

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Minority Member of the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs, acting jointly, are authorized to provide to law enforcement officials, regulatory agencies, and other entities or individuals duly authorized by federal, state, or foreign governments, records of the Subcommittee's investigation into the use of offshore tax havens for abusive tax shelters.

SENATE RESOLUTION 556—SUPPORTING NATIONAL PERIPHERAL ARTERIAL DISEASE AWARENESS WEEK AND EFFORTS TO EDUCATE PEOPLE ABOUT PERIPHERAL ARTERIAL DISEASE

Mr. CRAPO (for himself and Mr. DORGAN) submitted the following resolution; which was submitted and read:

S. RES. 556

Whereas peripheral arterial disease is a vascular disease that occurs when narrowed arteries reduce the blood flow to the limbs;

Whereas peripheral arterial disease is a significant vascular disease that can be as serious as a heart attack or stroke;

Whereas peripheral arterial disease affects approximately 8,000,000 to 12,000,000 Americans;

Whereas patients with peripheral arterial disease are at increased risk of heart attack and stroke and are 6 times more likely to die within 10 years than are patients without peripheral arterial disease;

Whereas the survival rate for individuals with peripheral arterial disease is worse than the outcome for many common cancers;

Whereas peripheral arterial disease is a leading cause of lower limb amputation in the United States;

Whereas many patients with peripheral arterial disease have walking impairment that leads to a diminished quality of life and functional capacity;

Whereas a majority of patients with peripheral arterial disease are asymptomatic and less than half of individuals with peripheral arterial disease are aware of their diagnoses;

Whereas African-American ethnicity is a strong and independent risk factor for peripheral arterial disease, and yet this fact is not well known to those at risk;

Whereas effective treatments are available for people with peripheral arterial disease to reduce heart attacks, strokes, and amputations and to improve quality of life;

Whereas many patients with peripheral arterial disease are still untreated with proven therapies;

Whereas there is a need for comprehensive educational efforts designed to increase awareness of peripheral arterial disease among medical professionals and the greater public in order to promote early detection and proper treatment of this disease to improve quality of life, prevent heart attacks and strokes, and save lives and limbs; and

Whereas September 18 through September 22, 2006, would be an appropriate week to ob-

serve National Peripheral Arterial Disease Awareness Week: Now, therefore, be it

Resolved, That the Senate—

(1) supports National Peripheral Arterial Disease Awareness Week and efforts to educate people about peripheral arterial disease;

(2) acknowledges the critical importance of peripheral arterial disease awareness to improve national cardiovascular health;

(3) supports raising awareness of the consequences of undiagnosed and untreated peripheral arterial disease and the need to seek appropriate care as a serious public health issue; and

(4) calls upon the people of the United States to observe the week with appropriate programs and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4851. Mr. BIDEN (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes.

SA 4852. Mr. BIDEN (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4853. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra.

SA 4854. Mr. DODD (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4855. Mr. DODD (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra.

SA 4856. Mr. DODD (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4857. Mr. KENNEDY (for himself and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4858. Mrs. BOXER (for herself and Mr. GRAHAM) submitted an amendment intended to be proposed by her to the bill H.R. 5631, supra.

SA 4859. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4860. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill H.R. 5631, supra.

SA 4861. Mr. NELSON, of Florida (for himself, Mr. MARTINEZ, Mr. BINGAMAN, and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4862. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4863. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra.

SA 4864. Mr. NELSON, of Florida (for himself, Mr. MARTINEZ, Mr. BINGAMAN, and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra.

SA 4865. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4866. Mr. OBAMA (for himself, Mr. DORGAN, and Mr. DURBIN) submitted an amend-

ment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4867. Mr. BYRD (for himself and Mr. DEWINE) submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra.

SA 4868. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 5631, supra.

SA 4869. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4870. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4871. Mr. KERRY submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4872. Mr. KERRY submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4873. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4874. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4875. Ms. STABENOW (for herself, Mr. REID, Mr. REED, Mr. LEAHY, Mr. LEVIN, Mr. DURBIN, and Mr. KENNEDY) proposed an amendment to the bill H.R. 5631, supra.

SA 4876. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4877. Mr. SMITH (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 5631, supra; which was ordered to lie on the table.

SA 4878. Mr. SANTORUM proposed an amendment to the bill S. 843, to amend the Public Health Service Act to combat autism through research, screening, intervention and education.

SA 4879. Mr. FRIST (for Mr. ENZI) proposed an amendment to the bill S. 3534, to amend the Workforce Investment Act of 1998 to provide for a YouthBuild program.

SA 4880. Mr. FRIST (for Mr. MCCAIN (for himself and Mr. DORGAN)) proposed an amendment to the bill S. 1899, to amend the Indian Child Protection and Family Violence Prevention Act to identify and remove barriers to reducing child abuse, to provide for examinations of certain children, and for other purposes.

SA 4881. Mr. FRIST (for Mr. LAUTENBERG (for himself and Mr. STEVENS)) proposed an amendment to the bill H.R. 3858, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that State and local emergency preparedness operational plans address the needs of individuals with household pets and service animals following a major disaster or emergency.

TEXT OF AMENDMENTS

SA 4851. Mr. BIDEN (for himself and Ms. CANTWELL) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; as follows:

At the end of title VIII, add the following:

SEC. 8109. None of the funds appropriated or otherwise made available by this Act may be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

SA 4852. Mr. BIDEN (for himself and Mr. CARPER) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. Of the amount appropriated or otherwise made available by title VI under the heading "DEFENSE HEALTH PROGRAM", up to \$6,000,000 may be available for Vaccine Health Care Centers.

SA 4853. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; as follows:

On page 238, after line 24, insert the following:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2007, for functions administered by the Secretary of State and for other purposes, namely:

TITLE X

CUBA FUND FOR A DEMOCRATIC FUTURE

SEC. 10001.(a) To promote a transition to a democratic form of government in Cuba, \$40,000,000.

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

(c) The amounts provided under this heading shall be deposited into a fund to be known as the Cuba Fund for a Democratic Future which is hereby established in the Treasury of the United States.

(d) The amounts provided under this heading shall be available to the Secretary of State, in consultation with the United States Cuba Transition Coordinator, to carry out activities to empower the people of Cuba and the democratic opposition in Cuba to take advantage of opportunities to promote a transition to a democratic form of government in Cuba, including activities—

(1) to support an independent civil society in Cuba;

(2) to expand international awareness of Cuba's democratic aspirations;

(3) to break the information blockade put in place by the regime of Fidel Castro in Cuba, including activities to promote access to independent information through the Internet and other sources;

(4) to provide for education and exchanges for the people of Cuba, including university training from third countries and scholarships for economically disadvantaged students from Cuba identified by independent nongovernmental entities and civic organizations in United States and third country universities (including historically-black and faith-based institutions); and

(5) to support international efforts to strengthen civil society and in transition planning in Cuba.

(e) If the President determines that there exists either a transition government in Cuba or a democratically elected government in Cuba, as those terms are defined in section 4 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6023) and submits that determination to Congress in accordance with section 203(c) of that Act (22 U.S.C. 6063), then the funds made available for the Cuba Fund for a Democratic Future may be used, at the discretion of the Secretary of State in accordance with the guidelines set out, respectively, in subsection (b)(2)(A) or (b)(2)(B) of section 202 of that Act (22 U.S.C. 6062).

