

is amended by adding at the end the following:

“(d) The Court may extend any time period specified in this subsection as may be necessary if—

“(1) the debtor is a victim of a natural disaster; and

“(2) the debtor’s status as a victim of a natural disaster necessitates such extension of time.”.

SEC. 9. AMENDMENTS TO TITLE 28, UNITED STATES CODE.

Section 1408 of title 28, United States Code, is amended—

(1) by inserting “(a)” before “Except”, and

(2) by adding at the end the following:

“(b) If a case under title 11 cannot be commenced in a district court described in subsection (a) because a person is the victim of a natural disaster (as defined in section 101 of title 11), then a case under title 11 may be commenced by such person in the district court for the district in which such person resides.”.

SEC. 10. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.

(a) EFFECTIVE DATE.—This Act and the amendments made by this Act shall take effect on October 18, 2005.

(b) APPLICATION OF AMENDMENTS.—The amendments made by this Act shall apply only with respect to cases commenced under title 11 of the United States Code on and after October 17, 2005.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1648. Mr. COBURN (for himself and Mr. COLEMAN) submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table.

SA 1649. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1650. Mr. VOINOVICH (for himself, Mr. DEWINE, and Mr. LEVIN) submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1651. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1652. Mrs. LINCOLN (for herself, Mr. REID, Mr. BINGAMAN, Mr. LAUTENBERG, and Mr. CORZINE) proposed an amendment to the bill H.R. 2862, supra.

SA 1653. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1654. Mr. DAYTON (for himself, Mr. CHAMBLISS, Mr. OBAMA, Mr. KERRY, Mr. HARKIN, Mr. HAGEL, Mrs. CLINTON, Ms. CANTWELL, Mr. SALAZAR, Mr. DURBIN, Mr. BAUCUS, Mr. BIDEN, and Mr. NELSON, of Nebraska) submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra.

SA 1655. Mr. SHELBY proposed an amendment to the bill H.R. 2862, supra.

SA 1656. Mr. SHELBY proposed an amendment to the bill H.R. 2862, supra.

SA 1657. Mr. SHELBY proposed an amendment to the bill H.R. 2862, supra.

SA 1658. Mr. SHELBY (for Mr. DORGAN) proposed an amendment to the bill H.R. 2862, supra.

SA 1659. Mr. HARKIN (for himself, Mr. SMITH, Mr. BINGAMAN, Mr. WYDEN, Mr. FEINGOLD, Mr. KENNEDY, Mr. OBAMA, Mr. CORZINE, and Mr. DURBIN) proposed an amendment to the bill H.R. 2862, supra.

SA 1660. Mrs. CLINTON (for herself, Ms. STABENOW, Mr. CORZINE, Mr. REED, Mr. SALAZAR, Mr. LAUTENBERG, Mr. JEFFORDS, Mr. SCHUMER, and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1661. Mr. BIDEN (for himself, Mr. DURBIN, Mrs. CLINTON, Mr. KERRY, and Mr. REED) proposed an amendment to the bill H.R. 2862, supra.

SA 1662. Mr. SARBANES proposed an amendment to the bill H.R. 2862, supra.

SA 1663. Mr. LOTT submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1664. Mr. LOTT submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1665. Mr. DORGAN (for himself, Mr. GRAHAM, and Ms. STABENOW) proposed an amendment to the bill H.R. 2862, supra.

SA 1666. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1667. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1668. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1669. Mr. SUNUNU proposed an amendment to the bill H.R. 2862, supra.

SA 1670. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1671. Mr. DEWINE (for himself, Mr. VOINOVICH, Mr. ALLEN, Mr. WARNER, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1648. Mr. COBURN (for himself and Mr. COLEMAN) submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table; as follows:

On page 170, between lines 9 and 10, insert the following:

SEC. 304.(a) Notwithstanding the provisions in title III under the heading “NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY” and under the subheading “INDUSTRIAL TECHNOLOGY SERVICES”, none of the funds appropriated in this Act may be made available for the Advanced Technology Program of the National Institute of Standards and Technology.

(b) Notwithstanding any other provision of this Act, the amount made available in title III under the heading “NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION” and under the subheading “OPERATIONS, RESEARCH, AND FACILITIES” for the National Weather Service is increased by \$4,900,000 and, of the total amount made available for such purpose under such subheading, \$3,950,000 shall be made available for the Coastal and Inland Hurricane Monitoring and Prediction Program and \$3,950,000 shall be made available for the Hurricane and Tornado Broadcast Campaign.

(c) Notwithstanding any other provision of this Act, the amount made appropriated in

title I under the heading “OFFICE OF JUSTICE PROGRAMS” and under the subheading “COMMUNITY ORIENTED POLICING SERVICES” is increased by \$72,000,000 and, of the total amount made available under such subheading, not less than \$132,100,000 shall be made available for the Methamphetamine Hot Spots program.

(d) Notwithstanding any other provisions of this Act, the amount made appropriated in title I under the heading “OFFICE OF JUSTICE PROGRAMS” and under the subheading “STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE” is increased by \$48,000,000 and, of the total amount made available under such subheading, not less than \$578,000,000 shall be made available for the Justice Assistance Grants program.

SA 1649. Mr. SALAZAR submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table; as follows:

On page 142, after line 3, insert the following:

SEC. ____ Within the funds provided for the Drug Enforcement Agency, the Attorney General shall establish a Methamphetamine Task Force within the Drug Enforcement Agency 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 Agency shall submit a plan that outlines the governance structure and membership of the task force: *Provided further*, That within 120 days the Drug Enforcement Agency shall establish the task force and 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.

SA 1650. Mr. VOINOVICH (for himself, Mr. DEWINE, and Mr. LEVIN) submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table; as follows:

On page 170, between lines 9 and 10, insert the following:

SEC. 304. Of the funds made available under this title for the National Oceanic and Atmospheric Administration, \$5,000,000 shall be made available to the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia for the development of the scientific assessment of hypoxia in United States coastal waters, including the Great Lakes, required by section 603(g) of the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 (16 U.S.C. 1451 note).

SA 1651. Mr. COBURN submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table; as follows:

On page 170, between lines 9 and 10, insert the following:

SEC. 304. (a) Notwithstanding the provisions in title III under the heading “NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY” and under the subheading “INDUSTRIAL TECHNOLOGY SERVICES”, none of the funds appropriated in this Act may be made available for the Advanced Technology Program of the National Institute of Standards and Technology.

(b) Notwithstanding any other provision of this Act, the amount made available in title III under the heading “NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION” and under the subheading “OPERATIONS, RESEARCH, AND FACILITIES” for the National Weather Service is increased by \$4,900,000.

(c) Notwithstanding any other provision of this Act, the amount made appropriated in title I under the heading “OFFICE OF JUSTICE PROGRAMS” and under the subheading “COMMUNITY ORIENTED POLICING SERVICES” is increased by \$72,000,000 and, of the total amount made available under such subheading, not less than \$132,100,000 shall be made available for the Methamphetamine Hot Spots program.

(d) Notwithstanding any other provisions of this Act, the amount made appropriated in title I under the heading “OFFICE OF JUSTICE PROGRAMS” and under the subheading “STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE” is increased by \$48,000,000 and, of the total amount made available under such subheading, not less than \$578,000,000 shall be made available for the Justice Assistance Grants program.

SA 1652. Mrs. LINCOLN (for herself, Mr. REID, Mr. BINGAMAN, Mr. LAUTENBERG, and Mr. CORZINE) proposed an amendment 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; as follows:

At the appropriate place, insert the following:

**TITLE TEMPORARY MEDICAID
DISASTER RELIEF**

SEC. 01. SHORT TITLE OF TITLE; PURPOSE.

(a) **SHORT TITLE OF TITLE.**—This title may be cited as the “Temporary Medicaid Disaster Relief Act of 2005”.

(b) **PURPOSE.**—The purpose of this title is to ensure all those affected by Hurricane Katrina have access to health coverage and medical care through the medicaid program and to authorize temporary changes in such program to guarantee and expedite that coverage and access to care.

SEC. 02. DISASTER RELIEF PERIOD.

