment. It simply would codify provisions in a directive. It puts some force behind what is already supposed to be in regulation, which is that there be fair and balanced political programming for the Armed Forces network radio broadcast. That is what the Harkin amendment does. It does not do the allocation. It does not make a judgment. It simply says we have to put some stronger teeth behind a regulation because we are talking about political programming. We have to be certain that political programming is fair and balanced. That is what the regulation states it is supposed to be already and just simply codifying it means Congress believes that is essential, as well as in addition to that it establishes an ombudsman to make sure the Armed Forces network adheres to its own programming standards and practices. I think that is a fair request, and I support the amendment.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. HARKIN. I will just take a couple more minutes and then I will yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. As long as there is no one else in the Chamber—if anyone comes here, I would yield the floor to whoever would want it.

Let me go through again what this amendment does for Senators who may be watching from their offices. The ombudsman would be appointed by the Secretary of Defense for a term of 5 years. They could not engage in any prebroadcast censorship. The ombudsman would conduct regular reviews of the integrity, balance, and fairness of American forces radio programming. It would respond to programming issues raised by AFR's audience regarding the network's programming and refer complaints to American forces radio management for response. The ombudsman would make suggestions to American forces radio management regarding ways to correct imbalances, and the ombudsman would prepare and present an annual report to the Secretary of Defense and Congress on whether American Forces Radio is satisfying its mandate to provide fair and balanced political programming.

So that is what the ombudsman basically would do under our amendment, not censor or anything like that. Basically, he would take complaints, pass it on to management, issue a report to us every year on whether the programming is fair and balanced, and any other comments and criticisms that may come into the ombudsman's office. So that is basically the amendment.

I have had my say on it. I think it is pretty clear. I thank the Senator from Michigan for his support. I hope all Senators could support this amendment. As the Senator from Michigan said, it just codifies what is basically a directive right now. It just makes it more clear to DOD, from the Secretary of Defense on down, that we mean it when we say it has to be fair and balanced. We do not mean to take anyone off the air or shut anyone up, but we do mean to have it fair and balanced to represent the diversity of views of America.

Not all Americans agree with Rush Limbaugh. Not all Americans agree

with Ed Schultz or Jim Hightower or me or anyone else, but we do have diversity. That is what is so wonderful about our country. That is what we are proud of as Americans, that we are able to speak our minds and have our opinions heard and we do not have any censorship. Since we do not have it here, we should not have it on the American Forces Radio network, either.

I believe having served myself for a long time in the military, as I know the Senator from Virginia has, too, our troops are well educated. They are smarter today than they ever were even when I was in the military. They know how to listen to one side or the other, and they should have that opportunity. That is all we are asking for.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. WARNER. At this time, the Senator from Alabama will speak to the Allard amendment, which is the subject of a vote in 20 minutes. I give him 5 minutes, plus 2 or 3 other minutes. I thought he was right behind me.

The Allard amendment is rather a technical one. It requires our colleagues to be informed on this amendment. I am opposed to it, but I was asked to provide to the Senator from Alabama the time needed to speak to this amendment.

The PRESIDING OFFICER. The Senator from Alabama.

AMENDMENT NO. 2423

Mr. SESSIONS. Mr. President, I thank Chairman WARNER. I chair the Subcommittee on Strategic Forces of the Armed Services Committee. This matter is under our subcommittee's oversight area. I have great respect for Senator ALLARD, who is proposing the amendment. He chaired the same subcommittee. He is very much loyal to his workers in Colorado. He is very much determined they get everything that he can get them, and I think maybe a little more than they would be entitled to under a fair reading of the statute and the contract that is involved.

Therefore, with the greatest respect to Senator ALLARD and others who may be supporting this amendment, I would oppose it. It reaches into a relationship between the contractor employees who are performing the cleanup at Rocky Flats and their employer, who is a company called Kaiser Hill. Kaiser Hill won the contract with the Department of Energy to perform cleanup work, and this deals with their relationship with their employees, not Government employees but employees for Kaiser Hill. How would it amend those terms of that agreement between Kaiser Hill and its private employees? The amendment directs the U.S. Secretary of Energy to instruct Kaiser Hill to grant retirement and health benefits to employees that those employees would have earned if the cleanup had taken longer than it actually did. So that is why, of course, the Department of Energy opposes it.

They have looked at this very carefully. They have indicated they would be open to some sort of discussion about what might be done. I have also indicated that to those who support this amendment but have not heard back from them.

So I believe the amendment as drafted is overreaching, and the Department of Energy objects to it. It is just not good policy for our Government. The cleanup did not take as long as some people projected, but everyone knew the cleanup was going to be accelerated and would end. It was not a limitless timeframe. Rocky Flats is not there anymore. It has been cleaned up. There is empty space. The workers have all been disbursed and gone to other jobs.

I would just note that many Government contracts complete early or they do not run as long as anticipated. So we cannot start down the road of altering the benefits of contract workers when something happens good for the Government because the matter proceeded along and was able to be completed sooner than expected, although it was accelerated and everybody knew it was going to complete and complete sooner than many had projected.

One of the things that every employee has, and this is important to note, every employee has been given a 1-year acceleration of the time and grade they get credit for, the time in service. The collective bargaining that went on as this contract moved forward, and everybody knew the contract would be completed early, they had a collective bargaining process, and they met with the steelworkers and others and they agreed that they would take a $4,200 basic payment because they were completing the work sooner, as an incentive or a thank-you for good work done. That was done, and they received that.

So, again, this amendment would alter the freely entered-into agreement between these workers and Kaiser Hill concerning the early completion.

Now, most of the Kaiser Hill employees were covered under the collective bargaining agreements which anticipated there would be staggered layoffs as the completion of the cleanup neared. Union workers negotiated substantial benefits such as lump-sum incentive payments in addition to providing for early and regular retirement benefits and an extra year in service.

The Senate has recently conducted its debate on budget reconciliation. There has been a lot of debate and consideration about the fiscal situation in which this country finds itself. There was a debate about hard choices that we face as a Nation so we do not burden our children or grandchildren with financial obligations that, in retrospect, we cannot afford.

If we were a private company, I ask my colleagues, would we say we could tell our stockholders that we paid more than we were supposed to pay for a cleanup? I think we are concerned about this mainly because we feel as governmental representatives, sometimes we ought to go further and do more. I know my colleague Senator ALLARD strongly believes we ought to do more and be generous.

I do join him in commending the workers at Rocky Flats for what has been achieved. The cleanup is done and workers have moved on to other jobs and other employers. I cannot support, however, taking this unprecedented step—at least unprecedented to my knowledge—that is embodied in this amendment. It is contrary to good, sound fiscal policy, good governmental policy. It is noble to want a job to be recognized and people to be paid fairly for it. But military bases close around the country all the time. Awards for contracts for aircraft and ships get terminated. Sometimes they complete them sooner than expected. People do not expect to be paid forever. Agreements were reached, as I said, to make sure people would be generously compensated as a result of this early closing.

I urge my colleagues, as difficult as they may find it, to vote ''no'' on this amendment. I think it would be the right thing for the country.

Mr. WARNER. Will the Chair advise the managers with regard to the remaining time?

The PRESIDING OFFICER. The Senator from Colorado, Senator ALLARD, controls 5 minutes. The Senator from Colorado, Senator SALAZAR, has been granted 5 minutes under a unanimous consent agreement.

Mr. WARNER. Basically there is 2 minutes left?

The PRESIDING OFFICER. There is 2 minutes remaining in opposition to the amendment.

Mr. WARNER. My colleague from Alabama has basically stated the case. But I must say this is a unique amendment among those I have encountered. You could induce laborers to have a slowdown at work so as not to finish it and so attenuate this right or some other benefit, while at the same time they were taking inducements for expediting the work.

I commend my good friend from Colorado. I know he fights hard for his constituents. But were we to see this type of precedent distributed to other situations in Government contracting across America, we would be opening up a very interesting line of arguments by a number of contractors and employees. So regrettably I have to oppose the amendment of my good friend from Colorado.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado is recognized for 5 minutes.

Mr. ALLARD. Mr. President, I will talk about my amendment for a moment or two, but before I do, I have some cosponsors I would like to add to the amendment: Senators SALAZAR, DEMINT, ALEXANDER, and CANTWELL.

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

Mr. ALLARD. Mr. President, I will take a little time to lay out the history of the cleanup of Rocky Flats after it was decided to close the facility. It was a nuclear production facility that produced plutonium triggers which were used for nuclear weaponry. When I first got involved in this issue, the plan called for 60 years to clean up Rocky Flats, costing somewhere around $35 billion.

In 1999, we were able to reach an agreement with the Department of Energy and the contractor that for $7 billion, we could have it cleaned up in 6 years. So here we are in 2005 and we have cleaned up the facility 14 months ahead of what anybody ever imagined.

When we first came up, everybody was snickering and saying that would not happen. But we did a key thing; we put incentives in the contract which encouraged various members of the workforce, including the contractors, to get the job done on time. In this case they got it done ahead of time and ended up saving lots of money.

This means we are cleaned up 14 months ahead of time. That means probably close to $500 to $600 million in savings because we are not going to have to pay for it next year. As a result of this early cleanup we are going to have about 70 workers out at Rocky Flats who are going to get cut short on their health insurance benefits and cut short on their life insurance. It is very difficult to try to get insurance after you have been working around a nuclear facility for 15, 16, 17, or 18 years. Insurance companies don't like to insure them, and if you do get insurance, at least it is very expensive. It seems to me it is a matter of fairness to take care of these 70 workers.

The reason it is important to other cleanup sites around the country, and this is where I think the Department of Energy is shortsighted—if you put in incentive contracts to get cleanup at these other sites around the country, getting them done on time or even early, as we did in Colorado, if you treat the workers fairly, I think the workforce at those cleanup sites will be willing to step in and participate in the early cleanup efforts.

The purpose of my amendment is to take care of the 70 or so workers who got shortchanged because of early closure at Rocky Flats. But more importantly, I want to see cleanup of these nuclear facilities all over the country. There are a number of States that are going to be impacted. A lot of us want to see these sites cleaned up for various reasons, not the least of which is to make sure we have environmental cleanup so we have a better environment in which to live here in the United States.

I urge my colleagues to join me in this particular amendment. I think it is very important. Let me take a couple of examples. Workers such as Doug Woodard and Leo Chavez now find themselves with either severely reduced benefits or no benefits at all. Doug started work at Rocky Flats all the way back in 1982 and then was responsible for monitoring radiation contamination at the site. He missed qualifying for the medical benefits by less than 2 months.

For Leo Chavez, who worked at Rocky Flats for 17 years, DOE's treatment was even worse. The Department of Energy thanked him for his service and showed him to the door 6 working days before he qualified for lifetime medical benefits. Let me repeat that. That was 6 days before he qualified for medical benefits. Yet his workers, then other workers at the plant, walked away with those benefits. It seems to me it is a matter of fairness.

The Department of Energy has made the point they do not want to set any precedent. In this particular amendment, we have narrowed it down to the time length and when they qualify. We have narrowed it down to these workers at Rocky Flats.

I believe this is an important amendment if you want to see rapid cleanup occur at these nuclear sites because the workers have to buy into the program. If they do not buy into the program, then you are not going to have early cleanup.

I understand my colleague from Colorado, Senator SALAZAR, might be down to the floor. I want to take this opportunity, before my time runs out, to thank him for his work and effort. I thank Senator CANTWELL and other Members of the Senate who have agreed to cosponsor this amendment because they have situations in their States similar to ours in Colorado.

We all look forward to getting early cleanup, and hopefully the cleanup at Rocky Flats will set an example for the rest of the country. The faster we have cleanup, the less money the American taxpayers will have to pay. That is the bottom line. We are required to get this cleanup done. If we can do it and save taxpayer dollars, we need to do that. In this case, from the original plan it saves billions upon billions of dollars. Then we modified the plan, and it is well over $500 million we are going to save. We need to encourage this to happen throughout the country. I am proud of the workers at Rocky Flats. It wouldn't have happened without their dedication and effort. We need to make sure every worker at Rocky Flats will walk away from this cleanup being proud and feeling they were treated fairly.

I urge my colleagues, again, to join us in righting a wrong that I think has been perpetrated by the Department of Energy.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. ALLARD. Mr. President, may I be recognized for an additional cosponsor, and that is Senator GRAHAM.

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

Under the previous order, the junior Senator from Colorado is recognized for 5 minutes.

Mr. SALAZAR. Mr. President, in a few minutes my colleagues here in the Senate will be voting on an amendment sponsored by Senator WAYNE ALLARD and myself, amendment No. 2423. I am here to speak for a few minutes to urge my colleagues to support the amendment.

This is an important amendment that recognizes the great work the employees at Rocky Flats have been doing on behalf of our Nation for a long time. When Rocky Flats was first proposed to be cleaned up, as the place where plutonium triggers were being manufactured for the United States of America and for national security, it was contemplated that we were undertaking a project that would take many years. Some had suggested it would take as long as 60 years to clean up Rocky Flats at a cost of $35 billion. Yet when all was said and done, because of the great work of both Democratic and Republican administrations, and these dedicated workers, we were able to accomplish the task in just over 5 years as opposed to 60 years and at a cost of $7 billion as opposed to $35 billion.

It was anticipated at the time when the contracts were executed that the cleanup in no way, shape, or form would ever be accomplished any earlier than December 15 of 2006. Yet because of the great work that has been done, the work has now been finished. It is unfair, from my point of view, to penalize the employees who performed this great work on behalf of our national security in this cleanup by simply not providing them with the benefits that had been anticipated with a December 15, 2006 termination date for this contract.

What this amendment will do is provide up to $15 million for the life and health insurance benefits for these employees. These men and women were exposed to radioactive elements and other toxic compounds that we are still trying to identify, and in amounts that even today we can only guess at. We do not know what they were exposed to, how much, or when they were exposed to these radioactive materials. We know for sure many have suffered serious illnesses and many have died as a result of these exposures.

Under the current employment contract, these workers would become eligible for full retirement benefits, including health benefits and life insurance benefits, if the work had been completed on December 15 of 2006. But because the work was completed before that time, these employees will not be eligible for these benefits unless we correct an inequity with the amendment that has been proposed. The extraordinary efforts of these employees

at Rocky Flats who worked long hours under very difficult conditions must be recognized by providing them with these benefits.

We believe these workers are entitled to receive these benefits because the cleanup of Rocky Flats, which was expected to be completed by December 15, 2006, has now been completed. We believe it is important that we recognize the employees at Rocky Flats who, at significant sacrifice to themselves and their families, created an opportunity for this Nation to learn how we can clean up our Department of Energy facilities.

In sum, what I would say to my colleagues here in the Senate is that what we have done at Rocky Flats, through the cleanup effort there, is to demonstrate to the Nation how we can move forward in an expedited fashion and clean up contaminated sites such as the one we had at Rocky Flats. I am grateful for the work of my colleague from Colorado, Senator ALLARD, who has been leading our joint efforts on this amendment. At the end of the day, we hope all of our colleagues will recognize that these employees have done a very valuable job for our national security.

I urge my colleagues to vote in support of this amendment.

I yield the floor.

Mr. WARNER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Utah (Mr. HATCH) and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Delaware (Mr. BIDEN), the Senator from New Jersey (Mr. CORZINE), the Senator from North Dakota (Mr. DORGAN), the Senator from Hawaii (Mr. INOUYE), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

The PRESIDING OFFICER (Mr. CORNYN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 38, nays 53, as follows:

[Rollcall Vote No. 304 Leg.]

YEAS—38

Alexander	DeWine	Leahy
Allard	Domenici	Lieberman
Baucus	Durbin	Mikulski
Bingaman	Feingold	Murkowski
Bond	Feinstein	Murray
Boxer	Graham	Obama
Burns	Harkin	Pryor
Cantwell	Jeffords	Salazar
Conrad	Johnson	Sarbanes
Craig	Kerry	Specter
Crapo	Kohl	Talent
Dayton	Landrieu	Wyden
DeMint	Lautenberg	

NAYS—53

Akaka	Ensign	Reed
Allen	Enzi	Reid
Bennett	Frist	Roberts
Brownback	Grassley	Rockefeller
Bunning	Gregg	Santorum
Burr	Hagel	Schumer
Byrd	Hutchison	Sessions
Carper	Inhofe	Shelby
Chafee	Isakson	Smith
Chambliss	Kyl	Snowe
Clinton	Levin	Stevens
Coburn	Lincoln	Sununu
Cochran	Lott	Thomas
Coleman	Lugar	Thune
Collins	Martinez	Vitter
Cornyn	McConnell	Voinovich
Dodd	Nelson (FL)	Warner
Dole	Nelson (NE)	

NOT VOTING—9

Bayh	Dorgan	Kennedy
Biden	Hatch	McCain
Corzine	Inouye	Stabenow

The amendment (No. 2423) was rejected.

Mr. WARNER. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, my understanding is that the majority leader and minority leader have determined that we will not have further votes tonight, but I advise colleagues we have a number of amendments which are almost completed and ready for a vote tomorrow. We anticipate—and I will, hopefully, be joined by my ranking member here—we can, during the course of business tomorrow, hear out the remainder of the amendments. I would hope so.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I wonder if we could get a list of pending amendments made, unless the chairman has already done that, as to what amendments are already pending and how much time is left on those amendments.

Mr. WARNER. Mr. President, my understanding is that the clerk will require a period of time within which to compile this list.

MORNING BUSINESS

Mr. WARNER. Given that, Mr. President, I suggest that this bill now be laid aside, and I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

ORDER OF BUSINESS

Mr. WARNER. Mr. President, informally, I have been advised that tomorrow morning, in all likelihood, there will be a period for morning business, and that this bill will be brought up somewhere in the area of around 11 o'clock in the morning. So again, I am joined by my colleague from Michigan in urging Senators to complete the remainder of the debate time, an hour being given to each amendment. There are several amendments which have been debated in part. We will provide for the RECORD tonight the list of those amendments and the time remaining. Quite frankly, I am of the opinion we will have been able to have had the full hour of debate on all of the 12 amendments each side has had by the close of business tomorrow.

Now, ''close of business'' leaves a little bit to definition. We will certainly receive some recommendations from our joint leadership, but I would hope we could complete this bill tomorrow night.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Well, Mr. President, if the chairman will yield, that may be optimistic, but I think we are making progress. I will work overnight—I know the chairman will—to try to line up speakers to complete the pending amendments so we can at least have, hopefully, one vote before the caucuses tomorrow, regardless of what hour we start. I am going to try to line up some speakers to complete at least one of these amendments before the caucuses.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I might suggest the Harkin amendment, which was debated very thoroughly today. The Senator from Oklahoma, Mr. INHOFE, desires to speak to that amendment and might possibly have an amendment in the second degree. So that one, in all likelihood, could be concluded. The Chambliss amendment is another amendment that I think will not require a great deal of further debate. It is a very strong amendment. It appears to me at this point to be one which I will recommend colleagues support.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I understand there may be a second-degree amendment to the Chambliss amendment.

Mr. WARNER. Coming from your side?

Mr. LEVIN. That is my understanding. There may be such an amendment, a second-degree amendment. But I would agree with you in identifying the Harkin amendment as a good prospect for completion tomorrow morning. We do have a speaker on our side—at least one—and I am going to try to line that speaker up for the morning.

Mr. WARNER. Well, then, let's work together with a priority to try to have that done.

Mr. President, at this time, my understanding is the parliamentary situation is the bill is no longer before the Senate, to be brought up again tomorrow morning, and that at this point we are in morning business; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. WARNER. Mr. President, seeing no one seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

INTEGRITY IN PROFESSIONAL SPORTS ACT

Mr. GRASSLEY. Mr. President, I am pleased to join my colleagues Senator BUNNING, Senator MCCAIN, Senator STEVENS and Senator ROCKEFELLER, as a cosponsor of the Integrity in Professional Sports Act. While it is unfortunate that it has come to this, it is becoming abundantly clear that Major League Baseball and other professional leagues are still more concerned about protecting their own collective bargaining rights than cleaning up their sport.

I have said it before and I will say it again. The abuse of illegal steroids by professional athletes is inexcusable and has no place in competition at any level. Unfortunately, this has become a problem that we can no longer afford to ignore. The most recent studies indicate that possibly up to five to seven percent of students, even as young as middle school, have admitted to using steroids. This is an alarming statistic. If Major League Baseball won't step up to the plate on this issue, we will do it for them.

Every day, millions of young people in this country dream of one day playing ball in the big leagues. When superstar athletes, with their multi-million dollar contracts and lucrative endorsements are seen using steroids to improve their performance, it should come as no surprise that many young athletes would choose to use steroids to improve their own performance.

Professional athletes must be held to a higher standard when it comes to illegal substances such as steroids. Like it or not, young people look up to professional athletes as role models. The Integrity in Professional Sports Act will require all professional sports leagues to adopt a unified standard for testing as well as tougher penalties for any athlete found in violation of these standards. Unlike testing today, this act will require athletes to test during the off-season and frequently during their season of play. Athletes will face severe penalties for a positive test: a two-year ban for the first offense and a lifetime ban for the second.