(f) The Secretary of State shall ensure that none of the funds made available in this section or any assistance carried out with such funds are provided to the Government of Cuba.

(g) Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter until all amounts made available to the Cuba Fund for a Democratic Future are expended, the Secretary of State shall submit to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a report describing the Secretary's progress in obligating and expending such funds and that such reports may be submitted in a classified form and the Secretary of State shall publish any unclassified portions of each such report.

SA 4854. Mr. DODD (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. (a) COST ANALYSIS OF ENGINE PROGRAM FOR JOINT STRIKE FIGHTER.—The Under Secretary of Defense for Acquisition, Technology, and Logistics shall provide for the conduct, by a federally funded research and development center (FFRDC) with appropriate expertise, of a cost analysis of the engine program for the Joint Strike Fighter (JSF).

(b) ELEMENTS.—The cost analysis conducted under subsection (a) shall address the following:

(1) A comparison of the costs associated with the development of F-135 engines with the costs associated with the development of F-136 engines.

(2) An assessment of the savings to be achieved by eliminating or continuing the development and production of an alternative engine for the Joint Strike Fighter over the life-cycle of the Joint Strike Fighter.

(3) An assessment of the effects on the industrial base of the United States of eliminating or continuing the development and production of an alternative engine for the Joint Strike Fighter over the life-cycle of the Joint Strike Fighter.

(4) Any other matters than the Under Secretary of Defense considers appropriate.

(c) TRANSMITTAL TO CONGRESS.—The cost analysis conducted under subsection (a) shall be submitted to the congressional defense committees not later than March 15, 2007.

SA 4855. Mr. DODD (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for

the fiscal year ending September 30, 2007, and for other purposes; as follows:

At the end of title VIII, add the following:

SEC. 8109. Of the amount appropriated or otherwise made available by title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY", up to \$1,000,000 may be available for Energy Regeneration and Conversion Fuel Cell Systems to address Navy Unmanned Underwater Vehicle requirements.

SA 4856. Mr. DODD (for himself and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. Of the amount appropriated or otherwise made available by title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE", up to \$1,500,000 may be available for the development of a field-deployable hydrogen fueling station.

SA 4857. Mr. KENNEDY (for himself and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 160, line 7, strike " ; or " and insert a semicolon.

On page 160, line 14, strike the period at the end and insert the following: " ; or

(C) offering to such workers a retirement benefit that in any year costs less than the annual retirement cost factor applicable to Department of Defense civilian employees under chapter 84 of title 5, United States Code.

SA 4858. Mrs. BOXER (for herself and Mr. GRAHAM) submitted an amendment intended to be proposed by her to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; as follows:

At the end of title VIII, add the following:

SEC. 8109. No funds appropriated or otherwise made available by this Act may be used by the Government of the United States to enter into an agreement with the Government of Iraq that would subject members of the Armed Forces of the United States to the jurisdiction of Iraq criminal courts or punishment under Iraq law.

SA 4859. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. Not later than March 31, 2007, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the assessment of the Secretary regarding the implementation of the new health care benefit to help the children of members of the Armed Forces who died on active duty, including—

(1) a statement of the reasons for the delay in implementation of such benefit;

(2) an analysis of the new call centers established to help survivors of such members obtain the benefits to which they are entitled; and

(3) an assessment of whether the various survivor benefit programs under the Department of Defense are adequately staffed to carry out their mission in a timely and efficient manner.

SA 4860. Ms. MIKULSKI submitted an amendment intended to be proposed by her to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; as follows:

At the end of title VIII, add the following:
SEC. 8019. Of the amount appropriated or otherwise made available by title III under the heading "PROCUREMENT, DEFENSE-WIDE", up to \$12,600,000 may be available for the completion of the final phase of the activity described on pages 337 through 339 of Volume II of Book 1 of the Fiscal Year 2007 Congressional Budget Justification Book of a component of the intelligence community.

SA 4861. Mr. NELSON of Florida (for himself, Mr. MARTINEZ, Mr. BINGAMAN, and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 218, between lines 6 and 7, insert the following:

SEC. 8109. (a) Except as provided in subsection (b), none of the funds appropriated or otherwise made available by this Act may be used to realign or close any developmental or operational test and evaluation installation, activity, facility, laboratory, unit, function, or capability of the Air Force Materiel Command.

(b) The prohibition under subsection (a) does not apply to realignment and closure activities carried out in accordance with the final recommendations of the Defense Base Closure and Realignment Commission under the 2005 round of defense base closure and realignment.

SA 4862. Mr. SHELBY submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:
SEC. 8109. (a) ADDITIONAL AMOUNT WITHIN RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE, FOR KC-135 TANKER REPLACEMENT FUND.—The amount available in title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE" for the KC-135 Tanker Replacement Fund is hereby increased by \$100,000,000.

(b) REDUCTION OF AMOUNT WITHIN RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE, FOR TRANSFORMATIONAL SATCOM.—The amount available in title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE" for the Transformational SATCOM (TSAT) program is hereby reduced by \$100,000,000.

SA 4863. Mr. MENENDEZ submitted an amendment intended to be proposed

by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; as follows:

At the end of title VIII, add the following:
SEC. 8109. Of the amount appropriated or otherwise made available by title II under the heading "OPERATION AND MAINTENANCE, NAVY", up to \$3,000,000 may be available to the Navy to fund improvements to physical security at Navy recruiting stations and to improve data security.

SA 4864. Mr. NELSON of Florida (for himself, Mr. MARTINEZ, Mr. BINGAMAN, and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; as follows:

On page 218, between lines 6 and 7, insert the following:

SEC. 8109. (a) Except as provided in subsection (b), the Secretary of the Air Force shall, not later than March 31, 2007, submit to the congressional defense committees a cost-benefit analysis of significant proposed realignments or closures of research and development or test and evaluation installations, activities, facilities, laboratories, units, functions, or capabilities of the Air Force. The analysis shall include an evaluation of missions served and alternatives considered and of the benefits, costs, risks, and other considerations associated with each such proposed realignment or closure.

(b) The prohibition under subsection (a) does not apply to realignment and closure activities carried out in accordance with the final recommendations of the Defense Base Closure and Realignment Commission under the 2005 round of defense base closure and realignment.

SA 4865. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:
SEC. 8109. (a) AVAILABILITY OF OPERATION AND MAINTENANCE, ARMY, FUNDS FOR CERTAIN GRANTS.—Of the amount appropriated or otherwise made available by title II under the heading "OPERATION AND MAINTENANCE, ARMY", up to \$4,000,000 may be available for grants described in subsection (c).

(b) AVAILABILITY OF OPERATION AND MAINTENANCE, MARINE CORPS, FUNDS FOR CERTAIN GRANTS.—Of the amount appropriated or otherwise made available by title II under the heading "OPERATION AND MAINTENANCE, MARINE CORPS", up to \$1,000,000 may be available for grants described in subsection (c).