(a) **IN GENERAL.**—For purposes of this title, the term “disaster relief period” means the period beginning on August 29, 2005, and, subject to subsection (b), ending on February 28, 2006.

(b) **PRESIDENTIAL AUTHORITY TO EXTEND DISASTER RELIEF PERIOD.**—

(1) **IN GENERAL.**—The President shall extend the application of section 03 and paragraphs (1) and (2) of section 04(a) until September 30, 2006, unless the President determines that all Katrina Survivors would have sufficient access to health care without such an extension. In the case of such an extension, the reference to “February 28, 2006” in subsection (a) shall be considered to be a reference to “September 30, 2006”.

(2) **NOTICE TO CONGRESS.**—The President shall notify the Majority and Minority Leaders of the Senate, the Speaker of the House of Representatives, the Minority Leader of

the House of Representatives, and the Chairs and Ranking Members of the Committee on Finance of the Senate and the Committees on Energy and Commerce and Ways and Means of the House of Representatives at least 30 days prior to—

(A) extending the application of such sections; or

(B) if the President determines not to extend the application of such sections, February 28, 2006.

SEC. 03. TEMPORARY MEDICAID COVERAGE FOR KATRINA SURVIVORS.

(a) **DEFINITIONS.**—In this title:

(1) **KATRINA SURVIVOR.**—

(A) **IN GENERAL.**—The term “Katrina Survivor” means an individual who is described in subparagraph (B) or (C).

(B) **RESIDENTS OF DISASTER LOCALITIES.**—

(i) **IN GENERAL.**—An individual who, on any day during the week preceding the declaration of a public health emergency on August 29, 2005, had a residence in—

(I) a parish in the State of Louisiana that is among the parishes that the Federal Emergency Management Agency of the Emergency Preparedness and Response Directorate of the Department of Homeland Security declared on September 4, 2005, to be Federal Disaster Parishes; or

(II) a county in the State of Alabama or Mississippi that is among the counties such Agency declared Federal Disaster Counties on September 4, 2005.

(ii) **AUTHORITY TO RELY ON WEBSITE POSTED DESIGNATIONS.**—The Secretary of Health and Human Services shall post on the Internet website for the Centers for Medicare & Medicaid Services a list of parishes and counties identified as Federal Disaster Parishes or Counties. Any State which provides medical assistance to Katrina Survivors on the basis of such posting and in accordance with this title shall be held harmless if it is subsequently determined that the provision of such assistance was in error.

(C) **INDIVIDUALS WHO LOST EMPLOYMENT.**—An individual who, on any day during the week preceding the declaration of a public health emergency on August 29, 2005, had a residence in a direct impact State and lost their employment since Hurricane Katrina.

(D) **CONSTRUCTION.**—A Katrina Survivor shall be treated as being “from” the State of residence described in subparagraph (B)(i) or (C), as the case may be.

(E) **TREATMENT OF CURRENT MEDICAID BENEFICIARIES.**—Nothing in this title shall be construed as preventing an individual who is otherwise entitled to medical assistance under title XIX of the Social Security Act from being treated as a Katrina Survivor under this title.

(F) **TREATMENT OF HOMELESS PERSONS.**—For purposes of this title, in the case of an individual who was homeless on any day during the week described in subparagraph (B)(i), the individual’s “residence” shall be deemed to be the place of residence as otherwise determined for such an individual under title XIX of the Social Security Act.

(2) **DIRECT IMPACT STATE.**—The term “direct impact State” means the State of Louisiana, Alabama, and Mississippi.

(b) **RULES FOR PROVIDING TEMPORARY MEDICAL ASSISTANCE TO KATRINA SURVIVORS.**—During the disaster relief period, any State may provide medical assistance to Katrina Survivors under a State medicaid plan established under title XIX of the Social Security Act in accordance with the following:

(1) **UNIFORM ELIGIBILITY RULES.**—

(A) **NO INCOME, RESOURCES, RESIDENCY, OR CATEGORICAL ELIGIBILITY REQUIREMENTS.**—Such assistance shall be provided without application of any income or resources test, State residency, or categorical eligibility requirements.

(B) **STREAMLINED ELIGIBILITY PROCEDURES.**—The State shall use the following streamlined procedures in processing applications and determining eligibility for medical assistance for Katrina Survivors:

(i) A common 1-page application form developed by the Secretary of Health and Human Services in consultation with the National Association of State Medicaid Directors. Such form shall include notice regarding the penalties for making a fraudulent application under paragraph (4) and shall require the applicant to assign to the State any rights of the applicant (or any other person who is a Katrina Survivor and on whose behalf the applicant has the legal authority to execute an assignment of such rights) under any group health plan or other third-party coverage for health care.

(ii) Self-attestation by the applicant that the applicant is a Katrina Survivor.

(iii) No requirement for documentation evidencing the basis on which the applicant qualifies to be a Katrina Survivor.

(iii) Issuance of a Medicaid eligibility card to an applicant who completes such application, including the self-attestation required under clause (ii). Such card shall be valid during the disaster relief period.

(iv) If an applicant completes the application and presents it to a provider or facility participating in the State medicaid plan that is qualified to make presumptive eligibility determinations under such plan (which at a minimum shall consist of facilities identified in section 1902(a)(55) of the Social Security Act (42 U.S.C. 1396a(a)(55)) and it appears to the provider that the applicant is a Katrina Survivor based on the information in the application, the applicant will be deemed to be a Katrina Survivor eligible for medical assistance in accordance with this section, subject to paragraph (3).

(v) Continuous eligibility, without the need for any redetermination of eligibility, for the duration of the disaster relief period.

(C) **DETERMINATION OF ELIGIBILITY FOR COVERAGE AFTER THE TERMINATION OF THE DISASTER RELIEF PERIOD.**—In the case of a Katrina Survivor who is receiving medical assistance from a State, prior to the termination of the disaster relief period, the State providing such assistance shall determine whether the Katrina Survivor is eligible for continued medical assistance under the State’s eligibility rules otherwise applicable under the State medicaid plan. If a State determines that the individual is so eligible, the State shall provide the individual with written notice of the determination and provide the individual with continued coverage for such medical assistance for so long as the individual remains eligible under such otherwise applicable eligibility rules. If a State determines that the individual is not so eligible, the State shall provide the individual with written notice of the determination, including the reasons for such determination.

(2) **SCOPE OF COVERAGE SAME AS CATEGORICALLY NEEDY.**—The State shall treat Katrina Survivors as individuals eligible for medical assistance under the State plan under title XIX of the Social Security Act on the basis of section 1902(a)(10)(A)(i) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)), with coverage for such assistance retroactive to August 29, 2005.

(3) **VERIFICATION OF STATUS AS A KATRINA SURVIVOR.**—

(A) **IN GENERAL.**—The State shall make a good faith effort to verify the status of a Katrina Survivor enrolled in the State Medicaid plan under the provisions of this section after the determination of the eligibility of the Survivor for medical assistance under such plan.

(B) **EVIDENCE OF VERIFICATION.**—A State may satisfy the verification requirement

under subparagraph (A) with respect to a Katrina Survivor by showing that the State providing medical assistance obtained information from the Social Security Administration, the Internal Revenue Service, or the State Medicaid Agency for the direct impact State.

(C) **DISALLOWANCE OF PAYMENTS FOR FAILURE TO MAKE GOOD FAITH EFFORT.**—If, with respect to the status of a Katrina Survivor enrolled in a State Medicaid plan, the State fails to make the good faith effort required under subparagraph (A), and the Secretary determines that the individual so enrolled is not a Katrina Survivor, the Secretary shall disallow all Federal payments made to the State that are directly attributable to medical assistance provided or administrative costs incurred with respect to the individual during the disaster relief period.

(4) **PENALTY FOR FRAUDULENT APPLICATIONS.**—

(A) **INDIVIDUAL LIABLE FOR COSTS.**—If a State, as the result of verification activities conducted under paragraph (3), determines after a fair hearing that an individual has knowingly made a false self-attestation described in paragraph (1)(B)(ii), the State may, subject to subparagraph (B), seek recovery from the individual for the full amount of the cost of medical assistance provided to the individual under this section.

