

SA 5009. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 4957 proposed by Mrs. CLINTON (for herself and Mrs. DOLE) to the bill H.R. 4954, supra; which was ordered to lie on the table.

SA 5010. Mr. INOUE (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 4993 submitted by Mr. DEMINT and intended to be proposed to the bill H.R. 4954, supra; which was ordered to lie on the table.

SA 5011. Mr. INOUE (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 4992 submitted by Mr. DEMINT and intended to be proposed to the amendment SA 4970 proposed by Mr. DEMINT to the bill H.R. 4954, supra; which was ordered to lie on the table.

SA 5012. Mr. INOUE (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 4970 proposed by Mr. DEMINT to the bill H.R. 4954, supra; which was ordered to lie on the table.

SA 5013. Mr. CRAIG submitted an amendment intended to be proposed by him to the bill H.R. 4954, supra; which was ordered to lie on the table.

SA 5014. Mr. SMITH (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 4954, supra; which was ordered to lie on the table.

SA 5015. Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 4942 proposed by Mr. LAUTENBERG to the bill H.R. 4954, supra; which was ordered to lie on the table.

SA 5016. Mr. STEVENS proposed an amendment to the bill H.R. 4954, supra.

SA 5017. Mr. STEVENS (for Mr. GRASSLEY) proposed an amendment to the bill H.R. 4954, supra.

SA 5018. Mr. STEVENS (for Ms. SNOWE) proposed an amendment to the bill H.R. 4954, supra.

#### TEXT OF AMENDMENTS

**SA 5007.** Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 4970 proposed by Mr. DEMINT to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes; as follows:

In lieu of the matter proposed to be inserted, insert the following:

#### SEC. \_\_\_\_ . PROHIBITION OF ISSUANCE OF TRANSPORTATION SECURITY CARDS TO CONVICTED FELONS.

Section 70105 of title 46, United States Code, is amended—

(1) in subsection (b)(1), by striking “decides that the individual poses a security risk under subsection (c)” and inserting “determines under subsection (c) that the individual poses a security risk”; and

(2) in subsection (c), by amending paragraph (1) to read as follows:

“(1) DISQUALIFICATIONS.—

“(A) PERMANENT DISQUALIFYING CRIMINAL OFFENSES.—Except as provided under paragraph (2), an individual is permanently disqualified from being issued a transportation security card under subsection (b) if the individual has been convicted, or found not guilty by reason of insanity, in a civilian or military jurisdiction of any of the following felonies:

“(i) Espionage or conspiracy to commit espionage.

“(ii) Sedition or conspiracy to commit sedition.

“(iii) Treason or conspiracy to commit treason.

“(iv) A crime listed in chapter 113B of title 18, a comparable State law, or conspiracy to commit such crime.

“(v) A crime involving a transportation security incident. In this clause, a transportation security incident—

“(I) is a security incident resulting in a significant loss of life, environmental damage, transportation system disruption, or economic disruption in a particular area (as defined in section 70101 of title 46); and

“(II) does not include a work stoppage or other nonviolent employee-related action, resulting from an employer-employee dispute.

“(vi) Improper transportation of a hazardous material under section 5124 of title 49, or a comparable State law;

“(vii) Unlawful possession, use, sale, distribution, manufacture, purchase, receipt, transfer, shipping, transporting, import, export, storage of, or dealing in an explosive or incendiary device (as defined in section 232(5) of title 18, explosive materials (as defined in section 841(c) of title 18), or a destructive device (as defined in 921(a)(4) of title 18).

“(viii) Murder.

“(ix) Conspiracy or attempt to commit any of the crimes described in clauses (v) through (viii).

“(x) A violation of the Racketeer Influenced and Corrupt Organizations Act (18 U.S.C. 1961 et seq.), or a comparable State law, if 1 of the predicate acts found by a jury or admitted by the defendant consists of 1 of the offenses listed in clauses (iv) and (viii).

“(xi) Any other felony that the Secretary determines to be a permanently disqualifying criminal offense.

“(B) INTERIM DISQUALIFYING CRIMINAL OFFENSES.—Except as provided under paragraph (2), an individual is disqualified from being issued a biometric transportation security card under subsection (b) if the individual has been convicted, or found not guilty by reason of insanity, during the 7-year period ending on the date on which the individual applies for such or card, or was released from incarceration during the 5-year period ending on the date on which the individual applies for such a card, of any of the following felonies:

“(i) Assault with intent to murder.

