

Mr. McCONNELL. I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid on the table, and any statements relating to the measure be printed in the RECORD.

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

The bill (S. 4091) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 4091

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 "Social Security Trust Funds Restoration Act of 2006".

SEC. 2. DEFINITIONS.

For purposes of this Act—

(1) **CLERICAL ERROR.**—The term "clerical error" means the bookkeeping errors at the Social Security Administration that resulted in the overpayment of amounts transferred from the Trust Funds to the general fund of the Treasury during the period commencing with 1999 and ending with 2005 as transfers, under the voluntary withholding program authorized by section 3402(p) of the Internal Revenue Code of 1986, of anticipated taxes on benefit payments under title II of the Social Security Act.

(2) **SECRETARY.**—The term "Secretary" means the Secretary of the Treasury.

(3) **TRUST FUNDS.**—The term "Trust Funds" means the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

SEC. 3. RESTORATION OF TRUST FUNDS.

(a) **APPROPRIATION.**—There is hereby appropriated to each of the Trust Funds, out of any money in the Treasury not otherwise appropriated, an amount determined by the Secretary, in consultation with the Commissioner of Social Security, to be equal, to the extent practicable in the judgment of the Secretary, to the difference between—

(1) the sum of—

(A) the amounts that the Secretary determines, in consultation with the Commissioner of Social Security, were overpaid from such Trust Fund to the general fund of the Treasury by reason of the clerical error, and

(B) the amount that the Secretary determines, in consultation with the Commissioner of Social Security, to be equal, to the extent practicable in the judgment of the Secretary, to the interest income that would have been payable to such Trust Fund pursuant to section 201(d) of the Social Security Act on obligations issued under chapter 31 of title 31, United States Code, that was not paid by reason of the clerical error, and

(2) the sum of—

(A) the amounts that are refunded to such Trust Fund as overpayments by reason of the clerical error to the extent not limited by periods of limitation under applicable provisions of the Internal Revenue Code of 1986, and

(B) the interest that is paid to such Trust Fund on the overpayments resulting from the clerical error to the extent allowed under applicable provisions of such Code.

(b) **INVESTMENT.**—The Secretary shall invest the amounts appropriated to each of the Trust Funds under subsection (a) in accordance with the currently applicable investment policy for such Trust Fund.

SEC. 4. TIMING.

(a) **ACTIONS BY THE SECRETARY.**—The Secretary shall take such actions as are necessary to accomplish the restoration described in section 3 not later than 120 days after the date of the enactment of this Act.

(b) **ACTION BY THE COMMISSIONER.**—The Commissioner of Social Security shall cooperate with the Secretary to the extent necessary to enable the Secretary to meet the requirements of subsection (a).

SEC. 5. CONGRESSIONAL NOTIFICATION.

Not later than 30 days after the Secretary takes the last action necessary to accomplish the restoration described in section 3, the Secretary shall notify each House of the Congress in writing of the actions so taken.

THE CALENDAR

Mr. DEWINE. Mr. President, on behalf of the majority leader, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following bills reported out of the Energy Committee:

Calendar Nos. 542 to 545, 548 to 551, 554 to 556, 650 and 671, and the Energy Committee be discharged from further consideration of S. 2205 and H.R. 5646, and the Senate proceed to their immediate consideration.

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

Mr. DEWINE. Mr. President, I ask unanimous consent that the amendments at the desk be agreed to; the committee-reported amendments, as amended, if amended, be agreed to; the bills, as amended, if amended, be read the third time and passed; the title amendments be agreed to; and the motions to reconsider be laid upon the table en bloc.

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

MONTANA CEMETERY ACT OF 2005

The Senate proceeded to consider the bill (S. 997) to direct the Secretary of Agriculture to convey certain land in the Beaverhead-Deerlodge Forest, Montana, to Jefferson County, Montana, for use as a cemetery, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 997

SECTION 1. SHORT TITLE.

This Act may be cited as the "Montana Cemetery Act of 2006".

SEC. 2. DEFINITIONS.

In this Act:

(1) **COUNTY.**—The term "County" means Jefferson County, Montana.

(2) **MAP.**—The term "map" means the map that is—

(A) entitled "Elkhorn Cemetery";

(B) dated May 9, 2005; and

(C) on file in the office of the Beaverhead-Deerlodge National Forest Supervisor.

(3) **SECRETARY.**—The term "Secretary" means the Secretary of Agriculture.

SEC. 3. CONVEYANCE TO JEFFERSON COUNTY, MONTANA.

(a) **CONVEYANCE.**—Not later than 180 days after the date of enactment of this Act and subject to valid existing rights, the Secretary (acting through the Regional Forester, Northern Region, Missoula, Montana) shall convey by quitclaim deed to the County for no consideration, all right, title, and interest of the United States, except as provided in subsection (e), in and to the parcel of land described in subsection (b).

(b) **DESCRIPTION OF LAND.**—The parcel of land referred to in subsection (a) is the parcel of approximately 9.67 acres of National Forest System land (including any improvements to the land) in the County that is known as the "Elkhorn Cemetery", as generally depicted on the map.

(c) **USE OF LAND.**—As a condition of the conveyance under subsection (a), the County shall—

(1) use the land described in subsection (b) as a County cemetery; and

(2) agree to manage the cemetery with due consideration and protection for the historic and cultural values of the cemetery, under such terms and conditions as are agreed to by the Secretary and the County.

(d) **EASEMENT.**—In conveying the land to the County under subsection (a), the Secretary, in accordance with applicable law, shall grant to the County an easement across certain National Forest System land, as generally depicted on the map, to provide access to the land conveyed under that subsection.

(e) **REVERSION.**—In the quitclaim deed to the County, the Secretary shall provide that the land conveyed to the County under subsection (a) shall revert to the Secretary, at the election of the Secretary, if the land is—

(1) used for a purpose other than the purposes described in subsection (c)(1); or

(2) managed by the County in a manner that is inconsistent with subsection (c)(2).

Amend the title so as to read: "To direct the Secretary of Agriculture to convey certain land in the Beaverhead-Deerlodge National Forest, Montana, to Jefferson County, Montana, for use as a cemetery."

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 997), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

CITY OF YUMA IMPROVEMENT ACT

The Senate proceeded to consider the bill (S. 1529) to provide for the conveyance of certain Federal land in the city of Yuma, Arizona, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "City of Yuma Improvement Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) **CITY.**—The term "City" means the city of Yuma, Arizona.

(2) **FEDERAL LAND.**—The term "Federal land" means the Bureau of Reclamation land depicted on the map and more particularly described as—

(A) parcels 2 and 3 of tract 1;

(B) a portion of parcel 110-73-019;

(C) the old Arizona Department of Transportation weigh station;

(D) portions of blocks 52, 53, 54, and 55;

(E) the future drying bed location; and

(F) the future Arizona Welcome Center.

(3) **MAP.**—The term "map" means the map entitled "City of Yuma Proposed Property Ownership" and dated July 25, 2005.

(4) **NON-FEDERAL LAND.**—The term "non-Federal land" means the non-Federal land depicted on the map and generally known as the "Railroad Parcels".

(5) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.