I have little doubt that this act will aid in the effort to rid professional sports of these dangerous substances and bring integrity back to the game. We must send a strong message to professional athletes. If you choose to cheat and use illegal steroids, you risk ending your career. In turn, our young people will hopefully get the message that using steroids to improve athletic performance is absolutely the wrong way to go.

While this bill specifically addresses professional athletics, the importance of stopping steroid abuse extends well beyond the track, baseball diamond, or football field. We must continue to focus on the health and future of our children. I encourage my colleagues to join in support of this legislation to set the standard for fair competition.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On July 1999, in Palm Springs, CA, Steven Cagle and a companion were attacked by Randy Reyes and Juan Rios in a Carrow's Restaurant. It is believed that the beating was motivated by the victims' sexual orientation. Cagle stated that it was inhumane and, '' For no other reason than I am a gay man.'' Prosecutors are calling this a hate crime and are asking for the maximum sentence.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

MEDICARE BAD DEBT POLICY

Mrs. LINCOLN. Mr. President, I rise today with my distinguished colleague from Idaho, Senator CRAPO, to discuss the change in Medicare bad debt policy as proposed in the budget reconciliation bill. I feel there is a need to differentiate between debt owed by individuals and debt owed by States. The sponsors of this policy argue that it will encourage skilled nursing facilities to be more efficient in the collection of bad debt. However, how can the facility be more efficient if the State simply refuses to pay the Medicare copayments through its Medicaid program? This body should examine the root of this problem before implementing the bad debt policy in this bill. It is my hope that the conference committee considers this when examining this policy.

Mr. CRAPO. Senator LINCOLN makes a good point. While I support the Finance Committee's goal of encouraging accountability and incentivizing the collection of Medicare bad debt by skilled nursing facilities, I do see the need to differentiate between debt owed by individuals and debt owed by States. I believe this conference should consider this point as well.

LIVE 8 CHARITY CONCERT IN PHILADELPHIA

Mr. SPECTER. Mr. President, I would like to acknowledge the tremendous work accomplished by Larry Magid and his staff at Electric Factory Concerts, who produced the original LIVE AID concert in Philadelphia's JFK Stadium in 1985, which raised awareness of poverty around the world.

On July 2, 2005, Larry Magid and his staff, including Adam Spivak, John Stevenson and Jim Sutcliffe, were instrumental in producing the U.S. portion of LIVE 8 which was held in Philadelphia on the Benjamin Franklin Parkway.

This concert, which was attended by over 1 million people, was part of eight other concerts on the same night in nine different countries including the U.K., Japan, Russia, South Africa, Canada, Germany, France, and Italy.

I again would like to commend Electric Factory Concerts for their success in helping to raise awareness of the global poverty epidemic, and they are to be commended for their efforts in this worthwhile undertaking.

ADDITIONAL STATEMENTS

RECOGNIZING EBONY MAGAZINE

• Mrs. BOXER. Mr. President, I am very pleased to take a few moments to recognize Ebony magazine as this venerable publication celebrates its 60th anniversary.

In 1945, at a time when segregation was the law of the land, an outlet for the positive portrayal of Black life in American popular culture was long overdue. With the birth of Ebony, Publisher John H. Johnson forced the world to consider real African Americans, including their diverse success stories. These same stories, which filled each month's edition of Ebony, gave African Americans a deeper sense of pride in their heritage and their growing prosperity.

Ebony also provided millions with a rich, firsthand account of key moments in the struggle for civil rights. Whether it was a sit-in at a lunch counter in the South or the historic March on Washington, the intrepid journalists and photographers of Ebony were present to bear witness and to report the news through a prism different from the mainstream press. In fact, it was an Ebony photographer who captured the now iconic photo of a grieving Coretta Scott King, with one of her children, at the funeral of Rev. Dr. Martin Luther King, Jr. Not only did this photograph capture the emotions of a nation, but it resulted in the first Pulitzer Prize awarded to an African-American man.

Since Ebony was founded 60 years ago, its circulation has grown from

25,000 per issue to 1.7 million per issue, and its readership has increased from 125,000 per issue to more than 12.5 million per issue. Although it has had the largest circulation of any publication targeted to African-Americans for the duration of its existence, Ebony is much more than a magazine. As just one example, its annual fashion extravaganza, Fashion Fair, has raised more than $58 million in its 48-year history for various charities, has provided an outlet for hundreds of talented clothing designers, and created work opportunities for African-American models, as well as spawned a line of cosmetics for women of color.

I invite my colleagues to join me, and the millions of Americans who have been touched, inspired, and influenced by Ebony Magazine in celebrating the 60th anniversary of this great publication.●

RECOGNITION OF THE KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM

● Mr. BUNNING. Mr. President, I pay tribute to the Kentucky Community and Technical College System of Versailles, KY for their hurricane disaster relief efforts. KCTCS has opened their doors to the displaced student victims of Hurricane Katrina through Operation Rebuilding Lives.

The KCTCS statewide system of 16 colleges on 65 campuses has adopted emergency policies offering displaced students greater accessibility to financial aid, scholarship opportunities, and online course sessions. In addition, all KCTCS colleges have sponsored hurricane relief fundraising events ranging from blood drives to relief supply donation drives.

I ask my fellow colleagues to join me in thanking the Kentucky Community and Technical College System for their efforts. Their commitment to providing relief assistance to the displaced students of Hurricane Katrina is admirable and I commend the KCTCS for the Operation Rebuilding Lives initiative.●

TRIBUTE TO ARTIST R.C. GORMAN

● Mr. DOMENICI. Mr. President, I pay tribute to not only a fine individual, but an amazing artist, R.C. Gorman, who passed away on November 3 at the age of 74. R.C. Gorman was an artist appreciated not only by New Mexicans, but he was also well respected nationwide and internationally.

Rudolph Carl Gorman was born in 1931 in Chinle, AZ. As the son of Navajo Code Talker Carl Gorman, he grew up on the Navajo reservation surrounded by the unique culture of the Navajo people. Gorman is best known for his paintings, sculptures, and lithographs of American Indian women wrapped in blankets.

A long time resident of Taos, NM, R.C. Gorman's work became a fixture of Southwestern style of art. In his life, he had more than 20 one-man shows. A distinctive exhibition for Gorman was the ''Masterworks from the Museum of the American Indian'' held at New York's Metropolitan Museum of Art. This exhibit was particularly unique, because R.C. Gorman was the only living artist represented.

When I pay tribute to individuals, it is important for me to make sure I am appropriately expressing who they were and the contributions they made during their time with us. I don't believe I can state it better than R.C. Gorman himself in his book, The Radiance of My People. He wrote, ''If I am remembered at all, I'd be very surprised and amused. I don't really think about it or worry about it. But I suppose I would like to be remembered that I was an earnest worker. That I cared. That I know anyone can get what they want if they work hard enough. After all, I'm just a little boy from the reservation who used to herd sheep at Black Mountain.''

I extend my thoughts and prayers to his family and friends at this time. It is my hope, that they remember the great impact he made during his time with us from his work that inspired us to his friendship that endeared us. I express to them my deepest sympathy.

It is a great loss to the State of New Mexico and the Nation. I know myself and many people will miss his spirited personality and he will always have a place in our heart.●

INDIANA SERVICE LEADERS SUMMIT

● Mr. BAYH. Mr. President, I rise today to tell you about the extraordinary young Hoosiers I met last month in Indianapolis. On October 22, National Make A Difference Day, I hosted my third annual Indiana Service Leaders Summit to honor high school students from across the State for their service and hopefully to inspire them to continue serving their communities throughout their lives.

In their schools and their communities, the young men and women I met truly have answered the call to service. Some of them helped build homes, some tutored and mentored younger students, and others raised money to support cancer research or fed the hungry. Several of the young men and women started service clubs on their own to address the problems in their schools and communities. Each one of the students I met spent hours making a difference and together they have impacted the lives of countless Hoosiers. I was honored to have the opportunity to meet and speak with them. It was impressive and inspiring to learn about the many causes they support.

Robert F. Kennedy once said, ''Some men see things as they are and say 'Why?' I dream of things that never were and say, 'Why not?'''' Each one of these young men and women have already asked themselves ''Why not?'' and have worked to make positive changes in their communities. They represent a new generation of promise with the potential to make a real difference across Indiana and the Nation.

During the summit, which was cohosted by Indiana University Purdue University Indianapolis, the students heard from Hoosier leaders who have chosen to dedicate their lives to serving others. The speakers highlighted the five pillars of successful service: inspiration, organization, dedication, evaluation, and reflection. Following the speeches, the students and I prepared more than 1,000 care packages with the assistance of the Salvation Army that will be sent to Hoosier troops serving in Iraq and Afghanistan. The students then divided into groups and participated in service activities at different sites throughout Indianapolis.

I would like to thank each one of the following individuals for participating in the summit and for their service to their communities: Bradley Albachten, Amy Altemeyer, Joanna Barnett, Jessica Barnett, Chelsea Rae Baugher, Jessica Beckner, Kirsten Bedell, Marc Bergman, Erin Bess, Kortney Bogue, Kaitlin Bohlander, Kelly Bolt, Patrick Borders, Nicholas Brancolini, Emily Brunton, Neil Burk, Jessica Burton, Rohini Chatterjee, Danielle Clark, Desmon Clark, Timothy Cleaver, Nathan A. Click, Sean Cody, Lindsay Conner, John Copeland, James Corn, Michelle Cotlar, Aaron Desonia, Rachel M. Dragoo, Nicholas Eastrada, Andrew Fleenes, Ryan Gambill, Chrisopher Gibson, Brooke Gilbert, Jaime Gingerich, Annie Girdler, Char Glassley, Joseph David Goepfrich, Andy Goldblatt, Mark Halstead, Christin Hammond, Stacey Havlin, Madison Head, Ryan Heap, Katelyn Heighway, Chavonne Henderson, Erin Hendricks, Denise Hickman, Jennifer Hildenbrand, Heather Howard, Dustin Hull, Joel Hungate, Kelsey Jagoda, Bart Jarvis, Casey Jedrzejczak, James Jessen, Raymond Jones, Whitney Jones, Kristopher Kast, Daniel Kent, Caitlin Keusch, Emily Keusch, Sarah Knoth, Marsha Krisenko, Mirissa Krukowski, Blaine Kubit, Lacy Lane, Laura Linnemeier, Ranita Madison, Diane Matacale, T.J. McCan, Amber McCan, Katie McDaniel, Kala McKinney, Saralyn McKinnon-Crowley, Catherine McManus, Julie Mennel, Emma Meyer, John Miller, Bryan Miller, Michelle Miller, Brittanty Moser, Alicia Moser, Ashleigh Neal, Joseph O'Brien, Brittany Oliver, Ajay Patwari, Lisa Pluckebaum, Sarah Pine, Caleb Pope, Lauren Proffitt, Katie Rice, Ronald Richter Jr., Audra Roach, Brad Robertson, Ashley Robinson, Victoria Roby, Elisabeth Rudolph, Drew Schuster, Ben Scott, Gabrielle Seo, Kelsey Septoski, Nicholas Shepherd, Marisha Sherrard, Naina Singh, Corrina Smith, Amy Leigh Stark, Kristen Steele, Faye Stokes, Pamee Thao, Tara Thornburg, Rebecca Throwbridge, Abby Tueher, Keith A. Turner Jr., Martha Vance, Kaylee Vannatta, Zac Warren, Benjamin Waterman, Christina Weintraut, Rachel

Werner, James Macklem Weston, Preston Wheelock, Renee White, Lauren Wilkins, Britne Wimmer, Tyler Witt, Josh Worch, Jerica Yingling, Taryn Paige Zubel.

I would also like to take a moment to express my gratitude to the Indiana University Purdue University Indianapolis students who took part in the summit as well. They are role models to younger students and I am proud to recognize their achievements.

I would like to thank each of the following IUPUI students for their participation: Katy Altman, Natasha Arora, Christopher Baire, Jennifer Behzadi, Alisha Borcherding, Michael Burk, Byron Clark, Brandy Cline, Rachel Dickinson, Una Dragic, Neal Foreman, Christine Furey, Andrea Guinn, Will Hartzell-Baird, Tiffany Holcey, Mallery Hornsby, Jayna Kadel, Jeffrey Mattingly, Andrew Oertel, Irina Perelmuter, Jayme Plude, Emily Puntenney, Rebecca Salley, Eddie Shmukler, Anita Sivam, Laura Sutton, Heather Teach, Lygia Vernon.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 9:35 a.m., a message from the House of Representatives, delivered by Ms. Branden, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1285. An act to designate the Federal building located at 333 Mt. Elliott Street in Detroit, Michigan, as the ''Rosa Parks Federal Building''.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1691. An act to designate the Department of Veterans Affairs outpatient clinic in Appleton, Wisconsin, as the ''John H. Bradley Department of Veterans Affairs Outpatient Clinic''.

H.R. 4061. An act to amend title 38, United States Code, to improve the management of information technology within the Department of Veterans Affairs by providing for the Chief Information Officer of that Department to have authority over resources, budget, and personnel related to the support function of information technology, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 281. Concurrent resolution congratulating the Chicago White Sox on winning the 2005 World Series.

The message also announced that the House disagree to the amendments of the Senate the bill H.R. 2528 making appropriations for military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following members as the managers of the conference on the part of the House: Mr. WALSH, Mr. ADERHOLT, Mrs. NORTHUP, Mr. SIMPSON, Mr. CRENSHAW, Mr. YOUNG of Florida, Mr. KIRK, Mr. REHBERT, Mr. CARTER, Mr. LEWIS of California, Mr. EDWARDS, Mr. FARR, Mr. BOYD, Mr. BISHOP of Georgia, Mr. PRICE of North Carolina, Mr. CRAMER, and Mr. OBEY.

The message further announced that the House to the amendments of the Senate to the bill H.R. 2862 making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, and agree to the conference asked by the Senate on the disagreeing votes of the two Houses thereon; and appoints the following members as the managers of the conference on the part of the House: Mr. WOLF, Mr. TAYLOR of North Carolina, Mr. KIRK, Mr. WELDON of Florida, Mr. GOODE, Mr. LAHOOD, Mr. CULBERSON, Mr. ALEXANDER, Mr. LEWIS of California, Mr. MOLLOHAN, Mr. SERRANO, Mr. CRAMER, Mr. KENNEDY of Rhode Island, Mr. FATTAH, and Mr. OBEY.

The message also announced that pursuant to section 491 of the Higher Education Act (20 U.S.C. 1098(c)), the order of the House of January 4, 2005, and upon the recommendation of the Majority Leader, the Speaker reappoints the following member on the part of the House of Representatives to the Advisory Committee on Student Financial Assistance for a 3-year term: Ms. Judith Flink of Morton Grove, Illinois.

ENROLLED BILL SIGNED

At 11:37 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following bill:

H.R. 2744. An act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore (Mr. STEVENS).

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1691. An act to designate the Department of Veterans Affairs outpatient clinic in Appleton, Wisconsin, as the ''John H. Bradley Department of Veterans Affairs Outpatient Clinic''; to the Committee on Veterans' Affairs.

H.R. 4061. An act to amend title 38, United States Code, to improve the management of information technology within the Department of Veterans Affairs by providing for the Chief Information Officer of that Department to have authority over resources, budget, and personnel related to the support function of information technology, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1969. A bill to express the sense of the Senate regarding Medicaid reconciliation legislation to be reported by a conference committee during the 109th Congress.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–4541. A communication from the Secretary of Transportation transmitting, pursuant to law, a report relative to the review of all complaints received by air carriers alleging discrimination on the basis of disability; to the Committee on Commerce, Science and Transportation.

EC–4542. A communication from the Secretary of Transportation transmitting, pursuant to law, a report entitled ''The National Initiative for Increasing Safety Belt Use, Buckle Up America Campaign''; to the Committee on Commerce, Science, and Transportation.

EC–4543. A communication from the Senior Counsel, Office of the Chief Counsel for Import Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Procedures for Conducting Five-year ('Sunset') Reviews of Antidumping and Countervailing Duty Orders'' (RIN0625–AA69) received on October 31, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4544. A communication from the Secretary of Commerce, transmitting, pursuant to law, the Biennial Report to Congress on the Administration of the Coastal Zone Management Act by the Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration for fiscal years 2002 and 2003; to the Committee on Commerce, Science and Transportation.

EC–4545. A communication from the Secretary, Federal Trade Commission, transmitting, the Annual Report to Congress for FY 2003 and 2004, pursuant to The Do Not Call Implementation Act, on implementation of the National Do Not Call Registry; to the Committee on Commerce, Science, and Transportation.

EC–4546. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Fisheries Off West

Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Annual Specifications and Management Measures; Inseason Adjustments'' (I.D. No. 093005A) received on October 31, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4547. A communication from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Apportion Amounts of the Reserve to Certain Target Species in the Bering Sea and Aleutian Islands Management Area'' (I.D. No. 120303A) received on October 31, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4548. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 of the Gulf of Alaska'' (I.D. No. 091505B) received on October 31, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4549. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole in the Bering Sea and Aleutian Islands Management Area'' (I.D. No. 091605F) received on October 31, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4550. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Pollock in Statistical Area 630 of the Gulf of Alaska'' (I.D. No. 091505A) received on October 31, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4551. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole in the Bering Sea and Aleutian Islands Management Area'' (I.D. No. 091205A) received on October 31, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4552. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Goldendale, Washington; Port Angeles, Washington; and Ty Ty, Georgia)'' (MB Docket Nos. 05–8, 05–11, 05–12) received on October 31, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4553. A communication from the Chief, Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Part 2 of the Commission's Rules to Allocate Spectrum Below 3 GHz for Mobile and Fixed Services to Support the Introduction of New Advanced Wireless Services, including Third Generation Wireless Systems'' (ET Docket No. 00–258) received on October 31, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4554. A communication from the Attorney-advisor, Maritime Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Application Fee Increase for Administrative Waivers of the Coastwise Trade Laws'' (RIN2133–AB50) received on November 1, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4555. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (6); Amdt. No. 3136'' ((RIN2120–AA65)(2005–0029)) received on November 1, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4556. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Standard Instrument Approach Procedures; Miscellaneous Amendments (74); Amdt. No. 3137'' ((RIN2120–AA65)(2005–0030)) received on November 1, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4557. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Revision of Jet Routes J–8, J–18, J–19, J–58, J–76, J–104, and J–244; and VOR Federal Airways V–60, V–190, V–263, and V–611; Las Vegas, NM'' ((RIN2120–AA66)(2005–0233)) received on November 1, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4558. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Legal Description of Class D and Class E Airspace; Topeka, Forbes Field, KS'' ((RIN2120–AA66)(2005–0231)) received on November 1, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4559. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Modification of Class E Airspace; Dodge City, KS'' ((RIN2120–AA66)(2005–0232)) received on November 1, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4560. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Fokker Model F27 Mark 050 Airplanes'' ((RIN2120–AA64)(2005–0493)) received on November 1, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4561. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Rolls-Royce Corporation Models 250–C28 –C–28B, and –C28C Turboshaft Engines'' ((RIN2120–AA64)(2005–0494)) received on November 1, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4562. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A300–301, –321, –322, –341, and –342 Airplanes; and Model A340–200 and A340–300 Series Airplanes'' ((RIN2120–AA64)(2005–0495)) received on November 1, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4563. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: BAE Systems Limited Model ATP Airplanes'' ((RIN2120–AA64)(2005–0496)) received on November 1, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4564. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: BAE Systems Limited Model ATP Airplanes'' ((RIN2120–AA64)(2005–0497)) received on November 1, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4565. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 767–200, –300, and –300F Series Airplanes'' ((RIN2120–AA64)(2005–0498)) received on November 1, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4566. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Emerald Ash Borer; Quarantined Areas'' (APHIS Docket No. 05–067–1) received on November 1, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4567. A communication from the Secretary of Health and Human Services, transmitting, the report of a draft bill entitled ''Pandemic Flu Countermeasure Liability Protection Act of 2005''; to the Committee on Health, Education, Labor, and Pensions.

EC–4568. A communication from the Administrator, Office of Workforce Security, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Allocation of Costs of Assessing and Collecting State Taxes that are Collected in Conjunction with the State Unemployment Compensation Tax'' (TEGL 6–05) received on November 2, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–4569. A communication from the Assistant Secretary, Policy Management and Budget, Department of the Interior, transmitting, pursuant to law, a report on the results and conclusions of environmental investigations of areas of Naval Oil Shale Reserve Number 3, and an estimate of the total costs necessary to address the site's environmental conditions; to the Committee on Energy and Natural Resources.

EC–4570. A communication from the Federal Register, Certifying Officer, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Federal Government Participation in the Automated Clearing House'' (RIN1510–AB04) received on November 1, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–4571. A communication from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Part 333—Extension of Powers'' (RIN3064–AC94) received on November 2, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–4572. A communication from Chief Financial Officer, Office of Special Counsel, transmitting, pursuant to law, the fiscal year 2004 report relative to the Buy American Act; to the Committee on Homeland Security and Governmental Affairs.