(c) COVERED GRANTS.—Grants described in this subsection are grants to eligible entities to carry out demonstration projects to assess the feasibility and advisability of utilizing community-based settings for the provision of assistance to members of the National Guard and Reserve who serve in Operation Iraqi Freedom and Operation Enduring Freedom and their families on their return from deployment, including—

(1) services to improve the reuniting of such members of the National Guard and Reserve and their families;

(2) education to increase awareness of the physical and mental health conditions that

members of the National Guard and Reserve can and may experience on their return from such deployment, including education on—

(A) Post Traumatic Stress Disorder (PTSD) and traumatic brain injury (TBI); and

(B) mechanisms for the referral of such members of the National Guard and Reserve for medical and mental health screening and care when necessary; and

(3) education to increase awareness of the physical and mental health conditions that family members of such members of the National Guard and Reserve can and may experience on the return of such members from such deployment, including education on—

(A) depression, anxiety, and relationship problems; and

(B) mechanisms for medical and mental health screening and care when appropriate.

SA 4866. Mr. OBAMA (for himself, Mr. DORGAN, and Mr. DURBIN) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 218, between lines 6 and 7, insert the following:

SEC. 8109. None of the funds appropriated or otherwise made available by this Act may be used to delay or prevent the construction of a windmill turbine project without clear and convincing evidence that the completed project would interfere with military readiness, as determined by the report submitted under section 358 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3208).

SA 4867. Mr. BYRD (for himself and Mr. DEWINE) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. Of the amount appropriated or otherwise made available by title II under the heading "OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD", up to \$7,500,000 may be available to renovate and repair existing barracks at Camp Perry, Port Clinton, Ohio.

SA 4868. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page ____, between lines ____ and ____, insert the following:

SEC. _____. Of the amount appropriated by title IX under the heading "OPERATION AND MAINTENANCE DEFENSE-WIDE", up to \$5,000,000 may be used for community-based programs that provide mental health and readjustment assistance to members of the National Guard and Reserve and their families on their return from deployment.

SA 4869. Ms. CANTWELL submitted an amendment intended to be proposed

by her to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, insert the following:

SEC. 8109. (a) REPORTS ON WITHDRAWAL OR DIVERSION OF EQUIPMENT FROM RESERVE UNITS FOR SUPPORT OF RESERVE UNITS BEING MOBILIZED AND OTHER UNITS.—Chapter 1007 of title 10, United States Code, is amended by inserting after section 10208 the following new section:

“§ 10208a. Mobilization: reports on withdrawal or diversion of equipment from Reserve units for support of Reserve units being mobilized and other units

“(a) REPORT REQUIRED ON WITHDRAWAL OR DIVERSION OF EQUIPMENT.—Not later than 90 days after withdrawing or diverting equipment from a unit of the Reserve to a unit of the Reserve being ordered to active duty under section 12301, 12302, or 12304 of this title, or to a unit or units of a regular component of the armed forces, for purposes of the discharge of the mission of such unit or units, the Secretary concerned shall submit to the Secretary of Defense a status report on the withdrawal or diversion of such equipment.

“(b) ELEMENTS.—Each status report under subsection (a) on equipment withdrawn or diverted shall include the following:

“(1) A plan to recapitalize or replace such equipment within the unit from which withdrawn or diverted.

“(2) If such equipment is to remain in a theater of operations while the unit from which withdrawn or diverted returns to the United States, a plan to provide such unit with recapitalized or replacement equipment appropriate to ensure the continuation of the readiness training of such unit.

“(3) A signed memorandum of understanding between the active or reserve component to which withdrawn or diverted and the reserve component from which withdrawn or diverted that specifies—

“(A) how such equipment will be tracked; and

“(B) when such equipment will be returned to the component from which withdrawn or diverted.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1007 of such title is amended by inserting after the item relating to section 10208 the following new item:

“10208a. Mobilization: reports on withdrawal or diversion of equipment from Reserve units for support of Reserve units being mobilized and other units.”.

SA 4870. Mr. ROBERTS submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:

SEC. 8109. (a) AVAILABILITY OF ASSISTANCE FOR LOCAL EDUCATIONAL AGENCIES.—To assist communities making adjustments resulting from changes in the size of the Armed Forces, the Secretary of Defense shall make payments to eligible local educational agencies that, during the period between the end of the school year preceding the fiscal year for which the payments are authorized and the beginning of the school year immediately preceding that school year, had (as

determined by the Secretary of Defense in consultation with the Secretary of Education) an overall increase of—

(1) not less than 5 percent in the average daily attendance of military dependent students enrolled in the schools served by the eligible local educational agencies; or

(2) not less than 250 military dependent students enrolled in the schools served by the eligible local educational agencies.

(b) NOTIFICATION.—Not later than June 30 of each of fiscal years 2007 and 2008, the Secretary of Defense shall notify each eligible local educational agency for such fiscal year—

(1) that the local educational agency is eligible for assistance under this section; and

(2) of the amount of the assistance for which the eligible local educational agency qualifies, as determined under subsection (c).

(c) AMOUNT OF ASSISTANCE.—

(1) IN GENERAL.—The Secretary of Defense shall, in consultation with the Secretary of Education, make assistance available to eligible local educational agencies for a fiscal year on a pro rata basis, as described in paragraph (2).

(2) PRO RATA DISTRIBUTION.—

(A) IN GENERAL.—The amount of the assistance provided under this section to an eligible local educational agency for a fiscal year shall be equal to the product obtained by multiplying—

(i) the per-student rate determined under subparagraph (B) for such fiscal year; by

(ii) the overall increase in the number of military dependent students in the schools served by the eligible local educational agency, as determined under subsection (a).

(B) PER-STUDENT RATE.—For purposes of subparagraph (A), the per-student rate for a fiscal year shall be equal to the dollar amount obtained by dividing—

(i) the amount of funds available for such fiscal year to provide assistance under this section; by

(ii) the sum of the overall increases, as determined under subparagraph (A)(ii), in the number of military dependent students for all eligible local educational agencies for that fiscal year.

(d) DISBURSEMENT OF FUNDS.—The Secretary of Defense shall disburse assistance made available under this section for a fiscal year, not later than 30 days after the date on which the Secretary of Defense notified the eligible local educational agencies under subsection (b) for the fiscal year.

(e) CONSULTATION.—The Secretary of Defense shall carry out this section in consultation with the Secretary of Education.

(f) REPORTS.—

(1) REPORTS REQUIRED.—Not later than May 1 of each of 2007, 2008, and 2009, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the assistance provided under this section during the fiscal year preceding the date of such report.

(2) ELEMENT OF REPORT.—Each report described in paragraph (1) shall include an assessment and description of the current compliance of each eligible local educational agency with the requirements of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

(g) FUNDING.—Of the amount appropriated or otherwise made available by title II under the heading “OPERATION AND MAINTENANCE, DEFENSE-WIDE” up to \$15,000,000 may be available for the purpose of providing assistance to eligible local educational agencies under this section.

(h) TERMINATION.—The authority of the Secretary of Defense to provide financial assistance under this section shall expire on September 30, 2008.

(i) DEFINITIONS.—In this section:

(1) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—The term “eligible local educational agency” means, for a fiscal year, a local educational agency—

(A) for which not less than 20 percent (as rounded to the nearest whole percent) of the students in average daily attendance in the schools served by the local educational agency during the preceding school year were military dependent students that were counted under section 8003(a)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)(1)); and

(B) for which the required overall increase in the number of military dependent students enrolled in schools served by the local educational agency, as described in subsection (a), occurred as a result of the global rebasing plan of the Department of Defense.