(B) **EXCEPTION.**—The Secretary shall exempt a State from seeking recovery under subparagraph (A) if the Secretary determines that it would not be cost-effective for the State to do so.

(C) **REIMBURSEMENT TO THE FEDERAL GOVERNMENT.**—Any amounts recovered by a State in accordance with this paragraph shall be returned to the Federal government, except that a State's administrative costs attributable to obtaining such recovery shall be reimbursed by the Federal government in accordance with section 404(a)(2).

(5) **EXEMPTION FROM ERROR RATE PENALTIES.**—All payments attributable to providing medical assistance to Katrina Survivors in accordance with this section shall be disregarded for purposes of section 1903(u) of the Social Security Act.

SEC. 404. TEMPORARY DISASTER RELIEF FOR STATES UNDER MEDICAID.

(a) **INCREASE IN FEDERAL MATCHING RATE.**—

(1) **100 PERCENT FMAP FOR MEDICAL ASSISTANCE.**—Notwithstanding section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)), the Federal medical assistance percentage for providing medical assistance under a State Medicaid plan under title XIX of such Act to Katrina Survivors or, in the case of a direct impact State, to any individual who is provided medical assistance under the State Medicaid plan during the disaster relief period, shall be 100 percent.

(2) **100 PERCENT FEDERAL MATCH FOR CERTAIN ADMINISTRATIVE COSTS.**—Notwithstanding paragraph (7) of section 1903(a) of such Act (42 U.S.C. 1396b(a)), or any other paragraph of such section, the Federal matching rate for costs directly attributable to all administrative activities that relate to the enrollment of Katrina Survivors under section 403 in a State Medicaid plan, verification of the status of such Survivors, processing of claims for payment for medical assistance provided to such Survivors under such section, and recovery costs under section 403(b)(4)(C), shall be 100 percent. The Secretary shall issue guidance not later than 30 days after the date of enactment of this Act on the implementation of this paragraph.

(b) **LIMITATION ON REDUCTION OF FMAP FOR FISCAL YEAR 2006 FOR ANY STATE.**—If the Federal medical assistance percentage (as defined in section 1905(b) of the Social Security Act) determined for a State for fiscal year 2006 is less than the Federal medical as-

sistance percentage determined for the State for fiscal year 2005, the Federal medical assistance percentage for the State for fiscal year 2006 shall apply to the State for fiscal year 2006 only for purposes of title XIX of the Social Security Act.

(c) **TEMPORARY SUSPENSION OF MEDICARE "CLAWBACK" AND POSTPONEMENT OF CUT-OFF OF MEDICAID PRESCRIPTION DRUG FUNDING IN AFFECTED STATES.**—

(1) **SUSPENSION IN APPLICATION OF "CLAWBACK."**—Section 1935(c) of the Social Security Act (42 U.S.C. 1396u-5(c)) shall not apply, subject to paragraph (3), before January 2007 to a direct impact State or to a State that experiences a significant influx of Katrina Survivors.

(2) **CONTINUATION OF MEDICAID DRUG COVERAGE FOR DUAL ELIGIBLES.**—Section 1935(d)(1) of such Act shall also not apply, subject to paragraph (3), before January 2007 to a part D eligible individual who is a Katrina Survivor.

(3) **TERMINATION OF APPLICATION OF SUBSECTION.**—Paragraphs (1) and (2) shall no longer apply to a State or a Katrina Survivor, respectively, if the Secretary determines, after consultation with the State, that enrollment of all part D eligible individuals in the State under part D of title XVIII of the Social Security Act who are described in section 1935(c)(6)(A)(ii) of such Act can be achieved without a discontinuation in prescription drug coverage for any such individual.

(4) **DEFINITION.**—For purposes of this subsection, the term "State that experiences a significant influx of Katrina Survivors" means those States, including Arkansas, Florida, Oklahoma, and Texas, that the Secretary of Health and Human Services identifies as having a significant in-migration of Katrina Survivors.

SEC. 405. ACCOMMODATION OF SPECIAL NEEDS OF KATRINA SURVIVORS UNDER MEDICARE PROGRAM.

(a) **EXCLUSION OF DISASTER RELIEF PERIOD IN COMPUTING PART B LATE ENROLLMENT PENALTY.**—In applying the first sentence of section 1839(b) of the Social Security Act (42 U.S.C. 1395r(b)) in the case of a Katrina Survivor, there shall not be taken into account any month any part of which is within the disaster relief period or within the 2-month period following the end of such disaster relief period.

(b) **PART D.**—

(1) **EXTENSION OF INITIAL ENROLLMENT PERIOD.**—In the case of a Katrina Survivor, the initial enrollment period under section 1860D-1(b)(2) of the Social Security Act (42 U.S.C. 1395w-101(b)(2)) shall in no case end before May 15, 2007.

(2) **FLEXIBILITY IN DOCUMENTATION FOR LOW-INCOME SUBSIDIES.**—For purposes of carrying out section 1860D-14 of the Social Security Act (42 U.S.C. 1395w-114), with respect to Katrina Survivors, the Secretary of Health and Human Services shall establish documentation rules for Katrina Survivors which take into account the loss and unavailability of documents due to Hurricane Katrina.

SA 1653. Mr. ENSIGN submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table; as follows:

On page 133, line 11, strike "\$2,287,000" and insert "\$5,287,000".

SA 1654. Mr. DAYTON (for himself, Mr. CHAMBLISS, Mr. OBAMA, Mr. KERRY,

Mr. HARKIN, Mr. HAGEL, Mrs. CLINTON, Ms. CANTWELL, Mr. SALAZAR, Mr. DURBIN, Mr. BAUCUS, Mr. BIDEN, and Mr. NELSON of Nebraska) submitted an amendment intended to be proposed by him 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; as follows:

On page 133, line 24, strike "\$1,078,350,000" and insert "\$1,353,350,000 of which in addition to amounts provided by the following table \$275,000,000 shall be available for Justice Assistance Grants to be offset by reducing appropriations in this title by a total of \$275,000,000 to come from activities as follows: \$43,000,000 from travel and transportation of persons; \$3,000,000 from transportation of things; \$27,000,000 from communications, utilities, and miscellaneous charges; \$6,000,000 from printing and reproduction; and \$196,000,000 from other services".

SA 1655. Mr. SHELBY proposed an amendment 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; as follows:

On page 144, line 10, strike "\$409,625,000" and insert "\$404,625,000".

On page 152, between line 20 and 21, insert the following: "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, \$5,000,000, to remain available until September 30, 2007."

SA 1656. Mr. SHELBY proposed an amendment 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; as follows:

On page 170, between lines 9 and 10, insert the following:

SEC. 304. Notwithstanding any other provision of this Act, of the amounts made available in this title under the heading "NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION" and under the subheading "OPERATIONS, RESEARCH, AND FACILITIES", not less than \$5,800,000 shall be made available for the National Hurricane Center and that such amount may be used to employ individuals in 43 full-time equivalent positions at the National Hurricane Center.

SA 1657. Mr. SHELBY proposed an amendment 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; as follows:

On page 173, beginning in line 2, strike "Provided further," and all that follows through "this Act" in line 10.

SA 1658. Mr. SHELBY (for Mr. DORGAN) submitted an amendment 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; as follows:

On page 188, line 10, after "Alaska" insert "or North Dakota".

SA 1659. Mr. HARKIN (for himself, Mr. SMITH, Mr. BINGAMAN, Mr. WYDEN, Mr. FEINGOLD, Mr. KENNEDY, Mr. OBAMA, Mr. CORZINE, and Mr. DURBIN) proposed an amendment 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; as follows:

On page 175, strike lines 6 through 9 and insert the following:

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, \$358,527,000, of which \$346,251,000 is for basic field programs and required independent audits (of which \$8,000,000 is for basic field programs providing legal assistance to victims of Hurricane Katrina).