EC–4573. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of major defense equipment and defense articles in the amount of $100,000,000 or more to Canada (modernization of CF–18 aircraft); to the Committee on Foreign Relations.

EC–4574. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice on Nonresident Alien's Filing Requirement for U.S. Source Wages'' (Notice 2005–77) received on November 1, 2005; to the Committee on Finance.

EC–4575. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice on Withholding on Wages of Nonresident Alien Employees Performing Services within the United States'' (Notice 2005–76) received on November 1, 2005; to the Committee on Finance.

EC–4576. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''REMIC NOLs'' (Rev. Rul. 2005–68) received on November 1, 2005; to the Committee on Finance.

EC–4577. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Annual Inflation Adjustment Revenue Procedure'' (Rev. Proc. 2005–70) received on November 1, 2005; to the Committee on Finance.

EC–4578. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Notice: Excise Tax Changes Under SAFETEA and the Energy Act; Dye Injection'' (Notice 2005–80) received on November 1, 2005 to the Committee on Finance.

EC–4579. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Announcement Providing a Settlement Initiative Under Which Taxpayers and the IRS May Resolve a Group of 21 Abusive Tax Transactions'' (Announcement 2005–80) received on November 1, 2005 to the Committee on Finance.

EC–4580. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Disaster Relief—Minimum Funding'' (Notice 2005–84) received on November 1, 2005; to the Committee on Finance.

EC–4581. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''South Asia Earthquake Occurring on October 8, 2005, Designated as a Qualified Disaster Under Section 139 of the Internal Revenue Code'' (Notice 2005–78) received on November 1, 2005; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McCAIN, from the Committee on Indian Affairs, without amendment:

H.R. 680. A bill to direct the Secretary of Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah, and for other purposes (Rept No. 109–175).

By Mr. LUGAR, from the Committee on Foreign Relations, with amendments:

S. 1315. A bill to require a report on progress toward the Millennium Development Goals, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. CANTWELL:

S. 1965. A bill to authorize the Secretary of the Interior to convey certain buildings and lands of the Yakima Project, Washington, to the Yakima-Tieton Irrigation District; to the Committee on Energy and Natural Resources.

By Mrs. DOLE:

S. 1966. A bill to establish a pilot program to provide grants to encourage eligible institutions of higher education to establish and operate pregnant and parenting student services offices for pregnant students, parenting students, prospective parenting students who are anticipating a birth or adoption, and students who are placing or have placed a child for adoption; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SPECTER:

S. 1967. A bill to amend title 18, United States Code, with respect to certain activities of the Secret Service, and for other purposes; to the Committee on the Judiciary.

By Mr. SPECTER (for himself, Mr. LEAHY, and Mr. CORNYN):

S. 1968. A bill to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes; to the Committee on the Judiciary

By Mr. BAUCUS:

S. 1969. A bill to express the sense of the Senate regarding Medicaid reconciliation legislation to be reported by a conference committee during the 109th Congress; read the first time.

By Mr. COBURN (for himself, Mr. FRIST, and Mr. ALEXANDER):

S. 1970. A bill to amend the National Trails System Act to update the feasibility and suitability study originally prepared for the Trail of Tears National Historic Trail and provide for the inclusion of new trail segments, land components, and campgrounds associated with that trail, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ALLARD:

S. 1971. A bill to designate certain National Forest System lands in the Pike and San Isabel National Forests and certain lands in the Royal Gorge Resource Area of the Bureau of Land Management in the State of Colorado as wilderness, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SANTORUM:

S. 1972. A bill to require Members of Congress and legislative branch employees to report all contact with officials and representatives of countries designated as state sponsors of terrorism; to the Committee on Homeland Security and Governmental Affairs.

ADDITIONAL COSPONSORS

S. 103

At the request of Mr. TALENT, the names of the Senator from Tennessee (Mr. FRIST), the Senator from Louisiana (Mr. VITTER) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 103, a bill to respond to the illegal production, distribution, and use of methamphetamine in the United States, and for other purposes.

S. 632

At the request of Mr. LUGAR, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 632, a bill to authorize the extension of unconditional and permanent nondiscriminatory treatment (permanent normal trade relations treatment) to the products of Ukraine, and for other purposes.

S. 639

At the request of Ms. MIKULSKI, her name was added as a cosponsor of S. 639, a bill to amend title 10, United States Code, to reduce the age for receipt of military retired pay for nonregular service from 60 years of age to 55 years of age.

S. 843

At the request of Mr. SANTORUM, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 843, a bill to amend the Public Health Service Act to combat autism through research, screening, intervention and education.

S. 1238

At the request of Mrs. FEINSTEIN, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1238, a bill to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, and for other purposes.

S. 1430

At the request of Mr. DEWINE, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1430, a bill to provide loan forgiveness to social workers who work for child protective agencies.

S. 1462

At the request of Mr. BROWNBACK, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1462, a bill to promote peace and accountability in Sudan, and for other purposes.

S. 1512

At the request of Mr. SARBANES, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1512, a bill to grant a Federal charter to Korean War Veterans Association, Incorporated.

S. 1531

At the request of Mr. ENZI, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1531, a bill to direct the Secretary of Health and Human Services to expand and intensify programs with respect to research and related activities concerning elder falls.

S. 1699

At the request of Mr. SPECTER, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1699, a bill to amend title 18, United States Code, to provide criminal penalties for trafficking in counterfeit marks.

S. 1768

At the request of Mr. SPECTER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S.

1768, a bill to permit the televising of Supreme Court proceedings.

S. 1791

At the request of Mr. SMITH, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 1791, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for qualified timber gains.

S. 1891

At the request of Ms. MURKOWSKI, the name of the Senator from Missouri (Mr. TALENT) was added as a cosponsor of S. 1891, a bill to authorize the leasing, development, production, and economically feasible and prudent transportation of oil and gas in and from the Coastal Plain, and for other purposes.

S. 1926

At the request of Mr. INHOFE, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 1926, a bill to provide the Department of Justice the necessary authority to apprehend, prosecute, and convict individuals committing animal enterprise terror.

S. 1947

At the request of Mr. SUNUNU, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 1947, a bill to amend chapter 21 of title 38, United States Code, to enhance adaptive housing assistance for disabled veterans.

S. 1958

At the request of Ms. CANTWELL, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1958, a bill to authorize the Attorney General to establish and carry out a program, known as the Northern Border Prosecution Initiative, to provide funds to northern border States to reimburse county and municipal governments for costs associated with certain criminal activities, and for other purposes.

S. 1960

At the request of Mr. BUNNING, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 1960, a bill to protect the health and safety of all athletes, to promote the integrity of professional sports by establishing minimum standards for the testing of steroids and other performance-enhancing substances and methods by professional sports leagues, and for other purposes.

S. CON. RES. 55

At the request of Mr. CRAIG, the names of the Senator from Mississippi (Mr. LOTT), the Senator from North Dakota (Mr. CONRAD) and the Senator from Minnesota (Mr. DAYTON) were added as cosponsors of S. Con. Res. 55, a concurrent resolution expressing the sense of the Congress regarding the conditions for the United States to become a signatory to any multilateral agreement on trade resulting from the World Trade Organization's Doha Development Agenda Round.

S. RES. 180

At the request of Mr. SCHUMER, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. Res. 180, a resolution supporting the goals and ideals of a National Epidermolysis Bullosa Awareness Week to raise public awareness and understanding of the disease and to foster understanding of the impact of the disease on patients and their families.

S. RES. 219

At the request of Mrs. FEINSTEIN, the names of the Senator from California (Mrs. BOXER) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. Res. 219, a resolution designating March 8, 2006, as ''Endangered Species Day'', and encouraging the people of the United States to become educated about, and aware of, threats to species, success stories in species recovery, and the opportunity to promote species conservation worldwide.

S. RES. 294

At the request of Mr. SCHUMER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Res. 294, a resolution expressing the sense of the Senate on the retention of the Federal tax deduction for State and local taxes paid.

S. RES. 299

At the request of Ms. LANDRIEU, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. Res. 299, a resolution to express support for the goals of National Adoption Month by promoting national awareness of adoption, celebrating children and families involved in adoption, and encouraging Americans to secure safety, permanency, and well-being for all children.

AMENDMENT NO. 1425

At the request of Mr. HARKIN, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of amendment No. 1425 proposed to S. 1042, an original bill 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.

AMENDMENT NO. 2348

At the request of Mr. SCHUMER, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of amendment No. 2348 proposed to S. 1932, an original bill to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95).

AMENDMENT NO. 2383

At the request of Mr. BAUCUS, the names of the Senator from Rhode Island (Mr. REED) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of amendment No. 2383 proposed to S. 1932, an original bill to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95).

AMENDMENT NO. 2410

At the request of Mr. BAUCUS, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of amendment No. 2410 intended to be proposed to S. 1932, an original bill to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95).

AMENDMENT NO. 2423

At the request of Mr. ALLARD, the names of the Senator from Colorado (Mr. SALAZAR), the Senator from South Carolina (Mr. DEMINT), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Washington (Ms. CANTWELL) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of amendment No. 2423 proposed to S. 1042, an original bill 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.

AMENDMENT NO. 2424

At the request of Mr. NELSON of Florida, the names of the Senator from Florida (Mr. MARTINEZ), the Senator from Iowa (Mr. HARKIN), the Senator from New Mexico (Mr. BINGAMAN), the Senator from New York (Mrs. CLINTON), the Senator from Arkansas (Mrs. LINCOLN), the Senator from South Dakota (Mr. THUNE), the Senator from Delaware (Mr. BIDEN), the Senator from Hawaii (Mr. INOUYE), the Senator from Vermont (Mr. LEAHY) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of amendment No. 2424 proposed to S. 1042, an original bill 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.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SPECTER (for himself, Mr. LEAHY, and Mr. CORNYN):

S. 1968. A bill to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes; to the Committee on the Judiciary.

Mr. SPECTER. Mr. President, I rise today to introduce the Court Security Improvement Act of 2005. This bill is in direct response to the tragic events that occurred in Chicago on February 28, 2005. On that day, the husband and aged mother of Judge Joan Lefkow

were shot and killed in their own home. The perpetrator, as described by Judge Lefkow, was an angry litigant. These attacks on Federal judges are not as isolated as one might think. Federal judges receive on average 700 inappropriate communications or threats each year, and three Federal judges have been assassinated in the last 25 years.

Shortly after the Lefkow murders, on March 14, 2005, I wrote to the Director of the United States Marshals Service to find out what security measures were in place and what additional measures could be instituted, particularly off-site security measures, following this terrible tragedy.

On March 14, 2005, Assistant Attorney General William E. Moschella responded on behalf of the U.S. Marshals Service, stating that Attorney General Gonzales and Director Reyna are reviewing all aspects of judicial security, both at judicial facilities and off-site, but no specifics were offered, and no specifics have yet to be received.

On April 5, 2005, the Judicial Conference of the United States wrote to the President about the issue. Stating that ''attacks such as these strike at the core of our system of government,'' the Judicial Conference asked that immediate actions be taken to improve judicial security, particularly outside of the courthouse. On May 6, 2005, I met with Third Circuit Judge Jane Roth, who chairs the Committee on Facilities and Securities for the Judicial Conference, to discuss security issues.

Congress quickly responded and passed the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, which was enacted on May 11, 2005. The Act provided $11.9 million to the U.S. Marshals Service for ''increased judicial security outside of courthouse facilities, including priority consideration of home detection systems in the homes of Federal judges,'' and as a result home intrusion detection systems will soon be available to every Federal judge who wants one. But we must do more.

On May 18, 2005, I chaired a full Judiciary Committee hearing entitled ''Protecting the Judiciary at Home and in the Courthouse'' and it is evident from this hearing that much more needs to be done in the area of judicial security. The responsibility of protecting our Federal judiciary and the halls of justice rests primarily with the U.S. Marshals Service, but we heard compelling testimony that coordination and cooperation is sorely lacking between the Federal judiciary and the agency principally charged with its protection.

Not only does the U.S. Marshals Service arrogantly fail to coordinate and cooperate with the Federal judiciary, serious questions were raised regarding the efficacy of its existing security programs. For example, a report issued by the Inspector General of the Department of Justice in March 2004 found that the U.S. Marshals Service's threat assessments are ''untimely and of questionable validity,'' and that the U.S. Marshals Service has ''limited capability to collect and share intelligence, and lacks adequate standards for determining appropriate protective measures.''

This legislation would enhance judicial security in several respects. The legislation would statutorily require the U.S. Marshals Service to cooperate and coordinate with the Judicial Conference regarding judicial security on a continuing basis. The legislation also would provide new criminal sanctions on individuals who harass or intimidate judges either by filing false or malicious liens against judges or by knowingly posting personal information regarding Federal judges on the Internet with the intent that such information be used to harm them. The legislation would extend the Judicial Conference's authority to redact sensitive personal information from judges' financial disclosure forms so that such information cannot be used for harassment or intimidation purposes.

The rampage in Atlanta reminds us that the issue of judicial security is no less of a compelling problem for State and local courts, where approximately 32,000 State and local court judges sit compared to approximately 2,400 Federal judges. This legislation would address these State and local issues by authorizing grants for court security and witness protection.

In conclusion, there is no doubt that the rule of law is the backbone of our civilized society. The ability of the judiciary to determine the rule of law without fear or favor is an indispensable prerequisite to our democratic society. Our judges' personal security, along with judicial independence, must be safeguarded at all costs, and I believe this bill is an important step toward providing those safeguards.

Mr. LEAHY. Mr. President, last May, the Judiciary Committee heard the courageous testimony of Judge Joan Lefkow of Chicago. She is the Federal judge whose mother and husband were murdered in their home. The tragedy that befell Judge Lefkow and her family is a terrible reminder not only of the vulnerable position of our judges and their families, but of the critical importance of protecting judges where they work and where they and their families live. We cannot tolerate and no one should excuse or justify—violence or the threat of violence against our judges. I was appalled earlier this year when right-wing activists compared judges to terrorists and the KKK and threatened them with punishment for decisions they did not like, even quoting Joseph Stalin's violent answer to anyone who opposed his totalitarianism by urging the formula of ''No man, No problem.'' Stalin killed those with whom he disagreed. This rhetoric can only foster unacceptable violence against Judges and it must stop, for the sake of our Judges and the independence of the judiciary. We ought to be protecting judges physically and institutionally rather than taking rhetorical pot shots that put judges in real danger and that attack the very independence of our federal judiciary.

When I chaired the Judiciary Committee in 2001, one of the first things I did was push for passage of the Judicial Protection Act, which toughened criminal penalties for assaults against judges and their families. We enacted it. We were right to do so. Protecting our judges and Federal law enforcement officers should be a top priority for us.

Today, in order to meet the continuing challenges of keeping our judges, our Courts, and the rest of the Federal judiciary safe, Chairman SPECTER and I are introducing the Court Security Improvement Act of 2005 (''CSIA''). CSIA responds to requests by the judiciary for a greater voice in working with the United States Marshals Service to determine their security needs. It strengthens and expands protections for judges and their families against the misuse of their personal information by those who intend to threaten them. It enacts new criminal penalties for the mis-use of restricted personal information to seriously harm or threaten to seriously harm judges, their families or other individuals performing official duties. It also enacts criminal penalties for threatening judges and federal law enforcement officials by the malicious filing of false liens, provides increased protections for witnesses, and makes available new resources for state courts to improve security for state and local court systems.

I appreciate the work of Chairman SPECTER on this important bill and, in particular, for including an extension of life insurance benefits to bankruptcy, magistrate and territorial judges, as well as health insurance for surviving spouses and families of federal judges.

We must better protect the dedicated women and men throughout the Judiciary in this country who do a tremendous job under challenging circumstances. They are hard-working public servants who are too often maligned and unfairly disparaged. We owe it to them and to our democracy to find ways to make sure that tragedies like those that befell Judge Lefkow are not repeated, and to ensure that Judges and their families have the peace of mind necessary to do their vital and difficult jobs.

Mr. CORNYN. Mr. President, I rise today to speak in favor of the Court Security Improvement Act of 2005, of which I am an original cosponsor. I want to commend Senator SPECTER and the other cosponsors of this bill for tackling the critical issue of judicial and courthouse security.

Our democracy depends on the dedication of public servants, including the men and women of the judiciary—from the trial courts to the appellate

courts—who daily preside over important and difficult issues. They faithfully carry out their duties and diligently work to support the administration of justice. We must do all that we can to provide adequate security to these dedicated men and women who sometimes are targeted for violence or harassment because of the position they hold.

Unfortunately, episodes of courthouse violence in this country are on the rise, including in my home State of Texas. I was a judge for 13 years and have a number of close personal friends who still serve on the bench today. I am outraged by acts of courthouse violence. I personally know judges and their families who have been victims of violence, and I have grieved with those families.

Acts of violence against judges are unacceptable and reflect a distortion of the role of the judiciary. Judges are impartial umpires of the law—they simply call the balls and strikes—and they cannot help but disappoint people. However, it is unacceptable for judges, courthouse personnel or other law enforcement officials to face threats and violence for doing nothing more than faithfully carrying out their professional duties.

The Senate Judiciary Committee has examined issues related to courthouse security at a recent hearing. At this hearing, the Judicial Conference raised several important issues, including its working relationship with the United States Marshals Service, the need to protect judges outside of the courthouse, and common instances of intimidation and harassment directed at judges.

This hearing and these issues provide the foundation for this bill. Let me discuss a few of the security improvements made by this bill.

The U.S. Marshals Service has primary responsibility for providing security to the judiciary. However, the Judicial Conference testified that they are not consulted when decisions, which directly implicate their security, are made. The Marshal's Service should willingly coordinate and communicate with the judiciary on security concerns. This legislation would codify this commonsense idea and keep the judiciary informed of, and allow them to provide suggestions for, decisions regarding their security.

This bill also addresses a relatively recent problem that poses a particular danger to public officials. Personal information, such as home addresses and phone numbers, of Federal officials when posted on the Internet can be readily accessed and used to intimidate or harm them. Recently, personal information of Federal judges have been posted on the Internet and used to facilitate threats against them. This bill would punish those who, with the intent to harm, post restricted information of public officials, or of their immediate family, on the Internet.

Additionally, members of the Federal judiciary have been targets of intimidation or harassment by some who file false liens against the real or personal property of a judge who has presided over a criminal or civil case, or who has otherwise acted against the interests of a litigant. This provision would make it a crime to knowingly file a false lien against the property of a Federal judge or law enforcement officer on the basis of their official status.

Finally, and importantly, this bill authorizes Federal grants to be made available to State courts to improve security for State and local court systems. We must comprehensively approach this problem by providing funding to State courts to update their security while standing by to swiftly and severely punish those who cause or attempt to cause harm to anyone within the courts.

It is important for us to do all we can to protect the men and women who make up our judicial system because they are essential to the proper administration of justice. I urge my colleagues to support this measure.

I yield the floor.

By Mr. SANTORUM:

S. 972. A bill to require Members of Congress and legislative branch employees to report all contact with officials and representatives of countries designated as state sponsors of terrorism; to the Committee on Homeland Security and Governmental Affairs.

Mr. SANTORUM. Mr. President, I rise today to offer remarks about a bill I introduced earlier today, the Terrorist Lobby Disclosure Act of 2005.

My legislation is simple, straightforward and necessary. Because the United States is actively involved in the global war on terror, we must be vigilant in fighting this war on all fronts. This means supplying our men and women of the Armed Forces with equipment and materiel to conduct military operations. It means providing our intelligence community with the resources it needs to make inroads against terrorist organizations and to better safeguard Americans against nations and groups that hate our way of life. It means devoting the time and resources to ensure the safety of our borders, ports and airports. Finally, it means providing transparency in dealing with those nations defined by our government as ''state sponsors of terrorism.''

According to the Department of State, Iran, Syria, Libya, Cuba, North Korea, and Sudan are the six governments that the U.S. Secretary of State has designated as state sponsors of international terrorism. These are governments that engage directly in terrorist activity themselves; support terrorist groups by providing funding, arms, or other material support; or provide training, logistical support, sanctuary, or diplomatic facilities. These states are the worst of the worst when it comes to fighting the global war on terror.

My bill requires Members of Congress and employees of the legislative branch to disclose, on a quarterly basis, any contacts with representatives or officials of governments that have been designated as state sponsors of international terrorism. The contacts must be reported to the U.S. Department of State, Secretary of the Senate, and Clerk of the House of Representatives. My bill makes sure that the congressional committees of oversight are also duly informed of these contacts. Let me be clear, my bill does not prohibit these contacts. Rather, with men and women serving in harm's way in the global war on terror, it simply requires disclosure and transparency in the conduct of their official duties.

As we commit final resources and valuable human capital to prosecute the global war on terror, we ought to know if members of our own government are meeting with individuals who are representatives of terrorist nations. The American people deserve to know if there are contacts happening with representatives of these regimes—regimes that are actively opposed to America.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2433. Mr. CHAMBLISS (for himself, Mr. ISAKSON, Mr. PRYOR, and Ms. LANDRIEU) 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.