“(ii) Kidnapping or hostage taking.

“(iii) Rape or aggravated sexual abuse.

“(iv) Unlawful possession, use, sale, manufacture, purchase, distribution, receipt, transfer, shipping, transporting, delivery, import, export of, or dealing in a firearm or other weapon. In this clause, a firearm or other weapon includes, but is not limited to—

“(I) firearms (as defined in section 921(a)(3) of title 18); and

“(II) items contained on the United States Munitions Import List under 447.21 of title 27 Code of Federal Regulations.

“(v) Extortion.

“(vi) Dishonesty, fraud, or misrepresentation, including identity fraud.

“(vii) Bribery.

“(viii) Smuggling.

“(ix) Immigration violations.

“(x) A violation of the Racketeer Influenced and Corrupt Organizations Act (18 U.S.C. 1961, et seq.) or a comparable State law, other than a violation listed in subparagraph (A)(x).

“(xi) Robbery.

“(xii) Distribution of, possession with intent to distribute, or importation of a controlled substance.

“(xiii) Arson.

“(xiv) Conspiracy or attempt to commit any of the crimes in this subparagraph.

“(xv) Any other felony that the Secretary determines to be a disqualifying criminal offense under this subparagraph.

“(C) OTHER POTENTIAL DISQUALIFICATIONS.—Except as provided under subparagraphs (A) and (B), an individual may not be denied a

transportation security card under subsection (b) unless the Secretary determines that individual—

“(i) has been convicted within the preceding 7-year period of a felony or found not guilty by reason of insanity of a felony—

“(I) that the Secretary believes could cause the individual to be a terrorism security risk to the United States; or

“(II) for causing a severe transportation security incident;

“(ii) has been released from incarceration within the preceding 5-year period for committing a felony described in clause (i);

“(iii) may be denied admission to the United States or removed from the United States under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.); or

“(iv) otherwise poses a terrorism security risk to the United States.”

**SA 5008.** Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 4923 proposed by Mr. ISAKSON to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

#### SEC. \_\_\_\_ . CARGO SCREENING.

(a) RADIATION RISK REDUCTION.—

(1) SAFETY PROTOCOLS.—Before requiring any port cargo screening procedures involving the use of ionizing or non-ionizing radiation, the Secretary, in consultation with the Secretary of Labor and the Director of the National Institute of Occupational Safety and Health at the Centers for Disease Control, shall develop and implement protocols to protect the safety of port workers and the general public.

(2) PUBLICATION.—The protocols developed under paragraph (1) shall be—

(A) published and made available for public comment; and

(B) designed to reduce the short- and long-term exposure of worker and the public to the lowest levels feasible.

(3) REPORT.—Not later than 1 year after the implementation of protocols under paragraph (1), the Council of the National Academy of Sciences and Director of the National Institute of Occupational Safety and Health shall each submit a report to Congress that includes—

(A) information regarding the exposure of workers and the public and the possible risk to their health and safety, if any, posed by these screening procedures; and

(B) any recommendations for modification of the cargo screening protocols to reduce exposure to ionizing or non-ionizing radiation to the lowest levels feasible.

(b) GOVERNMENT RESPONSIBILITY.—Any employer of an employee who has an illness or injury for which exposure to ionizing or non-ionizing radiation from port cargo screening procedures required under Federal law is a contributing cause may seek, and shall receive, full reimbursement from the Federal Government for additional costs associated with such illness or injury, including costs incurred by the employer under the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 901 et seq.), State workers' compensation laws, or other equivalent programs.

**SA 5009.** Mr. ENZI submitted an amendment intended to be proposed to amendment SA 4957 proposed by Mrs. CLINTON (for herself and Mrs. DOLE) to the bill H.R. 4954, to improve maritime and cargo security through enhanced

layered defenses, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 7 and all that follows through page 10, line 12, and insert the following:

(a) **GRANTS REQUIRED.**—The Secretary of Health and Human Services, acting through the Assistant Secretary for Children and Families, shall award a grant to each eligible State to carry out a program for the purpose of making 2-1-1 telephone service available to all residents of the State with phone service for information on and referral to human services. The grant, and the service provided through the grant, shall supplement existing (as of the date of the award) funding streams or services. Before making a payment for a year to the State under the grant, the Secretary may conduct an evaluation to ensure that the State remains eligible for the grant.

