

DURBIN, Mr. LEAHY, Mr. HARKIN, Ms. CANTWELL, Mr. BURNS, Mr. SCHUMER, Mr. ROBERTS, Mr. DAYTON, Mr. INOUE, and Mr. AKAKA) proposed an amendment to the bill H.R. 5385, *supra*.

SA 5145. Mr. SMITH submitted an amendment intended to be proposed to amendment SA 4920 submitted by Mr. BURNS and intended to be proposed to the bill H.R. 5385, *supra*; which was ordered to lie on the table.

SA 5146. Mr. COCHRAN (for himself and Mr. LOTT) submitted an amendment intended to be proposed by him to the bill H.R. 5385, *supra*.

SA 5147. Mr. WYDEN (for himself and Mr. SMITH) submitted an amendment intended to be proposed by him to the bill H.R. 5385, *supra*; which was ordered to lie on the table.

SA 5148. Mrs. DOLE submitted an amendment intended to be proposed by her to the bill H.R. 5385, *supra*; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 5137. Mr. OBAMA (for himself, Mrs. MIKULSKI, Mr. SALAZAR, Mr. AKAKA Mr. LEAHY, Mr. ROCKEFELLER, Mrs. BOXER, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) ELIGIBILITY FOR MEDICAL CARE AND SERVICES FOR VETERANS OF FUTURE CONFLICTS FOR MENTAL HEALTH CONDITIONS FOR WHICH EVIDENCE IS INSUFFICIENT TO ESTABLISH A SERVICE-CONNECTION.—Paragraph (1) of section 1710(e) of title 38, United States Code, is amended by adding at the end the following new subparagraph:

“(F) Subject to paragraphs (2) and (3), a veteran who served on active duty as described in subparagraph (D) during a period of war specified in that subparagraph, or after the date specified in that subparagraph, is also eligible for—

“(i) a mental health evaluation to be provided by the Secretary not later than 30 days after the date of the request of the veteran for such evaluation; and

“(ii) hospital care, medical services, nursing home care, and family and marital counseling for any mental health condition identified pursuant to such evaluation, notwithstanding that there is insufficient medical evidence to conclude that such condition is attributable to such service.”.

(b) LIMITATIONS.—

(1) CAUSATION.—Paragraph (2)(B) of such section is amended by striking “or (E)” and inserting “(E), or (F)”.

(2) DURATION AFTER SERVICE.—Paragraph (3) of such section is amended—

(A) in subparagraph (C), by striking “and” at the end;

(B) in subparagraph (D), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following new subparagraph:

“(E) in the case of a veteran described in paragraph (1)(F)—

“(i) with respect to the evaluation described in clause (i) of that paragraph, after a period of 5 years beginning on the date of the veteran’s discharge or release from active military, naval, or air service; and

“(ii) with respect to the care, services, and counseling described in clause (ii) of

that paragraph, after a period of 2 years beginning on the date of the commencement of the provision of such care, services, and counseling to the veteran.”.

SA 5138. Mr. OBAMA (for himself, Mrs. MIKULSKI, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; as follows:

At the appropriate place in title II, insert the following:

SEC. _____. (a) STUDY ON COSTS OF COMPREHENSIVE SERVICE PROGRAMS FOR HOMELESS VETERANS.—The Secretary of Veterans Affairs shall carry out a study of costs associated with the Comprehensive Service Programs authorized by sections 2011 and 2012 of title 38 United States Code.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Veterans Affairs and Appropriations of the Senate and the Committees on Veterans Affairs and Appropriations of the House of Representatives a report on the study required by subsection (a). The report shall set forth the following:

(1) The number of authorized and operational transitional housing beds and service centers under the programs referred to in subsection (a) in fiscal year 2006, and the number of such beds and centers in each State and in each Congressional District during such fiscal year.

(2) The cost in fiscal year 2006 of grants under section 2011 of title 38, United States Code, to authorized and operational transitional housing beds and service centers under the programs referred to in that subsection.

(3) The cost in fiscal year 2006 of per diem payments under section 2012 of title 38 United States Code, to authorized and operational transitional housing beds and service centers under the programs referred to in that subsection.

(4) An estimate of the costs in each of fiscal years 2007, 2012, and 2017 associated with an increase in the number of operational transitional housing beds under the programs referred to in that subsection to each of 10,000, 20,000, and 30,000 beds, and a description of the methodology used for making such estimates.

(5) The number of applications received, scored as qualified, and awarded pursuant to the Capital Grant Notice of Funds Availability published on April 20, 2006.

(6) The range of per diem payment rates, the average per diem payment rate, and the median per diem payment rate paid to recipients of grants under section 2012 of title 38, United States Code, in fiscal year 2006.

(7) The number and percentage of total recipients of grants under section 2011 of title 38 United States Code, in fiscal year 2006 being paid under section 2012 of title 38, United States Code, the rate authorized for State homes for domiciliary care under section 1741(a)(1)(A) of that title for fiscal year 2006.

SA 5139. Mr. OBAMA (for himself, Mrs. MIKULSKI, Ms. LANDRIEU,) submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for

other purposes; which was ordered to lie on the table; as follows:

On page 106, between lines 12 and 13, insert the following new section:

SEC. 229. Effective as of October 1, 2006, the authority provided by section 2064 of title 38, United States Code, shall continue in effect until September 30, 2007.