(2) LOCAL EDUCATIONAL AGENCY.—The term “local educational agency” has the meaning given the term in section 8013 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713).

(3) MILITARY DEPENDENT STUDENT.—The term “military dependent student” means—

(A) an elementary school or secondary school student who is a dependent of a member of the Armed Forces; or

(B) an elementary school or secondary school student who is a dependent of a civilian employee of the Department of Defense.

SA 4871. Mr. KERRY submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 218, between lines 6 and 7, insert the following:

SEC. 8109. There are authorized to be appropriated \$1,551,865 exclusively for benefits to a multiemployer pension plan in the New England Fishery for fish lumpers if such plan is undercapitalized due to fishery capacity reduction and fish restrictions.

SA 4872. Mr. KERRY submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 218, between lines 6 and 7, insert the following:

SEC. 8109. (a) The amount appropriated or otherwise made available by this Act is hereby increased by \$1,551,865.

(b) Of the amount appropriated or otherwise made available by this Act, as increased by subsection (a), \$1,551,865 shall be used exclusively for benefits to a multiemployer pension plan in the New England Fishery for fish lumpers if such plan is undercapitalized due to fishery capacity reduction and fish restrictions.

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

SA 4873. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes;

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

At the end of title VIII, add the following:
SEC. 8109. No funds appropriated or otherwise made available for the Department of Defense by this Act may be obligated or expended for the Threat and Local Observation Notice (TALON) Program or any similar program of the Department of Defense for the collection, storage, or analysis of information on United States citizens who pose no threat to the military or its facilities, including United States citizens taking part in non-violent activities protected by the First Amendment to the Constitution of the United States related to protests against United States Government policy on Iraq.

SA 4874. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:
SEC. 8109. Of the amount appropriated or otherwise made available by title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY", up to \$3,000,000 may be available for the development of lightweight munitions through the Aluminum Matrix Composite Technology Partnership.

SA 4875. Ms. STABENOW (for herself, Mr. REID, Mr. REED, Mr. LEAHY, Mr. LEVIN, Mr. DURBIN, and Mr. KENNEDY) proposed an amendment to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; as follows:

On page 238, after line 24, add the following:

SEC. 9012. (a) The amount appropriated or otherwise made available by this title is hereby increased by \$200,000,000.

(b) Of the amount appropriated or otherwise made available by this title, as increased by subsection (a), \$200,000,000 may be made available for humanitarian assistance, including food, water, cooking fuel, shelter, medicine, and other assistance, for the innocent Lebanese and Israeli civilians who have been affected by the hostilities between Hezbollah and the Government of Israel.

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

SA 4876. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:
SEC. 8109. Of the amount appropriated or otherwise made available by title II under the heading "OPERATION AND MAINTENANCE, ARMY RESERVE", up to \$500,000 may be available for Advanced Information Technology Battlefield Unit Training.

SA 4877. Mr. SMITH (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations

for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:
SEC. 8109. Of the amount appropriated or otherwise made available by title III under the heading "PROCUREMENT, DEFENSE-WIDE", up to \$2,000,000 may be available for the Forward Osmosis Individual Water Purification System.

SA 4878. Mr. SANTORUM proposed an amendment to the bill S. 843, to amend the Public Health Service Act to combat autism through research, screening, intervention and education; as follows:

"(A) \$68,000,000 for fiscal year 2007, \$74,500,000 for fiscal year 2008, \$81,000,000 for fiscal year 2009, \$87,500,000 for fiscal year 2010, and \$94,000,000 for fiscal year 2011, to carry out subsections (a), (b), and (d);

"(B) \$24,000,000 for fiscal year 2007, \$30,500,000 for fiscal year 2008, \$37,000,000 for fiscal year 2009, \$43,500,000 for fiscal year 2010, and \$50,000,000 for fiscal year 2011, to carry out subsection (c)(1); and

SA 4879. Mr. FRIST (for Mr. ENZI) proposed an amendment to the bill S. 3534, to amend the Workforce Investment Act of 1998 to provide for a YouthBuild program; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "YouthBuild Transfer Act".

SEC. 2. YOUTHBUILD PROGRAM.

(a) ESTABLISHMENT OF YOUTHBUILD PROGRAM IN THE DEPARTMENT OF LABOR.—Sub-title D of title I of the Workforce Investment Act of 1998 is amended by inserting before section 174 (29 U.S.C. 2919) the following new section:

"SEC. 173A. YOUTHBUILD PROGRAM.

"(a) STATEMENT OF PURPOSE.—The purposes of this section are—

"(1) to enable disadvantaged youth to obtain the education and employment skills necessary to achieve economic self-sufficiency in occupations in demand and post-secondary education and training opportunities;

"(2) to provide disadvantaged youth with opportunities for meaningful work and service to their communities;

"(3) to foster the development of employment and leadership skills and commitment to community development among youth in low-income communities; and

"(4) to expand the supply of permanent affordable housing for homeless individuals and low-income families by utilizing the energies and talents of disadvantaged youth.

"(b) DEFINITIONS.—In this section:

"(1) ADJUSTED INCOME.—The term 'adjusted income' has the meaning given the term in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

"(2) APPLICANT.—The term 'applicant' means an eligible entity that has submitted an application under subsection (c).

"(3) ELIGIBLE ENTITY.—The term 'eligible entity' means a public or private nonprofit agency or organization (including a consortium of such agencies or organizations), including—

"(A) a community-based organization;

"(B) a faith-based organization;

"(C) an entity carrying out activities under this title, such as a local board;

"(D) a community action agency;

"(E) a State or local housing development agency;

"(F) an Indian tribe or other agency primarily serving Indians;

"(G) a community development corporation;

"(H) a State or local youth service or conservation corps; and

"(I) any other entity eligible to provide education or employment training under a Federal program (other than the program carried out under this section).

"(4) HOMELESS INDIVIDUAL.—The term 'homeless individual' has the meaning given the term in section 103 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11302).

"(5) HOUSING DEVELOPMENT AGENCY.—The term 'housing development agency' means any agency of a State or local government, or any private nonprofit organization, that is engaged in providing housing for homeless individuals or low-income families.

"(6) INCOME.—The term 'income' has the meaning given the term in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)).

"(7) INDIAN; INDIAN TRIBE.—The terms 'Indian' and 'Indian tribe' have the meanings given such terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

"(8) INDIVIDUAL OF LIMITED ENGLISH PROFICIENCY.—The term 'individual of limited English proficiency' means an eligible participant under this section who meets the criteria set forth in section 203(10) of the Adult Education and Family Literacy Act (20 U.S.C. 9202(10)).

"(9) LOW-INCOME FAMILY.—The term 'low-income family' means a family described in section 3(b)(2) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)(2)).

"(10) QUALIFIED NATIONAL NONPROFIT AGENCY.—The term 'qualified national nonprofit agency' means a nonprofit agency that—

"(A) has significant national experience providing services consisting of training, information, technical assistance, and data management to YouthBuild programs or similar projects; and

"(B) has the capacity to provide those services.