(b) **PERIOD AND AMOUNT OF GRANTS.**—The Secretary of Health and Human Services shall award the grants for periods determined by the Secretary, which shall be not more than 5 years. The Secretary shall award the grants in amounts that are not less than a minimum amount determined by the Secretary.

(c) **REQUIREMENT ON SHARE OF ACTIVITIES.**—  
(1) **REQUIREMENT OF MATCHING RESOURCES.**—The Secretary may not make a payment to a State—

(A) for a first year under a grant awarded under this section, unless the State ensures that at least 50 percent of the resources of the program funded by the grant will be derived from other sources;

(B) for a second year under such a grant, unless the State ensures that at least 60 percent of those resources will be derived from other sources;

(C) for the third year under such a grant, unless the State ensures that at least 70 percent of those resources will be derived from other sources;

(D) for the fourth year under such a grant, unless the State ensures that at least 80 percent of those resources will be derived from other sources; and

(E) for the fifth year under such a grant, unless the State ensures that at least 95 percent of those resources will be derived from other sources.

(2) **IN-KIND CONTRIBUTIONS.**—The requirements specified in paragraph (1) may be satisfied by in-kind contributions of goods or services.

(d) **LEAD ENTITY.**—

(1) **IN GENERAL.**—A State seeking a grant under this section shall carry out this section through a lead entity (also known as a “2-1-1 Collaborative”) meeting the requirements of this subsection.

(2) **2-1-1 COLLABORATIVE.**—An entity shall be treated as the 2-1-1 Collaborative for a State under this subsection if the entity—

(A) exists for such purpose under State law;

(B) exists for such purpose by order of the State public utility commission; or

(C) is a collaborative entity established by the State for such purpose from among representatives of—

(i) an informal existing (as of the date of establishment of the entity) 2-1-1 statewide collaborative, if any, in the State;

(ii) State agencies;

(iii) community-based organizations;

(iv) faith-based organizations;

(v) not-for-profit organizations;

(vi) comprehensive and specialized information and referral providers, including current (as of the date of establishment of the entity) 2-1-1 call centers;

(vii) foundations; and

(viii) businesses.

(3) **REQUIREMENTS FOR PREEXISTING LEAD ENTITIES.**—An entity described by subparagraph (A) or (B) of paragraph (2) may be treated as a lead entity under this subsection only if such entity collaborates, to the extent practicable, with the organizations and entities listed in subparagraph (C) of that paragraph.

(e) **APPLICATION.**—

(1) **IN GENERAL.**—The lead entity for each State seeking a grant under this section shall submit to the Secretary an application in such form as the Secretary shall require.

(2) **INFORMATION.**—An application for a State under this subsection shall contain information as follows:

(A) Information, on the program to be carried out by the lead entity for the State so that every resident of the State with phone service may call the 2-1-1 telephone service at no charge to the caller, describing how the lead entity plans to make available throughout the State 2-1-1 telephone service information and referral on human services, including information on the manner in which the lead entity will develop, sustain, and evaluate the program.

(B) Information on the sources of resources for the program for purposes of meeting the requirement specified in subsection (c).

(C) Information describing how the entity shall provide, to the extent practicable, a statewide database available to all residents of the State as well as all providers of human services programs, through the Internet, that will allow them to search for programs or services that are available according to the data gathered by the human services programs in the State.

(D) Any additional information that the Secretary may require for purposes of this section.

(f) **PRIORITY.**—In awarding grants under this section, the Secretary shall give priority to States that submit applications to make 2-1-1 telephone service available in areas that are in the planning stages of developing, or have not achieved, 2-1-1 telephone service coverage, and have met the requirements specified in subsections (c), (d), and (e).

(g) **SUBGRANTS.**—

(1) **AUTHORITY.**—In carrying out a program to make 2-1-1 telephone service available to all residents of a State with phone service, the lead entity for the State may award subgrants to such persons or entities as the lead entity considers appropriate for purposes of the program, including subgrants to provide funds—

(A) for the provision of 2-1-1 telephone service; and

(B) for the collection and display of information for the statewide database.

(2) **CONSIDERATIONS.**—In awarding a subgrant under this subsection, a lead entity shall consider—

(A) the ability of the person or entity seeking the subgrant to carry out activities or provide services consistent with the program;

(B) the extent to which the award of the subgrant will facilitate equitable geographic distribution of subgrants under this section to ensure that rural communities have access to 2-1-1 telephone service; and

(C) the extent to which the recipient of the subgrant will establish and maintain cooperative relationships with specialized information and referral centers, including Child Care Resource Referral Agencies, crisis centers, 9-1-1 call centers, and 3-1-1 call centers, if applicable.