Notwithstanding any other provisions in the Act, the sums appropriated for the Department of Justice are reduced by \$37 million. This reduction is to be taken by the Attorney General from accounts receiving an increase in travel and transportation of persons as specified in the President's Fiscal Year 2006 Budget Submittal to Congress pursuant to 31 U.S.C. section 1105 and which are in excess of the fiscal year 2005 level;

SA 1660. Mrs. CLINTON (for herself, Mr. STABENOW, Mr. CORZINE, Mr. REED, Mr. SALAZAR, Mr. LAUTENBERG, Mr. JEFFORDS, Mr. SCHUMER, and Ms. MIKULSKI) submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE —KATRINA COMMISSION

SEC. 01. ESTABLISHMENT OF COMMISSION.

There is established in the legislative branch the Katrina Commission (in this title referred to as the "Commission").

SEC. 02. COMPOSITION OF COMMISSION.

(a) MEMBERS.—The Commission shall be composed of 10 members, of whom—

(1) 1 member shall be appointed by the President, who shall serve as chairman of the Commission;

(2) 1 member shall be appointed by the leader of the Senate (majority or minority leader, as the case may be) of the Democratic Party, in consultation with the leader of the House of Representatives (majority or minority leader, as the case may be) of the Democratic Party, who shall serve as vice chairman of the Commission;

(3) 2 members shall be appointed by the senior member of the Senate leadership of the Democratic Party;

(4) 2 members shall be appointed by the senior member of the leadership of the House of Representatives of the Republican Party;

(5) 2 members shall be appointed by the senior member of the Senate leadership of the Republican Party; and

(6) 2 members shall be appointed by the senior member of the leadership of the House of Representatives of the Democratic Party.

(b) QUALIFICATIONS; INITIAL MEETING.—

(1) POLITICAL PARTY AFFILIATION.—Not more than 5 members of the Commission shall be from the same political party.

(2) NONGOVERNMENTAL APPOINTEES.—An individual appointed to the Commission may not be an officer or employee of the Federal Government or any State or local government.

(3) OTHER QUALIFICATIONS.—It is the sense of Congress that individuals appointed to the Commission should be prominent United States citizens who represent a diverse range of citizens and enjoy national recognition and significant depth of experience in such professions as governmental service, emergency preparedness, mitigation planning, cataclysmic planning and response, intergovernmental management, resource planning, recovery operations and planning, Federal coordination, military coordination, and other extensive natural disaster and emergency response experience.

(4) DEADLINE FOR APPOINTMENT.—All members of the Commission shall be appointed on or before October 1, 2005.

(5) INITIAL MEETING.—The Commission shall meet and begin the operations of the Commission as soon as practicable.

(c) QUORUM; VACANCIES.—After its initial meeting, the Commission shall meet upon the call of the chairman or a majority of its members. Six members of the Commission shall constitute a quorum. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

SEC. 03. DUTIES.

The duties of the Commission are to—

(1) examine and report upon the Federal, State, and local response to the devastation wrought by Hurricane Katrina in the Gulf Region of the United States of America especially in the States of Louisiana, Mississippi, Alabama, and other areas impacted in the aftermath;

(2) ascertain, evaluate, and report on the information developed by all relevant governmental agencies regarding the facts and circumstances related to Hurricane Katrina prior to striking the United States and in the days and weeks following;

(3) build upon concurrent and prior investigations of other entities, and avoid unnecessary duplication concerning information related to existing vulnerabilities;

(4) make a full and complete accounting of the circumstances surrounding the approach of Hurricane Katrina to the Gulf States, and the extent of the United States government's preparedness for, and response to, the hurricane;

(5) planning necessary for future cataclysmic events requiring a significant marshaling of Federal resources, mitigation, response, and recovery to avoid significant loss of life;

(6) an analysis as to whether any decisions differed with respect to response and recovery for different communities, neighborhoods, parishes, and locations and what problems occurred as a result of a lack of a common plan, communication structure, and centralized command structure; and

(7) investigate and report to the President and Congress on its findings, conclusions, and recommendations for immediate corrective measures that can be taken to prevent problems with Federal response that occurred in the preparation for, and in the aftermath of, Hurricane Katrina so that future cataclysmic events are responded to adequately.

SEC. 04. FUNCTIONS OF COMMISSION.

(a) IN GENERAL.—The functions of the Commission are to—

(1) conduct an investigation that—

(A) investigates relevant facts and circumstances relating to the catastrophic impacts that Hurricane Katrina exacted upon the Gulf Region of the United States especially in New Orleans and surrounding parishes, and impacted areas of Mississippi and Alabama; and

(B) shall include relevant facts and circumstances relating to—

(i) Federal emergency response planning and execution at the Federal Emergency Management Agency, the Department of Homeland Security, the White House, and all other Federal entities with responsibility for assisting during, and responding to, natural disasters;

(ii) military and law enforcement response planning and execution;

(iii) Federal mitigation plans, programs, and policies including prior assessments of existing vulnerabilities and exercises designed to test those vulnerabilities;

(iv) Federal, State, and local communication interoperability successes and failures;

(v) past, present, and future Federal budgetary provisions for preparedness, mitigation, response, and recovery;

(vi) the Federal Emergency Management Agency's response capabilities as an independent agency and as part of the Department of Homeland Security;

(vii) the role of congressional oversight and resource allocation;

(viii) other areas of the public and private sectors determined relevant by the Commission for its inquiry; and

(ix) long-term needs for people impacted by Hurricane Katrina and other forms of Federal assistance necessary for large-scale recovery;

(2) identify, review, and evaluate the lessons learned from Hurricane Katrina including coordination, management policies, and procedures of the Federal Government, State and local governments, and nongovernmental entities, relative to detection, planning, mitigation, asset prepositioning, and responding to cataclysmic natural disasters such as Hurricane Katrina; and

(3) submit to the President and Congress such reports as are required by this title containing such findings, conclusions, and recommendations as the Commission shall determine, including proposing organization, coordination, planning, management arrangements, procedures, rules, and regulations.

SEC. 05. POWERS OF COMMISSION.

(a) IN GENERAL.—

(1) HEARINGS AND EVIDENCE.—The Commission or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this Act—

(A) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, administer such oaths; and

(B) subject to paragraph (2)(A), require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission or such designated subcommittee or designated member may determine advisable.

(2) SUBPOENAS.—

(A) ISSUANCE.—

(i) IN GENERAL.—A subpoena may be issued under this subsection only—

(I) by the agreement of the chairman and the vice chairman; or

(II) by the affirmative vote of 6 members of the Commission.

(ii) SIGNATURE.—Subject to clause (i), subpoenas issued under this subsection may be issued under the signature of the chairman or any member designated by a majority of

the Commission, and may be served by any person designated by the chairman or by a member designated by a majority of the Commission.

(B) ENFORCEMENT.—

(i) IN GENERAL.—In the case of contumacy or failure to obey a subpoena issued under subsection (a), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found, or where the subpoena is returnable, may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(ii) ADDITIONAL ENFORCEMENT.—In the case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this section, the Commission may, by majority vote, certify a statement of fact constituting such failure to the appropriate United States attorney, who may bring the matter before the grand jury for its action, under the same statutory authority and procedures as if the United States attorney had received a certification under sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192 through 194).

(b) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge its duties under this title.

(C) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of this title. Each department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the chairman, the chairman of any subcommittee created by a majority of the Commission, or any member designated by a majority of the Commission.

(2) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information shall only be received, handled, stored, and disseminated by members of the Commission and its staff consistent with all applicable statutes, regulations, and Executive orders.

(D) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the Commission's functions.

(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance prescribed in paragraph (1), departments and agencies of the United States may provide to the Commission such services, funds, facilities, staff, and other support services as they may determine advisable and as may be authorized by law.

(e) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(f) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

SEC. 06. NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.

(a) IN GENERAL.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(b) PUBLIC MEETINGS AND RELEASE OF PUBLIC VERSIONS OF REPORTS.—The Commission shall—

(1) hold public hearings and meetings to the extent appropriate; and

(2) release public versions of the reports required under section 10.

(c) PUBLIC HEARINGS.—Any public hearings of the Commission shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Commission as required by any applicable statute, regulation, or Executive order.

SEC. 07. STAFF OF COMMISSION.