SA 5140. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title II, add the following:

SEC. _____. (a) TERMINATION UNDER SERVICEMEMBERS CIVIL RELIEF ACT OF CONTRACTS FOR CELLULAR PHONE SERVICES.—

(1) INCLUSION OF CONTRACTS UNDER TERMINATION AUTHORITY.—Subsection (b) of section 305 of the Servicemembers Civil Relief Act (50 U.S.C. App. 535) is amended by adding at the end the following new paragraph:

“(3) CONTRACTS FOR CELLULAR PHONE SERVICE.—

“(A) IN GENERAL.—Subject to subparagraphs (B) and (C), a contract for a cellular phone used, or intended to be used, by a servicemember or a servicemember’s dependent for a personal or business purpose if—

“(i) the contract is executed by or on behalf of a person who thereafter and during the term of the contract enters into military service under call or order specifying a period of not less than 90 days (or who enters military service under a call or order specifying a period of 90 days or less and who, without a break in service, receives orders extending the period of military service to a period not less than 90 days);

“(ii) the servicemember, while in military service, executes the contract and thereafter receives military orders for a permanent change of station outside of the continental United States or to deploy with a military unit for a period of not less than 90 days; or

“(iii) the servicemember, while in military service, executes the contract and thereafter receives military orders for a permanent change of station to a location within the continental United States where the contract cannot be transferred at the same rate, terms, and quality of service.

“(B) APPLICABILITY TO DEPENDENTS.—Subparagraph (A) shall apply with respect to a contract, or portion of a contract, for a cellular phone used, or intended to be used, by a servicemember’s dependent only if the dependent—

“(i) relocates in accompanying the servicemember in the performance of the military service, or in a permanent change of station or deployment, described in that subparagraph; or

“(ii) otherwise relocates as a consequence of such military service or change of station or deployment.

“(C) APPLICABILITY TO GROUP PLANS.—If a servicemember or a dependent to whom this paragraph applies is not the primary account holder under a contract described in subparagraph (A), that subparagraph shall apply only to the extent of the obligations of the servicemember or dependent, as the case may be, in the contract.”.

(2) MANNER OF TERMINATION.—Subsection (c)(1) of such section is amended—

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

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

(C) by adding at the end the following new subparagraph:

“(C) in the case of a contract for a cellular phone, by delivery by the contractee of written notice of such termination, and a copy of the servicemember’s military orders, to the contractor or to the contractor’s agent.”.

(3) EFFECTIVE DATE OF TERMINATION.—Subsection (d) of such section is amended by adding at the end the following new paragraph:

“(3) CONTRACT FOR CELLULAR PHONE SERVICE.—In the case of a contract for a cellular phone described in subsection (b)(3), termination of the contract under subsection (a) is effective on the day on which the requirements of subsection (c) are met for such termination.”.

(4) ARREARAGES.—Subsection (e) of such section is amended—

(A) by striking “(e) ARREARAGES AND OTHER OBLIGATIONS AND LIABILITIES.—Rents or lease amounts” and inserting the following:

“(e) ARREARAGES AND OTHER OBLIGATIONS AND LIABILITIES.—

“(1) IN GENERAL.—Rents or lease amounts”;

(B) by designating the second sentence as paragraph (2), indenting such paragraph 4 ems from the left margin, and inserting before “In the case of the lease” the following:

“(2) LEASE CHARGES FOR MOTOR VEHICLES.—”; and

(C) by adding at the end the following new paragraphs:

“(3) TERMINATION CHARGES FOR CELLULAR PHONE CONTRACTS.—In the case of a contract for a cellular phone, the contractor may not impose an early termination charge, but may request the return of equipment provided to the contractee as part of the contract which would normally remain the property of the contractee at the end of the contract term if the contractee is given the option of paying a pro-rated amount to retain such equipment based on the original retail price of such equipment, the amount previously paid for such equipment by the contractee, and the time remaining on the contract.

“(4) REACTIVATION FEES.—In the event a contractor and contractee jointly agree to treat the termination of a contract for a cellular phone under this section as a suspension of such contract, the contractor may not impose any fee for reactivation of service under such contract at the completion of suspension of such contract.”.

(b) CONFORMING AMENDMENT.—Subsection (a)(1)(B) of such section is amended by striking “or (2)(B)” and inserting “, (2)(B), (3)(A)(ii), or (3)(A)(iii)”.

(c) CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

“SEC. 305. TERMINATION OF RESIDENTIAL OR MOTOR VEHICLE LEASES OR CONTRACTS FOR CELLULAR PHONE SERVICE.”.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents for such Act is amended by striking the item relating to section 305 and inserting the following new item:

“Sec. 305. Termination of residential or motor vehicle leases or contracts for cellular phone service.”.

SA 5141. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; as follows:

At the appropriate place insert the following:

“SEC. 126. (a) The amount available for ‘Military Construction, Air Force’ is hereby reduced by \$25,400,000 for ‘Basic Expeditionary Airmen Training Facility, Lackland AFB, Texas’.

“(b) The amount available for ‘Department of Defense Base Closure Account 2005’ is hereby increased by \$25,400,000.”

SA 5142. Mr. KERRY (for himself, Mr. KENNEDY, Mr. AKAKA, Mrs. BOXER, and Mr. JEFFORDS) submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; as follows:

On page 106, between lines 12 and 13, insert the following:

SEC. 229. Of the amount appropriated by this title, up to \$18,000,000 may be available for necessary expenses, including salaries and expenses, for the provision of additional mental health services through centers for readjustment counseling and related mental health services for veterans under section 1712A of title 38, United States Code (commonly referred to as “Vet Centers”), to veterans who served in combat in Iraq or Afghanistan.

SA 5143. Mr. ALLEN submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; as follows:

On page 110, between lines 22 and 23, insert the following:

TITLE V—DIGITAL AND WIRELESS TECHNOLOGY

SEC. 501. SHORT TITLE.

This title may be cited as the “Minority Serving Institution Digital and Wireless Technology Opportunity Act of 2006”.