SA 2434. Mr. HAGEL submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 2435. Mr. KOHL (for himself and Mr. JEFFORDS) submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 2436. Ms. SNOWE (for herself, Ms. COLLINS, Ms. LANDRIEU, Mr. WYDEN, and Mr. CORZINE) proposed an amendment to the bill S. 1042, supra.

SA 2437. Mr. CRAIG (for himself, Mr. ROBERTS, Mr. BROWNBACK, and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 2438. Mr. HARKIN (for himself and Mr. DORGAN) proposed an amendment to the bill S. 1042, supra.

TEXT OF AMENDMENTS

SA 2433. Mr. CHAMBLISS (for himself, Mr. ISAKSON, Mr. PRYOR, and Ms. LANDRIEU) 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 V, add the following:

SEC. 538. COMMENCEMENT OF RECEIPT OF NON-REGULAR SERVICE RETIRED PAY BY MEMBERS OF THE READY RESERVE ON ACTIVE FEDERAL STATUS OR ACTIVE DUTY FOR SIGNIFICANT PERIODS.

(a) REDUCED ELIGIBILITY AGE.—Section 12731 of title 10, United States Code, is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) has attained the eligibility age applicable under subsection (f) to that person;''; and

(2) by adding at the end the following new subsection:

''(f)(1) Subject to paragraph (2), the eligibility age for purposes of subsection (a)(1) is 60 years of age.

''(2)(A) In the case of a person who as a member of the Ready Reserve serves on active duty or performs active service described in subparagraph (B) after September 11, 2001, the eligibility age for purposes of subsection (a)(1) shall be reduced below 60 years of age by three months for each aggregate of 90 days on which such person so performs in any fiscal year after such date, subject to subparagraph (C). A day of duty may be included in only one aggregate of 90 days for purposes of this subparagraph.

''(B)(i) Service on active duty described in this subparagraph is service on active duty pursuant to a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of this title in support of a contingency operation. Such service does not include service on active duty pursuant to a call or order to active duty under section 12310 of this title.

''(ii) Active service described in this subparagraph is service under a call to active service authorized by the President or the Secretary of Defense under section 502(f) of title 32 for purposes of responding to a national emergency declared by the President or supported by Federal funds.

''(C) The eligibility age for purposes of subsection (a)(1) may not be reduced below 50 years of age for any person under subparagraph (A).''.

(b) CONTINUATION OF AGE 60 AS MINIMUM AGE FOR ELIGIBILITY OF NON-REGULAR SERVICE RETIREES FOR HEALTH CARE.—Section 1074(b) of such title is amended—

(1) by inserting ''(1)'' after ''(b)''; and

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

''(2) Paragraph (1) does not apply to a member or former member entitled to retired pay for non-regular service under chapter 1223 of this title who is under 60 years of age.''.

(c) ADMINISTRATION OF RELATED PROVISIONS OF LAW OR POLICY.—With respect to any provision of law, or of any policy, regulation, or directive of the executive branch that refers to a member or former member of the uniformed services as being eligible for, or entitled to, retired pay under chapter 1223 of title 10, United States Code, but for the fact that the member or former member is under 60 years of age, such provision shall be carried out with respect to that member or former member by substituting for the reference to being 60 years of age a reference to having attained the eligibility age applicable under subsection (f) of section 12731 of title 10, United States Code (as added by subsection (a)), to such member or former member for qualification for such retired pay under subsection (a) of such section.

(d) EFFECTIVE DATE AND APPLICABILITY.—The amendment made by subsection (a) shall take effect as of September 11, 2001, and shall apply with respect to applications for retired pay that are submitted under section 12731(a) of title 10, United States Code, on or after the date of the enactment of this Act.

SA 2434. 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. ___. EXTENSION OF ELIGIBILITY FOR SSI FOR CERTAIN INDIVIDUALS IN FAMILIES THAT INCLUDE MEMBERS OF THE RESERVE AND NATIONAL GUARD.

Section 1631(j)(1)(B) of the Social Security Act (42 U.S.C. 1383(j)(1)(B)) is amended by inserting ''(24 consecutive months, in the case of such an individual whose ineligibility for benefits under or pursuant to both such sections is a result of being called to active duty pursuant to section 12301(d) or 12302 of title 10, United States Code, or section 502(f) of title 32, United States Code)'' after ''for a period of 12 consecutive months''.

SA 2435. Mr. KOHL (for himself and Mr. JEFFORDS) 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 B of title XXXI, add the following:

SEC. ___. STRATEGIC REFINERY RESERVE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Energy shall establish and operate a Strategic Refinery Reserve (referred to in this section as the ''Reserve'') in the United States.

(2) AUTHORITIES.—To carry out this subsection, the Secretary of Energy may contract for—

(A) the construction or operation of new refineries; or

(B) the acquisition or reopening of closed refineries.

(b) OPERATION.—The Secretary of Energy shall operate the Reserve—

(1) to provide petroleum products to—

(A) the Federal Government (including the Department of Defense); and

(B) any State governments and political subdivisions of States that opt to purchase refined petroleum products from the Reserve; and

(2) to provide petroleum products to the general public during any period described in subsection (c).

(c) EMERGENCY PERIODS.—The Secretary of Energy shall make petroleum products from the Reserve available under subsection (b)(2) only if the President determines that—

(1) there is a severe energy supply interruption within the meaning of the term under section 3 of the Energy Policy and Conservation Act (42 U.S.C. 6202); or

(2)(A) there is a regional petroleum product supply shortage of significant scope and duration; and

(B) action taken under subsection (b)(2) would directly and significantly assist in reducing the adverse impact of the shortage.

(d) LOCATIONS.—In determining the location of a refinery for inclusion in the Reserve, the Secretary of Energy shall take into account—

(1) the impact of the refinery on the local community, as determined after requesting and reviewing any comments from State and local governments and the public;

(2) regional vulnerability to—

(A) natural disasters; and

(B) terrorist attacks;

(3) the proximity of the refinery to the Reserve;

(4) the accessibility of the refinery to energy infrastructure and Federal facilities (including facilities under the jurisdiction of the Department of Defense);

(5) the need to minimize adverse public health and environmental impacts; and

(6) the energy needs of the Federal Government (including the Department of Defense).

(e) INCREASED CAPACITY.—The Secretary of Energy shall ensure that refineries in the Reserve are designed to provide a rapid increase in production capacity during periods described in subsection (c).

(f) IMPLEMENTATION PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Energy shall submit to Congress a plan for the establishment and operation of the Reserve under this section.

(2) REQUIREMENTS.—The plan required under paragraph (1) shall—

(A)(i)(I) provide for, within 2 years after the date of enactment of this Act, a capacity within the Reserve equal to 5 percent of the total United States daily demand for gasoline, diesel, and aviation fuel; and

(II) provide for a capacity within the Reserve such that not less than 75 percent of the gasoline and diesel fuel produced by the Reserve contain an average of 10 percent renewable fuel (as that term is defined in 211(o)(1)(C) of the Clean Air Act (42 U.S.C. 7545(o)(1)(C)); or

(ii) if the Secretary of Energy finds that achieving the capacity described in either subclause (I) or (II) of clause (i) is not feasible within 2 years, include—

(I) an explanation from the Secretary of Energy of the reasons why achieving the capacity within the timeframe is not feasible; and

(II) provisions for achieving the required capacity as soon as practicable; and

(B) provide for adequate delivery systems capable of providing Reserve product to the entities described in subsection (b)(1).

(g) COORDINATION.—The Secretary of Energy shall carry out this section in coordination with the Secretary of Defense.

(h) COMPLIANCE WITH FEDERAL ENVIRONMENTAL REQUIREMENTS.—Nothing in this section affects any requirement to comply with Federal or State environmental or other laws.

SEC. ___. REPORTS ON REFINERY CLOSURES.

(a) REPORTS TO SECRETARY OF ENERGY.—

(1) IN GENERAL.—Not later than 180 days before permanently closing a refinery in the United States, the owner or operator of the refinery shall provide to the Secretary of Energy notice of the closing.

(2) REQUIREMENTS.—The notice required under paragraph (1) with respect to a refinery to be closed shall include an explanation of the reasons for the closing of the refinery.

(b) REPORTS TO CONGRESS.—The Secretary of Energy shall, in consultation with the Secretary of Defense, the Administrator of the Environmental Protection Agency, and the Federal Trade Commission and as soon as practicable after receipt of a report under subsection (a), submit to Congress—

(1) the report; and

(2) an analysis of the effects of the proposed closing covered by the report on—

(A) in accordance with the Clean Air Act (42 U.S.C. 7401 et seq.), supplies of clean fuel;

(B) petroleum product prices;

(C) competition in the refining industry;

(D) the national economy;

(E) regional economies;

(F) regional supplies of refined petroleum products;

(G) the supply of fuel to the Department of Defense; and

(H) energy security.

SA 2436. Ms. SNOWE (for herself, Ms. COLLINS, Ms. LANDRIEU, Mr. WYDEN and Mr. CORZINE) 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 D of title XXVIII of division B, add 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.

(a) OPTION ON TRANSFER OF REAL PROPERTY AND FACILITIES.—Paragraph (2)(C) of section 2905(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 inserting ''(i)'' after ''(C)''; and

(2) by adding at the end the following new clause:

''(ii)(I) Except as provided in subclause (II), in the case of any real property or facilities located at an installation for which the date of approval of closure or realignment is after January 1, 2005, including property or facilities that would otherwise be transferred to a military department or other entity within the Department of Defense or the Coast Guard under clause (i), or would otherwise be transferred to another Federal agency—

''(aa) the Secretary shall instead offer to transfer such property or facilities to the redevelopment authority with respect to such installation; and

''(bb) if the redevelopment authority accepts the offer, transfer such property or facilities to the redevelopment authority, without consideration, subject to the provisions of paragraph (4).

''(II) The requirement under subclause (I) shall not apply—

''(aa) to a transfer of property or facilities to a military department or other entity within the Department of Defense or the Coast Guard under clause (i), or to the Department of Homeland Security, if the Secretary of Defense determines that such transfer is necessary in the national security interest of the United States; or

''(bb) to a transfer of property or facilities to an Indian tribe or tribal organization pursuant to section 105(f)(3) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450j(f)(3)).''.

(b) OPTION ON TRANSFER OF PERSONAL PROPERTY.—Paragraph (3) of such section is amended—

(1) in subparagraph (C)(i), by striking ''subparagraphs (E) and (F)'' and inserting ''subparagraphs (F) and (G)'';

(2) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(3) by inserting after subparagraph (D) the following new subparagraph (E):

''(E) In the case of any personal property located at an installation for which the date of approval of closure or realignment is after January 1, 2005, including property that is determined pursuant to the inventory under subparagraph (A)(i) to be excess property that would otherwise be transferred to another Federal agency under subchapter II of chapter 5 of title 40, United States Code, pursuant to the authority in paragraph (1)(A)—

''(i) the Secretary shall, unless the Secretary determines that a transfer of such property to a military department or other entity within the Department of Defense or the Coast Guard, or to the Department of Homeland Security, is necessary in the national security interest of the United States, instead offer to transfer such property to the redevelopment authority with respect to such installation; and

''(ii) if the redevelopment authority accepts the offer, transfer such property to the redevelopment authority, without consideration, subject to the provisions of paragraph (4).''.

(c) ECONOMIC REDEVELOPMENT.—Paragraph (4)(A) of such section is amended by striking ''purposes of job generation'' and inserting ''purposes of economic redevelopment or job generation''.

(d) CONFORMING CHANGE.—Paragraph (4)(B) of such section 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 2437. Mr. CRAIG (for himself, Mr. ROBERTS, Mr. BROWNBACK, and Ms. MIKULSKI) 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:

SECTION ____. DENIAL OF CERTAIN BURIAL-RELATED BENEFITS FOR INDIVIDUALS WHO COMMITTED A CAPITAL OFFENSE.

(a) PROHIBITION AGAINST INTERMENT IN NATIONAL CEMETERY.—Section 2411 of title 38, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking '' for which the person was sentenced to death or life imprisonment''; and

(B) in paragraph (2), by striking '' for which the person was sentenced to death or life imprisonment without parole''; and

(2) in subsection (d)—

(A) in paragraph (1), by striking ''the death penalty or life imprisonment'' and inserting ''a life sentence or the death penalty''; and

(B) in paragraph (2), by striking ''the death penalty or life imprisonment without parole may be imposed'' and inserting ''a life sentence or the death penalty may be imposed''.

(b) DENIAL OF CERTAIN BURIAL-RELATED BENEFITS.—Section 985 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''who has been convicted of a capital offense under Federal or State law for which the person was sentenced to death or life imprisonment without parole.'' and inserting ''described in section 2411(b) of title 38.'';

(2) in subsection (b), by striking ''convicted of a capital offense under Federal law'' and inserting ''described in section 2411(b) of title 38''; and

(3) by amending subsection (c) to read as follows:

''(c) DEFINITION.—In this section, the term 'burial' includes inurement.''.

(c) DENIAL OF FUNERAL HONORS.—Section 1491(h) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by striking '' means a decedent who—'' and inserting the following: ''—

''(1) means a decedent who—'';

(3) in subparagraph (B), as redesignated, by striking the period at the end and inserting ''; and''; and

(4) by adding at the end the following:

''(2) does not include any person described in section 2411(b) of title 38.''.

(d) RULEMAKING.—

(1) DEPARTMENT OF DEFENSE.—The Secretary of Defense shall prescribe regulations to ensure that a person is not interred in any military cemetery under the authority of the Secretary or provided funeral honors under section 1491 of title 10, United States Code, unless a good faith effort has been made to determine whether such person is described in section 2411(b) of title 38, United States Code, or is otherwise ineligible for such interment or honors under Federal law.

(2) DEPARTMENT OF VETERANS AFFAIRS.—The Secretary of Veterans Affairs shall prescribe regulations to ensure that a person is not interred in any cemetery in the National Cemetery System unless a good faith effort has been made to determine whether such person is described in section 2411(b) of title 38, United States Code, or is otherwise ineligible for such interment under Federal law.

SA 2438. Mr. HARKIN (for himself, and 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 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.

NOTICES OF HEARINGS/MEETINGS

SUBCOMMITTEE ON NATIONAL PARKS

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that the following hearing has been scheduled before the Subcommittee on National Parks of the Committee on Energy and Natural Resources:

The hearing will be held on Tuesday, November 15th, 2005, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on the following bills: S. 431, a bill to establish a program to award grants to improve and maintain sites honoring Presidents of the United States, S. 505, a bill to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area, S. 1288, a bill to authorize the Secretary of the Interior to enter into cooperative agreements to protect natural resources of units of the National Park System through collaborative efforts on land inside and outside of units of the National Park System, S. 1544, a bill to establish the Northern Plains National Heritage Area in the State of North Dakota, and for other purposes, S. Con. Res. 60, a concurrent resolution designating the Negro Leagues Baseball Museum in Kansas City, Missouri, as America's National Negro Leagues Baseball Museum, S. 748 and H.R. 1084, bills to authorize the establishment at Antietam National Battlefield of a memorial to the officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hampshire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862, and for other purposes, and H.R. 2107, to amend Public Law 104–329 to modify authorities for the use of the National Law Enforcement Officers Memorial Maintenance Fund, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD–364 Dirksen Senate Office Building, Washington, DC. 20510–6150.

For further information, please contact Tom Lillie at (202) 224–5161 or Brian Carlstrom at (202) 224–6293.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. SNOWE. Mr. President, the Chair wishes to inform Members that the Committee on Small Business and Entrepreneurship will hold a public hearing entitled, ''Strengthening Hurricane Recovery Efforts for Small Businesses'' on Tuesday, November 8, 2005, at 10 a.m., in room 428A Russell Senate Office Building.

The Chair urges every Member to attend.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that the hearing before the Committee on Energy and Natural Resources previously scheduled for November 3, 2005, has been rescheduled.

The hearing will take place on Thursday, November 10, 2005 at 10:30 a.m. in room SD–366 of the Dirksen Senate Office Building in Washington, DC.

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

Jeffrey D. Jarrett, of Pennsylvania, to be Assistant Secretary for Fossil Energy, Department of Energy;

Edward F. Sproat, III, of Pennsylvania, to be Director, Office of Civilian Radioactive Waste Management, Department of Energy.

For further information, please contact Judy Pensabene of the Committee staff at (202) 224–1327.

PRIVILEGES OF THE FLOOR

Mr. WARNER. Mr. President, I ask unanimous consent that MAJ Alison Thompson, a marine fellow on Senator DOLE's staff, be granted floor privileges for the duration of the consideration of S. 1042.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2005

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Saxby Chambliss:									
Russia	Rubles		1,363.00						1,363.00
Poland	Zloty		730.00						730.00
Hungary	Forint		392.00						392.00
Jordan	Dinar		612.00						612.00
Ireland	Euro		631.00						631.00
Teresa Ervin:									
Russia	Rubles		1,363.00						1,363.00
Poland	Zloty		730.00						730.00
Hungary	Forint		392.00						392.00
Jordan	Dinar		612.00						612.00
Ireland	Euro		631.00						631.00
Hayden Milberg:									
Russia	Rubles		1,363.00						1,363.00
Poland	Zloty		730.00						730.00
Hungary	Forint		392.00						392.00
Jordan	Dinar		493.00						493.00
Ireland	Euro		631.00						631.00
Martha Scott Poindexter:									
Russia	Rubles		1,363.00						1,363.00
Poland	Zloty		730.00						730.00
Hungary	Forint		392.00						392.00
Jordan	Dinar		493.00						493.00
Ireland	Euro		631.00						631.00
Total			14,674.00						14,674.00

SAXBY CHAMBLISS,
Chairman, Committee on Agriculture, Nutrition and Forestry, Oct. 12, 2005.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2005

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Ted Stevens:									
Italy	Dollar		294.76						294.76
Kuwait	Dollar		788.00						788.00
Turkey	Dollar		472.00						472.00
Portugal	Euro		317.71						317.71
Sid Ashworth:									
Italy	Dollar		294.76						294.76
Kuwait	Dollar		788.00						788.00
Turkey	Dollar		472.00						472.00
Portugal	Euro		317.71						317.71
Brian Wilson:									
Italy	Dollar		294.76						294.76
Kuwait	Dollar		788.00						788.00
Turkey	Dollar		472.00						472.00
Portugal	Euro		317.71						317.71
Alycia Farrell:									
United States	Dollar				5,347.99				5,347.99
Ireland	Dollar		806.00				257.00		1,063.00
Senator Tom Harkin:									
United States	Dollar				7,336.69				7,336.69
Slovenia	Tolar		1,342.80		731.85		521.14		2,595.79
Pakistan	Rupee		1,191.00				946.34		2,137.34
Afghanistan	Afghani						7.37		7.37
Brian Ahlberg:									
United States	Dollar				7,336.69				7,336.69
Slovenia	Tolar		905.00		731.86		521.13		2,157.99
Pakistan	Rupee		841.00				946.34		1,787.34
Afghanistan	Afghani						7.38		7.38
Charlie Houy:									
United States	Dollar				5,546.00				5,546.00
Japan	Yen		408.00						408.00
Betsy Schmid:									
United States	Dollar				5,546.00				5,546.00
Japan	Yen		408.00						408.00
Allen Cutler:									
United States	Dollar				6,539.00				6,539.00
France	Euro		294.00						294.00
Switzerland	Franc		736.00						736.00
Katherine Hennessey:									
United States	Dollar				6,741.11				6,741.11
Poland	Zloty		1,149.00						1,149.00
Norway	Kroner		716.00						716.00
Paul C. Grove:									
United States	Dollar				2,435.15				2,435.15
Colombia	Peso		468.00						468.00
Bolivia	Boliviano		451.00						451.00
Thomas Hawkins:									
United States	Dollar				2,435.15				2,435.15
Colombia	Peso		468.00						468.00
Bolivia	Boliviano		451.00						451.00
Katherine Eltrich:									
United States	Dollar				6,895.00				6,895.00
India	Rupee		2,326.00						2,326.00
Timothy Rieser:									
United States	Dollar				7,245.00				7,245.00
Nepal	Dollar		230.00				70.00		300.00
Total			18,808.21		64,867.49		3,276.70		86,952.40

THAD COCHRAN,
Chairman, Committee on Appropriations, Oct. 18, 2005.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2005

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John McCain:									
Italy	Euro		235.28						235.28
Senator Lindsey O. Graham:									
Italy	Euro		301.22						301.22
Senator Richard H. Fontaine, Jr.:									
Italy	Euro		950.82						950.82
Senator Carl Levin:									
United States	Dollar				8,924.42				8,924.42
Jordan	Dinar		256.60						256.60
Richard D. DeBobes:									
United States	Dollar				6,865.71				6,865.71
Jordan	Dinar		255.19						255.19
Daniel J. Cox, Jr.:									
United States	Dollar				6,865.71				6,865.71
Jordan	Dinar		279.23						279.23
Evelyn N. Farkas:									
United States	Dollar				6,443.15				6,443.15
Indonesia	Rupiah		503.63						503.63
Senator Susan M. Collins:									
Canada	Dollar		40.00						40.00
Senator Lindsey O. Graham:									
Canada	Dollar		83.00						83.00
Richard H. Fontaine, Jr.:									
Canada	Dollar		80.00						80.00
Senator Hillary Clinton:									
Canada	Dollar		24.31						24.31
Huma M. Abedin:									
Canada	Dollar		10.00						10.00
Senator John Warner:									
Kuwait	Dollar		688.00						688.00
Turkey	Dollar		372.00						372.00
Portugal	Euro		267.71						267.71
Charles S. Abell:									
Italy	Dollar		194.76						194.76
Kuwait	Dollar		688.00						688.00
Turkey	Dollar		372.00						372.00
Portugal	Euro		267.71						267.71
Total			5,869.46		29,098.99		0.00		34,968.45