(A) IN GENERAL.—

(1) APPOINTMENT AND COMPENSATION.—The chairman, in consultation with the vice chairman, in accordance with rules agreed upon by the Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(2) PERSONNEL AS FEDERAL EMPLOYEES.—

(A) IN GENERAL.—The executive director and any personnel of the Commission who are employees shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.

(B) MEMBERS OF COMMISSION.—Subparagraph (A) shall not be construed to apply to members of the Commission.

(b) DETAILEES.—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(c) CONSULTANT SERVICES.—The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

SEC. 08. COMPENSATION AND TRAVEL EXPENSES.

(a) COMPENSATION.—Each member of the Commission may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission.

(b) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5, United States Code.

SEC. 09. SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.

The appropriate Federal agencies or departments shall cooperate with the Commission in expeditiously providing to the Commission members and staff appropriate security clearances to the extent possible pursuant to existing procedures and requirements, except that no person shall be provided with access to classified information under this

title without the appropriate security clearances.

SEC. 10. REPORTS OF COMMISSION; TERMINATION.

(a) INTERIM REPORTS.—The Commission may submit to the President and Congress interim reports containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(b) FINAL REPORT.—Not later than 6 months after the date of the enactment of this title, the Commission shall submit to the President and Congress a final report containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(c) TERMINATION.—

(1) IN GENERAL.—The Commission, and all the authorities of this Act, shall terminate 60 days after the date on which the final report is submitted under subsection (b).

(2) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the 60-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its reports and disseminating the final report.

SEC. 11. FUNDING.

(a) EMERGENCY APPROPRIATION OF FUNDS.—There are authorized to be appropriated \$3,000,000 for purposes of the activities of the Commission under this title and such funding is designated as emergency spending under section 402 of H. Con. Res. 95 (109th Congress).

(b) DURATION OF AVAILABILITY.—Amounts made available to the Commission under subsection (a) shall remain available until the termination of the Commission.

SA 1661. Mr. BIDEN (for himself, Mr. DURBIN, Mrs. CLINTON, Mr. KERRY, and Mr. REED) proposed an amendment 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; as follows:

At the end of the bill, insert the following:

TITLE VII—EMERGENCY RELIEF FOR VICTIMS OF HURRICANE KATRINA.

In addition to amounts otherwise provided for in this Act, the following amounts are appropriated for fiscal year 2006 and designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress):

(1) ENHANCING STATE AND LOCAL LAW ENFORCEMENT.—\$1,000,000,000 to the Community Oriented Policing Services function in the following amounts:

(A) \$700,000,000 added to the Hiring section.

(B) \$300,000,000 to the Interoperable Communications Technology section.

(2) ASSISTING CHILDREN IMPACTED BY HURRICANE KATRINA.—Under the Missing Children Program, \$10,000,000 to the National Center for Missing and Exploited Children to find, unite, and transport children impacted by Hurricane Katrina to their parents, legal guardian, or next of kin.

(3) ASSISTING VICTIMS OF SEXUAL ABUSE AND DOMESTIC VIOLENCE.—Under the Violence Against Women Act function, \$8,000,000 for the Office of Violence Against Women to assist victims of domestic violence and sexual abuse in the areas impacted by Hurricane Katrina in the following amounts:

(A) \$2,000,000 for the Rape Abuse and Incest National Network (RAINN) to rebuild crises centers, provide emergency counseling services in shelters, provide emergency counseling services in shelters, provide adequate

services in communities with evacuees, and provide adequate short- and long-term support for displaced persons across the country.

(B) \$1,000,000 for nonprofit, nongovernmental statewide coalitions serving sexual assault victims within the State to be used to assist victims of sexual assault affected by Hurricane Katrina as determined by the assessment of statewide coalitions.

(C) \$6,000,000 to be allocated, in consultation with the Department of Health and Human Services, to nonprofit, nongovernmental statewide domestic violence coalitions serving domestic violence programs within the State to be used to assist victims of domestic violence affected by Hurricane Katrina as determined by the assessment of the statewide coalitions, and that the statewide coalitions can assess those needs.

SA 1662. Mr. SARBANES proposed an amendment 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; as follows:

On page 190, after line 14, insert the following:

SECTION 522. HURRICANE KATRINA EMERGENCY ASSISTANCE VOUCHERS.

(a) **SHORT TITLE.**—This section may be cited as the “Helping to House the Victims of Hurricane Katrina Act of 2005”.

(b) **HURRICANE KATRINA EMERGENCY ASSISTANCE VOUCHERS.**—Section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) is amended by adding at the end the following:

“(20) **HURRICANE KATRINA EMERGENCY ASSISTANCE VOUCHERS.**—

“(A) **IN GENERAL.**—During the 6-month period beginning on the date of enactment of the Helping to House the Victims of Hurricane Katrina Act of 2005, the Secretary shall provide temporary rental assistance to any individual or family, if—

“(i) the individual or family resides, or resided on August 29, 2005, in any area that is subject to a declaration by the President of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in connection with Hurricane Katrina; and

“(ii) the residence of the individual or family became uninhabitable or inaccessible as result of that major disaster or emergency.

“(B) **REGULATIONS.**—Not later than 30 days after the date of enactment of the Helping to House the Victims of Hurricane Katrina Act of 2005, the Secretary shall issue final rules to establish the procedures applicable to the issuance of assistance under subparagraph (A).

“(C) **NOTICE.**—The Secretary, in consultation with the Director of the Federal Emergency Management Agency and such other agencies as the Secretary determines appropriate, shall establish procedures for providing notice of the availability of assistance under this paragraph to individuals or families that may be eligible for such assistance.

“(D) **AUTHORITY TO CONTRACT WITH PHA’S AND OTHERS.**—The Secretary may contract with any State or local government agency or public housing agency, or in consultation with any State or local government agency, with any other entity, to ensure that assistance payments under this paragraph are provided in an efficient and expeditious manner.

“(E) **WAIVER OF ELIGIBILITY REQUIREMENTS.**—In providing assistance under this paragraph, the Secretary shall waive the requirements under—

“(i) paragraph (2), relating to tenant contributions towards rent, except that any

such waiver shall expire on an individual’s return to work;

“(ii) paragraph (4), relating to the eligibility of individuals to receive assistance;

“(iii) subsection (k) and paragraph (5) of this subsection, relating to verification of income;

“(iv) paragraph (7)(A), relating to the requirement that leases shall be for a term of 1 year;

“(v) paragraph (8), relating to initial inspection of housing units by a public housing agency; and

“(vi) subsection (r)(1)(B), relating to restrictions on portability.

“(F) **USE OF FUNDS.**—Notwithstanding any other provision of law, funds available for assistance under this paragraph—

“(i) shall be made available by the Secretary to individuals to cover the cost of—

“(I) rent;

“(II) security and utility deposits;

“(III) relocation expenses, including expenses incurred in relocating back to the major disaster area when such relocation is permitted; and

“(IV) such additional expenses as the Secretary determines necessary; and

“(ii) shall be used by the Secretary—

“(I) for payments to public housing agencies, State or local government agencies, or other voucher administrators for vouchers used to assist individuals or families affected by the major disaster or emergency described in this paragraph up to their authorized level of vouchers, if any such vouchers are not otherwise funded; and

“(II) to provide operating subsidies to public housing agencies for public housing units provided to individuals or families affected by the major disaster or emergency described in this paragraph, if such a subsidy was not previously provided for those units.

“(G) **PAYMENT STANDARD.**—For purposes of this paragraph, the payment standard for each size of dwelling unit in a market area may not exceed 150 percent, or higher if the Secretary approves of such increase, of the fair market rental established under subsection (c) for the same size dwelling unit in the same market area, and shall be not less than 90 percent of that fair market rental.

“(H) **NONDISCRIMINATION.**—In selecting individuals or families for tenancy, a landlord or owner may not exclude or penalize an individual or family solely because any portion of the rental payment of that individual or family is provided under this paragraph.

“(I) **TERMINATION OF ASSISTANCE.**—Assistance provided under this paragraph shall—

“(i) terminate 6 months after the date on which such assistance was received; and

“(ii) extend for an additional 6 months unless at that time the Secretary makes a determination that assistance under this paragraph is no longer needed.