SEC. 502. ESTABLISHMENT OF PROGRAM.

Section 5 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3704) is amended by inserting the following after subsection (f):

“(g) MINORITY SERVING INSTITUTION DIGITAL AND WIRELESS TECHNOLOGY OPPORTUNITY PROGRAM.—

“(1) IN GENERAL.—The Secretary, acting through the Under Secretary, shall establish a Minority Serving Institution Digital and Wireless Technology Opportunity Program to assist eligible institutions in acquiring, and augmenting their use of, digital and wireless networking technologies to improve the quality and delivery of educational services at eligible institutions.

“(2) AUTHORIZED ACTIVITIES.—An eligible institution may use a grant, cooperative agreement, or contract awarded under this subsection—

“(A) to acquire equipment, instrumentation, networking capability, hardware and software, digital network technology, wireless technology, and infrastructure to further the objective of the Program described in paragraph (1);

“(B) to develop and provide training, education, and professional development programs, including faculty development, to increase the use of, and usefulness of, digital and wireless networking technology;

“(C) to provide teacher education, including the provision of preservice teacher train-

ing and in-service professional development at eligible institutions, library and media specialist training, and preschool and teacher aid certification to individuals who seek to acquire or enhance technology skills in order to use digital and wireless networking technology in the classroom or instructional process, including instruction in science, mathematics, engineering, and technology subjects; and

“(D) to foster the use of digital and wireless networking technology to improve research and education, including scientific, mathematics, engineering, and technology instruction.

“(3) APPLICATION AND REVIEW PROCEDURES.—

“(A) IN GENERAL.—To be eligible to receive a grant, cooperative agreement, or contract under this subsection, an eligible institution shall submit an application to the Under Secretary at such time, in such manner, and containing such information as the Under Secretary may require. Such application, at a minimum, shall include a description of how the funds will be used, including a description of any digital and wireless networking technology to be acquired, and a description of how the institution will ensure that digital and wireless networking will be made accessible to, and employed by, students, faculty, and administrators. The Under Secretary, consistent with subparagraph (B), shall establish procedures to review such applications. The Under Secretary shall publish the application requirements and review criteria in the Federal Register, along with a statement describing the availability of funds.

“(B) REVIEW PANELS.—Each application submitted under this subsection by an eligible institution shall be reviewed by a panel of individuals selected by the Under Secretary to judge the quality and merit of the proposal, including the extent to which the eligible institution can effectively and successfully utilize the proposed grant, cooperative agreement, or contract to carry out the program described in paragraph (1). The Under Secretary shall ensure that the review panels include representatives of minority serving institutions and others who are knowledgeable about eligible institutions and digital and wireless networking technology. The Under Secretary shall ensure that no individual assigned under this subsection to review any application has a conflict of interest with regard to that application. The Under Secretary shall take into consideration the recommendations of the review panel in determining whether to award a grant, cooperative agreement, or contract to an eligible institution.

“(C) MATCHING REQUIREMENT.—The Under Secretary may not award a grant, cooperative agreement, or contract to an eligible institution under this subsection unless such institution agrees that, with respect to the costs incurred by the institution in carrying out the program for which the grant, cooperative agreement, or contract was awarded, such institution shall make available, directly, or through donations from public or private entities, non-Federal contributions in an amount equal to one-quarter of the grant, cooperative agreement, or contract awarded by the Under Secretary, or \$500,000, whichever is the lesser amount. The Under Secretary shall waive the matching requirement for any institution or consortium with no endowment, or an endowment that has a current dollar value lower than \$50,000,000.

“(D) AWARDS.—

“(i) LIMITATION.—An eligible institution that receives a grant, cooperative agreement, or contract under this subsection that

exceeds \$2,500,000 shall not be eligible to receive another grant, cooperative agreement, or contract.

“(ii) CONSORTIA.—Grants, cooperative agreements, and contracts may only be awarded to eligible institutions. Eligible institutions may seek funding under this subsection for consortia which may include other eligible institutions, a State or a State educational agency, local educational agencies, institutions of higher education, community-based organizations, national nonprofit organizations, or businesses, including minority businesses.

“(iii) PLANNING GRANTS.—The Under Secretary may provide funds to develop strategic plans to implement such grants, cooperative agreements, or contracts.

“(iv) INSTITUTIONAL DIVERSITY.—In awarding grants, cooperative agreements, and contracts to eligible institutions, the Under Secretary shall ensure, to the extent practicable, that awards are made to all types of institutions eligible for assistance under this subsection.

“(v) NEED.—In awarding funds under this subsection, the Under Secretary shall give priority to the institution with the greatest demonstrated need for assistance.

“(E) ANNUAL REPORT AND EVALUATION.—

“(i) ANNUAL REPORT REQUIRED FROM RECIPIENTS.—Each institution that receives a grant, cooperative agreement, or contract awarded under this subsection shall provide an annual report to the Under Secretary on its use of the grant, cooperative agreement, or contract.

“(ii) INDEPENDENT ASSESSMENT.—Not later than 6 months after the date of enactment of this subsection, the Under Secretary shall enter into a contract with the National Academy of Public Administration to conduct periodic assessments of the program. The Assessments shall be conducted once every 3 years during the 10-year period following the enactment of this subsection. The assessments shall include an evaluation of the effectiveness of the program in improving the education and training of students, faculty and staff at eligible institutions that have been awarded grants, cooperative agreements, or contracts under the program; an evaluation of the effectiveness of the program in improving access to, and familiarity with, digital and wireless networking technology for students, faculty, and staff at all eligible institutions; an evaluation of the procedures established under subparagraph (A); and recommendations for improving the program, including recommendations concerning the continuing need for Federal support. In carrying out its assessments, the National Academy of Public Administration shall review the reports submitted to the Under Secretary under clause (i).