"(11) REGISTERED APPRENTICESHIP PROGRAM.—The term 'registered apprenticeship program' means an apprenticeship program—

"(A) registered under the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act'; 50 Stat. 664, chapter 663; 20 U.S.C. 50 et seq.); and

"(B) that meets such other criteria as may be established by the Secretary under this section.

"(12) TRANSITIONAL HOUSING.—The term 'transitional housing' means housing provided for the purpose of facilitating the movement of homeless individuals to independent living within a reasonable amount of time. The term includes housing primarily designed to serve deinstitutionalized homeless individuals and other homeless individuals who are individuals with disabilities or members of families with children.

"(13) YOUTHBUILD PROGRAM.—The term 'YouthBuild program' means any program that receives assistance under this section and provides disadvantaged youth with opportunities for employment, education, leadership development, and training through the rehabilitation or construction of housing for homeless individuals and low-income families, and of public facilities.

"(c) YOUTHBUILD GRANTS.—

"(1) AMOUNTS OF GRANTS.—The Secretary is authorized to make grants to applicants for the purpose of carrying out YouthBuild programs approved under this section.

“(2) ELIGIBLE ACTIVITIES.—An entity that receives a grant under this subsection shall use the funds made available through the grant to carry out a YouthBuild program, which may include the following activities:

“(A) Education and workforce investment activities including—

“(i) work experience and skills training (coordinated, to the maximum extent feasible, with preapprenticeship and registered apprenticeship programs) in the rehabilitation and construction activities described in subparagraphs (B) and (C);

“(ii) occupational skills training;

“(iii) other paid and unpaid work experiences, including internships and job shadowing;

“(iv) services and activities designed to meet the educational needs of participants, including—

“(I) basic skills instruction and remedial education;

“(II) language instruction educational programs for individuals with limited English proficiency;

“(III) secondary education services and activities, including tutoring, study skills training, and dropout prevention activities, designed to lead to the attainment of a secondary school diploma, General Education Development (GED) credential, or other State-recognized equivalent (including recognized alternative standards for individuals with disabilities);

“(IV) counseling and assistance in obtaining postsecondary education and required financial aid; and

“(V) alternative secondary school services;

“(v) counseling services and related activities, such as comprehensive guidance and counseling on drug and alcohol abuse and referral;

“(vi) activities designed to develop employment and leadership skills, which may include community service and peer-centered activities encouraging responsibility and other positive social behaviors, and activities related to youth policy committees that participate in decision-making related to the program;

“(vii) supportive services and provision of need-based stipends necessary to enable individuals to participate in the program and supportive services to assist individuals, for a period not to exceed 12 months after the completion of training, in obtaining or retaining employment, or applying for and transitioning to postsecondary education; and

“(viii) job search and assistance.

“(B) Supervision and training for participants in the rehabilitation or construction of housing, including residential housing for homeless individuals or low-income families, or transitional housing for homeless individuals.

“(C) Supervision and training for participants in the rehabilitation or construction of community and other public facilities, except that not more than 10 percent of funds appropriated to carry out this section may be used for such supervision and training.

“(D) Payment of administrative costs of the applicant, except that not more than 15 percent of the amount of assistance provided under this subsection to the grant recipient may be used for such costs.

“(E) Adult mentoring.

“(F) Provision of wages, stipends, or benefits to participants in the program.

“(G) Ongoing training and technical assistance that are related to developing and carrying out the program.

“(H) Follow-up services.

“(3) APPLICATION.—

“(A) FORM AND PROCEDURE.—To be qualified to receive a grant under this subsection, an eligible entity shall submit an application at such time, in such manner, and con-

taining such information as the Secretary may require.

“(B) MINIMUM REQUIREMENTS.—The Secretary shall require that the application contain, at a minimum—

“(i) labor market information for the labor market area where the proposed program will be implemented, including both current data (as of the date of submission of the application) and projections on career opportunities in growing industries;

“(ii) a request for the grant, specifying the amount of the grant requested and its proposed uses;

“(iii) a description of the applicant and a statement of its qualifications, including a description of the applicant's relationship with local boards, one-stop operators, local unions, entities carrying out registered apprenticeship programs, other community groups, and employers, and the applicant's past experience, if any, with rehabilitation or construction of housing or public facilities, and with youth education and employment training programs;

“(iv) a description of the proposed site for the proposed program;

“(v) a description of the educational and job training activities, work opportunities, postsecondary education and training opportunities, and other services that will be provided to participants, and how those activities, opportunities, and services will prepare youth for employment in occupations in demand in the labor market area described in clause (i);

“(vi) a description of the proposed rehabilitation or construction activities to be undertaken under the grant and the anticipated schedule for carrying out such activities;

“(vii) a description of the manner in which eligible youth will be recruited and selected as participants, including a description of arrangements that will be made with local boards, one-stop operators, community- and faith-based organizations, State educational agencies or local educational agencies (including agencies of Indian tribes), public assistance agencies, the courts of jurisdiction, agencies operating shelters for homeless individuals and other agencies that serve youth who are homeless individuals, foster care agencies, and other appropriate public and private agencies;

“(viii) a description of the special outreach efforts that will be undertaken to recruit eligible young women (including young women with dependent children) as participants;

“(ix) a description of the specific role of employers in the proposed program, such as their role in developing the proposed program and assisting in service provision and in placement activities;

“(x) a description of how the proposed program will be coordinated with other Federal, State, and local activities and activities conducted by Indian tribes, such as local workforce investment activities, vocational education programs, adult and language instruction educational programs, activities conducted by public schools, activities conducted by community colleges, national service programs, and other job training provided with funds available under this title;

“(xi) assurances that there will be a sufficient number of adequately trained supervisory personnel in the proposed program;

“(xii) a description of results to be achieved with respect to common indicators of performance for youth and lifelong learning, as identified by the Secretary;

“(xiii) a description of the applicant's relationship with local building trade unions regarding their involvement in training to be provided through the proposed program, the relationship of the proposed program to established registered apprenticeship programs and employers, and the ability of the appli-

cant to grant industry-recognized skill certification through the program;

“(xiv) a description of activities that will be undertaken to develop the leadership skills of participants;

“(xv) a detailed budget and a description of the system of fiscal controls, and auditing and accountability procedures, that will be used to ensure fiscal soundness for the proposed program;

“(xvi) a description of the commitments for any additional resources (in addition to the funds made available through the grant) to be made available to the proposed program from—

“(I) the applicant;

“(II) recipients of other Federal, State or local housing and community development assistance who will sponsor any part of the rehabilitation, construction, operation and maintenance, or other housing and community development activities undertaken as part of the proposed program; or

“(III) entities carrying out other Federal, State, or local activities or activities conducted by Indian tribes, including vocational education programs, adult and language instruction educational programs, and job training provided with funds available under this title;

“(xvii) information identifying, and a description of, the financing proposed for any—

“(I) rehabilitation of the property involved;

“(II) acquisition of the property; or

“(III) construction of the property;

“(xviii) information identifying, and a description of, the entity that will operate and manage the property;

“(xix) information identifying, and a description of, the data collection systems to be used;

“(xx) a certification, by a public official responsible for the housing strategy for the State or unit of general local government within which the proposed program is located, that the proposed program is consistent with the housing strategy; and

“(xxi) a certification that the applicant will comply with the requirements of the Fair Housing Act (42 U.S.C. 3601 et seq.) and will affirmatively further fair housing.

