

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

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 1764) was read the third time and passed, as follows:

S. 1764

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

**SECTION 1. DEFINITION OF STUDENT AFFECTED BY HURRICANE KATRINA.**

In this Act, the term "student affected by Hurricane Katrina" means a student who resides or resided on August 22, 2005 in an area, or is enrolled or was enrolled on August 22, 2005 in a school located in an area, for which a major disaster has been declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) as a result of Hurricane Katrina.

**SEC. 2. EDUCATION EXPENSES.**

(a) IN GENERAL.—Upon the request of the Secretary of Education, the Secretary of Homeland Security may transfer any funds made available to the Federal Emergency Management Agency "Disaster Relief Fund" for Hurricane Katrina to the Department of Education for the education of students affected by Hurricane Katrina. Such funds shall only be used for expenditures for activities of educational agencies authorized under Federal law within the jurisdiction of the Department of Education, and for the following activities in support of students affected by Hurricane Katrina:

(1) Paying the compensation of personnel, including teacher aides, to provide instructional services.

(2) Paying the operational costs incurred by educational agencies as a result of educating such students.

(3) Purchasing instructional materials and equipment, including textbooks, used to educate such students.

(b) SPECIAL RULE.—Notwithstanding any other provision of this section, funds may be used for expenditures described in subsection (a) only if—

(1) the Secretary of Education makes a determination that such expenditures constitute an immediate need for the relief of students affected by Hurricane Katrina; and

(2) funds are not made available for such activities from other Federal sources.

**SEC. 3. AVAILABILITY OF FUNDS.**

(a) IN GENERAL.—Notwithstanding any other provision of law, any funds available to the Secretary of Education, the authority for which would be cancelled or otherwise expire on September 30, 2005, shall be available for obligation by the Secretary until September 30, 2006, but only to meet educational needs of students affected by Hurricane Katrina.

(b) EMERGENCY DESIGNATION.—Any funds available for obligation pursuant to subsection (a) are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

**SEC. 4. ADVANCED NOTIFICATION OF CONGRESS.**

(a) DEPARTMENT OF EDUCATION APPROPRIATIONS ACT, 2005.—Section 304 of the Department of Education Appropriations Act, 2005 (Public Law 108-447) is amended by striking "15 days" and inserting "3 days".

(b) CONSOLIDATED APPROPRIATIONS ACT, 2005.—Section 517 of the Departments of

Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2005 (Public Law 108-447) is amended—

(1) in subsection (a), by striking "15 days" and inserting "3 days"; and

(2) in subsection (b), by striking "15 days" and inserting "3 days".

**SEC. 5. SUNSET.**

This Act shall be effective for the period beginning on the date of enactment of this Act and ending on September 30, 2006.

Mr. FRIST. Mr. President, this bill we just passed provides for the continued education of students who have been so severely affected by Hurricane Katrina.

I thank my colleague, the Senator from Texas, Mrs. HUTCHISON, for her tremendous leadership on this bill. It is a very important bill and a bill that has been a long time coming. We—especially she and her cosponsors—have aggressively worked in this regard to pass this bill. I am happy to yield to her at this time.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I thank the distinguished majority leader for helping us clear this legislation. This is a bill cosponsored by Senator LANDRIEU and Senator CORNYN. Twenty-eight States have taken students, who are victims of Hurricane Katrina, into their hearts, into their arms, into their shelters, and into their educational systems.

We have been passing legislation that would cut red tape and pay for certain items that are not covered by the law. One of the major areas for which we have not had a precedent is schoolchildren in great numbers going into public schools as a result of having to evacuate from an emergency disaster, such as Hurricane Katrina. That has been the case.

We have more than 45,000 evacuee students now in our Texas public schools. As everyone knows, there is no school district that can afford to absorb that number of students without help. The bill we have just passed will allow the money that has already been appropriated to be available for the Department of Education to pay for the extra teachers who are being hired. It is limited to children who are victims of Hurricane Katrina, and it also has a sunset. It is just for this school year. So this is not a new law that is going to put the Federal Government into public education throughout our country. But it is going to offset the costs of hiring teachers and buying school supplies for those students who have come to our State and 27 other States with nothing.

Today I am very proud of the Senate for passing this legislation to give these 28 States the help they need. The money will flow through the Department of Education. The Secretary of Education will have the authority to take some of the money that has already been appropriated by Congress for this purpose.

I applaud the Senate for passing this bill, and I look forward to it going

through the House and being signed by the President.

I thank Senator FRIST so much for the help he has given in allowing the Senate to act quickly on this legislation.

I yield the floor.

**NOMINATION OF ROBERT B. HOLLAND**

Mr. FRIST. Mr. President, as in executive session, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of Robert Holland, PN447, that the Senate proceed to its consideration, that the nomination be confirmed, that the motion to reconsider be laid upon the table, and that the President be immediately notified of the Senate's action.

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

The nomination considered and confirmed is as follows:

Robert B. Holland III, of Texas, to be United States Executive Director of the International Bank for Reconstruction and Development for a term of two years.

**AMENDING THE INDIAN FINANCING ACT**

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of S. 1758, introduced earlier today.

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

The legislative clerk read as follows:

A bill (S. 1758) to amend the Indian Financing Act of 1974 to provide for sale and assignment of loans and other security and for other purposes.

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

Mr. MCCAIN. Mr. President, today I rise in support of the Indian Financing Act Amendments of 2005, originally introduced as a component of the Native American Omnibus Act of 2005. I'm pleased to be joined by the vice chairman of the Senate Indian Affairs Committee, BYRON DORGAN, on this bill.

The Indian financing act amendments, amends the Indian finance act of 1974 to clarify that non-profit tribal entities are eligible for the BIA Loan Guaranty program. The amendments also raises the limit on the amount of loans to \$1.5 billion from \$500 million.

I look forward to working with my respective colleagues on both sides of the aisle to enact this legislation.

Mr. FRIST. Mr. President, I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

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

The bill (S. 1758) was read the third time and passed, as follows:

S. 1758

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