“(iii) REPORT TO CONGRESS.—Upon completion of each independent assessment carried out under clause (ii), the Under Secretary shall transmit the assessment to Congress along with a summary of the Under Secretary’s plans, if any, to implement the recommendations of the National Academy of Public Administration.

“(F) DEFINITIONS.—In this subsection:

“(i) DIGITAL AND WIRELESS NETWORKING TECHNOLOGY.—The term ‘digital and wireless networking technology’ means computer and communications equipment and software that facilitates the transmission of information in a digital format.

“(ii) ELIGIBLE INSTITUTION.—The term ‘eligible institution’ means an institution that is—

“(I) a historically Black college or university that is a part B institution, as defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)), or an institution de-

scribed in section 326(e)(1) of that Act (20 U.S.C. 1063b(e)(1));

“(II) a Hispanic-serving institution, as defined in section 502(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1101a(a)(5));

“(III) a tribally controlled college or university, as defined in section 316(b)(3) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)(3));

“(IV) an Alaska Native-serving institution under section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)); or

“(V) a Native Hawaiian-serving institution under section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)).

“(iii) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

“(iv) LOCAL EDUCATIONAL AGENCY.—The term ‘local educational agency’ has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(v) MINORITY BUSINESS.—The term ‘minority business’ includes HUBZone small business concerns (as defined in section 3(p) of the Small Business Act (15 U.S.C. 632(p))).

“(vi) MINORITY INDIVIDUAL.—The term ‘minority individual’ means an American Indian, Alaskan Native, Black (not of Hispanic origin), Hispanic (including persons of Mexican, Puerto Rican, Cuban and Central or South American origin), or Pacific Islander individual.

“(vii) STATE.—The term ‘State’ has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(viii) STATE EDUCATIONAL AGENCY.—The term ‘State educational agency’ has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).”

SEC. 503. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Technology Administration of the Department of Commerce to carry out section 5(g) of the Stevenson-Wylder Technology Innovation Act of 1980 such sums as may be necessary for each of the fiscal years 2007 through 2010.

SA 5144. Mr. CONRAD (for himself, Mr. COLEMAN, Mr. NELSON of Nebraska, Mr. SALAZAR, Mr. HAGEL, Mr. JOHNSON, Mr. THUNE, Mr. DORGAN, Mr. ENZI, Mr. BAUCUS, Mr. REID, Mrs. CLINTON, Mr. OBAMA, Mr. DURBIN, Mr. LEAHY, Mr. HARKIN, Ms. CANTWELL, Mr. BURNS, Mr. SCHUMER, Mr. ROBERTS, Mr. DAYTON, Mr. INOUE, and Mr. AKAKA) proposed an amendment to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; as follows:

On page 110, between lines 22 and 23, insert the following:

TITLE V—EMERGENCY FARM RELIEF

SEC. 501. SHORT TITLE.

This title may be cited as the “Emergency Farm Relief Act of 2006”.

SEC. 502. DEFINITIONS.

In this title:

(1) ADDITIONAL COVERAGE.—The term “additional coverage” has the meaning given the term in section 502(b)(1) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)(1)).

(2) DISASTER COUNTY.—The term “disaster county” means—

(A) a county included in the geographic area covered by a natural disaster declaration; and

(B) each county contiguous to a county described in subparagraph (A).

(3) HURRICANE-AFFECTED COUNTY.—The term “hurricane-affected county” means—

(A) a county included in the geographic area covered by a natural disaster declaration related to Hurricane Katrina, Hurricane Rita, Hurricane Wilma, or a related condition; and

(B) each county contiguous to a county described in subparagraph (A).

(4) INSURABLE COMMODITY.—The term “insurable commodity” means an agricultural commodity (excluding livestock) for which the producers on a farm are eligible to obtain a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(5) LIVESTOCK.—The term “livestock” includes—

(A) cattle (including dairy cattle);

(B) bison;

(C) sheep;

(D) swine; and

(E) other livestock, as determined by the Secretary.

(6) NATURAL DISASTER DECLARATION.—The term “natural disaster declaration” means a natural disaster declared by the Secretary during calendar year 2005 or 2006 under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)).

(7) NONINSURABLE COMMODITY.—The term “noninsurable commodity” means a crop for which the producers on a farm are eligible to obtain assistance under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

(8) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

Subtitle A—Agricultural Production Losses

SEC. 511. CROP DISASTER ASSISTANCE.

(a) IN GENERAL.—The Secretary shall use such sums as are necessary of funds of the Commodity Credit Corporation to make emergency financial assistance authorized under this section available to producers on a farm that have incurred qualifying losses described in subsection (c).

(b) ADMINISTRATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall make assistance available under this section in the same manner as provided under section 815 of the Agriculture, Rural Development, Food and Drug Administration and Related Agencies Appropriations Act, 2001 (Public Law 106-387; 114 Stat. 1549A-55), including using the same loss thresholds for quantity and economic losses as were used in administering that section, except that the payment rate shall be 50 percent of the established price, instead of 65 percent.

(2) NONINSURED PRODUCERS.—For producers on a farm that were eligible to acquire crop insurance for the applicable production loss and failed to do so or failed to submit an application for the noninsured assistance program for the loss, the Secretary shall make assistance in accordance with paragraph (1), except that the payment rate shall be 35 percent of the established price, instead of 50 percent.

(c) QUALIFYING LOSSES.—Assistance under this section shall be made available to producers on farms, other than producers of sugar beets, that incurred qualifying quantity or quality losses for the 2005 or 2006 crop due to damaging weather or any related condition (including losses due to crop diseases, insects, and delayed harvest), as determined by the Secretary.