(h) **USE OF GRANT AND SUBGRANT AMOUNTS.**—

(1) **IN GENERAL.**—Amounts awarded as grants or subgrants under this section shall

be used solely to make available 2-1-1 telephone service to all residents of a State with phone service for information on and referral to human services, including telephone connections between families and individuals seeking such services and the providers of such services.

(2) **PARTICULAR MATTERS.**—In making 2-1-1 telephone service available, the recipient of a grant or subgrant shall, to the maximum extent practicable—

(A) abide by the highest quality existing (as of the date of the award of the grant or subgrant) Key Standards for 2-1-1 Centers; and

(B) collaborate with human services organizations, whether public or private, to provide an exhaustive database of services with which to provide information or referrals to individuals utilizing 2-1-1 telephone service.

(3) **USE OF FUNDS.**—Amounts of a subgrant under subsection (g) may be used by subgrant recipients for statewide and regional planning, start-up costs (including costs of software and hardware upgrades and telecommunications costs), training, accreditation, public awareness activities, evaluation of activities, Internet hosting and site development for a statewide database, and database integration projects that incorporate data from different 2-1-1 programs into a single statewide database. The amounts may not be used for maintenance activities or any other ongoing activity that promotes State reliance on the amounts.

(i) **REQUIREMENT ON ALLOCATION OF GRANT AMOUNTS.**—Of the amounts awarded under this section, an aggregate of not more than 15 percent shall be allocated for evaluation, training, and technical assistance, and for management and administration of subgrants awarded under this section.

(j) **REPORTS.**—The lead entity for each State awarded a grant under this section for a fiscal year shall submit to the Secretary, not later than 60 days after the end of such fiscal year, a report on the program funded by the grant. Each report shall—

(1) describe the program funded by the grant;

(2) assess the effectiveness of the program in making available, to all residents of the State with phone service, 2-1-1 telephone service, for information on and referral to human services in accordance with the provisions of this section; and

(3) assess the effectiveness of collaboration with human services resource and referral entities and service providers.

(k) **DEFINITIONS.**—In this section:

(1) **HUMAN SERVICES.**—The term “human services” means services as follows:

(A) Services that assist individuals in becoming more self-sufficient, in preventing dependency, and in strengthening family relationships.

(B) Services that support personal and social development.

(C) Services that help ensure the health and well-being of individuals, families, and communities.

(2) **INFORMATION AND REFERRAL CENTER.**—The term “information and referral center” means a center that—

(A) maintains a database of providers of human services in a State or locality;

(B) assists individuals, families, and communities in identifying, understanding, and accessing the providers of human services and the human services offered by the providers; and

(C) tracks types of calls referred and received to document the demands for services.

(3) **STATE.**—The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the

United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

**SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—There are authorized to be appropriated to carry out this title, \$50,000,000 for fiscal year 2007 and such sums as may be necessary for each of fiscal years 2008 through 2012.

**SA 5010.** Mr. INOUE (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 4993 submitted by Mr. DEMINT and intended to be proposed to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

**SEC. —. OFFENSES THAT PRECLUDE ISSUANCE OF TRANSPORTATION SECURITY CARDS.**

(a) IN GENERAL.—Section 70105(c)(1)(A) of title 46, United States Code, is amended to read as follows:

“(A) has been convicted within the preceding 7-year period, or found not guilty by reason of insanity, of a felony violation of—

- “(i) espionage;
- “(ii) sedition;
- “(iii) treason;
- “(iv) a violation of chapter 113B of title 18, United States Code, or a comparable State law;
- “(v) a crime involving a transportation security incident;
- “(vi) improper transportation of a hazardous material under section 5124 of title 49, United States Code, or a comparable State law;
- “(vii) unlawful possession, use, sale, distribution, manufacture, purchase, receipt, transfer, shipping, transporting, import, export, storage of, or dealing in an explosive or explosive device;
- “(viii) murder;
- “(ix) conspiracy or attempt to commit any offense described in clauses (i) through (viii);
- “(x) a violation of chapter 96 of title 18, United States Code, or a comparable State law, where one of the predicate acts found by a jury or admitted by the defendant, consists of an offense described in clause (iv) or (viii);
- “(xi) a nature believed by the Secretary to cause the individual to be a terrorism security risk to the United States; or
- “(xii) a kind that was the cause of a severe transportation security incident.”