JOHN W. WARNER,
Chairman, Committee on Armed Services, Oct. 26, 2005.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2005

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Richard Shelby:									
United States	Dollar				6,127.00				6,127.00
United Kingdom	Pound		1,116.00						1,116.00
Walter E. Fischer:									
United States	Dollar				6,127.00				6,127.00
United Kingdom	Pound		1,015.00						1,015.00
Steven B. Harris:									
United States	Dollar				6,127.00				6,127.00
United Kingdom	Pound		682.00						682.00
Total			2,813.00		18,381.00		0.00		21,194.00

RICHARD C. SHELBY,
Chairman, Committee on Banking, Housing, and Urban Affairs, Sept. 26, 2005.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON THE BUDGET FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2005

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Maureen O'Neill:									
Japan	Yen		841.00						841.00
Korea	Won		716.00						716.00
China	Yuan		1,014.00						1,014.00
Hong Kong	Dollar		1,112.00						1,112.00
United States	Dollar				8,577.11				8,577.11
					270.62				270.62
Jennifer Pollom:									
Japan	Yen		946.00						946.00
Korea	Won		716.00						716.00
China	Yuan		1,280.00						1,280.00
Hong Kong	Dollar		1,233.00						1,233.00
United States	Dollar				8,546.11				8,546.11
					270.62				270.62
Scott B. Gudes:									
Poland	Zlotys		1,149.00						1,149.00
Norway	Kroners		716.00						716.00
United States	Dollar				6,797.11				6,797.11
Daniel Brandt:									
Slovakia	Koruna		429.00						429.00
Slovenia	Tolar		520.00						520.00
United States	Dollar				5,553.54				5,553.54
Allison Parent:									
Slovakia	Koruna		429.00						429.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON THE BUDGET FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2005—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Slovenia	Tolar		780.00						780.00
United States	Dollar				5,573.61				5,573.61
Total			11,881.00		35,588.72				47,469.72

JUDD GREGG,
Chairman, Committee on Budget, Oct. 13, 2005.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE AND TRANSPORTATION FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2005

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Floyd DesChamps:									
Germany	Euro		983.00						983.00
Belgium	Euro		370.00						370.00
United States	Dollar				6,639.41				6,639.41
Ryan Breitenbach:									
China	Yuan		2,594.00						2,594.00
United States	Dollar				5,724.42				5,724.42
Total			3,947.00		2,363.83				16,310.83

TED STEVENS,
Chairman, Committee on Commerce, Science and Transportation, Sept. 30, 2005.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS COMMITTEE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2005

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Raymond Shepherd:									
United States	Dollar				1,039.05				1,039.05
Russia	Rouble		3,528.20						3,528.20
Brian White:									
United States	Dollar				1,039.05				1,039.05
Russia	Rouble		3,507.20						3,507.20
Laura Stuber:									
United States	Dollar				1,039.05				1,039.05
Russia	Rouble		3,572.20						3,572.20
Raymond Shepherd:									
United States	Dollar				2,414.89				2,414.89
Japan	Yen		816.00						816.00
China	Yuan		2,385.14						2,385.14
Brian White:									
United States	Dollar				2,434.89				2,434.89
Japan	Yen		816.00						816.00
China	Yuan		2,385.14						2,385.14
Kathleen Kraninger:									
United States	Dollar				2,562.89				2,562.89
Japan	Yen		816.00						816.00
China	Yuan		2,385.14						2,385.14
Total			20,211.02		10,529.82				30,740.84

SUSAN M. COLLINS,
Chairman, Committee on Homeland Security and Governmental Affairs Committee, Oct. 21, 2005.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2005

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Joseph R. Biden, Jr.:									
Italy	Euro		331.70						331.70
Senator Norm Coleman:									
Brazil	Real		408.14						408.14
Uruguay	Peso		143.00						143.00
Chile	Peso		298.00						298.00
Senator Chuck Hagel:									
Italy	Euro		480.00						480.00
Russia	Rouble		1,163.00						1,163.00
Bulgaria	Dinar		360.00						360.00
United States	Dollar				5,816.00		50.00		5,866.00
Senator John Kerry:									
France	Euro		760.00				242.03		1,002.03
Kuwait	Dinar		788.00						788.00
United States	Dollar				9,339.77				9,339.77
Senator Richard Lugar:									
Russia	Rouble		956.00						956.00
Ukraine	Hryvnia		1,484.00						1,484.00
United Kingdom	Pound		231.00						231.00
United States	Dollar				3,125.08				3,125.08
Senator Mel Martinez:									
Brazil	Real		408.14						408.14

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2005—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Uruguay	Peso		143.00						143.00
Chile	Peso		298.00						298.00
Senator Barack Obama:									
Russia	Rouble		956.00						956.00
Ukraine	Hryvnia		1,484.00						1,484.00
Azerbaijan	Manat		856.00						856.00
United Kingdom	Pound		231.00						231.00
United States	Dollar				5,522.18				5,522.18
Jonah Blank:									
Indonesia	Dollar		1,022.00						1,022.00
Sri Lanka	Dollar		864.00						864.00
Maldives	Dollar		496.00						496.00
United Kingdom	Dollar		444.00						444.00
United States	Dollar				10,263.17				10,263.17
Andrew J. Fisher:									
Russia	Dollar		1,434.00						1,434.00
Ukraine	Dollar		1,484.00						1,484.00
Azerbaijan	Dollar		856.00						856.00
United Kingdom	Dollar		231.00						231.00
United States	Dollar				5,614.18				5,614.18
Jessica Fugate:									
Serbia and Montenegro	Dollar		1,250.00						1,250.00
United States	Dollar				5,570.49				5,570.49
Robert Gibbs:									
Russia	Rouble		956.00						956.00
Ukraine	Hryvnia		1,484.00						1,484.00
Azerbaijan	Manat		856.00						856.00
United Kingdom	Pound		231.00						231.00
United States	Dollar				5,614.18				5,614.18
Frank Jannuzi:									
China	Yuan		1,164.00						1,164.00
Mongolia	Dollar		902.00						902.00
Korea	Won		716.00						716.00
Thailand	Baht		1,160.00		152.46		283.53		1,595.99
United States	Dollar				7,128.76				7,128.76
Chris Ann Keehner:									
Canada	Dollar		1,355.00						1,355.00
United States	Dollar				452.53				452.53
Mark Lippert:									
Russia	Rouble		956.00						956.00
Ukraine	Hryvnia		1,484.00						1,484.00
Azerbaijan	Manat		856.00						856.00
United Kingdom	Pound		494.00						494.00
United States	Dollar				5,635.18				5,635.18
Thomas C. Moore:									
Ukraine	Hryvnia		742.00						742.00
Azerbaijan	Manat		856.00						856.00
United Kingdom	Pound		494.00						494.00
United States	Dollar				6,982.65				6,982.65
Kenneth A. Myers, Jr.:									
Ireland	Euro		230.00						230.00
Russia	Rouble		956.00						956.00
Ukraine	Hryvnia		1,484.00						1,484.00
United Kingdom	Pound		231.00						231.00
United States	Dollar				5,582.49				5,582.49
Kenneth A. Myers, III:									
Ireland	Euro		230.00						230.00
Russia	Rouble		956.00						956.00
Ukraine	Hryvnia		1,484.00						1,484.00
Azerbaijan	Manat		856.00						856.00
United Kingdom	Pound		231.00						231.00
United States	Dollar				5,562.49				5,562.49
Laura Parker:									
Brazil	Real		408.14						408.14
Uruguay	Peso		143.00						143.00
Chile	Peso		298.00						298.00
Rexon Ryu:									
Italy	Euro		500.00						500.00
Russia	Rouble		1,164.00						1,164.00
Bulgaria	Dinar		360.00						360.00
United States	Dollar				5,816.00		50.00		5,866.00
Ken Savit:									
Israel	Dollar		1,755.00						1,755.00
United States	Dollar				794.55				794.55
Jennifer Simon:									
Switzerland	Franc		1,404.00						1,404.00
United States	Dollar				6,718.22				6,718.22
Puneet Talwar:									
Israel	Dollar		1,730.00						1,730.00
United States	Dollar		6,582.70						6,582.70
Caroline Tess:									
Switzerland	Dollar		1,004.00						1,004.00
United States	Dollar				6,718.22				6,718.22
Tomicah Tillemann:									
Kosovo	Euro		1,095.00						1,095.00
Serbia and Montenegro	Dinar		1,150.00						1,150.00
United States	Dollar				5,589.50				5,589.50
Lorianne Woodrow-Moss:									
Brazil	Real		408.14						408.14
Uruguay	Peso		143.00						143.00
Chile	Peso		298.00						298.00
Total			59,666.96		107,998.10		625.56		168,059.62

RICHARD G. LUGAR,
Chairman, Committee on Foreign Relations, Oct. 18, 2005.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2005

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Richard Burr:									
Russia	Rubles		1,363.00						1,363.00
Poland	Zloty		730.00						730.00
Hungary	Forint		392.00						392.00
Jordan	Dinar		612.00						612.00
Ireland	Euro		631.00						631.00
Total			3,728.00						3,728.00

MICHAEL B. ENZI,
Chairman, Committee on Health, Education, Labor, and Pensions, Sept. 26, 2005.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2005

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Evan Gottesman	Dollar				8,025.00				8,025.00
			1,137.00						1,137.00
Eric Rosenbach	Dollar				8,460.00				8,460.00
			1,082.00						1,082.00
John Andrews	Dollar				4,895.44				4.895.44
			1,207.00						1,207.00
Todd Rosenblum	Dollar				8,060.27				8,060.27
			2,568.00						2,568.00
John Maguire	Dollar				8,060.27				8,060.27
			2,005.04						2,005.04
Jennifer Wagner	Dollar				8,060.27				8,060.27
			2,210.18						2,210.18
Rebecca Farley	Dollar				6,634.23				6,634.23
			1,356.00						1,356.00
Darren Dick	Dollar				6,634.23				6,634.23
			1,356.00						1,356.00
Ericl Rosenbach	Dollar				6,443.15				6,443.15
			1,021.00						1,021.00
Thomas Corcoran	Dollar				6,443.15				6,443.15
			992.00						992.00
Randall Bookout	Dollar				5,050.82				5,050.82
			2,883.83						2,883.83
Michael Davidson	Dollar				5,050.82				5,050.82
			2,145.00						2,145.00
Senator Pat Roberts			3,728.00						3,728.00
John Andrews			812.00						812.00
Darren Dick			2,759.00						2,759.00
Senator John D. Rockefeller	Dollar				6,502.80				6,502.80
			835.00						835.00
Andrew Johnson	Dollar				6,502.80				6,502.80
			918.00						918.00
Thomas Auld	Dollar				6,502.80				6,502.80
			846.00						846.00
Lorenzo Goco	Dollar				6,196.11				6,196.11
			1,318.00						1,318.00
Matthew Pollard	Dollar				6,196.11				6,196.11
			1,208.00						1,208.00
Total			32,387.05		113,718.27				146,105.32

PAT ROBERTS,
Chairman, Committee on Intelligence for Travel, Oct. 12, 2005.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS, ADDENDUM 2ND QUARTER, FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2005

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Ron Wyden			366.00						366.00
John Dickas			497.00						497.00
Josh Kardon			393.00						393.00
Total			1,256.00						1,256.00

PAT ROBERTS,
Chairman, Committee on Intelligence, Oct. 12, 2005.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2005

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
John Phillips:									
United States	Dollar				6,530.00				6,530.00
China	Yuan		1,548.00		800.00				2,348.00

Total			1,548.00		7,330.00				8,878.00

OLYMPIA J. SNOWE,
Chairman, Committee on Small Business & Entrepreneurship,
Sept. 22, 2005.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON CAUCUS ON INTERNATIONAL NARCOTICS CONTROL FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2005

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Ted Brennan:									
United States	Dollar				786.15				786.15
Colombia	Peso		920.00						920.00
Total			920.00		786.15				1,706.15

CHARLES E. GRASSLEY,
Chairman, Committee on Caucus on International Narcotics Control,
Sept. 26, 2005.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2005

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Jennifer Lowe:									
China	Yuan		979.00						979.00
Total			979.00		0.00		0.00		979.00

TED STEVENS,
President Pro Tempore, Sept. 20, 2005.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2005

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Janice Helwig:									
United States	Dollar				4,859.19				4,859.19
Austria	Euro		23,420.00						23,420.00
Benjamin L. Cardin, M.C.:									
United States	Dollar				5,206.30				5,206.30
Denmark	Kroner		410.00						410.00
Marlene Kaufmann:									
United States	Dollar				5,206.30				5,206.30
Denmark	Kroner		374.84						374.84
Chadwick R. Gore:									
United States	Dollar				4,822.92				4,822.92
Austria	Euro		868.83						868.83
Sean H. Woo:									
United States	Dollar				7,911.63				7,911.63
Republic of Korea	Won		1,260.00						1,260.00
Japan	Yen		716.00						716.00
Janice Helwig:									
Austria	Euro				3,826.86				3,826.86
Republic of Korea	Won		922.56						922.56
H. Knox Thames:									
United States	Dollar				330.34				330.34
Canada	Dollar		72.94						72.94
Erika Schlager:									
United States	Dollar				4,955.28				4,955.28
Czech Republic	Crown		1,981.73						1,981.73
Christopher H. Smith, M.C.:									
United States	Dollar				5,789.08				5,789.08
Romania	Lei		430.00						1,056.09
					6.09				
Dorothy Douglas Taft:									
United States	Dollar				5,789.08				5,789.08
Romania	Lei		592.00						592.00
Sean H. Woo:									
United States	Dollar				3,232.03				3,232.03
Spain	Euro		1,229.06						1,229.06
Ronald J. McNamara:									
United States	Dollar				3,802.03				3,802.03
Spain	Euro		1,131.06						1,131.06
H. Knox Thames:									
United States	Dollar				5,493.69				5,493.69
Belgium	Euro		474.28						474.28
France	Euro		1,057.28						1,057.28
Spain	Euro		932.53						932.53
Janice Helwig:									
Austria	Euro				1,222.28				1,222.28
Spain	Euro		1,017.22						1,017.22
Elizabeth Pryor:									
United States	Dollar				5,110.25				5,110.25
Greece	Euro		487.50						487.50
Austria	Euro		1,006.60						1,006.60
Maureen Walsh:									
United States	Dollar				6,723.34				6,723.34
Thailand	Baht		285.00						285.00
Austria	Euro		411.34						411.34
Robert Hand:									
United States	Dollar				6,614.23				6,614.23
Albania	Lek		1,100.82						1,100.82
Kosovo	Euro		358.57						358.57

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM APR. 1 TO JUNE 30, 2005—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Bosnia & Herzegovin	Marka		617.06						617.06
Total			41,157.22		81,520.92				122,678.14

SAM BROWNBACK,
Chairman, Committee on Commission on Security and Cooperation in Europe,
July 28, 2005.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), FOR TRAVEL FROM JULY 1 TO SEPT. 30, 2005

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Rahul (Richard) Verma:									
United States	Dollar		0.00		3,447.97		0.00		3,447.97
Mali	Franc		414.00		343.30		0.00		757.30
Niger	Franc		446.00		5,670.00		270.39		6,323.39
Marcel Lettre II:									
United States	Dollar		0.00		3,447.97		0.00		3,447.97
Mali	Franc		424.00		343.30		0.00		767.30
Niger	Franc		446.00		5,670.00		207.39		6,323.39
Total			1,730.00		18,922.54		414.78		21,067.32

HARRY REID,
Democratic Leader, Oct. 21, 2005.

REMOVAL OF INJUNCTION OF SECRECY—PROTOCOL AMENDING THE TAX CONVENTION ON INHERITANCES WITH FRANCE, TREATY DOCUMENT NO. 109–7

Mr. SESSIONS. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty transmitted to the Senate on November 4, 2005, by the President of the United States: Protocol Amending the Tax Convention on Inheritances with France, Treaty Document No. 109–7; I further ask that the treaty be considered as having been read the first time, that it be referred, with accompanying papers to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

I transmit herewith for the advice and consent of the Senate to ratification a Protocol Amending the Convention Between the United States of America and the French Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Estates, Inheritances, and Gifts, signed at Washington on November 24, 1978 (the ''Convention''), signed at Washington on December 8, 2004 (the ''Protocol''). Also transmitted for the information of the Senate is the report of the Department of State with respect to the Protocol.

The Protocol provides a pro rata unified credit to the estate of a French domiciliary for purposes of computing U.S. estate tax. It allows a limited U.S. ''marital deduction'' for certain estates if the surviving spouse is not a U.S. citizen. In addition, the Protocol expands the United States jurisdiction to tax its citizens and certain former citizens and long-term residents and makes other changes to the treaty to reflect more closely current U.S. tax-treaty policy.

I recommend that the Senate give early and favorable consideration to the Protocol and give its advice and consent to ratification.

GEORGE W. BUSH.
THE WHITE HOUSE, *November 3, 2005.*

MEASURE READ THE FIRST TIME—S. 1969

Mr. SESSIONS. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 1969) to express the sense of the Senate regarding Medicaid reconciliation legislation to be reported by a conference committee during the 109th Congress.

Mr. SESSIONS. I now ask for its second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read the next time on the next legislative day.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SESSIONS. 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. 432 and 433. I further ask unanimous consent that the nominations be confirmed en bloc, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

NATIONAL CREDIT UNION ADMINISTRATION

Rodney E. Hood, of North Carolina, to be a Member of the National Credit Union Administration Board for a term expiring April 10, 2009.

Gigi Hyland, of Virginia, to be a Member of the National Credit Union Administration Board for a term expiring August 2, 2011.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

ORDERS FOR TUESDAY, NOVEMBER 8, 2005

Mr. SESSIONS. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:45 a.m. on Tuesday, November 8. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to a period for the transaction of morning business for up to an hour, with the first 30 minutes under the control of the majority leader or his designee,

and the final 30 minutes under the control of the Democratic leader or his designee; further, that the Senate resume consideration of S. 1042, the Defense authorization bill. I further ask that at 12:30 p.m., the Senate stand in recess until 2:15 p.m. to accommodate the weekly policy lunches.

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

PROGRAM

Mr. SESSIONS. Mr. President, tomorrow the Senate will continue its work on the Defense authorization bill. We will complete this important bill this week. We will also address any appropriations conference reports ready for action.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Mr. SESSIONS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:21 p.m., adjourned until Tuesday, November 8, 2005, at 9:45 a.m.

NOMINATIONS

Executive nominations received by the Senate November 7, 2005:

POSTAL RATE COMMISSION

MARK D. ACTON, OF KENTUCKY, TO BE A COMMISSIONER OF THE POSTAL RATE COMMISSION FOR A TERM EXPIRING OCTOBER 14, 2010, VICE DANA BRUCE COVINGTON, SR., TERM EXPIRED.

FEDERAL INSURANCE TRUST FUNDS

JOHN L. PALMER, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE FEDERAL SUPPLEMENTARY MEDICAL INSURANCE TRUST FUND FOR A TERM OF FOUR YEARS. (REAPPOINTMENT)

JOHN L. PALMER, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE FEDERAL HOSPITAL INSURANCE TRUST FUND FOR A TERM OF FOUR YEARS. (REAPPOINTMENT)

THOMAS R. SAVING, OF TEXAS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE FEDERAL HOSPITAL INSURANCE TRUST FUND FOR A TERM OF FOUR YEARS. (REAPPOINTMENT)

JOHN L. PALMER, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE FEDERAL OLD-AGE AND SURVIVORS TRUST FUND AND THE FEDERAL DISABILITY INSURANCE TRUST FUND FOR A TERM OF FOUR YEARS. (REAPPOINTMENT)

THOMAS R. SAVING, OF TEXAS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND AND THE FEDERAL DISABILITY INSURANCE TRUST FUND FOR A TERM OF FOUR YEARS. (REAPPOINTMENT)

THOMAS R. SAVING, OF TEXAS, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE FEDERAL SUPPLEMENTARY MEDICAL INSURANCE TRUST FUND FOR A TERM OF FOUR YEARS. (REAPPOINTMENT)

DEPARTMENT OF STATE

KRISTIE A. KENNEY, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE PHILIPPINES.

ROBERT WEISBERG, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF CONGO.