“(21) **ASSISTANCE FOR CURRENT VOUCHER RECIPIENTS AFFECTED BY HURRICANE KATRINA.**—

“(A) **IN GENERAL.**—The Secretary shall waive any of the requirements described in clauses (i) through (vi) of paragraph (20)(E) for any individual or family receiving assistance under this section on August 29, 2005, if—

“(i) the individual or family resides, or resided on August 29, 2005, in any area that is subject to a declaration by the President of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in connection with Hurricane Katrina; and

“(ii) the residence of the individual or family became uninhabitable or inaccessible as result of that major disaster or emergency.

“(B) **ADDITIONAL USES OF FUNDS.**—Notwithstanding any other provision of law, the Secretary shall provide, as the Secretary determines appropriate, supplemental assistance

to an individual or family receiving assistance under this section on August 29, 2005, and meeting the requirements described in subparagraph (A), to assist the individual or family with the additional costs of relocating to new housing, including to cover—

“(i) the additional cost of rent and utilities;

“(ii) security and utility deposits;

“(iii) relocation expenses, including expenses incurred in relocating back to the major disaster area when such relocation is permitted; and

“(iv) such additional expenses as the Secretary determines necessary.

“(C) **PAYMENT STANDARD.**—For purposes of this paragraph, the payment standard for each size of dwelling unit in a market area may not exceed 150 percent, or higher if the Secretary approves of such increase, of the fair market rental established under subsection (c) for the same size dwelling unit in the same market area, and shall be not less than 90 percent of that fair market rental.

“(D) **NONDISCRIMINATION.**—A landlord or owner may not exclude or penalize an individual or family solely because that individual or family is eligible for any waivers or benefits provided under this paragraph.

“(E) **TERMINATION OF AUTHORITY.**—The authority of the Secretary to provide assistance under this paragraph shall—

“(i) apply during the 6-month period beginning on the date of enactment of the Helping to House the Victims of Hurricane Katrina Act of 2005; and

“(ii) extend for an additional 6 months after that period, unless if at that time the Secretary makes a determination that assistance under this paragraph is no longer needed.

“(22) **AUTHORITY OF THE SECRETARY TO DIRECTLY ADMINISTER VOUCHERS WHEN PHA’S ARE UNABLE TO DO SO.**—If the Secretary determines that a public housing agency is unable to implement the provisions of this subsection due to the effects of Hurricane Katrina, the Secretary may—

“(A) directly administer any voucher program described in paragraphs (1) through (20); and

“(B) perform the functions assigned to a public housing agency by this subsection.”.

(c) **REPORT ON INVENTORY OF AVAILABILITY OF TEMPORARY HOUSING.**—Not later than 10 days after the date of enactment of this Act, the Secretary of Defense, the Administrator of the General Services Administration, the Secretary of Agriculture, and such other agency heads as the Secretary determines appropriate, shall compile and report to the Secretary an inventory of Federal civilian and defense facilities that can be used—

(1) to provide emergency housing; or

(2) as locations for the construction or deployment of temporary housing units.

(d) **APPROPRIATION OF FUNDING.**—

(1) **IN GENERAL.**—There are authorized to be appropriated and are appropriated \$3,500,000,000 to provide assistance under this Act.

(2) **EMERGENCY DESIGNATION.**—The amount appropriated under paragraph (1) is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

SA 1663. Mr. LOTT submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table; as follows:

On page 170, between lines 9 and 10, insert the following:

SEC. 304. Of the amounts made available in this title under the heading "NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION" and under the subheading "OPERATIONS, RESEARCH, AND FACILITIES" for the National Marine Fisheries Service—

(1) not more than \$104,107,000 may be expended for headquarters programs, including corporate management and leadership and Silver Spring programs;

(2) \$5,000,000 shall be for Southeastern shrimp product quality and marketing;

(3) \$3,000,000 shall be for Gulf of Mexico oyster restoration;

(4) \$3,000,000 shall be for Alaska near shore fisheries;

(5) \$3,000,000 shall be for Pacific Coastal Fisheries Information Network catch effort data;

(6) \$2,000,000 shall be for recreational fishing catch and release mortality research;

(7) \$1,000,000 shall be for the Hawaii stock enhancement program;

(8) \$1,000,000 shall be for bluefish and striped bass research and management;

(9) \$1,000,000 shall be for Great Lakes restoration programs; and

(10) \$1,000,000 shall be for New England stock depletion programs.

SA 1664. Mr. LOTT submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table; as follows:

On page 170, between lines 9 and 10, insert the following:

SEC. 304. Of the amounts made available in this title under the heading "NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION" and under the subheading "OPERATIONS, RESEARCH, AND FACILITIES" for the National Marine Fisheries Service—

(1) not more than \$116,107,000 may be expended for headquarters programs, including corporate management and leadership and Silver Spring programs;

(2) \$5,000,000 shall be for Southeastern shrimp product quality and marketing; and

(3) \$3,000,000 shall be for Gulf of Mexico oyster restoration.

SA 1665. Mr. DORGAN (for himself, Mr. GRAHAM, and Ms. STABENOW) proposed an amendment 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; as follows:

On page 190, between lines 14 and 15, insert the following:

SEC. 522. None of the funds appropriated or otherwise made available by this Act may be used to negotiate or enter into a trade agreement that modifies or amends any law of the United States that provides safeguards from unfair foreign trade practices to United States businesses or workers, including (1) imposition of countervailing and antidumping duties (title VII of the Tariff Act of 1930; 19 U.S.C. 1671 et seq.); (2) protection from unfair methods of competition and unfair acts in the importation of articles (section 337 of the Tariff Act of 1930; 19 U.S.C. 1337); (3) relief from injury caused by import competition (title II of the Trade Act of 1974; 19 U.S.C. 2251 et seq.); (4) relief from unfair

trade practices (title III of the Trade Act of 1974; 19 U.S.C. 2411 et seq.); or (5) national security import restrictions (section 232 of the Trade Expansion Act of 1962; 19 U.S.C. 1862).

SA 1666. Mr. NELSON of Florida submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table; as follows:

On page 170, between lines 9 and 10, insert the following:

SEC. 304. The Administrator of the National Oceanic and Atmospheric Administration shall—

(1) make available the data and information services of such Administration, including forecasts and warnings of the National Weather Service, in a timely, open, and unrestricted manner using widely accepted information standards, including the Internet; and

(2) cooperate closely with public safety agencies and other entities, including private sector entities and the media, to achieve the widest possible understanding of information critical to the protection of life and property and the enhancement of the economy of the United States.

SA 1667. Ms. CANTWELL submitted an amendment intended to be proposed by her 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; which was ordered to lie on the table; as follows:

On page 135, line 25, strike "\$515,087,000" and insert "\$534,987,000, of which \$19,900,000 shall be offset by reducing appropriations in this title for other expenses by a total of \$19,900,000."

On page 136, between lines 13 and 14, in the item relating to Methamphetamine Hot Spots, strike "\$60,100,000" and insert "\$80,000,000".

SA 1668. Mr. BINGAMAN submitted an amendment intended to be proposed by him 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; as follows:

On page 137, line 3, strike "\$350,000,000" and insert "\$352,000,000 of which \$2,000,000 shall be for grants for methamphetamine prevention education programs in elementary and secondary schools to be offset by a reduction of \$2,000,000 in the Drug Enforcement Agency salaries and expenses in this Act".

SA 1669. Mr. SUNUNU proposed an amendment 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; which was ordered to lie on the table; as follows:

On page 131, line 14, strike "\$15,000,000" and insert "\$30,000,000".

On page 134, between lines 4 and 5, strike "\$170,000,000" and insert "\$230,582,000".

On page 134, between lines 4 and 5, strike "\$30,000,000" and insert "\$48,418,000".

On page 156, strike lines 3 through 7 and insert the following:

In addition, for necessary expenses for existing grant projects of the Advanced Technology Program of the National Institute of Standards and Technology, \$46,000,000, to remain available until expended.

SA 1670. Mr. DORGAN submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE —SPECIAL COMMITTEE OF SENATE ON WAR AND RECONSTRUCTION CONTRACTING

SEC. 01. FINDINGS.