(d) QUALITY LOSSES.—

(1) IN GENERAL.—In addition to any payment received under subsection (b), the Secretary shall use such sums as are necessary of funds of the Commodity Credit Corporation to make payments to producers on a

farm described in subsection (a) that incurred a quality loss for the 2005 or 2006 crop, or both, of a commodity in an amount equal to the product obtained by multiplying—

(A) the payment quantity determined under paragraph (2);

(B)(i) in the case of an insurable commodity, the coverage level elected by the insured under the policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); or

(ii) in the case of a noninsurable commodity, the applicable coverage level for the payment quantity determined under paragraph (2); by

(C) 50 percent of the payment rate determined under paragraph (3).

(2) PAYMENT QUANTITY.—For the purpose of paragraph (1)(A), the payment quantity for quality losses for a crop of a commodity on a farm shall equal the lesser of—

(A) the actual production of the crop affected by a quality loss of the commodity on the farm; or

(B)(i) in the case of an insurable commodity, the actual production history for the commodity by the producers on the farm under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); or

(ii) in the case of a noninsurable commodity, the established yield for the crop for the producers on the farm under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333).

(3) PAYMENT RATE.—

(A) IN GENERAL.—For the purpose of paragraph (1)(B), the payment rate for quality losses for a crop of a commodity on a farm shall be equal to the difference between (as determined by the applicable State committee of the Farm Service Agency)—

(i) the per unit market value that the units of the crop affected by the quality loss would have had if the crop had not suffered a quality loss; and

(ii) the per unit market value of the units of the crop affected by the quality loss.

(B) FACTORS.—In determining the payment rate for quality losses for a crop of a commodity on a farm, the applicable State committee of the Farm Service Agency shall take into account—

(i) the average local market quality discounts that purchasers applied to the commodity during the first 2 months following the normal harvest period for the commodity;

(ii) the loan rate and repayment rate established for the commodity under the marketing loan program established for the commodity under subtitle B of title I of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7931 et seq.);

(iii) the market value of the commodity if sold into a secondary market; and

(iv) other factors determined appropriate by the committee.

(4) ELIGIBILITY.—

(A) IN GENERAL.—For producers on a farm to be eligible to obtain a payment for a quality loss for a crop under this subsection—

(i) the amount obtained by multiplying the per unit loss determined under paragraph (1) by the number of units affected by the quality loss shall be reduced by the amount of any indemnification received by the producers on the farm for quality loss adjustment for the commodity under a policy or plan of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

(ii) the remainder shall be at least 25 percent of the value that all affected production of the crop would have had if the crop had not suffered a quality loss.

(B) INELIGIBILITY.—If the amount of a quality loss payment for a commodity for the producers on a farm determined under this paragraph is equal to or less than zero, the

producers on the farm shall be ineligible for assistance for the commodity under this subsection.

(5) ELIGIBLE PRODUCTION.—The Secretary shall carry out this subsection in a fair and equitable manner for all eligible production, including the production of fruits and vegetables, other specialty crops, and field crops.

(e) TIMING.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall make payments to producers on a farm for a crop under this section not later than 60 days after the date the producers on the farm submit to the Secretary a completed application for the payments.

(2) INTEREST.—If the Secretary does not make payments to the producers on a farm by the date described in paragraph (1), the Secretary shall pay to the producers on a farm interest on the payments at a rate equal to the current (as of the sign-up deadline established by the Secretary) market yield on outstanding, marketable obligations of the United States with maturities of 30 years.

SEC. 512. LIVESTOCK ASSISTANCE.

(a) LIVESTOCK COMPENSATION PROGRAM.—

(1) USE OF COMMODITY CREDIT CORPORATION FUNDS.—Effective beginning on the date of enactment of this Act, the Secretary shall use funds of the Commodity Credit Corporation to carry out the 2002 Livestock Compensation Program announced by the Secretary on October 10, 2002 (67 Fed. Reg. 63070), to provide compensation for livestock losses during calendar years 2005 and 2006 for losses due to a disaster, as determined by the Secretary, except that the payment rate shall be 75 percent of the payment rate established for the 2002 Livestock Compensation Program.

(2) ELIGIBLE APPLICANTS.—In carrying out the program described in paragraph (1), the Secretary shall provide assistance to any applicant for livestock losses during calendar year 2005 or 2006, or both, that—

(A)(i) conducts a livestock operation that is located in a disaster county, including any applicant conducting a livestock operation with eligible livestock (within the meaning of the livestock assistance program under section 101(b) of division B of Public Law 108-324 (118 Stat. 1234)); or

(ii) produces an animal described in section 10806(a)(1) of the Farm Security and Rural Investment Act of 2002 (21 U.S.C. 321d(a)(1));

(B) demonstrates to the Secretary that the applicant suffered a material loss of pasture or hay production, or experienced substantially increased feed costs, due to damaging weather or a related condition during the calendar year, as determined by the Secretary; and

(C) meets all other eligibility requirements established by the Secretary for the program.

(3) MITIGATION.—In determining the eligibility for or amount of payments for which a producer is eligible under the livestock compensation program, the Secretary shall not penalize a producer that takes actions (recognizing disaster conditions) that reduce the average number of livestock the producer owned for grazing during the production year for which assistance is being provided.

(b) LIVESTOCK INDEMNITY PAYMENTS.—

(1) IN GENERAL.—The Secretary shall use such sums as are necessary of funds of the Commodity Credit Corporation to make livestock indemnity payments to producers on farms that have incurred livestock losses during calendar years 2005 and 2006 for losses that occurred prior to the date of enactment of this Act (including wildfire disaster losses in the State of Texas and other States) due to a disaster, as determined by the Sec-

retary, including losses due to hurricanes, floods, anthrax, and wildfires.