CONFIRMATIONS

Executive nominations confirmed by the Senate: Monday, November 7, 2005

NATIONAL CREDIT UNION ADMINISTRATION

RODNEY E. HOOD, OF NORTH CAROLINA, TO BE A MEMBER OF THE NATIONAL CREDIT UNION ADMINISTRATION BOARD FOR A TERM EXPIRING APRIL 10, 2009.

GIGI HYLAND, OF VIRGINIA, TO BE A MEMBER OF THE NATIONAL CREDIT UNION ADMINISTRATION BOARD FOR A TERM EXPIRING AUGUST 2, 2011.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

TRIBUTE TO AMERICAN CANCER FUND FOR CHILDREN AND KIDS CANCER CONNECTION

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Mr. WAXMAN. Mr. Speaker, I rise today to recognize and congratulate the American Cancer Fund for Children and Kids Cancer Connection, which are located in the 30th Congressional District, which I represent.

Los Angeles Mayor, Antonio Villaraigosa, proclaimed the week of October 2, 2005 ''Childhood Cancer Awareness Week'' in the City of Los Angeles. I am pleased to join Mayor Villaraigosa in thanking Steven Firestein, the founder of American Cancer Fund for Children and its sister organization, Kids Cancer Connection for his wonderful work in assisting children affected by cancer.

More than eleven years ago, Steven began the American Cancer Fund for Children to provide vital patient psychosocial services to children undergoing cancer treatment at the Skull Base Institute at the Cedars-Sinai Medical Office Towers in Los Angeles, Mattel Children's Hospital at UCLA Medical Center in Los Angeles as well as participating hospitals throughout the country.

One of the wonderful services provided through American Cancer Fund for Children is the Magical Caps for Kids program. Handmade caps and decorated baseball caps are given to children who want to protect their heads following the trauma of chemotherapy, surgery and/or radiation. The American Cancer Fund for Children also sponsors Courageous Kid award ceremonies and hospital celebrations in recognition of a child's bravery and determination to fight the battle against childhood cancer.

As we know, cancer is the leading cause of death by disease among children in the United States. This tragic disease is detected in nearly 11,000 of our nation's children each year. Steven Firestein and the American Cancer Fund for Children and Kids Cancer Connection are providing critical services and comfort to young patients battling cancer and their families. I ask my colleagues to join me in thanking and recognizing Steven Firestein for his tremendous efforts.

CONGRATULATING TO RECIPIENTS OF DIRECTOR AWARD FROM THE PARTNERSHIP FOR SAFE WATER

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate Pennsylvania American Water, and the New Castle and Ellwood City Water Treatment Plants on receiving the Directors Award of recognition from the Partnership for Safe Water.

The Partnership for Safe Water was created by the Environmental Protection Agency, and is dedicated to providing communities with drinking water that exceeds the requirements set by the Federal Government. To receive the Directors Award, water systems must examine the capabilities of their plant operations and then create a plan to put into action the new improvements.

The Pennsylvania American Water has received the Directors Award for five consecutive years. Only 37 other water authorities have done the same. Among the 19 treatment facilities that were recognized in Pennsylvania, New Castle and Ellwood City were two.

I ask my colleagues in the United States House of Representatives to join me in honoring Pennsylvania American Water on receiving the Directors Award. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute such a principled authority like Pennsylvania American Water.

CELEBRATING THE CAREER OF ANDREW A. MAZZARA

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Mr. DINGELL. Mr. Speaker, I rise today to pay respect to and celebrate the career of Andrew A. Mazzara. He has announced his retirement from the presidency of Henry Ford Community College, HFCC, after 34 years of service.

Mr. Mazzara's leadership and experience advanced HFCC's reputation through innovation and development. A lifelong resident of Dearborn and 1963 graduate of HFCC, Mr. Mazzara's earned respect and success through his hard work and determination. He can truly be called an educational pioneer and through his devotion to students, faculty and the community he served has had a lasting positive impact on Dearborn and the State of Michigan.

In 1966 he started his career at HFCC teaching engineering, apprentice training and drafting: Taking a short respite in 1972 as a technical consultant and administrator for the Michigan Department of Education, he returned in 1977 to become Dean of Career Education. As dean, he helped his areas of oversight, Business and Economics, Health Careers, Nursing, Industrial Technology, Apprentice Training, Management Development, and Customized Training Divisions, expand and develop into educationally rich and nationally respected programs. In 1982 he took a 1 year work leave to be the Interim Director of the UAW-Ford Motor Company National Education and Development Training Center, which was the nation's first joint labor-management hourly worker training program.

In 1987, Mr. Marazza was named the vice president/dean of career education at HFCC. Following the trend and recognizing his dedication and skill, in 1990, the HFCC Board named him president. Charged with running the fifth largest community college in Michigan, Mr. Mazzara immersed himself in the community creating bonds with businesses, organized labor, and government. During his tenure as president, eleven buildings were renovated and another six were built, all a part of a $67 million campus improvement plan he has spearheaded. Under his leadership the school balanced its finances, improved its programs, and gained national respect. The UAW and Ford Motor Company recognized his achievements and awarded him the Distinguished Service Award in 1998. His other awards include the Dearborn Chamber of Commerce President of the Year, Detroit College of Business Citizen of the Year Award, and the Italian American Cultural Society Heritage Award.

Andrew A. Mazzara's continued commitment to Henry Ford Community College and Dearborn at large has helped to create a vibrant, outreaching educational community. Long after Mr. Mazzara's departure, the gateway he created to quality higher education will continue to benefit thousands. His legacy will not be forgotten.

PRIVATE PROPERTY RIGHTS PROTECTION ACT OF 2005

SPEECH OF

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 3, 2005

The House in Committee of the White House on the State of the Union had under consideration the bill (H.R. 4128) to protect private property rights.

Mr. CAPUANO. Mr. Chairman, I rise in opposition to H.R. 4128, The Private Property Right Protection Act of 2005. This bill is overbroad and unreasonably restricts States and municipalities from crafting practical legislation that addresses their specific needs.

H.R. 4128 is Congress' response to the Kelo v. City of New London decision. The Kelo decision allows local governments to take private property to build the tax base and promote economic development. H.R. 4128 prohibits government use of eminent domain where private property is taken for economic development purposes. It unduly restricts States and local governments from exercising their sovereign powers to eliminate abuses in eminent domain, while maintaining an ability to develop their community. As a former Mayor of Somerville, MA, I am very familiar with the issues surrounding municipalities exercising eminent domain for public use.

While I do not wish to see local government recklessly and irresponsibly take property from private owners, especially the low-income and

disadvantaged, I cannot support a bill that preemptively acts before a municipality has an opportunity to develop its own policies. Some 30 States have either already drafted legislation concerning this issue or are working on legislation. It is unfair to invalidate State and local attempts to adjust, legislatively, to a Supreme Court decision just issued in June of this year.

The House should have spent more time developing legislation that was less intrusive on States' and local governments' sovereignty. For example, this bill could strip Federal economic development funding for two years from a State or local government that exercised eminent domain, even if the project taken did not receive Federal funds. All economic development funds, including those not involved with the condemned project, would be lost. Projects worthy of being built might be eliminated due to the lack of economic development funds. This can be disastrous for a local government's economic growth and sustainability. Local officials would be constantly concerned that exercising eminent domain could result in lawsuits and loss of funds.

I voted for an amendment that would have added some sense of fairness to the government's use of eminent domain, but it did not pass. The amendment, offered by Congressman MICHAEL TURNER of Ohio, would permit cities to continue using eminent domain to redevelop a Brownfield site. It also enumerated several instances where, for the public's health and safety, the government could use eminent domain when necessary to rid the community of a hazardous property.

I could support a bill that strikes a balance and is fair to State and local governments. This bill does not meet that threshold.

IN RECOGNITION OF DEMETRIS KASTANAS

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Mrs. MALONEY. Mr. Speaker, I rise to recognize the extraordinary achievements of an important member of the Astoria, NY community, Mr. Demetris Kastanas.

On February 18, 1968, Mr. Kastanas emigrated from his homeland Greece to the United States, looking for a better life and future in this country. Having worked a number of different jobs, including pumping gas and selling insurance, Mr. Kastanas managed to save enough money to open his first restaurant. A second restaurant soon followed.

As a successful businessman in his adopted country, Mr. Kastanas felt that he had to serve the community that had served him so well.

He was particularly interested in finding ways for Greek Americans to maintain a sense of connection to their motherland. On September 15, 1975, Mr. Kastanas launched National Greek Television, a weekly Greek television program on channel 47 WNJU. This is the longest running Greek television program outside Greece. In July 1983, Mr. Kastanas expanded to the Chicago area. It now airs in Boston, Atlanta, New Jersey, and other markets. In late 1999, NGTV bought its own Electronic News Gathering van to provide live coverage of important events.

As the expansion of cable channels created new opportunities for niche markets, Mr. Kastanas began to explore the possibility of an all-Greek cable station. His dream became a reality. In 1987, the Greek Channel began airing on the Time-Warner Cable system in Queens and Brooklyn. This channel was the first Greek cable channel in the United States.

Seeking new ways to cover issues of interest to Hellenes, Mr. Kastanas became interested in other media formats. He founded 'Eseis,' a biweekly magazine to address the interests of the Hellenic-American community. Eseis is the plural form of 'you' in Greek, reflecting the magazine's emphasis on serving the entire Hellenic community.

Through his television programs, cable channel, and magazine, Demetris Kastanas has given Greek and Hellenic-Americans a voice in the United States that might otherwise not have been heard. His tremendous leadership has been evident through his ability to organize rallies and demonstrations on the Cyprus issue that have communicated clearly the Hellenic-American community's strong feelings on this subject.

Mr. Kastanas's work has provided Hellenic-Americans with a connection to their homeland, through Hellenic news, folklore, music, and more. His programming has also helped new Hellenic immigrants assimilate into life in the United States.

He and his wife, Nomiki, continue to work and instill the best of the Hellenic American culture in their community, but especially in the youngest generation of their family: Matina and George.

Mr. Speaker, I request that my distinguished colleagues rise and pay tribute to a great New Yorker, Demetris Kastanas, for his 30 years of accomplishments. His many successes are a reflection of the vibrant and thriving community he so faithfully serves.

REFLECTING ON THE LIFE AND CONTRIBUTIONS OF FORMER ISRAELI PRIME MINISTER YITZHAK RABIN

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise to reflect on the life and contributions of former Israeli Prime Minister Yitzhak Rabin, who was tragically assassinated 10 years ago. Yitzhak Rabin dedicated his entire life to the cause of peace and security for Israel. He fought tirelessly for the right of all Israelis to live normal lives without fear of attack, to dine with friends, to shop, and to send their children to school on buses. Yitzhak Rabin was many things, a soldier, an Ambassador, a Knesset Member, a Prime Minsiter, and Nobel Peace Prize laureate. He is remembered best as a peacemaker who changed the course of history.

I In addition to valiantly serving Israel's armed forces for 27 years, including during the War of Independence, the Suez War, and the Six-Day War as Chief of Staff, Yitzhak Rabin is responsible for leading Israel through many historic times. In 1975 he signed the interim agreement with Egypt which laid the groundwork for peace between Israel and Egypt. In 1976, Yitzhak Rabin ordered the successful liberation of the hijacked Air France flight, known as Operation Entebbe. And in 1994 Yitzhak Rabin and King Hussein of Jordan signed a peace treaty between Israel and Jordan. Most notably, Yitzhak Rabin's legacy includes the signing of the Declaration of Principles framework agreement between Israel and the Palestinians, and the famous handshake with the late PLO Chairman Yassir Arafat on the White House lawn.

Upon the signing of the Declaration of Principles on September 13, 1993, Yitzhak Rabin said to the Palestinians, "We say to you today in a loud and clear voice: Enough of blood and tears. Enough. We harbor no hatred toward you. We have no desire for revenge. We, like you, are people who want to build a home, plant a tree, love, live side by side with you—in dignity, empathy, as human beings, as free men . . ."

Clearly, this was a man who envisioned a free, secure, and democratic Jewish state at peace with all its neighbors. Yitzhak Rabin's message resounded across Israel, and it is no wonder that on November 4, 1995, he attended and spoke at a peace rally in Tel Aviv amidst tens of thousands of enthusiastic supporters with banners proclaiming "Yes to peace—no to violence." In his final address at the peace rally Yitzhak Rabin stated, "I have always believed that the majority of the people want peace, are prepared to take risks for peace," and "Peace is what the Jewish People aspire to, a true aspiration." Yitzhak Rabin was fatally shot by a Jewish student as he left the rally.

On the 10th anniversary of Yitzhak Rabin's death, I wish to express the deepest condolences of the American people to the family of Yitzhak Rabin and to all the people of Israel for the loss of this great leader. Additionally, we must honor his life and his work by continuing the pursuit of peace in the Middle East.

The United States and Israel share a special bond, one that Yitzhak Rabin helped to establish during his time as Ambassador to the U.S. This bond is steadfast and represents the abundance of shared values and common goals of our two societies. I am proud to be part of the U.S. Congress, a body which stands by Israel when Israel needs us. Just last week, the House of Representatives voted to pass the Conference Report of the Fiscal Year 2006 Foreign Operations Appropriations Act which includes $2.3 billion in military assistance and $240 million in economic assistance to Israel. Without a doubt, Yitzhak Rabin's legacy of bringing the U.S. and Israel closer together lives on.

Ten years after Yitzhak Rabin's tragic death, let us renew our commitment to fostering peace in the Middle East. We must encourage efforts that support the peacemakers of this world and penalize those who would murder innocents. Yitzhak Rabin has left a wonderful legacy over his long and distinguished career of service, and it is with the utmost respect and admiration that I support the people of Israel in their quest for peace.

NATIONAL PHILANTHROPHY DAY

HON. W. TODD AKIN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Mr. AKIN. Mr. Speaker, in anticipation of National Philanthropy Day, I rise to draw attention to the generosity of the American people and the organizations that work to give hope and help to so many in our country. National Philanthropy Day is recognized by the Association of Fundraising Professionals on November 15.

More specifically, I rise today in recognition of the many Missourians who give selflessly of their time, talent and finances to assist neighbors in need as well as victims of poverty, natural disaster and conflict. I commend the good work of the volunteers and staff of non-profit organizations and the financial donors who underwrite their efforts.

According to a study by the U.S. Department of Labor and Purdue University, more than 30 percent of Missourians volunteered their time in 2003. The paid staff of charitable organizations should be commended highly for their good work. However, most would agree that they simply could not do what they do without the hearts, minds and hands of dedicated volunteers.

So, today, I recognize not only the organizations but the people who brighten the days of those in need. It was Theodore Roosevelt who charged all of our fellow citizens to ''Do what you can, with what you have, where you are.'' Many of my constituents in the St. Louis area are doing just that.

Following is a small sampling of the numerous charitable organizations doing great things in and around Missouri's Second Congressional District. Each of these charities has distinguished itself in a variety of ways and should be commended for its good work in the St. Louis area. Their sacrifice and compassion is building a better society for all, and we all are in their debt.

Boone Center, www.boonecenter.com. BCI is a St. Charles County non-profit organization committed to providing employment opportunities for adults with disabilities. Established in 1959 as a one-employee candle making shop, Boone Center now employs over 200 adults with disabilities.

Catholic Charities of St. Louis, www.ccstl.org. A federation of 12 agencies and more than 100 programs providing services to people in need including housing services, elder and child day care programs, substance abuse recovery, legal assistance, foster care, emergency shelter and community outreach programs just to name a few. Last year they provided direct services to more than 111,000 individuals.

Connections to Success, www.connectionstosuccess.org. An organization which defines itself as devoted to breaking the cycle of poverty one family at a time. Programs include; Dress for Success, Professional Women's Group, Wheels for Success, Wheels of Hope and a faith-based mentoring program.

Extra Hands for ALS, www.extrahands.org. Based in St. Louis, Extra Hands for ALS is a national voluntary service charity assisting people with ALS, also called Lou Gehrig's disease. Extra Hands partners high school and college students with families affected with an ALS diagnosed individual to assist them in everyday tasks.

Joyce Meyer Ministries World Outreach, http://www.joycemeyer.org/proiects/wo_sub/index.php. Provides humanitarian aid to the world's poor and in response to natural disaster such as the recent tsunami. Assistance includes personal items such as food, water, clothing, hygiene items, and items necessary for rebuilding communities such as boats, bicycles and sewing machines.

KidSmart, *http://www.kidsmartstl.org/*, KidSmart works to provide children and their classrooms with the basic tools for learning by transferring, at no cost, the community's surplus supplies and merchandise into the hands of teachers for school children in need.

Mercy Ministries, http://www.mercyministries.org/, Mercy Ministries is a full-time residential care ministry for young women who are struggling with life-controlling issues such as eating disorders, depression, abuse, and chemical dependency. Each girl stays free-of-charge. She comes voluntarily and spends, on average, six months in the home as she deals with the underlying causes of her difficulties.

Mission Gate Prison Ministry, www.missiongateministrv.org, Provides residential guidance and counseling to 75 former alcoholics, drug users and convicts in both S1. Louis after -care and Fort Good Shepherd Ranch. They also provide evangelistic services in prisons and shelters and the Christmas Angel mission reaching thousands of prisoners' children with gifts, the gospel of Christ and church referral.

Pregnancy Resource Center, http://www.prcmo.net/index.php, The Pregnancy Resource Center provides support and counseling to pregnant women and girls including free pregnancy testing, ultrasounds, counseling, parenting education, mentoring programs for men and essential items for newborns. Women are also referred for prenatal care, which is often their first contact with a healthcare provider.

Service International, www.serviceinternational.org, Service International (SI) works in the U.S. and abroad, working to empower individuals and communities in crisis by providing leadership training, volunteer coordination, medical care, materials and supplies, and hands-on rebuilding. SI brings fresh hope and tangible help through sustained recovery, with the goal of honoring God and helping people.

Saint Louis Crisis Nursery, http://www.crisisnurserykids.com/, Works to prevent child abuse and neglect by providing emergency intervention, respite care and support to families in crisis through short-term care for young children, helping families resolve crisis, offering ongoing support and education to families, providing community outreach and awareness, and advocating for children and families.

Saint Patrick Center, www.stpatrickcenter.org, Saint Patrick Center has impacted the lives of more than 65,000 homeless persons and is recognized nationally for programs that help individuals and families move from homelessness to independence in measurable, costeffective ways. The Center serves 10,000 individuals and families annually.

These organizations could not function effectively without the support of individual donors and philanthropic grantmakers. Mother Teresa said, ''To keep a lamp burning, we have to keep putting oil in it.'' Donors give staff and volunteers the financial tools that they need to do the charitable work to which they are committed.

Some of the key foundations fueling charitable organizations in St. Louis include: Anheuser-Busch Foundation, Boeing-McDonnell Foundation, The Crawford Taylor Foundation, Daughters of Charity Foundation, Deer Creek Foundation, Emerson Charitable Trust, Employees Community Fund of Boeing-St. Louis, James S. McDonnell Foundation, Lutheran Foundation of St. Louis, Monsanto Fund, National Children's Cancer Society, Inc., and the St. Louis Cardinals Community Fund.

The charities and grantmakers mentioned in this statement are just examples of the thousands of American NGO's endeavoring to improve the lives of others both at home and abroad.

Mr. Speaker, it is a privilege to reflect on the hard work and dedication of so many who take to heart the words of Scripture, ''It is more blessed to give than to receive'' (Acts 20:35). It is with admiration and respect that I commend the charitable community for stepping in to provide aid to the most vulnerable among us.

HONORING THE DEDICATION OF THE SHENANGO VALLEY YMCA

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate the opening of the new Shenango Valley YMCA of Hermitage, Pennsylvania.

Since the founding of the first YMCA in 1851, this organization has grown to more than 2,500 locations nationwide. In fact, they make up the largest non-profit organization in the country. The YMCA works with people of all races, genders, faiths, ages, and incomes to help communities promote healthy lifestyles.

On October 26, 2005 there will be a dedication ceremony held at the new facility in Hermitage, Pennsylvania.

I ask my colleagues in the United States House of Representatives to join me in honoring the dedication of the Shenango Valley YMCA. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute an exceptional organization like the YMCA.

TRIBUTE TO KALAMAZOO SYMPHONY ORCHESTRA LEAGUE

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Mr. UPTON. Mr. Speaker, I rise today to pay tribute to the Kalamazoo Symphony Orchestra League, which is celebrating its 75th Anniversary with a performance by the Kalamazoo Symphony Orchestra on November 18, 2005.

The Kalamazoo Symphony Orchestra League was founded in 1930 by Leta G. Snow

and was originally known as the Women's Committee. Through the years the League raised over $1.7 million and offered many community and educational programs to folks in the Kalamazoo area by making orchestral music a part of their daily lives.

The Kalamazoo Symphony Orchestra League provides services to our District that far surpasses the vital cultural contribution that their musical performances provide. I would like to acknowledge the many contributions of the Kalamazoo Symphony Orchestra League, congratulate them on 75 impressive years of entertaining the residents of Southwestern Michigan, and wish them many more years of continued success.