Congress makes the following findings:

(1) The wars in Iraq and Afghanistan have exerted very large demands on the Treasury of the United States and required tremendous sacrifice by the members of the Armed Forces of the United States.

(2) Congress has a constitutional responsibility to ensure comprehensive oversight of the expenditure of United States Government funds.

(3) Waste and corporate abuse of United States Government resources are particularly unacceptable and reprehensible during times of war.

(4) The magnitude of the funds involved in the reconstruction of Afghanistan and Iraq and the war on terrorism, together with the speed with which these funds have been committed, presents a challenge to the effective performance of the traditional oversight function of Congress and the auditing functions of the executive branch.

(5) The Senate Special Committee to Investigate the National Defense Program, popularly known as the Truman Committee, which was established during World War II, offers a constructive precedent for bipartisan oversight of wartime contracting that can also be extended to wartime and postwar reconstruction activities.

(6) The Truman Committee is credited with an extremely successful investigative effort, performance of a significant public education role, and achievement of fiscal savings measured in the billions of dollars.

(7) The public has a right to expect that taxpayer resources will be carefully disbursed and honestly spent.

SEC. 02. SPECIAL COMMITTEE ON WAR AND RECONSTRUCTION CONTRACTING.

There is established a special committee of the Senate to be known as the Special Committee on War and Reconstruction Contracting (hereafter in this title referred to as the "Special Committee").

SEC. 03. PURPOSE AND DUTIES.

(a) **PURPOSE.**—The purpose of the Special Committee is to investigate the awarding and performance of contracts to conduct military, security, and reconstruction activities in Afghanistan and Iraq and to support the prosecution of the war on terrorism.

(b) **DUTIES.**—The Special Committee shall examine the contracting actions described in subsection (a) and report on such actions, in accordance with this section, regarding—

(1) bidding, contracting, accounting, and auditing standards for Federal Government contracts;

(2) methods of contracting, including sole-source contracts and limited competition or noncompetitive contracts;

(3) subcontracting under large, comprehensive contracts;

(4) oversight procedures;

(5) consequences of cost-plus and fixed price contracting;

(6) allegations of wasteful and fraudulent practices;

(7) accountability of contractors and Government officials involved in procurement and contracting;

(8) penalties for violations of law and abuses in the awarding and performance of Government contracts; and

(9) lessons learned from the contracting process used in Iraq and Afghanistan and in connection with the war on terrorism with respect to the structure, coordination, management policies, and procedures of the Federal Government.

(c) INVESTIGATION OF WASTEFUL AND FRAUDULENT PRACTICES.—The investigation by the Special Committee of allegations of wasteful and fraudulent practices under subsection (b)(6) shall include investigation of allegations regarding any contract or spending entered into, supervised by, or otherwise involving the Coalition Provisional Authority, regardless of whether or not such contract or spending involved appropriated funds of the United States.

(d) EVIDENCE CONSIDERED.—In carrying out its duties, the Special Committee shall ascertain and evaluate the evidence developed by all relevant governmental agencies regarding the facts and circumstances relevant to contracts described in subsection (a) and any contract or spending covered by subsection (c).

SEC. 04. COMPOSITION OF SPECIAL COMMITTEE.

(a) MEMBERSHIP.—

(1) IN GENERAL.—The Special Committee shall consist of 7 members of the Senate of whom—

(A) 4 members shall be appointed by the President pro tempore of the Senate, in consultation with the majority leader of the Senate; and

(B) 3 members shall be appointed by the minority leader of the Senate.

(2) DATE.—The appointments of the members of the Special Committee shall be made not later than 90 days after the date of the enactment of this Act.

(b) VACANCIES.—Any vacancy in the Special Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(c) SERVICE.—Service of a Senator as a member, chairman, or ranking member of the Special Committee shall not be taken into account for the purposes of paragraph (4) of rule XXV of the Standing Rules of the Senate.

(d) CHAIRMAN AND RANKING MEMBER.—The chairman of the Special Committee shall be designated by the majority leader of the Senate, and the ranking member of the Special Committee shall be designated by the minority leader of the Senate.

(e) QUORUM.—

(1) REPORTS AND RECOMMENDATIONS.—A majority of the members of the Special Committee shall constitute a quorum for the purpose of reporting a matter or recommendation to the Senate.

(2) TESTIMONY.—One member of the Special Committee shall constitute a quorum for the purpose of taking testimony.

(3) OTHER BUSINESS.—A majority of the members of the Special Committee, or 1/3 of the members of the Special Committee if at least one member of the minority party is present, shall constitute a quorum for the purpose of conducting any other business of the Special Committee.

SEC. 05. RULES AND PROCEDURES.

(a) GOVERNANCE UNDER STANDING RULES OF SENATE.—Except as otherwise specifically

provided in this resolution, the investigation, study, and hearings conducted by the Special Committee shall be governed by the Standing Rules of the Senate.

(b) ADDITIONAL RULES AND PROCEDURES.—The Special Committee may adopt additional rules or procedures if the chairman and ranking member agree that such additional rules or procedures are necessary to enable the Special Committee to conduct the investigation, study, and hearings authorized by this resolution. Any such additional rules and procedures—

(1) shall not be inconsistent with this resolution or the Standing Rules of the Senate; and

(2) shall become effective upon publication in the Congressional Record.

SEC. 06. AUTHORITY OF SPECIAL COMMITTEE.

(a) IN GENERAL.—The Special Committee may exercise all of the powers and responsibilities of a committee under rule XXVI of the Standing Rules of the Senate.

(b) HEARINGS.—The Special Committee or, at its direction, any subcommittee or member of the Special Committee, may, for the purpose of carrying out this resolution—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Special Committee or such subcommittee or member considers advisable; and

(2) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents, tapes, and materials as the Special Committee considers advisable.

(c) ISSUANCE AND ENFORCEMENT OF SUBPOENAS.—

(1) ISSUANCE.—Subpoenas issued under subsection (b) shall bear the signature of the Chairman of the Special Committee and shall be served by any person or class of persons designated by the Chairman for that purpose.

(2) ENFORCEMENT.—In the case of contumacy or failure to obey a subpoena issued under subsection (a), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(d) MEETINGS.—The Special Committee may sit and act at any time or place during sessions, recesses, and adjournment periods of the Senate.

SEC. 07. REPORTS.

(a) INITIAL REPORT.—The Special Committee shall submit to the Senate a report on the investigation conducted pursuant to section 03 not later than 270 days after the appointment of the Special Committee members.

(b) UPDATED REPORT.—The Special Committee shall submit an updated report on such investigation not later than 180 days after the submission of the report under subsection (a).

(c) ADDITIONAL REPORTS.—The Special Committee may submit any additional report or reports that the Special Committee considers appropriate.

(d) FINDINGS AND RECOMMENDATIONS.—The reports under this section shall include findings and recommendations of the Special Committee regarding the matters considered under section 03.

(e) DISPOSITION OF REPORTS.—Any report made by the Special Committee when the Senate is not in session shall be submitted to the Clerk of the Senate. Any report made by

the Special Committee shall be referred to the committee or committees that have jurisdiction over the subject matter of the report.

SEC. 08. ADMINISTRATIVE PROVISIONS.

(a) STAFF.—

(1) IN GENERAL.—The Special Committee may employ in accordance with paragraph (2) a staff composed of such clerical, investigatory, legal, technical, and other personnel as the Special Committee, or the chairman or the ranking member, considers necessary or appropriate.

(2) APPOINTMENT OF STAFF.—

(A) IN GENERAL.—The Special Committee shall appoint a staff for the majority, a staff for the minority, and a nondesignated staff.

(B) MAJORITY STAFF.—The majority staff shall be appointed, and may be removed, by the chairman and shall work under the general supervision and direction of the chairman.

(C) MINORITY STAFF.—The minority staff shall be appointed, and may be removed, by the ranking member of the Special Committee, and shall work under the general supervision and direction of such member.

(D) NONDESIGNATED STAFF.—Nondesignated staff shall be appointed, and may be removed, jointly by the chairman and the ranking member, and shall work under the joint general supervision and direction of the chairman and ranking member.