“(4) SELECTION CRITERIA.—For an applicant to be eligible to receive a grant under this subsection, the applicant and the applicant's proposed program shall meet such selection criteria as the Secretary shall establish under this section, which shall include criteria relating to—

“(A) the qualifications or potential capabilities of an applicant;

“(B) an applicant's potential for developing a successful YouthBuild program;

“(C) the need for an applicant's proposed program, as determined by the degree of economic distress of the community from which participants would be recruited (measured by indicators such as poverty, youth unemployment, and the number of individuals who have dropped out of secondary school) and of the community in which the housing and public facilities proposed to be rehabilitated or constructed is located (measured by indicators such as incidence of homelessness, shortage of affordable housing, and poverty);

“(D) the commitment of an applicant to providing skills training, leadership development, and education to participants;

“(E) the focus of a proposed program on preparing youth for occupations in demand or postsecondary education and training opportunities;

“(F) the extent of an applicant's coordination of activities to be carried out through the proposed program with local boards, one-stop operators, and one-stop partners participating in the operation of the one-stop

delivery system involved, or the extent of the applicant's good faith efforts in achieving such coordination;

“(G) the extent of the applicant's coordination of activities with public education, criminal justice, housing and community development, national service, or postsecondary education or other systems that relate to the goals of the proposed program;

“(H) the extent of an applicant's coordination of activities with employers in the local area involved;

“(I) the extent to which a proposed program provides for inclusion of tenants who were previously homeless individuals in the rental housing provided through the program;

“(J) the commitment of additional resources (in addition to the funds made available through the grant) to a proposed program by—

“(i) an applicant;

“(ii) recipients of other Federal, State, or local housing and community development assistance who will sponsor any part of the rehabilitation, construction, operation and maintenance, or other housing and community development activities undertaken as part of the proposed program; or

“(iii) entities carrying out other Federal, State, or local activities or activities conducted by Indian tribes, including vocational education programs, adult and language instruction educational programs, and job training provided with funds available under this title;

“(K) the applicant's potential to serve different regions, including rural areas and States that have not previously received grants for YouthBuild programs; and

“(L) such other factors as the Secretary determines to be appropriate for purposes of carrying out the proposed program in an effective and efficient manner.

“(5) APPROVAL.—To the extent practicable, the Secretary shall notify each applicant, not later than 5 months after the date of receipt of the application by the Secretary, whether the application is approved or not approved.

“(d) USE OF HOUSING UNITS.—Residential housing units rehabilitated or constructed using funds made available under subsection (c) shall be available solely—

“(1) for rental by, or sale to, homeless individuals or low-income families; or

“(2) for use as transitional or permanent housing, for the purpose of assisting in the movement of homeless individuals to independent living.

“(e) ADDITIONAL PROGRAM REQUIREMENTS.—

“(1) ELIGIBLE PARTICIPANTS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), an individual may participate in a YouthBuild program only if such individual is—

“(i) not less than age 16 and not more than age 24, on the date of enrollment;

“(ii) a member of a low-income family, a youth in foster care (including youth aging out of foster care), a youth offender, a youth who is an individual with a disability, a child of incarcerated parents, or a migrant youth; and

“(iii) a school dropout.

“(B) EXCEPTION FOR INDIVIDUALS NOT MEETING INCOME OR EDUCATIONAL NEED REQUIREMENTS.—Not more than 25 percent of the participants in such program may be individuals who do not meet the requirements of clause (ii) or (iii) of subparagraph (A), but who—

“(i) are basic skills deficient, despite attainment of a secondary school diploma, General Education Development (GED) credential, or other State-recognized equivalent (including recognized alternative standards for individuals with disabilities); or

“(ii) have been referred by a local secondary school for participation in a YouthBuild program leading to the attainment of a secondary school diploma.

“(2) PARTICIPATION LIMITATION.—An eligible individual selected for participation in a YouthBuild program shall be offered full-time participation in the program for a period of not less than 6 months and not more than 24 months.

“(3) MINIMUM TIME DEVOTED TO EDUCATIONAL SERVICES AND ACTIVITIES.—A YouthBuild program receiving assistance under subsection (c) shall be structured so that participants in the program are offered—

“(A) education and related services and activities designed to meet educational needs, such as those specified in clauses (iv) through (vii) of subsection (c)(2)(A), during at least 50 percent of the time during which the participants participate in the program; and

“(B) work and skill development activities such as those specified in clauses (i), (ii), (iii), and (viii) of subsection (c)(2)(A), during at least 40 percent of the time during which the participants participate in the program.

“(4) AUTHORITY RESTRICTION.—No provision of this section may be construed to authorize any agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution (including a school) or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.

“(5) STATE AND LOCAL STANDARDS.—All educational programs and activities supported with funds provided under subsection (c) shall be consistent with applicable State and local educational standards. Standards and procedures for the programs and activities that relate to awarding academic credit for and certifying educational attainment in such programs and activities shall be consistent with applicable State and local educational standards.

“(f) MANAGEMENT AND TECHNICAL ASSISTANCE.—

“(1) SECRETARY ASSISTANCE.—The Secretary may enter into contracts with 1 or more entities to provide assistance to the Secretary in the management, supervision, and coordination of the program carried out under this section.

“(2) TECHNICAL ASSISTANCE.—

“(A) CONTRACTS AND GRANTS.—The Secretary shall enter into contracts with or make grants to 1 or more qualified national nonprofit agencies, in order to provide training, information, technical assistance, and data management to recipients of grants under subsection (c).

“(B) RESERVATION OF FUNDS.—Of the amounts available under subsection (h) to carry out this section for a fiscal year, the Secretary shall reserve 5 percent to carry out subparagraph (A).

“(3) CAPACITY BUILDING GRANTS.—

“(A) IN GENERAL.—In each fiscal year, the Secretary may use not more than 3 percent of the amounts available under subsection (h) to award grants to 1 or more qualified national nonprofit agencies to pay for the Federal share of the cost of capacity building activities.

“(B) FEDERAL SHARE.—The Federal share of the cost described in subparagraph (A) shall be 25 percent. The non-Federal share shall be provided from private sources.

“(g) SUBGRANTS AND CONTRACTS.—Each recipient of a grant under subsection (c) to carry out a YouthBuild program shall provide the services and activities described in this section directly or through subgrants,

contracts, or other arrangements with local educational agencies, postsecondary educational institutions, State or local housing development agencies, other public agencies, including agencies of Indian tribes, or private organizations.

“(h) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There are authorized to be appropriated for each of fiscal years 2007 through 2012 such sums as may be necessary to carry out this section.

“(2) FISCAL YEAR.—Notwithstanding section 189(g), appropriations for any fiscal year for programs and activities carried out under this section shall be available for obligation only on the basis of a fiscal year.”.

(b) CLERICAL AMENDMENT.—Section 1(b) of the Workforce Investment Act of 1998 (relating to the table of contents) is amended by inserting before the item relating to section 174 the following:

“Sec. 173A. YouthBuild program”.