HONORING PFC. TYLER MACKENZIE

HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Mrs. MUSGRAVE. Mr. Speaker, I rise today with a very heavy heart and I wish to ask the members in this chamber to join me in honoring a fallen soldier from Evans, Colorado. Last week, Private Tyler MacKenzie was killed in action while serving our Nation, in Iraq. He was a patriot that believed strongly in the freedoms we enjoy here in America and joined the Army to help defend the rights of citizens in Iraq.

This is particularly poignant because today Private MacKenzie would have commemorated his life in another way, by celebrating his 21st birthday. However, because of his willingness to serve and place his life on the line for others, we honor him as a fallen soldier.

Private MacKenzie comes from a family with a long military tradition. Both of his grandfathers, Emmett MacKenzie and Ron Borland, served in the Navy. Tyler's father, David, served in the Army during the first Gulf War and his Uncle Chuck was an Engineer in the Army. As a young child, Tyler lived in places like Louisiana and Germany as his dad's stations changed.

For the most part, however, Tyler grew up in the small town of Evans. He attended Greeley West High School and played football. After he graduated in 2003, Tyler worked in the family-owned business, MacKenzie Manufacturing.

He postponed joining the Army in order to train physically and recognized that he wanted to further mature. He did this because he knew once he joined that he would strive for the top and train for the elite Army special forces.

Once he joined, Tyler MacKenzie entered into the renowned 101st Airborne Division of the U.S. Army. He was in the 1st Battalion, 502nd Infantry Regiment, 2nd Brigade Combat Team, and was stationed in Fort Campbell, Kentucky.

Sadly, Private MacKenzie was in Iraq only a short time. On November 2, 2005, after nearly three weeks in Iraq, he died in combat when a roadside bomb exploded near his armored Humvee in the southern part of Baghdad.

His courage is admirable, and as the legislative body that votes to send our service members into battle, I want to stress this point: He knew what he needed to do, and that was to join our military for at least one tour of duty to help defend our Nation so the same freedoms we have in America could soon be enjoyed by individuals throughout Iraq.

I spoke with his family, and they are heartbroken about their loss, undoubtedly. However, they are to be admired for their courage and continued dedication to America's military forces who are fighting terrorists in the Middle East. They continue to support the President and ask that America's leaders not give up this fight.

See, last November was the first time Tyler MacKenzie could vote in Federal elections, and he voted to support President Bush because he knew the President was the one he wanted to be Commander in Chief.

As a mother of a sailor, my heart goes out to Tyler's parents David and Julie MacKenzie and his sister Nicole.

Mr. Speaker, we are so fortunate to live in this great country where freedom is something that we rarely have to think about and often take for granted. It is simply a way of life for us, and we are truly blessed to live in a country that honors citizens for their spirit, their ideas, their individuality, and their courage. We can maintain the blessings of our freedoms only because we have citizens like Tyler who are willing to fight to defend them for us.

HONORING SHERIFF RICKY HEADLEY

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Mrs. BLACKBURN. Mr. Speaker, it is a privilege to honor Williamson County's own ''Singing Sheriff'', Ricky Headley. Since he took office in 2003, Headley has been instrumental in improving the lives of Williamson County residents—not only as Sheriff, but through his charitable works as well.

As Sheriff, Headley has instituted new procedures, increased community outreach, and raised morale in the Sheriff's Office. A few of Headley's accomplishments include:

A reduced Staff turnover rate at the Sheriff's Office.

The Amber Alert System has been installed to assist in locating missing children.

Privatized Jail Medical Program to save taxpayers' money and reduce liability.

Sheriff's Office Citizens Academy Classes offered for the first time.

Project Lifesaver implemented in April 2005 provides identification bracelets fitted with location transmitters for the mentally handicapped and Alzheimer's patients in order to allow their quick recovery should they wander from home.

A Child Is Missing (ACIM) implemented in January 2005. This nationwide program allows for 1000 calls a minute to be made in a specific area should a child be reported missing.

The result has been a decreasing crime rate in Williamson County even as the population increases.

And despite the incredible demands of his job, Headley continues to delight Tennesseans with his musical talent. Performing with his band, Pure Country, Headley has entertained at more than 100 benefits and fundraisers—helping to raise over 300,000 dollars for charity.

Mr. Speaker, I ask my distinguished colleagues to join me in thanking Sheriff Headley for his contributions to Williamson County and sending our best wishes to his wife Melissa and children Ricky Jr. and Matt.

ON THE INVALUABLE CONTRIBUTIONS TO THE TEACHING OF WRITING MADE BY JAMES GRAY

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in honor of James Gray, the founder of a small but enormously successful educational program called the National Writing Project. Sadly, Mr. Gray died on November 1 in Danville, California after a long illness. He was only 78 years old.

Mr. Gray, a former high school teacher and then a senior lecturer at University of California, Berkeley's Graduate School of Education, founded the innovative Bay Area Writing Project in 1974. Acting on his belief that successful classroom teachers were an untapped resource for providing their peers with professional development, James Gray brought together 25 talented Bay Area teachers and charged them with sharing their expertise about the teaching of writing.

The Bay Area Writing Project became the first site that offered a professional development model for teachers of writing. Now known as the National Writing Project (NWP), the program has grown to 189 university-based sites located in fifty states, Washington, D.C., Puerto Rico, and the U.S. Virgin Islands. Congress, on a bi-partisan basis, has shown its recognition for the value of this program by providing Federal appropriations for it for over ten years and I am proud to have helped secure these well-spent funds for this purpose.

Mr. Gray served as Executive Director of the NWP until his retirement in 1994 and remained on the NWP Board of Directors until his death.

James Gray's simple but highly successful model has been responsible for transforming classroom practices and improving student writing performance at schools in rural, urban, and suburban communities across the U.S.

A May 2001 Academy for Educational Development report notes the impact of that vision: ''Teachers described their experience with the writing project as nothing short of profound. Beginning with the summer institute and continuing throughout their careers with continuity programs, teachers noted how their philosophy about teaching and learning, their daily practices, and their connection to a network of teachers developed through the project.''

I couldn't agree more with Richard Sterling, the NWP Executive Director, when he said that, ''Jim's belief in teachers and their knowledge, commitment, and creativity never wavered. We are all the beneficiaries of his vision and his tireless work on behalf of the National Writing Project.'' I am honored to have known James Gray personally and I am grateful for his vision, and I ask my colleagues to join me in expressing the gratitude of the U.S.

Congress for the contributions to education and our society that he made during his lifetime.

IN RECOGNITION OF THE 25TH ANNIVERSARY OF WAMU'S WEEKLY THREE-HOUR PROGRAM HOT JAZZ SATURDAY NIGHT AND OF THE SHOW'S CREATOR, PRODUCER AND HOST, ROB BAMBERGER

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Ms. NORTON. Mr. Speaker, I am particularly fortunate to have in my district one of the country's best public broadcasting stations, and Members of the House share in that good fortune while they are in Washington. If Members have had the pleasure of tuning in to WAMU 88.5 FM on Saturday nights you will understand why I rise today to congratulate WAMU and Host Rob Bamberger on the occasion of the 25th Anniversary of Hot Jazz Saturday Night, Washington's only regularly scheduled show devoted to vintage jazz and one of the longest running locally produced shows on WAMU.

Rob Bamberger's commitment to vintage jazz began in 1963 at an elementary school book fair in Shaker Heights, Ohio. Waiting until the mad rush was over; an admittedly shy kid with glasses approached the record table to see if anything was left. While the table had been picked pretty clean, Rob spied a two-LP set with a trombone and a top hat on the cover, set against an elegant red curtain. It was a two-record set of broadcast recordings by Tommy Dorsey and his orchestra. It cost Rob a dime, a fateful investment because all he had to hear was the ''Hawaiian War Chant'' and he was hooked. That two-LP set became the cornerstone for a life-long love and scholarly interest in American music of the 1920's, 30's and 40's, and the start of a record collection that has been the mother lode for the music featured on Hot Jazz Saturday Night.

WAMU listeners get a weekly glimpse into Rob Bamberger's record collection every Saturday night from 7 to 10 p.m. Rob often focuses on an artist or theme, illuminating the story behind the music and the artists from his own intimate and extensive store of knowledge, and the most recent scholarship. It becomes a lesson in American history and culture, but never stuffy or professorial. Rob's succinct and informative commentaries are laced with dry humor that endears him to his weekly fans.

Rob Bamberger's Hot Jazz Saturday Night represents programming that listeners can't get anywhere else. Listeners who danced to some of the musicians and groups featured on the show enthuse about hearing artists and songs they have not heard in decades. Other listeners once had the impression that jazz is a remote unapproachable music enjoyed only by denizens of smoke- filled bars. Rob disagrees and says there are no prerequisites to enjoying jazz or Hot Jazz Saturday Night. His commitment to introducing this treasured American art form to new listeners is boundless. You can neither be too old or too young to discover and revel in the music of Benny Goodman, Louis Armstrong, Glen Miller, Ella Fitzgerald, Billie Holiday and countless others who are enduring images of a bygone era evoked every Saturday night on WAMU.

I join jazz supporters in the Nation's Capital in paying tribute to WAMU and Rob Bamberger on the occasion of the 25th Anniversary of Hot Jazz Saturday Night.

HONORING RETIRING ERIE COUNTY LEGISLATOR CHARLES M. SWANICK

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to honor a longtime member of the Erie County Legislature who has chosen 2005 as his final year of service as a legislator. This person is not a resident of the 27th Congressional District, but is someone with whom I have worked closely, and about whom I still maintain kind and warm thoughts—former Erie County Legislature Chairman Charles M. Swanick, one of that body's longest-serving members.

Now, Mr. Speaker, believe me, there have been and will continue to be many things said about Chuck Swanick, his tenure in the legislature and his service to the people he represented. I choose to remember Chuck's service in a manner once used by The Buffalo News in endorsing his candidacy for re-election in 1995. That word was ''indefatigable.''

The word indefatigable is defined as ''tireless,'' ''unflagging'' or ''untiring.'' Knowing Chuck as I have for nearly 20 years, these words could not describe him, or his manner of service to his constituents, more effectively.

Chuck Swanick was born a quintessential ''baby boomer''; born in Buffalo on December 18, 1948 and raised in a northern first-ring suburb of Tonawanda, Chuck and his older brother Dave were raised by two wonderful people, his father Dave, a railroadman, and his mother Murial, a homemaker. Chuck grew up on Moore Avenue in Tonawanda's Lincoln Park area, and like most baby boomers of his generation, made his way through the 1960s and 1970s in a routine way. He finished high school, found work on the railroad like his dad, and spent time with his friends.

It was his friends—or rather a conversation with his friends—that brought Chuck Swanick into the public realm.

During one night's round of discussion and ''refreshment,'' Chuck Swanick and his friends continued a long-held discussion of current events that ordinarily would end with the conclusion that the public officials running Erie County were, shall we say, less than effective. During this conversation, as more beverages were consumed, it was determined that one of the group should stand for election to public office, in order to ''make a difference'' for their community and, one supposes, for their younger generation.

Then came the kicker for Chuck: he was the only unmarried person—and thus the only person with enough time to effectively campaign for office—among the group. Chuck, it was collectively decided, would be the group's candidate. The office he chose? Erie County Legislator.

Chuck began his quest for public office by answering the local Democratic Party's advertisement for a candidate for the Legislature in what was then the 12th District. Upon attending an endorsement meeting, Chuck was dutifully supplied the party's endorsement and was told, ''we'll see you in November.'' Obviously, the committee wasn't counting on victory. In truth, they were in for a wild ride.

Chuck began his quest for office with a write-in candidacy for the Conservative Party's endorsement—an impossible task, many pundits thought. Chuck began a write-in campaign the likes of which had never before been seen in Erie County, and stunned observers by stealing the line away from the incumbent. Thereafter, Chuck won a difficult general election victory, and so born was a political career that has stretched more than 25 years.

Chuck was a rebel during his early years in the Legislature. Known as a ''maverick'' Democrat, Chuck always sought to represent the people of his district—in the towns of Tonawanda and Grand Island, the City of Tonawanda and the Village of Kenmore. Chuck had no problems bucking the party line when he thought it appropriate to do so. In so doing, at one point or another, he earned the enmity of public officials from all levels of government. But in his mind, he was representing the people who sent him to County Hall. That was good enough for him.

In later years, as Chuck's years of service in the Legislature grew, he became something of an ''elder statesman.'' Graying hair precipitated the shaving of his moustache, and by the 1990s, Chuck's years of service gave him an institutional knowledge of County government that few possessed. Indeed, it would be that knowledge that would serve him well in years to come.

Chuck served as the chairman of several of the Legislature's standing committees, and was the longtime chairman of the Agricultural and Farmland Protection Board (formerly known as the Agricultural District Advisory Committee).

In 1996, after nearly giving up hope of ascending to the Legislature's leadership, a sudden vacancy in the Legislature's Chairmanship occurred. With a unanimous vote, Chuck Swanick became the 9th Chairman of the Erie County Legislature in May of 1996.

I was proud to work with Chuck during this period. At this time, Mr. Speaker, I had just returned from my studies at Harvard University's Kennedy School of Government, and was eager to work with Chuck in his newfound leadership role.

We would have many successes, working together. All told, I worked with Chuck in the Legislature until my election to the New York State Assembly in 1998, and during that time we had many successes. We worked together to keep the county's property tax levy at a reasonable level, and working together with then-Erie County Executive Dennis Gorski, we retired $108 million in debt left over from the previous county administration.

Chuck made his mark upon the local laws of Erie County as well. Chuck worked with Legislator Ray Dusza on his first Item Pricing/Scanner Accuracy Law, and then forged a coalition of business leaders and consumer advocates to draft a new, more comprehensive law in 1997. Chuck also was the author of many laws involving one of his pet areas of county government, the Erie County Parks system.

After my election to the State legislature, Chuck continued as Chairman and fought battles old and new. Chuck would go on to serve

two stints as Chairman, for a total of six and one-half years as Chairman, which is the longest total amount of service as Chairman of the Erie County Legislature.

There is one other aspect of Chuck Swanick's life that I cannot fail to mention—and that is his family. Chuck's wife Shelly may well be the most patient and understanding spouse of an elected official in the United States, given Chuck's seemingly non-stop campaign schedule. Chuck is also the father of two children, Maverick and Charlie.

Chuck Swanick's record in the Erie County Legislature is an impressive one. Chuck was the author of dozens of local laws and thousands of legislative resolutions. As a member of the Legislature, Chuck served with four county executives, six legislative chairs (excluding himself), ten majority leaders and eleven minority leaders (excluding himself). Over the Legislature's thirty-seven year history, one hundred and three people have served as members of the Erie County Legislature; at one time or another, Chuck Swanick served with 57 of those people.

At the end of the day, Mr. Speaker, there will be a lot of things said about Chuck Swanick and about his 26 years of service in the Erie County Legislature. To me, Mr. Speaker, I will always remember the sincere concern that Chuck had for his constituents, and the earnestness with which he served those constituents. Chuck's legacy of twenty-six years of service will mark an important chapter in the history of county government, and I am proud to honor his service today.

CONGRATULATIONS TO MERCER COUNTY HEAD START PROGRAM

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate the Mercer County Head Start Program. This week the program, created in 1965, celebrates its 40th anniversary.

Over the past 40 years this non-profit organization has been committed to improving the lives of low-income families and their children. The organization brings together parents, staff and administrators to enhance the future for children and families.

To commemorate the 40th anniversary there will be a ceremony held on October 24, 2005 in Farrell, Pennsylvania.

I ask my colleagues in the United States House of Representatives to join me in honoring the 40th anniversary of the Mercer County Head Start program. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute such a principled organization as the Mercer County Head Start.

IN HONOR AND RECOGNITION OF CONGRESSMAN JOHN DINGELL, JR. FOR FIFTY YEARS OF SERVICE IN THE HOUSE OF REPRESENTATIVES

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of our friend and colleague the distinguished Honorable JOHN DINGELL, Jr. for his fifty years of service to the people of the 15th Congressional District of Michigan and our nation, in the United States House of Representatives.

Congressman DINGELL's unwavering integrity, strong work ethic, and commitment to the service of others have made him a highly respected and distinguished member of the House. His tenure on Capitol Hill is marked by several achievements including developing legislation to protect our nation's health, environment, and wildlife, pursuing justice for participants in corporate corruption, and working diligently to protect Federal road funds for his home State of Michigan.

Congressman DINGELL was born on July 8, 1926, to the distinguished Congressman John Dingell, Sr., who represented the very same 15th district of Michigan Congressman DINGELL represents today. At the age of 18, John joined the U.S. Army and later rose to the rank of Second Lieutenant. He finished his military service in the fall of 1946, and then attended Georgetown University where he earned a bachelor's degree in chemistry. He then continued his studies at Georgetown Law School, graduating in 1952. Congressman DINGELL then worked as a forest ranger and a prosecuting attorney before he began running his own private law office. In 1955, Congressman DINGELL's father passed away while he was still a Member of the House of Representatives. Congressman DINGELL stepped in to fill his father's position, beginning his career on Capitol Hill at the age of 29.

As anyone who has spent some time on Capitol Hill during the past fifty years already knows, Congressman DINGELL has been a leader of not only the Democratic voice in the House, but has been a beacon of light guiding his fellow Members from both sides of the aisle to strive for what is just and in the best interest of the citizens of this nation. During my tenure in Congress we have worked on several bills together and from these experiences, I have learned that Congressman DINGELL is a man that leads by example and is always a champion of causes that help those who embody the heart and soul of this nation, the working class.

Mr. Speaker and Colleagues, please join me in honor and recognition of the most distinguished Honorable JOHN DINGELL, Jr., for his fifty-year commitment to serving this nation and improving the lives of Americans all across the country.

H. RES. 220, RECOGNIZING AMERICA'S BLOOD CENTERS

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Mr. REYES. Mr. Speaker, I rise today to applaud the efforts of America's Blood Centers and especially the center in the 16th District of Texas, which I represent.

For more than a half a century, United Blood Services of El Paso and Southern New Mexico has been serving our community as the sole source of blood supplies for blood transfusions and trauma surgeries. The United Blood Services has a staff of over 90 handling more than 30,000 donations a year.

When a fire destroyed our local United Blood Services facilities in 2003, there was a serious shortage of blood supply not only for my district, but also for the Southern New Mexico region. The fire destroyed close to 500 units of blood.

Fortunately, an emergency blood drive was quickly organized to obtain enough supply to serve those in need without having to rely on surrounding areas. I applaud not only the efforts of the center, but also those of my constituents who came out to donate during the time of critical need. The incident was incredibly unfortunate, but it did remind us all of what our blood center means to El Paso, and what the community means to the blood center.

Mr. Speaker, with the life-saving services that the center in my district and those around the country provide, it is only appropriate to recognize the important work of America's Blood Centers today. Therefore, I urge all of my colleagues to join me in supporting this very worthwhile resolution.

PERSONAL EXPLANATION

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Mr. GALLEGLY. Mr. Speaker, on Friday, November 4, 2005, I was unable to vote on Agreeing to the Conference Report to H.R. 3057, making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006 (rollcall vote No. 569). Had I been present, I would have voted "yea."

TRIBUTE TO DOROTHY BURFORD

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Mrs. EMERSON. Mr. Speaker, I have known Dorothy Burford for over 25 years, and I loved her drive and spunk from the very first moment I met her. Although life left her blind and deaf in recent years, she never lost that spunk. I have never known anyone with such energy and enthusiasm for life. I certainly do not know anyone who lived a fuller life than Dorothy. She was an active political mind and

an able political voice in Southern Missouri for more than half a century, and she was known far outside the boundaries of Doniphan, MO, her home sweet home.

Dorothy missed only one Republican national convention between 1952 to 2000, and not only did she attend, but she was an active participant. She attended numerous State Lincoln Days over the years, traveling from Doniphan to St. Louis, Kansas City or Springfield and one year, after vacationing in Florida, she decided she just couldn't miss it, so she took a bus by herself from Florida to Kansas City. Although Dorothy didn't have a plan on how to get back to Doniphan, she just knew someone would be there from Southern Missouri and she could ride home with them!

I also recall many wonderful Labor Day parades in Doniphan: Dorothy was always there recruiting people to ride the floats or helping with the decorations. One year, it rained so hard they canceled the parade, but Dorothy, ever the patriot, decided it was a shame to waste all our time and effort, so we had our own parade down Walnut Street.

Dorothy Burford's father, T.L. Wright, started a lumber company in Doniphan which later became the T.L. Sand & Concrete, Co. Dorothy graduated from Stephens College in Columbia, MO, and, being the oldest of 8 children, took over the business when her father died in 1928. Not only was it a rare thing for a woman to graduate college in the 1920's, it was even more infrequent that a woman would take over the family business. Dorothy proved herself quite capable, however. She oversaw the completion of one of T.L.'s greatest projects: the first concrete bridge over the Current River. A year later when the bridge was ready to open, instead of doing the usual ribbon cutting, Dorothy pulled on her riding boots and jumped off the bridge.

