

“(C) Any loan or guarantee extended pursuant to this paragraph shall be made at the same interest rate as economic injury loans under paragraph (2).

“(D) No loan may be made under this paragraph, either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis, if the total amount outstanding and committed to the borrower under this subsection would exceed \$1,500,000, unless such borrower constitutes a major source of employment in its surrounding area, as determined by the Administration, in which case the Administration, in its discretion, may waive the \$1,500,000 limitation.

“(E) For purposes of assistance under this paragraph—

“(i) a declaration of a disaster area based on conditions specified in this paragraph shall be required, and shall be made by the President or the Administrator; or

“(ii) if no declaration has been made pursuant to clause (i), the Governor of a State in which a significant increase in the price of heating oil, natural gas, gasoline, propane, or kerosene has occurred may certify to the Administration that small business concerns have suffered economic injury as a result of such increase and are in need of financial assistance which is not otherwise available on reasonable terms in that State, and upon receipt of such certification, the Administration may make such loans as would have been available under this paragraph if a disaster declaration had been issued.

“(F) Notwithstanding any other provision of law, loans made under this paragraph may be used by a small business concern described in subparagraph (B) to convert from the use of heating oil, natural gas, gasoline, propane, or kerosene to a renewable or alternative energy source, including agriculture and urban waste, geothermal energy, cogeneration, solar energy, wind energy, or fuel cells.”

(B) CONFORMING AMENDMENTS.—Section 3(k) of the Small Business Act (15 U.S.C. 632(k)) is amended—

(i) by inserting “, significant increase in the price of heating oil, natural gas, gasoline, propane, or kerosene” after “civil disorders”; and

(ii) by inserting “other” before “economic”.

(C) REPORT.—Not later than 12 months after the date on which the Administrator of the Small Business Administration issues guidelines under paragraph (3)(A), and annually thereafter, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives, a report on the effectiveness of the assistance made available under section 7(b)(5) of the Small Business Act, as added by this subsection, including—

(i) the number of small business concerns that applied for a loan under that section 7(b)(5) and the number of those that received such loans;

(ii) the dollar value of those loans;

(iii) the States in which the small business concerns that received such loans are located;

(iv) the type of energy that caused the significant increase in the cost for the participating small business concerns; and

(v) recommendations for ways to improve the assistance provided under that section 7(b)(5), if any.

(D) EFFECTIVE DATE.—The amendments made by this subsection shall apply during the 4-year period beginning on the earlier of the date on which guidelines are published by the Administrator of the Small Business Administration under paragraph (3), or 30 days after the date of enactment of this Act,

with respect to assistance under section 7(b)(5) of the Small Business Act, as added by this subsection.

(2) FARM ENERGY EMERGENCY RELIEF.—

(A) IN GENERAL.—Section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)) is amended—

(i) in the first sentence—

(I) by striking “operations have” and inserting “operations (i) have”; and

(II) by inserting before “: Provided,” the following: “, or (ii)(I) are owned or operated by such an applicant that is also a small business concern (as defined in section 3 of the Small Business Act (15 U.S.C. 632)), and (II) have suffered or are likely to suffer substantial economic injury on or after January 1, 2005, as the result of a significant increase in energy costs or input costs from energy sources occurring on or after January 1, 2005, in connection with an energy emergency declared by the President or the Secretary”;

(ii) in the third sentence, by inserting before the period at the end the following: “or by an energy emergency declared by the President or the Secretary”; and

(iii) in the fourth sentence—

(I) by inserting “or energy emergency” after “natural disaster” each place that term appears; and

(II) by inserting “or declaration” after “emergency designation”.

(B) FUNDING.—Funds available on the date of enactment of this Act for emergency loans under subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.) shall be available to carry out the amendments made by subparagraph (A) to meet the needs resulting from natural disasters.

(C) REPORT.—Not later than 12 months after the date on which the Secretary of Agriculture issues guidelines under paragraph (3)(A), and annually thereafter, the Secretary shall submit to the Committee on Small Business and Entrepreneurship and the Committee on Agriculture, Nutrition, and Forestry of the Senate and to the Committee on Small Business and the Committee on Agriculture of the House of Representatives, a report that—

(i) describes the effectiveness of the assistance made available under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)), as amended by this section; and

(ii) contains recommendations for ways to improve the assistance provided under such section 321(a).