(c) EXCEPTION TO PROGRAM YEAR APPROPRIATION CYCLE REQUIREMENT.—Section 189(g)(1)(A) of the Workforce Investment Act of 1998 (29 U.S.C. 2939(g)(1)(A)) is amended by inserting “and section 173A” after “Except as provided in subparagraph (B)”.

(d) CONFORMING AMENDMENTS.—

(1) Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) is amended in paragraphs (1)(B)(iii) and (2)(B) of subsection (c), and paragraphs (1)(B)(iii) and (2)(B) of subsection (d), by striking “Youthbuild” and all that follows and inserting “YouthBuild programs receiving assistance under section 173A of the Workforce Investment Act of 1998.”.

(2) Section 507(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4183(b)) is amended by striking “subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act.”.

(3) Section 402 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12870) is amended by striking the second sentence of subsections (a) and (b).

(e) REPEAL OF PROVISIONS.—Subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12899 et seq.) is repealed.

(f) EFFECTIVE DATE.—This section and the amendments made by this section take effect on the earlier of—

- (1) the date of enactment of this Act; and
- (2) September 30, 2006.

SEC. 3. TRANSFER OF FUNCTIONS AND SAVINGS PROVISIONS.

(a) DEFINITIONS.—For purposes of this section, unless otherwise provided or indicated by the context—

(1) the term “Federal agency” has the meaning given to the term “agency” by section 551(1) of title 5, United States Code;

(2) the term “function” means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program; and

(3) the term “office” includes any office, administration, agency, institute, unit, organizational entity, or component thereof.

(b) TRANSFER OF FUNCTIONS.—There are transferred to the Department of Labor all functions which the Secretary of Housing and Urban Development exercised before the effective date of this section (including all related functions of any officer or employee of the Department of Housing and Urban Development) relating to subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12899 et seq.).

(c) DETERMINATIONS OF CERTAIN FUNCTIONS BY THE OFFICE OF MANAGEMENT AND BUDGET.—If necessary, the Office of Management and Budget shall make any determination of the functions that are transferred under subsection (b).

(d) PERSONNEL PROVISIONS.—

(1) APPOINTMENTS.—The Secretary of Labor may appoint and fix the compensation of such officers and employees, including investigators, attorneys, and administrative law judges, as may be necessary to carry out the respective functions transferred under this section. Except as otherwise provided by law, such officers and employees shall be appointed in accordance with the civil service laws and their compensation fixed in accordance with title 5, United States Code.

(2) EXPERTS AND CONSULTANTS.—The Secretary of Labor may obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code, and compensate such experts and consultants for each day (including traveltime) at rates not in excess of the rate of pay for level IV of the Executive Schedule under section 5315 of such title. The Secretary of Labor may pay experts and consultants who are serving away from their homes or regular place of business travel expenses and per diem in lieu of subsistence at rates authorized by sections 5702 and 5703 of such title for persons in Government service employed intermittently.

(e) DELEGATION AND ASSIGNMENT.—Except where otherwise expressly prohibited by law or otherwise provided by this section, the Secretary of Labor may delegate any of the functions transferred to the Secretary of Labor by this section and any function transferred or granted to the Secretary of Labor after the effective date of this section to such officers and employees of the Department of Labor as the Secretary of Labor may designate, and may authorize successive delegations of such functions as may be necessary or appropriate. No delegation of functions by the Secretary of Labor under this subsection or under any other provision of this section shall relieve the Secretary of Labor of responsibility for the administration of such functions.

(f) REORGANIZATION.—The Secretary of Labor is authorized to allocate or reallocate any function transferred under subsection (b) among the officers of the Department of Labor, and to establish, consolidate, alter, or discontinue such organizational entities in the Department of Labor as may be necessary or appropriate.

(g) RULES.—The Secretary of Labor is authorized to prescribe, in accordance with the provisions of chapters 5 and 6 of title 5, United States Code, such rules and regulations as the Secretary of Labor determines necessary or appropriate to administer and manage the functions of the Department of Labor.

(h) TRANSFER AND ALLOCATIONS OF APPROPRIATIONS.—Except as otherwise provided in this section, the assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds used, held, arising from, available to, or to be made available in connection with the functions transferred by this section, subject to section 1531 of title 31, United States Code, shall be transferred to the Department of Labor. Unexpended funds transferred pursuant to this subsection shall be used only for the purposes for which the funds were originally authorized and appropriated.

(i) TRANSFERS.—The Director of the Office of Management and Budget, at such time or times as the Director shall provide, is authorized to make such determinations as may be necessary with regard to the functions transferred by this section, and to make such dispositions of assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds used, held, arising from, available to, or to be made available in connection with such func-

tions, subject to section 1531 of title 31, United States Code, as may be necessary to carry out the provisions of this section. The Director of the Office of Management and Budget shall provide for the termination of the affairs of all entities terminated by this section and for such further measures and dispositions as may be necessary to effectuate the purposes of this section.

(j) SAVINGS PROVISIONS.—

(1) CONTINUING EFFECT OF LEGAL DOCUMENTS.—All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—

(A) which have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions which are transferred under this section; and

(B) which are in effect at the time this section takes effect, or were final before the effective date of this section and are to become effective on or after the effective date of this section,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, the Secretary of Labor or other authorized official, a court of competent jurisdiction, or by operation of law.

(2) PROCEEDINGS NOT AFFECTED.—The provisions of this section shall not affect any proceedings, including notices of proposed rule-making, or any application for any license, permit, certificate, or financial assistance pending before the Department of Housing and Urban Development at the time this section takes effect, with respect to functions transferred by this section but such proceedings and applications shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this section had not been enacted, and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this paragraph shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this section had not been enacted.

(3) SUITS NOT AFFECTED.—The provisions of this section shall not affect suits commenced before the effective date of this section, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this section had not been enacted.

(4) NONABATEMENT OF ACTIONS.—No suit, action, or other proceeding commenced by or against the Department of Housing and Urban Development, or by or against any individual in the official capacity of such individual as an officer of the Department of Housing and Urban Development, shall abate by reason of the enactment of this section.

(5) ADMINISTRATIVE ACTIONS RELATING TO PROMULGATION OF REGULATIONS.—Any administrative action relating to the preparation or promulgation of a regulation by the Department of Housing and Urban Development relating to a function transferred under this section may be continued by the Department of Labor with the same effect as if this section had not been enacted.

(k) SEPARABILITY.—If a provision of this section or its application to any person or circumstance is held invalid, neither the remainder of this section nor the application

of the provision to other persons or circumstances shall be affected.

(1) TRANSITION.—The Secretary of Labor is authorized to utilize—

(1) the services of such officers, employees, and other personnel of the Department of Housing and Urban Development with respect to functions transferred to the Department of Labor by this section; and

(2) funds appropriated to such functions for such period of time,

as may reasonably be needed to facilitate the orderly implementation of this section.

(m) ACCOMPLISHING ORDERLY TRANSFER.—Consistent with the requirements of this section, the Secretary of Labor and the Secretary of Housing and Urban Development shall take such actions as the Secretaries determine are appropriate to accomplish the orderly transfer of functions as described in subsection (b).