(b) ADDITIONAL SECURITY RISK OFFENSES.—Within 1 year after the date of enactment of this Act, the Assistant Secretary of Homeland Security (Transportation Security Administration) and the Commandant of the Coast Guard shall jointly transmit a report to the appropriate congressional committees containing an evaluation of additional felony offenses that may indicate a sufficiently serious security threat to warrant their addition to the list of offenses described in section 70105(c)(1)(A) of title 46, United States Code.

(c) SAVINGS CLAUSE.—Nothing in subsection (b), or in section 70105(c)(1)(A) of title 46, United States Code, as amended by subsection (a), limits the authority of the Secretary of the department in which the Coast Guard is operating to alter the list of offenses that will disqualify an individual from being eligible to receive a transportation security card under section 70105 of title 46, United States Code.

**SA 5011.** Mr. INOUE (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 4992 submitted by Mr. DEMINT and intended to be proposed to the amendment SA 4970 proposed by Mr. DEMINT to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

**SEC. —. OFFENSES THAT PRECLUDE ISSUANCE OF TRANSPORTATION SECURITY CARDS.**

(a) IN GENERAL.—Section 70105(c)(1)(A) of title 46, United States Code, is amended to read as follows:

- “(A) has been convicted within the preceding 7-year period, or found not guilty by reason of insanity, of a felony violation of—
- “(i) espionage;
- “(ii) sedition;
- “(iii) treason;
- “(iv) a violation of chapter 113B of title 18, United States Code, or a comparable State law;
- “(v) a crime involving a transportation security incident;
- “(vi) improper transportation of a hazardous material under section 5124 of title 49, United States Code, or a comparable State law;
- “(vii) unlawful possession, use, sale, distribution, manufacture, purchase, receipt, transfer, shipping, transporting, import, export, storage of, or dealing in an explosive or explosive device;
- “(viii) murder;
- “(ix) conspiracy or attempt to commit any offense described in clauses (i) through (viii);
- “(x) a violation of chapter 96 of title 18, United States Code, or a comparable State law, where one of the predicate acts found by a jury or admitted by the defendant, consists of an offense described in clause (iv) or (viii);
- “(xi) a nature believed by the Secretary to cause the individual to be a terrorism security risk to the United States; or
- “(xii) a kind that was the cause of a severe transportation security incident.”

(b) ADDITIONAL SECURITY RISK OFFENSES.—Within 1 year after the date of enactment of this Act, the Assistant Secretary of Homeland Security (Transportation Security Administration) and the Commandant of the Coast Guard shall jointly transmit a report to the appropriate congressional committees containing an evaluation of additional felony offenses that may indicate a sufficiently serious security threat to warrant their addition to the list of offenses described in section 70105(c)(1)(A) of title 46, United States Code.

(c) SAVINGS CLAUSE.—Nothing in subsection (b), or in section 70105(c)(1)(A) of title 46, United States Code, as amended by subsection (a), limits the authority of the Secretary of the department in which the Coast Guard is operating to alter the list of offenses that will disqualify an individual from being eligible to receive a transportation security card under section 70105 of title 46, United States Code.

**SA 5012.** Mr. INOUE (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 4970 proposed by Mr. DEMINT to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

**SEC. —. OFFENSES THAT PRECLUDE ISSUANCE OF TRANSPORTATION SECURITY CARDS.**

(a) IN GENERAL.—Section 70105(c)(1)(A) of title 46, United States Code, is amended to read as follows:

- “(A) has been convicted within the preceding 7-year period, or found not guilty by reason of insanity, of a felony violation of—
- “(i) espionage;
- “(ii) sedition;
- “(iii) treason;
- “(iv) a violation of chapter 113B of title 18, United States Code, or a comparable State law;
- “(v) a crime involving a transportation security incident;
- “(vi) improper transportation of a hazardous material under section 5124 of title 49, United States Code, or a comparable State law;
- “(vii) unlawful possession, use, sale, distribution, manufacture, purchase, receipt, transfer, shipping, transporting, import, export, storage of, or dealing in an explosive or explosive device;
- “(viii) murder;
- “(ix) conspiracy or attempt to commit any offense described in clauses (i) through (viii);
- “(x) a violation of chapter 96 of title 18, United States Code, or a comparable State law, where one of the predicate acts found by a jury or admitted by the defendant, consists of an offense described in clause (iv) or (viii);
- “(xi) a nature believed by the Secretary to cause the individual to be a terrorism security risk to the United States; or
- “(xii) a kind that was the cause of a severe transportation security incident.”