(2) PAYMENT RATES.—Indemnity payments to a producer on a farm under paragraph (1) shall be made at a rate of not less than 30 percent of the market value of the applicable livestock on the day before the date of death of the livestock, as determined by the Secretary.

(c) EWE LAMB REPLACEMENT AND RETENTION.—

(1) IN GENERAL.—The Secretary shall use \$13,000,000 of funds of the Commodity Credit Corporation to make payments under the Ewe Lamb Replacement and Retention Payment Program under part 784 of title 7, Code of Federal Regulations (or a successor regulation) for each qualifying ewe lamb retained or purchased during the period beginning on January 1, 2006, and ending on December 31, 2006.

(2) INELIGIBILITY FOR OTHER ASSISTANCE.—A producer that receives assistance under this subsection shall not be eligible to receive assistance under subsection (a).

SEC. 513. FLOODED CROP AND GRAZING LAND.

(a) IN GENERAL.—The Secretary shall compensate eligible owners of flooded crop and grazing land in—

(1) the Devils Lake basin; and

(2) the McHugh, Lake Laretta, and Rose Lake closed drainage areas of the State of North Dakota.

(b) ELIGIBILITY.—

(1) IN GENERAL.—To be eligible to receive compensation under this section, an owner shall own land described in subsection (a) that, during the 2 crop years preceding receipt of compensation, was rendered incapable of use for the production of an agricultural commodity or for grazing purposes (in a manner consistent with the historical use of the land) as the result of flooding, as determined by the Secretary.

(2) INCLUSIONS.—Land described in paragraph (1) shall include—

(A) land that has been flooded;

(B) land that has been rendered inaccessible due to flooding; and

(C) a reasonable buffer strip adjoining the flooded land, as determined by the Secretary.

(3) ADMINISTRATION.—The Secretary may establish—

(A) reasonable minimum acreage levels for individual parcels of land for which owners may receive compensation under this section; and

(B) the location and area of adjoining flooded land for which owners may receive compensation under this section.

(c) SIGN-UP.—The Secretary shall establish a sign-up program for eligible owners to apply for compensation from the Secretary under this section.

(d) COMPENSATION PAYMENTS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the rate of an annual compensation payment under this section shall be equal to 90 percent of the average annual per acre rental payment rate (at the time of entry into the contract) for comparable crop or grazing land that has not been flooded and remains in production in the county where the flooded land is located, as determined by the Secretary.

(2) REDUCTION.—An annual compensation payment under this section shall be reduced by the amount of any conservation program rental payments or Federal agricultural commodity program payments received by the owner for the land during any crop year for which compensation is received under this section.

(3) EXCLUSION.—During any year in which an owner receives compensation for flooded land under this section, the owner shall not

be eligible to participate in or receive benefits for the flooded land under—

(A) the Federal crop insurance program established under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.);

(B) the noninsured crop assistance program established under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); or

(C) any Federal agricultural crop disaster assistance program.

(e) **RELATIONSHIP TO AGRICULTURAL COMMODITY PROGRAMS.**—The Secretary, by regulation, shall provide for the preservation of cropland base, allotment history, and payment yields applicable to land described in subsection (a) that was rendered incapable of use for the production of an agricultural commodity or for grazing purposes as the result of flooding.

(f) **USE OF LAND.**—

(1) **IN GENERAL.**—An owner that receives compensation under this section for flooded land shall take such actions as are necessary to not degrade any wildlife habitat on the land that has naturally developed as a result of the flooding.

(2) **RECREATIONAL ACTIVITIES.**—To encourage owners that receive compensation for flooded land to allow public access to and use of the land for recreational activities, as determined by the Secretary, the Secretary may—

(A) offer an eligible owner additional compensation; and

(B) provide compensation for additional acreage under this section.

(g) **FUNDING.**—

(1) **IN GENERAL.**—The Secretary shall use \$6,000,000 of funds of the Commodity Credit Corporation to carry out this section.

(2) **PRO-RATED PAYMENTS.**—In a case in which the amount made available under paragraph (1) for a fiscal year is insufficient to compensate all eligible owners under this section, the Secretary shall pro-rate payments for that fiscal year on a per acre basis.

SEC. 514. SUGAR BEET DISASTER ASSISTANCE.

(a) **IN GENERAL.**—The Secretary shall use \$24,000,000 of funds of the Commodity Credit Corporation to provide assistance to sugar beet producers that suffered production losses (including quality losses) for the 2005 or 2006 crop year.

(b) **REQUIREMENT.**—The Secretary shall make payments under subsection (a) in the same manner as payments were made under section 208 of the Agricultural Assistance Act of 2003 (Public Law 108-7; 117 Stat. 544), including using the same indemnity benefits as were used in carrying out that section.

(c) **HAWAII.**—The Secretary shall use \$6,000,000 of funds of the Commodity Credit Corporation to assist sugarcane growers in Hawaii by making a payment in that amount to an agricultural transportation cooperative in Hawaii, the members of which are eligible to obtain a loan under section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)).

SEC. 515. BOVINE TUBERCULOSIS HERD INDEMNIFICATION.

The Secretary shall use \$2,000,000 of funds of the Commodity Credit Corporation to indemnify producers that suffered losses to herds of cattle due to bovine tuberculosis during calendar year 2005.

SEC. 516. NONINSURED CROP ASSISTANCE PROGRAM.

Section 196(c) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333(c)) is amended by adding at the end the following:

“(5) **LOSS ASSESSMENT FOR GRAZING.**—The Secretary shall permit the use of 1 claims adjuster certified by the Secretary to assess the quantity of loss on the acreage or allot-

ment of a producer devoted to grazing for livestock under this section.”.