(n) ADMINISTRATION OF PRIOR GRANTS.—Notwithstanding any other provision of this Act, grants awarded under subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12899 et seq.) with funds appropriated for fiscal year 2006 or a preceding fiscal year shall be subject to the continuing authority of the Secretary of Housing and Urban Development under the provisions of such subtitle, as in effect on the day before the date of enactment of this Act, until the authority to expend applicable funds for the grants, as specified by the Secretary of Housing and Urban Development, has expired and the Secretary has completed the administrative responsibilities associated with the grants.

(o) REFERENCES.—A reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document or of relating to—

(1) the Secretary of Housing and Urban Development with regard to functions transferred under subsection (b), shall be deemed to refer to the Secretary of Labor; and

(2) the Department of Housing and Urban Development with regard to functions transferred under subsection (b), shall be deemed to refer to the Department of Labor.

(p) EFFECTIVE DATE.—This section takes effect on the earlier of—

- (1) the date of enactment of this Act; and
- (2) September 30, 2006.

SA 4880. Mr. FRIST (for Mr. McCAIN (for himself and Mr. DORGAN)) proposed an amendment to the bill S. 1899, to amend the Indian Child Protection and Family Violence Prevention Act to identify and remove barriers to reducing child abuse, to provide for examinations of certain children, and for other purposes; as follows:

On page 24, line 4, strike “extend” and insert “extent”.

On page 27, line 16, strike “or forensic” and insert “and forensic”.

On page 28, line 2, strike “interviews” and insert “interviewers”.

On page 29, strike lines 18 through 24 and insert the following:

“(d) EFFECT ON CHILD PLACEMENT.—An Indian tribe that submits a written statement to the applicable State official documenting that the Indian tribe has conducted a background investigation under this section for the placement of an Indian child in a tribally-licensed or tribally-approved foster care or adoptive home, or for another out-of-home placement, shall be considered to have satisfied the background investigation requirements of any Federal or State law requiring such an investigation.”.

On page 32, strike lines 8 through 16 and insert the following:

(A) by striking “(g)” and all that follows through “Indian Child Resource” and inserting the following:

“(g) APPLICATION OF INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT TO CENTERS.—

“(1) IN GENERAL.—Indian Child Resource”;

(B) in the first sentence, by striking “Act” and inserting “and Education Assistance Act (25 U.S.C. 450 et seq.)”;

(C) by striking the second sentence and inserting the following:

On page 33, line 15, strike “(C)” and insert “(D)”.

On page 34, strike lines 1 through 25.

On page 35, strike lines 6 through 11 and insert the following:

“(a) DEFINITION OF MEDICAL OR BEHAVIORAL HEALTH PROFESSIONAL.—In this section, the term ‘medical or behavioral health professional’ means an employee or volunteer of an organization that provides a service as part of a comprehensive service program that combines—

“(1) substance abuse (including abuse of alcohol, drugs, inhalants, and tobacco) prevention and treatment; and

“(2) mental health treatment.

“(b) CONTRACTS AND AGREEMENTS.—The Service is authorized to enter into any contract or agreement for the use of telemedicine with a public or private university or facility, including a medical university or facility, or any private medical or behavioral health professional, with experience relating to pediatrics, including the diagnosis and treatment of child abuse, to assist the Service with respect to—

On page 35, line 16, strike “(b)” and insert “(c)”.

On page 35, line 17, strike “(a)” and insert “(b)”.

On page 35, line 25, strike “(c)” and insert “(d)”.

On page 36, lines 1 and 2, strike “medical universities, facilities, and practitioners described in subsection (a)” and insert “universities and facilities, including medical universities and facilities, and medical or behavioral health professionals described in subsection (b)”.

On page 36, line 5, strike “(d)” and insert “(e)”.

On page 36, line 12, strike “felony child neglect,” and insert “felony child abuse, felony child neglect.”.

SA 4881. Mr. FRIST (for Mr. LAUTENBERG (for himself and Mr. STEVENS)) proposed an amendment to the bill H.R. 3858, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that State and local emergency preparedness operational plans address the needs of individuals with household pets and service animals following a major disaster or emergency; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Pets Evacuation and Transportation Standards Act of 2006”.

SEC. 2. STANDARDS FOR STATE AND LOCAL EMERGENCY PREPAREDNESS OPERATIONAL PLANS.

Section 613 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196b) is amended—

(1) by redesignating subsection (g) as subsection (h); and

(2) by inserting after subsection (f) the following:

“(g) STANDARDS FOR STATE AND LOCAL EMERGENCY PREPAREDNESS OPERATIONAL

PLANS.—In approving standards for State and local emergency preparedness operational plans pursuant to subsection (b)(3), the Director shall ensure that such plans take into account the needs of individuals with household pets and service animals prior to, during, and following a major disaster or emergency.”.

SEC. 3. EMERGENCY PREPAREDNESS MEASURES OF THE DIRECTOR.

Section 611 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196) is amended—

(1) in subsection (e)—

(A) in paragraph (2), by striking “and” at the end;

(B) in paragraph (3), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(4) plans that take into account the needs of individuals with pets and service animals prior to, during, and following a major disaster or emergency.”; and

(2) in subsection (j)—

(A) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively; and

(B) by inserting after paragraph (1) the following:

“(2) The Director may make financial contributions, on the basis of programs or projects approved by the Director, to the States and local authorities for animal emergency preparedness purposes, including the procurement, construction, leasing, or renovating of emergency shelter facilities and materials that will accommodate people with pets and service animals.”.

SEC. 4. PROVIDING ESSENTIAL ASSISTANCE TO INDIVIDUALS WITH HOUSEHOLD PETS AND SERVICE ANIMALS FOLLOWING A DISASTER.

Section 403(a)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b(a)(3)) is amended—

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

(2) in subparagraph (I), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(J) provision of rescue, care, shelter, and essential needs—

“(i) to individuals with household pets and service animals; and

“(ii) to such pets and animals.”.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Friday, September 1, 2006, at 1 p.m. in the Student Union Ballroom at the Student Union Building of Montana State University Northern located at 1 SUB Drive in Havre, Montana.

The purpose of the hearing is to receive testimony on S. 3563, to authorize the Secretary of the Interior to conduct studies to determine the feasibility and environmental impact of rehabilitating the St. Mary Diversion and Conveyance Works and the Milk River Project, to authorize the rehabilitation and improvement of the St. Mary Diversion and Conveyance Works, to develop an emergency response plan for use in the case of catastrophic failure of the St. Mary Diver-

sion and Conveyance Works, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Nate Gentry at (202) 224-2179 or Steve Waskiewicz at (202) 228-6195.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on August 3, 2006, at 9:30 a.m. to receive testimony on Iraq, Afghanistan, and the Global War on Terrorism.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, August 3, 2006, at 10 a.m.

The purpose of this hearing is to receive testimony on S. 2589, to enhance the management and disposal of spent nuclear fuel and high-level radioactive waste, to ensure protection of public health and safety, to ensure the territorial integrity and security of the repository at Yucca Mountain, and for other purposes.

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

COMMITTEE ON FINANCE

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Thursday, August 3, 2006, at 10:30 a.m., in 215 Dirksen Senate Office Building, to hear testimony on “Kick-Off for Tax Reform: Tackling the Tax Code”.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to MEET DURING THE SESSION of the Senate on Thursday, August 3, 2006, at 11 a.m. to hold a hearing on nominations.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, August 3, 2006, at