(b) ADDITIONAL SECURITY RISK OFFENSES.—Within 1 year after the date of enactment of this Act, the Assistant Secretary of Homeland Security (Transportation Security Administration) and the Commandant of the Coast Guard shall jointly transmit a report to the appropriate congressional committees containing an evaluation of additional felony offenses that may indicate a sufficiently serious security threat to warrant their addition to the list of offenses described in section 70105(c)(1)(A) of title 46, United States Code.

(c) SAVINGS CLAUSE.—Nothing in subsection (b), or in section 70105(c)(1)(A) of title 46, United States Code, as amended by subsection (a), limits the authority of the Secretary of the department in which the Coast Guard is operating to alter the list of offenses that will disqualify an individual from being eligible to receive a transportation security card under section 70105 of title 46, United States Code.

**SA 5013.** Mr. CRAIG submitted an amendment intended to be proposed by him to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. —.** Notwithstanding any other provision of this Act, there is appropriated \$523,081,496 to make safety net payments for fiscal year 2007 under section 101 of the Secure Rural Schools and Community Self-Determination Act of 2000 (Public Law 106-393; 16 U.S.C. 500 note), to remain available until expended.

**SA 5014.** Mr. SMITH (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him

to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . EQUIVALENCY OF MERCHANT MARINER DOCUMENTS AND TRANSPORTATION WORKER IDENTITY CREDENTIAL.**

Section 7302 of title 46, United States Code, is amended by adding at the end the following new subsection:

“(h) A merchant mariner’s document issued under this section shall be treated as a biometric transportation security card required by section 70105.”

**SEC. \_\_\_\_ . INCLUSION OF BIOMETRIC IDENTIFIER TO MERCHANT MARINER DOCUMENTS.**

Section 7303 of title 46, United States Code, is amended by adding at the end the following: “The document shall also include a biometric identifier that complies with the requirements of section 70105.”

**SEC. COAST GUARD.**

In issuing merchant mariner documents, the Coast Guard shall be the lead agency responsible for ensuring compliance with the requirements of section 70105 of title 46, United States Code governing issuance of biometric transportation security card.

**SA 5015.** Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 4942 proposed by Mr. LAUTENBERG to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes; which was ordered to lie on the table; as follows:

Strike all beginning at line 1 and insert: “Section \_\_\_\_ . Interim Verification of Individuals—(a) TERRORIST WATCH LIST COMPARISON AND IMMIGRATION RECORDS CHECK.—Not later than 90 days after the date of enactment of this Act, the Secretary shall—

(1) complete a comparison of each individual who has unescorted access to a secure area of a seaport facility (as designated in an approved facility security plan in accordance with section 70103(c) of title 46, United States Code) against terrorist watch lists to determine if the individual poses a threat; and

(2) determine whether each such individual may be denied admission to the United States, or removed from the United States, under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(b) CONTINUING REQUIREMENT.—In the case of an individual who is given unescorted access to a secure area of a seaport facility after the date on which the Secretary completes the requirements of paragraph (1) and before the date on which the Secretary begins issuing transportation security cards at the seaport facility, the Secretary shall conduct a comparison of the individual against terrorist watch lists and determine whether the individual is lawfully present in the United States.

(c) INTERIM FINAL REGULATIONS.—In order to carry out this subsection, the Secretary shall issue interim final regulations to require submission to the Secretary of information necessary to carry out the requirements of paragraph (1).

(d) PRIVACY REQUIREMENTS.—Terrorist watch list comparisons and immigration records checks under this subsection shall be carried out in accordance with the requirements of section 552a of title 5, United States Code.

(e) RESTRICTIONS ON USE AND MAINTENANCE OF INFORMATION.—

(1) RESTRICTION ON DISCLOSURE.—Information obtained by the Secretary in the course of comparing the individual against terrorist watch lists under this subsection may not be made available to the public, including the individual’s employer.