SEC. 517. REDUCTION IN PAYMENTS.

The amount of any payment for which a producer is eligible under this subtitle shall be reduced by any amount received by the producer for the same loss or any similar loss under—

(1) the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148; 119 Stat. 2680);

(2) an agricultural disaster assistance provision contained in the announcement of the Secretary on January 26, 2006, or August 29, 2006;

(3) the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234; 120 Stat. 418); or

(4) the Livestock Assistance Grant Program announced by the Secretary on August 29, 2006.

Subtitle B—Small Business Economic Loss Grant Program

SEC. 521. SMALL BUSINESS ECONOMIC LOSS GRANT PROGRAM.

(a) **DEFINITION OF QUALIFIED STATE.**—In this section, the term “qualified State” means a State in which at least 50 percent of the counties of the State were declared to be primary agricultural disaster areas by the Secretary in at least 2 of crop years 2004, 2005, and 2006.

(b) **GRANTS TO QUALIFIED STATES.**—

(1) **IN GENERAL.**—The Secretary shall use \$300,000,000 of funds of the Commodity Credit Corporation to make grants to State departments of agriculture or comparable State agencies in qualified States.

(2) **AMOUNT.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), the Secretary shall allocate grants among qualified States described in paragraph (1) based on the average value of agricultural sector production in the qualified State, determined as a percentage of the gross domestic product of the qualified State.

(B) **MINIMUM AMOUNT.**—The minimum amount of a grant under this subsection shall be \$3,000,000.

(3) **REQUIREMENT.**—To be eligible to receive a grant under this subsection, a qualified State shall agree to carry out an expedited disaster assistance program to provide direct payments to qualified small businesses in accordance with subsection (c).

(c) **DIRECT PAYMENTS TO QUALIFIED SMALL BUSINESSES.**—

(1) **IN GENERAL.**—In carrying out an expedited disaster assistance program described in subsection (b)(3), a qualified State shall provide direct payments to eligible small businesses in the qualified State that suffered material economic losses in at least 2 of crop years 2004, 2005, and 2006 as a direct result of weather-related agricultural losses to the crop or livestock production sectors of the qualified State, as determined by the Secretary.

(2) **ELIGIBILITY.**—

(A) **IN GENERAL.**—To be eligible to receive a direct payment under paragraph (1), a small business shall—

(i) have less than \$5,000,000 in average annual gross income from all business activities, at least 75 percent of which shall be directly related to production agriculture or agriculture support industries, as determined by the Secretary;

(ii) verify the amount of economic loss attributable to weather-related agricultural losses using such documentation as the Secretary and the head of the qualified State agency may require;

(iii) have suffered losses attributable to weather-related agricultural disasters that equal at least 50 percent of the total economic loss of the small business for each year a grant is requested; and

(iv) demonstrate that the grant will materially improve the likelihood the business will—

(I) recover from the disaster; and

(II) continue to service and support production agriculture.

(3) **REQUIREMENTS.**—A direct payment to small business under this subsection shall—

(A) be limited to not more than 2 years of documented losses;

(B) be in an amount of not more than 75 percent of the documented average economic loss attributable to weather-related agriculture disasters for each eligible year in the qualified State; and

(C) not exceed \$80,000 per grant per year.

(4) **INSUFFICIENT FUNDING.**—If the grant funds received by a qualified State agency under subsection (b) are insufficient to fund the direct payments of the qualified State agency under this subsection, the qualified State agency may apply a proportional reduction to all of the direct payments.

Subtitle C—Conservation

SEC. 531. EMERGENCY CONSERVATION PROGRAM.

The Secretary shall use an additional \$30,000,000 of funds of the Commodity Credit Corporation to carry out emergency measures, including wildfire recovery efforts in Montana and other States, identified by the Administrator of the Farm Service Agency as of the date of enactment of this Act through the emergency conservation program established under title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.).

SEC. 532. EMERGENCY WATERSHED PROTECTION PROGRAM.

The Secretary shall use an additional \$70,000,000 of funds of the Commodity Credit Corporation to carry out emergency measures identified by the Chief of the Natural Resources Conservation Service as of the date of enactment of this Act through the emergency watershed protection program established under section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203).

SEC. 533. ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.

The Secretary shall use an additional \$200,000,000 of funds of the Commodity Credit Corporation to carry out emergency measures identified by the Secretary through the environmental quality incentives program established under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.), of which not less than \$50,000,000 shall be used to carry out wildfire recovery efforts (including in Montana and other States).

Subtitle D—Farm Service Agency

SEC. 541. FUNDING FOR ADDITIONAL PERSONNEL.

The Secretary shall use \$20,000,000 of funds of the Commodity Credit Corporation to hire additional County Farm Service Agency personnel—

(1) to expedite the implementation of, and delivery under, the agricultural disaster and economic assistance programs under this title; and

(2) as the Secretary determines to be necessary to carry out other agriculture and disaster assistance programs.

Subtitle E—Miscellaneous

SEC. 551. CONTRACT WAIVER.

In carrying out section 101(a)(5) of the Emergency Supplemental Appropriations for Hurricane Disasters Assistance Act, 2005 (Public Law 108-324; 118 Stat. 1233), the Secretary shall not require participation in a

crop insurance pilot program relating to forage.

SEC. 552. FUNDING.

The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this title, to remain available until expended.

SEC. 553. REGULATIONS.

(a) IN GENERAL.—The Secretary may promulgate such regulations as are necessary to implement this title.