(D) EFFECTIVE DATE.—The amendments made by this subsection shall apply during the 4-year period beginning on the earlier of the date on which guidelines are published by the Secretary of Agriculture under paragraph (3), or 30 days after the date of enactment of this Act, with respect to assistance under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)), as amended by this subsection.

(3) GUIDELINES AND RULEMAKING.—

(A) GUIDELINES.—Not later than 30 days after the date of enactment of this Act, the Administrator of the Small Business Administration and the Secretary of Agriculture shall each issue guidelines to carry out paragraphs (1) and (2), respectively, and the amendments made thereby, which guidelines shall become effective on the date of their issuance.

(B) RULEMAKING.—Not later than 30 days after the date of enactment of this Act, the Administrator of the Small Business Administration, after consultation with the Secretary of Energy, shall promulgate regulations specifying the method for determining a significant increase in the price of kerosene under section 7(b)(5)(A)(iii)(II) of the Small Business Act, as added by this Act.

(1) BUDGETARY TREATMENT OF LOANS AND FINANCINGS.—

(I) IN GENERAL.—Assistance made available under any loan made or approved by the Administration under this section, subsections (a) or (b) of section 7 of the Small Business Act (15 U.S.C. 636(a)), as amended by this section, except for subsection 7(a)(23)(C), or financings made under title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.), as amended by this section, on and after the date of enactment of this Act, shall be treated as separate programs of the Small Business Administration for purposes of the Federal Credit Reform Act of 1990 only.

(2) USE OF FUNDS.—Assistance under this section and the amendments made by this section shall be available effective only to the extent that funds are made available under appropriations Acts, which funds shall be utilized to offset the cost (as such term is defined in section 502 of the Federal Credit Reform Act of 1990) of such assistance.

(m) EMERGENCY SPENDING.—Appropriations under this section are designated as emergency spending, as provided under section 402 of H. Con. Res. 95 (109th Congress).

AUTHORITY FOR COMMITTEES TO MEET

SELECT COMMITTEE ON INTELLIGENCE

Mr. GREGG. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on September 14, 2005 at 10:30 a.m. to hold a briefing.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet to conduct a hearing during the session of the Senate on Wednesday September 14, 2005, at 10 a.m. in Dirksen Senate Office Building, room 342, on “Recovering from Katrina: The Next Phase”

Witness List: The Honorable Pete Wilson, Former Governor, California; The Honorable Patricia A. Owens, Former Mayor, Grand Forks, North Dakota; The Honorable Marc H. Morial, President and CEO, National Urban League, Former Mayor of New Orleans; Iain B. Logan, Operations Liaison, International Federation of Red Cross and Red Crescent Societies.

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

COMMITTEE ON THE JUDICIARY.

Mr. GREGG. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on the nomination of John G. Roberts Jr. to be Chief Justice of the United States on Wednesday, September 14, 2005 at 9 a.m. in the Hart Senate Office Building Room 216. John G. Roberts Jr. is the only witness. Note that this is a time change.

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

SUBCOMMITTEE ON AVIATION

Mr. GREGG. Mr. President, I ask unanimous consent that the Subcommittee on Aviation be authorized

to meet on Wednesday, September 14, 2005, at 10 a.m., on the Impact of Hurricane Katrina on the Aviation Industry, in SD-562.

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

HONORING THE SOLDIERS OF THE ARMY'S BLACK CORPS OF ENGINEERS

Mr. SHELBY. Mr. President, I ask unanimous consent that the Armed Services Committee be discharged from further consideration and the Senate now proceed to H. Con. Res. 67.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 67) honoring the soldiers of the Army's Black Corps of Engineers for their contributions in constructing the Alaska-Canada highway during World War II and recognizing the importance of these contributions to the subsequent integration of the military.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SHELBY. I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The concurrent resolution (H. Con. Res. 67) was agreed to.

The preamble was agreed to.

NATIONAL CAMPUS SAFETY AWARENESS MONTH

Mr. SHELBY. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 221 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 221) supporting the goals and ideals of "National Campus Safety Awareness Month."

There being no objection, the Senate proceeded to consider the resolution.

Mr. SHELBY. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to this measure be printed in the RECORD.