(b) COMPENSATION.—

(1) MAJORITY STAFF.—The chairman shall fix the compensation of all personnel of the majority staff of the Special Committee.

(2) MINORITY STAFF.—The ranking member shall fix the compensation of all personnel of the minority staff of the Special Committee.

(3) NONDESIGNATED STAFF.—The chairman and ranking member shall jointly fix the compensation of all nondesignated staff of the Special Committee, within the budget approved for such purposes for the Special Committee.

(c) REIMBURSEMENT OF EXPENSES.—The Special Committee may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by such staff members in the performance of their functions for the Special Committee.

(d) PAYMENT OF EXPENSES.—There shall be paid out of the applicable accounts of the Senate such sums as may be necessary for the expenses of the Special Committee. Such payments shall be made on vouchers signed by the chairman of the Special Committee and approved in the manner directed by the Committee on Rules and Administration of the Senate. Amounts made available under this subsection shall be expended in accordance with regulations prescribed by the Committee on Rules and Administration of the Senate.

SEC. 09. TERMINATION.

The Special Committee shall terminate on February 28, 2007.

SEC. 10. SENSE OF SENATE ON CERTAIN CLAIMS REGARDING THE COALITION PROVISIONAL AUTHORITY.

It is the sense of the Senate that any claim of fraud, waste, or abuse under the False Claims Act that involves any contract or spending by the Coalition Provisional Authority should be considered a claim against the United States Government.

SA 1671. Mr. DEWINE (for himself, Mr. VOINOVICH, Mr. ALLEN, Mr. WARNER, and Mrs. MURRAY) submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table; as follows:

On page 170, between lines 9 and 10, insert the following:

SEC. 304. Of the amounts appropriated or otherwise made available by this title under the heading "NATIONAL AERONAUTICS AND SPACE ADMINISTRATION", \$906,200,000 shall be available for aeronautics research and development programs of the National Aeronautics and Space Administration.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 8, 2005, at 10 a.m., to conduct a hearing on "Examining the Commodity Futures Modernization Act of 2000 and recent market."

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

COMMITTEE ON FOREIGN RELATIONS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, September 8, 2005, at 2 p.m., to hold a hearing on Nominations.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing during the session of the Senate on Thursday, September 8, 2005 at 10 a.m., in SD-106.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions meet in executive session during the session of the Senate on Thursday, September 8, 2005 at 3 p.m. in SD-106.

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

COMMITTEE ON THE JUDICIARY

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, September 8, 2005 at 9:30 a.m. in Senate Dirksen Office Building Room 226.

Agenda

I. Nominations: Kenneth L. Wainstein to be United States Attorney for the District of Columbia.

II. Bills: S. 1088—Streamlined Procedures Act of 2005, Kyl, Cornyn, Grassley, Hatch; S. 1197—Violence Against Women Act of 2005, Biden, Hatch, Specter, Leahy, DeWine, Kohl, Grassley,

Kennedy, Schumer, Durbin, Feinstein; S. , Personal Data Privacy and Security Act of 2005, Specter, Leahy, Feingold; S. 751—Notification of Risk to Personal Data Act, Feinstein, Kyl; S. 1326—Notification of Risk to Personal Data Act, Sessions; S. 155—Gang Prevention and Effective Deterrence Act of 2005, Feinstein, Hatch, Grassley, Cornyn, Kyl, Specter; S. 1086—A Bill to Improve the National Program to Register and Monitor Individuals Who Commit Crimes Against Children or Sex Offenses, Hatch, Biden, Schumer; S. 596—Jetseta Gage Prevention and Deterrence of Crimes Against Children Act of 2005, Grassley, Kyl, Cornyn.

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

PRIVILEGE OF THE FLOOR

Mr. COCHRAN. Mr. President, I ask unanimous consent that the following staff members be granted the privilege of the floor during the consideration of H.R. 2862, the Commerce-Justice-Science appropriations bill: Jill Shapiro Long, Allen Cutler, and Gabrielle Batkin.

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

Mr. COCHRAN. Mr. President, I also ask unanimous consent that Art Cameron, who is detailed to our Appropriations Committee staff from the Treasury Department, and Kate Fitzpatrick be granted the privilege of the floor during the consideration of H.R. 2862, the Commerce-Justice-Science appropriations bill.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that Lindsay Jones of my staff be granted the privilege of the floor for the duration of today's session.

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

UNANIMOUS CONSENT AGREEMENT—H.R. 2862

Mr. FRIST. Mr. President, I ask unanimous consent that other than the pending amendments, the only remaining first-degree amendments to H.R. 2862, the Commerce-Justice-Science appropriations bill, be the following list that I send to the desk; provided further, that they be subject to second-degree amendments which are relevant to the first-degree amendment to which they are offered.

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

The list of amendments is as follows:

Baucus—EDA, Baucus—EDA, Baucus—EDA, Bingaman—Methamphetamine education, Boxer—Katrina, Boxer—Katrina, Boxer—Relevant, Boxer—Relevant, Bunning—Relevant, Byrd—Relevant, Byrd—Relevant, Byrd—Relevant to list, Cantwell—Ice breakers, Cantwell—Methamphetamines, Cantwell—Methamphetamines, Clinton—Katrina Commission, Clinton—FEMA Reform, Conrad—Relevant, Conrad—Relevant, Conrad—JAG formula change.

DeWine—NASA, Dodd—First responders, Dorgan—Military contracting abuses, Durbin—Relevant, Durbin—Relevant, Ensign—NSF Funding, Feingold—Relevant, Feinstein—Methamphetamines, Frist—Relevant, Frist—Relevant, Frist—Relevant to any C/A 208 onlist, Frist—Relevant to any on list, Grassley—Strike Authorizing Language, Grassley—Strike Authorizing Language, Grassley—Strike Authorizing Language, Grassley—Strike Authorizing Language, Grassley—Strike Authorizing Language, Grassley—Strike Authorizing Language, Inouye—USF ADA violations.

Kennedy—Red tide, Kerry—Small Business, Kyl—Internet Gambling, Kyl—Document Fraud Investigation, Kyl—SCAAP, Landrieu—Relevant, Landrieu—Relevant, Leahy—Relevant, Leahy—Relevant, Leahy—Relevant, Lieberman—Disaster financial relief, Lott—Natl. Marine Fisheries Service, Managers' Amendment, Martinez—Relevant, McCain—SOS, Mikulski—Managers' Amdt., Mikulski—Relevant, Mikulski—Relevant, Mikulski—Relevant to list, Nelson (FL)—NWS office consolidation.

Nelson (NE)—Bankruptcy trustee, Obama—Justice assistance grants 900M, Pryor—FTC Gas prices, Reid—Relevant, Reid—Relevant, Reid—Relevant to any on list, Reid—Relevant to any on list, Reid—Domestic violence, Roberts—FBI Funding, Salazar—Science Education funding, Salazar—Methamphetamines/DEA, Salazar—Katrina, Schumer—Cell Phone privacy, Schumer—Tax deduction for Katrina victims, Schumer—Relevant, Schumer—Relevant, Schumer—Relevant, Snowe—SBA, Snowe—SBA, Stabenow—Interoperable communications, Sununu—Eminent Domain/Economic Development, Talent—Relevant, Talent—Relevant, Talent—Relevant, Wyden—NASA NSF Title 9.

AUTHORITY TO SIGN ENROLLED BILLS

Mr. FRIST. Mr. President, I ask unanimous consent that on Thursday, September 8, 2005, the majority leader be authorized to sign duly enrolled bills.

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

UNANIMOUS CONSENT AGREEMENT—S.J. RES. 20

Mr. FRIST. Mr. President, I ask unanimous consent that on Monday, September 12, at 5:30 p.m., the Senate proceed to a period for morning business for 1 hour with the time equally divided between Senator INHOFE or his designee and Senator REID or his designee, and that following the use or yielding back of time, the Senate proceed to a vote on the motion to proceed to Calendar No. 167, S.J. Res. 20. I further ask consent that if the motion to proceed is agreed to, the statutory time limit be reduced to 2 hours equally divided, and that following the use or yielding back of time, the joint resolution be read a third time and the Senate proceed to a vote on passage of the resolution.

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