Once again, Dorothy showed us a different way of doing things. I am still among the many who feel she was too soon taken from us, even at her estimable age of 102. All of these memories and stories about Dorothy only begin to scratch the surface of her drive, her determination, and her individuality. She was a principled, thoughtful, inspiring woman I am proud to call my friend. She will be greatly missed, but through her legendary legacy, I have no doubt she will live on.

RECOGNIZING THE IMPORTANCE AND POSITIVE CONTRIBUTIONS OF CHEMISTRY TO OUR EVERYDAY LIVES AND SUPPORTING THE GOALS AND IDEALS OF NATIONAL CHEMISTRY WEEK

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Mr. REYES. Mr. Speaker, I rise in support of H. Res. 457, a resolution that supports the endeavors of the American Chemical Society to unite businesses, schools, and individuals in celebrating the importance of chemistry in the lives of Americans.

Scientists have led us in the pursuit of discovery and innovation, which has helped make America a great nation. In order to educate the next generation of scientists, in my congressional district local school districts and colleges are actively working to educate future chemists. It will be this generation of students who will lead our society to the next frontiers of science.

I applaud the efforts of the American Chemical Society to educate elementary and secondary school students about the positive effects of chemistry and to encourage them to consider chemistry as a career.

Mr. Speaker, I join my colleagues in recognizing the goals of National Chemistry Week, and I urge them to support this very worthwhile resolution.

HOUSTON ASTROS, 2005 NATIONAL LEAGUE CHAMPIONS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, November 7, 2005

Mr. POE. Mr. Speaker, this October, for the first time in Major League Baseball history, the city of Houston, Texas was represented in the World Series. The Houston Astros, a team that I have followed since their days as the Colt .45s, completed an extraordinary season by facing the Chicago White Sox in the Fall Classic. Although Houston fell short of a World Championship, they achieved a level of success that had never before been seen by the organization or their fans. I join all of Texas in recognizing the players, Owner and CEO Drayton McLane, Jr., General Manager Tim Purpura, Manager Phil Garner, also known as ''Scrap Iron,'' and the entire Houston Astros organization for their outstanding performance in 2005.

The city of Houston was awarded a Major League franchise on October 17, 1960. The team, then known as the Colt .45s, began play in the 1962 season. With the opening of the Houston Astrodome in 1965, the Colt .45s became the Astros, and they have been recognized by that name for the past 40 years. Led by players such as Cesar Cedeno, Joe Niekro, Larry Dierker, Nolan Ryan—baseball's all-time strikeout king, Mike Scott—Houston's first Cy Young Award winner, Jose Cruz, Jeff Bagwell, Craig Biggio and the other ''Killer B's,'' Houston has been a first-class franchise over the course of four decades. While reaching the playoffs in six of the past nine years, the Astros have proven their skill on the diamond and in the front office.

With the addition of hometown heroes Roger Clemens and Andy Pettitte to their already impressive roster, the Astros reached the National League Championship Series in 2004. Expectations were high going into 2005, but the team faced several roadblocks to begin the season. By the end of May, the Astros were 15 games below .500 and had been written off by many baseball fans and members of the media. Those doubters could not have been more wrong. Houston emerged as the most dangerous team in baseball over the last four months of the season, making a historic run to the World Series.

Whether it was timely hitting by veteran Craig Biggio, a towering home run by breakout star Morgan Ensberg, or nearly flawless pitching performances by Roy Oswalt, Andy Pettitte and the incomparable Roger Clemens, the Houston Astros solidified their status as one of the league's elite teams. I join the city of Houston and the great state of Texas in congratulating the Houston Astros for their remarkable 2005 season, the greatest in franchise history.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, November 8, 2005 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

NOVEMBER 9

9:30 a.m.
Commerce, Science, and Transportation
Energy and Natural Resources
To hold joint hearings to examine energy pricing and profits, focusing on record prices of oil, gasoline, and natural gas and factors affecting those prices, isssues relating to global demand, resource development strategies and windfall profits taxes, and the effectiveness of federal and state consumer protection laws to prevent occurrences of price gouging during supply disruptions.
SD–106

Environment and Public Works
To hold hearings to examine issues regarding a comprehensive and integrated approach to meet the water resources needs of coastal Louisiana in the wake of Hurricanes Katrina and Rita, including storm and flood damage reduction, ecosystem restoration and navigation.
SD–406

Foreign Relations
To hold hearings to examine Avian influenza preparation issues.
SD–419

Judiciary
To hold hearings to examine the use of cameras in the courtroom.
SD–226

10 a.m.
Finance
Business meeting to review and make recommendations on proposed legislation implementing the United States-Bahrain Free Trade Agreement.
SD–215

Homeland Security and Governmental Affairs
To hold hearings to examine the Coast Guard's response to Hurricane Katrina.
SD–342

10:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine agricultural transportation and energy issues.
SDG–50

2 p.m.
Judiciary
Constitution, Civil Rights and Property Rights Subcommittee
Business meeting to markup S.J. Res. 1, proposing an amendment to the Constitution of the United States relating to marriage.
SD–226

Armed Services
Readiness and Management Support Subcommittee
To hold hearings to examine Department of Defense Business Transformation and Financial Management Accountability.
SR–232A

2:30 p.m.
Foreign Relations
To hold hearings to examine the nominations of Ronald L. Schlicher, of Tennessee, to be Ambassador to the Republic of Cyprus, Ross Wilson, of Maryland, to be Ambassador to the Republic of Turkey, Carol van Voorst, of Virginia, to be Ambassador to the Republic of Iceland, and Marilyn Ware, of Pennsylvania, to be Ambassador to Finland.
SD–419

Homeland Security and Governmental Affairs
Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee
To resume oversight hearings to examine the Federal security clearance process, focusing on Office of Personnel Management's plan to address the backlog of security clearance investigations.
SD–342

3 p.m.
Commerce, Science, and Transportation
Disaster Prevention and Prediction Subcommittee
Science and Space Subcommittee
To hold joint hearings to examine S. 517, to establish a Weather Modification Operations and Research Board.
SD–562

NOVEMBER 10

9 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine the nominations of Charles R. Christopherson, Jr., of Texas, to be Chief Financial Officer, and James M. Andrew, of Georgia, to be Administrator, Rural Utilities Service, both of the Department of Agriculture.
SR–328A

9:30 a.m.
Environment and Public Works
Clean Air, Climate Change, and Nuclear Safety Subcommittee
To hold hearings to examine the implementation of the existing particulate matter and ozone air quality standards.
SD–406

Banking, Housing, and Urban Affairs
To hold hearings to examine the development of New Basel Capital Accords.
SD–538

Judiciary
Business meeting to consider pending calendar business.
SD–226

10 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings to examine the impact of the Wright amendment, which restricts travel into and out of Dallas Love Field for commercial flights with more than 56 seats.
SD–562

10:30 a.m.
Energy and Natural Resources
To hold hearings to examine the nominations of Jeffrey D. Jarrett, of Pennsylvania, to be Assistant Secretary for Fossil Energy, and Edward F. Sproat III, of Pennsylvania, to be Director of the Office of Civilian Radioactive Waste Management, both of the Department of Energy.
SD–366

2 p.m.
Judiciary
Constitution, Civil Rights and Property Rights Subcommittee
To hold hearings to examine the state interest in protecting children and families relating to pornography.
SD–226

Veterans' Affairs
To hold hearings to examine the rebuilding of VA assets on the Gulf Coast.
SD–138

NOVEMBER 15

9:30 a.m.
Armed Services
Business meeting to consider certain military nominations.
SR–222

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine the nominations of Ben S. Bernanke, of New Jersey, to be a Member and to be Chairman of the Board of Governors of the Federal Reserve System.
SD–106

Commerce, Science, and Transportation
To hold hearings to examine public policy options for encouraging alternative automotive fuel technologies.
SD–562

Energy and Natural Resources
To hold hearings to examine a status report on the Environmental Protection Management programs of the Department of Energy.
SD–366

2:30 p.m.
Armed Services
Airland Subcommittee
To hold hearings to examine defense acquisition issues related to tactical aviation and Army programs.
SR–222

Energy and Natural Resources
National Parks Subcommittee
To hold hearings to examine S. 431, to establish a program to award grants to improve and maintain sites honoring Presidents of the United States, S. 505, to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area, S. 1288, to authorize the Secretary of the Interior to enter into cooperative agreements to protect natural resources of units of the National Park System through collaborative efforts on land inside and outside of units of the National Park System, S. 1544, to establish the Northern Plains National Heritage Area in the State of North Dakota, S. Con. Res. 60, designating the Negro Leagues Baseball Museum in Kansas City, Missouri, as America's National Negro Leagues Baseball Museum, S. 748 and H.R. 1084, bills to authorize the establishment at Antietam National Battlefield of a memorial to the officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New

Hampshire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862, and H.R. 2107, to amend Public Law 104–329 to modify authorities for the use of the National Law Enforcement Officers Memorial Maintenance Fund.

SD–366

NOVEMBER 16

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2005.

SD–562

NOVEMBER 17

10 a.m.

Commerce, Science, and Transportation

Aviation Subcommittee

To hold hearings to examine aviation safety.

SD–562

Homeland Security and Governmental Affairs

To hold hearings to examine regulations for the National Security Personnel System.

SD–342

2:30 p.m.

Commerce, Science, and Transportation

Business meeting to consider pending calendar business.

SD–562

POSTPONEMENTS

NOVEMBER 9

11:30 a.m.

Energy and Natural Resources

Business meeting to consider pending calendar business.

SD–366

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S12415–S12461

Measures Introduced: Eight bills were introduced, as follows: S. 1965–1972. **Page S12447**

Measures Reported:

H.R. 680, to direct the Secretary of Interior to convey certain land held in trust for the Paiute Indian Tribe of Utah to the City of Richfield, Utah. (S. Rept. No. 109–175)

S. 1315, to require a report on progress toward the Millennium Development Goals, with amendments. **Page S12447**

Department of Defense Authorization: Senate resumed consideration of 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, taking action on the following amendments proposed thereto: **Pages S12422–42**

Rejected:

By 38 yeas to 53 nays (Vote No. 304), Allard Amendment No. 2423, to authorize a program to provide health, medical, and life insurance benefits to workers at the Rocky Flats Environmental Technology Site, Colorado, who would otherwise fail to qualify for such benefits because of an early physical completion date. **Pages S12422, S12440–42**

Pending:

Nelson (FL) Amendment No. 2424, to repeal the requirement for the reduction of certain Survivor Benefit Plan annuities by the amount of dependency and indemnity compensation and to modify the effective date for paid-up coverage under the Survivor Benefit Plan. **Page S12422**

Reed (for Levin/Reed) Amendment No. 2427, to make available, with an offset, an additional $50,000,000 for Operation and Maintenance for Cooperative Threat Reduction. **Page S12422**

Levin Amendment No. 2430, to establish a national commission on policies and practices on the treatment of detainees since September 11, 2001. **Pages S12422, S12432–36**

Inhofe Amendment No. 2432, relating to the partnership security capacity of foreign military and security forces and security and stabilization assistance. **Page S12423**

Chambliss Amendment No. 2433, to reduce the eligibility age for receipt of non-regular military service retired pay for members of the Ready Reserve in active Federal status or an active duty for significant periods. **Pages S12423–26**

Snowe Amendment No. 2436, to require the Secretary of Defense, subject to a national security exception, to offer to transfer to local redevelopment authorities for no consideration real property and personal property located at military installations that are closed or realigned as part of the 2005 round of defense base closure and realignment. **Pages S12427–32**

Harkin/Dorgan Amendment No. 2438, relating to the American Forces Network. **Pages S12436–40**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:45 a.m. on Tuesday, November 8, 2005. **Pages S12460–61**

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:

Protocol Amending Tax Convention on Inheritances with France (Treaty Doc. No. 109–7).

The treaty was transmitted to the Senate on Friday, November 4, 2005, and today considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page S12460**

Nominations Confirmed: Senate confirmed the following nominations:

Rodney E. Hood, of North Carolina, to be a Member of the National Credit Union Administration Board for a term expiring April 10, 2009.

Gigi Hyland, of Virginia, to be a Member of the National Credit Union Administration Board for a term expiring August 2, 2011. **Pages S12460, S12461**

Nominations Received: Senate received the following nominations:

Mark D. Acton, of Kentucky, to be a Commissioner of the Postal Rate Commission for a term expiring October 14, 2010.

John L. Palmer, of New York, to be a Member of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund for a term of four years.

John L. Palmer, of New York, to be a Member of the Board of Trustees of the Federal Hospital Insurance Trust Fund for a term of four years.

Thomas R. Saving, of Texas, to be a Member of the Board of Trustees of the Federal Hospital Insurance Trust Fund for a term of four years.

John L. Palmer, of New York, to be a Member of the Board of Trustees of the Federal Old-Age and Survivors Trust Fund and the Federal Disability Insurance Trust Fund for a term of four years.

Thomas R. Saving, of Texas, to be a Member of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for a term of four years.

Thomas R. Saving, of Texas, to be a Member of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund for a term of four years.

Kristie A. Kenney, of Virginia, to be Ambassador to the Republic of the Philippines.

Robert Weisberg, of Maryland, to be Ambassador to the Republic of Congo. **Page S12461**

Nominations Discharged: The following nominations were discharged from further committee consideration and placed on the Executive Calendar:

Julie L. Myers, of Kansas, to be an Assistant Secretary of Homeland Security, which was sent to the Senate on June 29, 2005, from the Senate Committee on the Judiciary.

George J. Opfer, of Virginia, to be Inspector General, Department of Veterans Affairs, which was sent to the Senate on September 6, 2005, from the Senate Committee on Homeland Security and Governmental Affairs.

Measures Read First Time: **Page S12445**

Executive Communications: **Pages S12445–47**

Additional Cosponsors: **Pages S12447–48**

Statements on Introduced Bills/Resolutions: **Page S12448**

Additional Statements: **Pages S12443–50**

Amendments Submitted: **Pages S12450–53**

Notices of Hearings/Meetings: **Page S12453**

Privileges of the Floor: **Page S12453**

Record Votes: One record vote was taken today. (Total—304) **Page S12442**

Adjournment: Senate convened at 1 p.m., and adjourned at 6:21 p.m., until 9:45 a.m., on Tuesday, November 8, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S12461.)

Committee Meetings

No committee meetings were held.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 8 public bills, H.R. 4240, 4242–4247; and 2 resolutions, H. Con. Res. 292 and H. Res. 537, were introduced.

Page H9962

Additional Cosponsors: **Pages H9962–63**

Reports Filed: Reports were filed today as follows:

H.R. 1751, to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, with an amendment (H. Rept. 109–271);

Conference report on H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006 (H. Rept. 109–272);

H.R. 2875, to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, with an amendment (Rept. 109–273, Pt. 1);

H.R. 4133, to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program (Rept. 109–274);

Conference report on H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006 (H. Rept. 109–275); and

H.R. 4241, to provide for reconciliation pursuant to section 201(a) of the concurrent resolution on the budget for fiscal year 2006 (Rept. 109–276).

Pages H9713–H9811, H9813–H9932, H9961–62

Speaker: Read a letter from the Speaker wherein he appointed Representative Aderholt to act as Speaker pro tempore for today. **Page H9697**

Recess: The House recessed at 1:03 p.m. and reconvened at 2 p.m. **Page H9700**

Chaplain: The prayer was offered today by Rev. Michael J. O'Sullivan, St. Peter's Catholic Church, Washington, DC. **Page H9700**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Recognizing the 40th anniversary of the Second Vatican Council's Declaration on the Relation of the Church to Non-Christian Religions, Nostra Aetate, and the continuing need for mutual interreligious respect and dialogue: H. Con. Res. 260, amended, to recognize the 40th anniversary of the Second Vatican Council's Declaration on the Relation of the Church to Non-Christian Religions, Nostra Aetate, and the continuing need for mutual interreligious respect and dialogue, by a yea-and-nay vote of 349 yeas with none voting ''nay'', Roll No. 570; **Pages H9701–03, H9811–12**

Agreed to amend the title so as to read: ''Concurrent resolution recognizing the 40th anniversary of the Second Vatican Council's promulgation of Nostra Aetate, the declaration on the relation of the Roman Catholic Church to non-Christian religions, and the historic role of Nostra Aetate in fostering mutual interreligious respect and dialogue.''. **Page H9812**

Water for the Poor Act of 2005: H.R. 1973, amended, to make access to safe water and sanitation for developing countries a specific policy objective of the United States foreign assistance programs, by a yea-and-nay vote of 319 yeas to 34 nays, Roll No. 571 and; **Pages H9703–09, H9812**

Gynecological Resolution for Advancement of Ovarian Cancer Education: H. Res. 444, amended, to support the goals and ideals of National Ovarian Cancer Awareness Month, by a yea-and-nay vote of 348 yeas with none voting ''nay'', Roll No. 572.

Pages H9709–13, H9812–13

Recess: The House recessed at 3:22 p.m. and reconvened at 6:32 p.m. **Page H9713**

Quorum Calls—Votes: 3 yea-and-nay votes developed during the proceedings of today and appear on pages H9811–12, H9812, and H9813. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:41 p.m.

Committee Meetings

No committee meetings were held.

Joint Meetings

APPROPRIATIONS: ENERGY AND WATER

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006.

COMMITTEE MEETINGS FOR TUESDAY, NOVEMBER 8, 2005

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: Subcommittee on Research, Nutrition, and General Legislation, to hold hearings to examine the Pet Animal Welfare Statute, 2:30 p.m., SDG–50.

Committee on Environment and Public Works: Subcommittee on Superfund and Waste Management, to hold oversight hearings to examine the impact of certain government contractor liability proposals on environmental laws, 2:30 p.m., SD–406.

Committee on Foreign Relations: to hold hearings to examine Kosovo, 9:30 a.m., SD–419.

Full Committee, to hold hearings to examine the nominations of Alejandro Daniel Wolff, of California, to be the U.S. Deputy Representative to the United Nations, with the rank and status of Ambassador, and the U.S. Deputy Representative in the Security Council of the United Nations, and to be U.S. Representative to the Sessions of the General Assembly of the United Nations, during his tenure of service as U.S. Deputy Representative to the United Nations, 2:30 p.m., SD–419.

Committee on the Judiciary: to hold hearings to examine U.S.-Saudi Arabia relations relating to the war on terror, 9:30 a.m., SD–226.

Full Committee, to hold hearings to examine the nominations of Carol E. Dinkins, of Texas, to be Chairman, and Alan Charles Raul, of the District of Columbia, to be Vice Chairman, both of the Privacy and Civil Liberties Oversight Board, 2:30 p.m., SD–226.

Committee on Small Business and Entrepreneurship: to hold hearings to examine strengthening hurricane recovery efforts for small businesses, 10 a.m., SR–428A.

House

Committee on Energy and Commerce, hearing entitled ''Assessing the National Pandemic Flu Preparedness Plan,'' 10 a.m., 2123 Rayburn.

Committee on Homeland Security, Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment, hearing entitled ''Federal Support for Homeland Security Information Sharing: The Role of the Information Sharing Program Manager,'' 2 p.m., 311 Cannon.

Committee on the Judiciary, Subcommittee on the Constitution, oversight hearing on The Voting Rights Act: Section 203—Bilingual Election Requirements, Part I, 2 p.m., 2141 Rayburn.

Committee on Resources, Subcommittee on Fisheries and Oceans, hearing on H.R. 3552, Coastal Barrier Resources Reauthorization Act of 2005, 10 a.m., 1324 Longworth.

Committee on Rules, to consider H.R. 1751, Secure Access to Justice and Court Protection Act of 2005, 5 p.m., H–313 Capitol.

Committee on Small Business, Subcommittee on Workforce, Empowerment, and Government Programs, hearing entitled ''The Small Business Innovation Research Program—Open Doors to New Technology,'' 10 a.m., 2360 Rayburn.

Permanent Select Committee on Intelligence, executive, entitled ''DNI Hearing Discussion,'' 11:30 a.m., H–405 Capitol.

Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence and the Subcommittee on Intelligence Policy, executive, joint briefing entitled ''Muslim Extremism,'' 3 p.m., H–405 Capitol.

Next Meeting of the SENATE

9:45 a.m., Tuesday, November 8

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 1 hour) Senate will continue consideration of S. 1042, National Defense Authorization.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Tuesday, November 8

House Chamber

Program for Tuesday: Consideration of 7 Suspensions: (1) H. Res. 38—Expressing support for the accession of Israel to the Organization for Economic Co-operation and Development; (2) H.R. 1953—San Francisco Old Mint Commemorative Coin Act; (3) S. 1894—Fair Access Foster Care Act of 2005; (4) H. Res. 302—Recognizing and commending the continuing dedication and commitment of employers of the members of the National Guard and the other reserve components who have been mobilized during the Global War on Terrorism and in defense of the United States; (5) H.R. 3770—Grant W. Green Post Office Building Designation Act; (6) H.R. 3825—Clayton J. Smith Memorial Post Office Building Designation Act and (7) H.R. 4053—Lillian Kinkella Keil Post Office Designation Act.

Extensions of Remarks, as inserted in this issue

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Congressional Record

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