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

The resolution (S. Res. 221) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 221

Whereas college and university campuses are subject to criminal threats both from within and outside their borders;

Whereas under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act a total of 86 homicides, 7,648 sex offenses, 9,649 aggravated assaults, and 3,590 arsons were reported on-campus from 2000 to 2002;

Whereas between $\frac{1}{2}$ and $\frac{1}{4}$ of female students become the victim of a completed or attempted rape, usually by someone they know, during their college careers;

Whereas each year more than 70,000 students between the ages of 18 and 24 are victims of alcohol-related sexual assault;

Whereas each year more than 600,000 students between the ages of 18 and 24 are assaulted by another student who has been drinking;

Whereas 1,400 college students between the ages of 18 and 24 die each year from alcohol-related unintentional injuries, including motor vehicle crashes;

Whereas each year there is approximately \$2.8 million dollars worth of property damage from fires on-campus;

Whereas Security On Campus, Inc., a national group dedicated to promoting safety and security on college and university campuses, and the University of Wisconsin-Green Bay Student Government Association have designated September 2005 as National Campus Safety Awareness Month; and

Whereas the designation of National Campus Safety Awareness Month provides an opportunity for colleges and universities to inform students about existing campus crime trends, campus security policies, crime prevention techniques, fire safety, and alcohol and other drug education, prevention, and treatment programs; Now, therefore, be it

Resolved, That the Senate supports the goals and ideals of "National Campus Safety Awareness Month".

HISPANIC HERITAGE MONTH

Mr. SHELBY. Mr. President, I now ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 238, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 238) recognizing Hispanic Heritage Month and celebrating the vast contributions of Hispanic Americans to the strength and culture of our Nation.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SHELBY. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. There being no objection, it is so ordered.

The resolution (S. Res. 238) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 238

Whereas from September 15, 2005, through October 15, 2005, the country celebrates Hispanic Heritage Month;

Whereas the presence of Hispanics on this continent predates the founding of our Nation, and, as among the first to settle in the New World, Hispanics and their descendants have had a profound and lasting influence on American history, values, and culture;

Whereas since the arrival of the earliest Spanish settlers more than 400 years ago,

millions of Hispanic men and women have come to the United States from Mexico, Puerto Rico, Cuba, El Salvador and other Caribbean regions, Central America, South America, and Spain, in search of freedom, peace, and opportunity;

Whereas Hispanic Americans have contributed throughout the ages to the prosperity and culture of our nation;

Whereas the United States Census Bureau now lists Hispanic Americans as the largest ethnic minority within the United States;

Whereas Hispanic Americans serve in all branches of the military and have fought valiantly in every war in United States history;

Whereas the Medal of Honor is the highest United States military distinction, awarded since the Civil War for "conspicuous gallantry and intrepidity at the risk of life above and beyond the call of duty";

Whereas 41 men of Hispanic origin have earned this distinction, including 21 such men who sacrificed their lives;

Whereas many Hispanic Americans who served in the military have continued their service to our country;

Whereas Hispanic Americans are dedicated public servants, holding posts at the highest levels of government, including two seats in the United States Senate; and

Whereas Hispanic Americans harbor a deep commitment to family and community, an enduring work ethic, and a perseverance to succeed; Now, therefore, be it

Resolved, That the Senate—

(1) recognizes September 15, 2005, through October 15, 2005, as Hispanic Heritage Month;

(2) celebrates the vast contributions of Hispanic Americans to the strength and culture of our Nation; and

(3) encourages the people of the United States to observe Hispanic Heritage Month with appropriate programs and activities.

ORDERS FOR THURSDAY, SEPTEMBER 15, 2005

Mr. SHELBY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Thursday, September 15. I further ask unanimous consent that following the prayer and the pledge the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate resume consideration of H.R. 2862, the Commerce-Justice-Science appropriations bill.

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

PROGRAM

Mr. SHELBY. Mr. President, on behalf of the leader, and as manager of the bill, I announce to my colleagues that we are very close to completing action on the bill. Earlier, we had hoped to finish this evening but we were working on just a few remaining issues.

Tomorrow, we will resume consideration of the bill shortly after 9:30 a.m. At that time, we hope to clear several of the remaining amendments. That will then allow us to proceed to votes on those few amendments which require votes.

It is the expectation of the leader that we will begin voting around 10:45