(2) CONFIDENTIALITY; USE.—Any information constituting grounds for prohibiting the employment of an individual in a position described in paragraph (1)(A) shall be maintained confidentially by the Secretary and may be used only for making determinations under this section. The Secretary may share any such information with appropriate Federal, State, local, and tribal law enforcement agencies.

(f) TERRORIST WATCH LISTS DEFINED.—In this subsection, the term ‘terrorist watch lists’ means all available information on known or suspected terrorists or terrorist threats.”

**SA 5016.** Mr. STEVENS proposed an amendment to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . PHASE-OUT OF VESSELS SUPPORTING OIL AND GAS DEVELOPMENT.**

Notwithstanding section 27 of the Merchant Marine Act, 1920 (46 U.S.C. App. 883) and sections 12105(c) and 12106 of title 46, United States Code, a foreign-flag vessel may be employed for the movement or transportation of anchors for operations in support of exploration of offshore mineral or energy resources in the Beaufort Sea or the Chukchi Sea by or on behalf of a lessee—

(1) until January 1, 2010, if the Secretary of the department in which the Coast Guard is operating determines that insufficient eligible vessels documented under chapter 121 of title 46, United States Code, are reasonably available and suitable for these support operations; and

(2) during the period beginning January 1, 2010, and ending December 31, 2012, if the Secretary determines that—

(A) the lessee has entered into a binding agreement to use eligible vessels documented under chapter 121 of title 46, United States Code, in sufficient numbers and with sufficient suitability to replace foreign flag vessels operating under this section; and

(B) the Secretary determines that no eligible vessel documented under chapter 121 of title 46, United States Code, is reasonably available and suitable for these support operations to replace any foreign flag vessel operating under this section. If such a determination is made, until January 1, 2013, if no vessel documented under the laws of the United States is reasonably available and suitable for these support operations to replace any foreign-flag vessel operating under this section.

**SA 5017.** Mr. STEVENS (for Mr. GRASSLEY) proposed an amendment to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes; as follows:

On page 5, line 2, insert “to” before “secure”.

On page 8, line 8, strike the first period and “; and”.

On page 12, line 24, strike “; of this section” and insert “of this section.”

On page 16, line 15, strike “and State” and insert “State”.

On page 16, line 18, after “stakeholders” insert the following: “adversely affected by a

transportation security incident or transportation disruption”.

On page 17, line 23, insert “Public Law 108-293” before “118”.

On page 20, line 15, strike “of the Nation’s commercial seaports” and insert “of the commercial seaports of the United States”.

On page 24, line 4, strike the semicolon and insert a comma.

On page 24, line 13, strike “(2)” and insert “(1)”.

On page 27, line 23, strike “ocean-borne” and insert “oceanborne”.

On page 28, line 8, strike “ocean-borne” and insert “oceanborne”.

On page 29, line 5, strike “, and” and insert “and”.

On page 33, line 17, after “issues”, insert “resulting from a transportation security incident or transportation disruption”.

On page 36, line 11, insert “the” before “Container”.

On page 39, line 24, strike “ocean-borne” and insert “oceanborne”.

On page 48, line 7, insert a comma after “Commissioner”.

On page 69, line 3, strike “Undersecretary” and insert “Under Secretary”.

On page 72, lines 18 and 19, strike “the current fiscal year” and insert “the fiscal year in which the report is filed”.

On page 73, line 23, strike “the current fiscal year” and insert “the fiscal year in which the report is filed”.

On page 85, line 23, strike the first period.

**SA 5018.** Mr. STEVENS (for Ms. SNOWE) proposed an amendment to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . COAST GUARD PROPERTY IN PORTLAND, MAINE.**

Section 347(c) of the Maritime Transportation Security Act of 2002 (Public Law 107-295; 116 Stat. 2109) is amended by striking “within 30 months from the date of conveyance.” and inserting “by December 31, 2009.”

**NOTICE OF HEARING**

**SUBCOMMITTEE ON WATER AND POWER**

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

The hearing will be held on Thursday, September 21, 2006 at 2:30 p.m. in Room SD-628 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 1106, to authorize the construction of the Arkansas Valley Conduit in the State of Colorado, and for other purposes; S. 1811, to authorize the Secretary of the Interior to study the feasibility of enlarging the Arthur V. Watkins Dam Weber Basin Project, UT, to provide additional water for the Weber Basin Project to fulfill the purposes for which that project was authorized; S. 2070, to provide certain requirements for hydroelectric projects on the Mohawk River in the State of New York; S. 3522, to