(b) PROCEDURE.—The promulgation of the regulations and administration of this title shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

SEC. 554. EARTHQUAKE DAMAGE IN THE STATE OF HAWAII.

(a) EMERGENCY WATERSHED PROTECTION PROGRAM.—The Secretary shall use an additional \$12,000,000 of funds of the Commodity Credit Corporation to carry out emergency measures on the Big Island in the State of Hawaii (referred to in this section as the “Big Island”) through the emergency watershed protection program established under section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203), of which \$7,000,000 shall be used to repair the Lower Hamakua Ditch and \$5,000,000 shall be used to repair the Waimea Irrigation System/Upper Hamakua Ditch.

(b) EMERGENCY CONSERVATION PROGRAM.—

(1) IN GENERAL.—The Secretary shall use an additional \$6,000,000 of funds of the Commodity Credit Corporation to repair broken irrigation pipelines and damaged and collapsed water tanks on the Big Island through the emergency conservation program established under title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.), of which \$2,000,000 shall be used to repair stone fences on cattle ranches in the Kona and Kohala areas and \$2,000,000 shall be used to provide emergency loans for losses of agricultural income due to the earthquake of October 15, 2006.

(2) ADDITIONAL FUNDS.—The Secretary may use an additional \$2,000,000 of funds of the Commodity Credit Corporation through the emergency conservation program established under title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.) to repair or replace historical stone fences on ranches on the Big Island damaged by the earthquake on October 15, 2006.

(c) KOHALA DITCH SYSTEM.—The Secretary shall use \$3,000,000 of funds of the Commodity Credit Corporation to provide a grant to the Big Island Resource Conservation and Development Council, Incorporated, to repair the Kohala Ditch system.

Subtitle F—Emergency Designation

SEC. 561. EMERGENCY DESIGNATION.

The amounts provided under this title are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

SA 5145. Mr. SMITH submitted an amendment intended to be proposed to SA 4920 submitted by Mr. BURNS and intended to be proposed to the bill H.R.

5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. —. REAUTHORIZATION OF THE SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000.

(a) IN GENERAL.—The Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106-393) is amended in sections 101(a), 102(b)(2), 103(b)(1), 203(a)(1), 207(a), 208, 303, and 401 by striking “2006” and inserting “2007”.

(b) TERMINATION OF AUTHORITY.—

(1) SPECIAL PROJECTS ON FEDERAL LANDS.—Section 208 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106-393) is amended in the second sentence by striking “2007” and inserting “2008”.

(2) COUNTY PROJECTS.—Section 303 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106-393) is amended in the second sentence by striking “2007” and inserting “2008”.

(c) REDUCTION IN PAYMENTS FOR FISCAL YEAR 2007.—Notwithstanding any provision of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 500 note; Public Law 106-393), any payment authorized under section 102 or 103 of that Act for fiscal year 2007 shall be equal to the amount of the payment authorized under the applicable section of that Act for fiscal year 2006, reduced by 10 percent.

(d) EMERGENCY DESIGNATION.—The amount made available under this section and the amendments made by this section is designated as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress), the concurrent resolution on the budget for fiscal year 2007, as made applicable in the Senate by section 7035 of Public Law 109-234.

SA 5146. Mr. COCHRAN (for himself and Mr. LOTT) submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; as follows:

On page 82, between lines 19 and 20, insert the following:

SEC. 126. Of the amount appropriated or otherwise made available by chapter 7 of title I of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148) under the heading “MILITARY CONSTRUCTION, NAVY AND MARINE CORPS” and available for the replacement of a Bachelor Enlisted Quarters at Naval Construction Battalion Center, Gulfport, Mississippi, \$13,400,000 may be available for the construction of an additional Bachelor Enlisted Quarters at Naval Construction Battalion Center, Gulfport, Mississippi.

SA 5147. Mr. WYDEN (for himself and Mr. SMITH) submitted an amendment intended to be proposed by him to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 106, between lines 12 and 13, insert the following:

SEC. 229. Of the amount appropriated by this title under the heading “DEPARTMENTAL ADMINISTRATION”, up to \$500,000 may be available for the Secretary of Veterans Affairs to conduct an independent study on the community health resources in the 14-county catchment area of the Department of Veterans Affairs clinic in Walla Walla, Washington, including the capacity of the private health care facilities in such catchment area to serve veterans that currently receive inpatient care at such clinic.

SA 5148. Mrs. DOLE submitted an amendment intended to be proposed by her to the bill H.R. 5385, making appropriations for Military Construction and Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 82, between lines 19 and 20, insert the following:

SEC. 126. Section 2836(c)(3) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105-85; 111 Stat. 2005) is amended to read as follows:

“(3) The Secretary may convey, without consideration, to the County all right, title, and interest of the United States in and to a parcel of real property (including improvements thereon), known as Tract No. 404-1, consisting of approximately 137 acres located at Fort Bragg for support of the construction of public school structures that may be used by the Harnett County School Board for the education of—

“(A) members of the Armed Forces stationed at Fort Bragg and Pope Air Force Base and their dependents; and

“(B) children who reside in the County.”

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FINANCE

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Tuesday, November 14, 2006, at 11 a.m., in 215 Dirksen Senate Office Building, to consider pending nominations.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Tuesday, November 14, 2006, at 10 a.m. to consider the nominations of the Honorable James H. Bilbray to be Governor, U.S. Postal Service, Thurgood Marshall Jr. to be Governor, U.S. Postal Service, and the Honorable Dan G. Blair to be Chairman, Postal Rate Commission.

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

COMMITTEE ON THE JUDICIARY

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on “Competition in Sports Programming and Distribution: Are Consumers Winning?” on Tuesday, November 14, 2006 at 9 a.m. in Dirksen Senate Office Building Room 226.