

of the action together with reasonable attorneys fees as determined by the court.

“(3) ATTORNEY FEES.—On a finding by the court that an unsuccessful pleading, motion, or other paper filed in connection with an action under this section was filed in bad faith or for the purposes of harassment, the court shall award to the prevailing party attorney fees in amount that is reasonable in relation to the work expended in responding to such pleading, motion, or other paper.”.

(6) Section 307(c) of that Act (50 U.S.C. App. 537(c)) is amended by striking paragraph (2) and inserting the following new paragraphs:

“(2) CIVIL LIABILITY FOR NONCOMPLIANCE.—Any person or entity (other than a servicemember or dependent) who fails to comply with any requirement imposed by this section with respect to a servicemember or dependent is liable to such servicemember or dependent in an amount equal to the sum of—

“(A) any actual damages sustained by such servicemember or dependent as a result of the failure;

“(B) such amount of punitive damages as the court may allow;

“(C) such amount of consequential damages as the court may allow;

“(D) such additional damages as the court may allow, in an amount not less than \$100 or more than \$5,000 (as determined appropriate by the court), for each violation; and

“(E) in the case of any successful action to enforce liability under this section, the cost of the action together with reasonable attorneys fees as determined by the court.

“(3) ATTORNEY FEES.—On a finding by the court that an unsuccessful pleading, motion, or other paper filed in connection with an action under this section was filed in bad faith or for the purposes of harassment, the court shall award to the prevailing party attorney fees in amount that is reasonable in relation to the work expended in responding to such pleading, motion, or other paper.”.

**SEC. \_\_\_\_ . OUTREACH TO MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS ON THE SERVICEMEMBERS CIVIL RELIEF ACT.**

(a) OUTREACH TO MEMBERS OF THE ARMED FORCES.—

(1) IN GENERAL.—The Secretary concerned shall provide to each member of the Armed Forces under the jurisdiction of the Secretary pertinent information on the rights and protections available to servicemembers and their dependents under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.).

(2) TIME OF PROVISION.—Information shall be provided to a member of the Armed Forces under paragraph (1) at times as follows:

(A) During initial entry training.

(B) In the case of a member of a reserve component of the Armed Forces, during initial entry training and when the member is mobilized or otherwise individually called or ordered to active duty for a period of more than one year.

(C) At such other times as the Secretary concerned considers appropriate.

(b) OUTREACH TO DEPENDENTS.—The Secretary concerned may provide to the adult dependents of members of the Armed Forces under the jurisdiction of the Secretary pertinent information on the rights and protections available to servicemembers and their dependents under the Servicemembers Civil Relief Act.

(c) DEFINITIONS.—In this section, the terms “dependent” and “Secretary concerned” have the meanings given such terms in section 101 of the Servicemembers Civil Relief Act (50 U.S.C. App. 511).

**SEC. \_\_\_\_ . SERVICEMEMBERS RIGHTS UNDER THE HOUSING AND URBAN DEVELOPMENT ACT OF 1968.**

(a) IN GENERAL.—Section 106(c)(5)(A)(ii) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(c)(5)(A)(ii)) is amended—

(1) in subclause (II), by striking “; and” and inserting a semicolon;

(2) in subclause (III), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(IV) notify the homeowner by a statement or notice, written in plain English by the Secretary of Housing and Urban Development, in consultation with the Secretary of Defense and the Secretary of the Treasury, explaining the mortgage and foreclosure rights of servicemembers, and the dependents of such servicemembers, under the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.), including the toll-free military one source number to call if servicemembers, or the dependents of such servicemembers, require further assistance.”.

(b) NO EFFECT ON OTHER LAWS.—Nothing in this section shall relieve any person of any obligation imposed by any other Federal, State, or local law.

(c) DISCLOSURE FORM.—Not later than 150 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall issue a final disclosure form to fulfill the requirement of section 106(c)(5)(A)(ii)(IV) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(c)(5)(A)(ii)).

(d) EFFECTIVE DATE.—The amendments made under subsection (a) shall take effect 150 days after the date of enactment of this Act.

**SA 1914.** Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

SEC. \_\_\_\_ . Of the amount appropriated in title III under the heading “OTHER PROCUREMENT, NAVY”, up to \$2,000,000 may be made available for the Surface Sonar Dome Window Program.

**SA 1915.** Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

SEC. \_\_\_\_ . Of the amount appropriated in title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE”, up to \$1,000,000 may be made available for the Test Exploitation for Knowledge Discovery Toolkit.

**SA 1916.** Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

SEC. \_\_\_\_ . Of the amount appropriated in title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY”, up to \$2,000,000 may be made available for the Critical Area Protection Sys-

tems High Resolution Situational Awareness Program.

**SA 1917.** Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

SEC. \_\_\_\_ . Of the amount appropriated in title III under the heading “OTHER PROCUREMENT, AIR FORCE”, up to \$1,500,000 may be made available for the Halvorsen Loader.

**SA 1918.** Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

SEC. \_\_\_\_ . Of the amount appropriated in title III under the heading “RESEARCH, DEFENSE, TEST AND EVALUATION, DEFENSE-WIDE”, up to \$1,000,000 may be made available for the Florida Supply Chain Program.

**SA 1919.** Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

SEC. \_\_\_\_ . Of the amount appropriated in title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY”, up to \$1,000,000 may be made available for the Miami Children’s Hospital Pediatric Brain Tumor and Neurological Disease Institute.

**SA 1920.** Mr. CHAMBLISS submitted an amendment to be proposed by him to the bill H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 220, after line 25, add the following:

SEC. 8116. Of the amount appropriated by title II under the heading “ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES”, \$400,000 shall be made available for removal of unexploded ordnance at Camp Wheeler, Georgia.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ARMED SERVICES**

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on September 29, 2005, at 9:30 a.m., in open session to receive testimony on United States military strategy and operations in Iraq.

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

**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet

during the session of the Senate on September 29, 2005, at 11:45 a.m., to conduct a vote on the nomination of Mr. Keith E. Gottfried, of California, to be General Counsel of the U.S. Department of Housing and Urban Development; Mr. Israel Hernandez, of Texas, to be Assistant Secretary of Commerce and Director General of the U.S. and Foreign Commercial Service; Mr. Darryl W. Jackson, of the District of Columbia, to be Assistant Secretary of Commerce; Ms. Kim Kendrick, of the District of Columbia, to be Assistant Secretary of Housing and Urban Development; Mr. Franklin L. Lavin, of Ohio, to be Under Secretary of Commerce for International Trade; Mr. David H. McCormick, of Pennsylvania, to be Under Secretary of Commerce for Export Administration; Mr. Keith A. Nelson, of Texas, to be Assistant Secretary of Housing and Urban Development; Ms. Darlene F. Williams, of Texas to be Assistant Secretary of Housing and Urban Development; Mr. Emil Henry Jr., of New York, to be Assistant Secretary for Financial Institutions; and Mr. Patrick O'Brien, of Minnesota, to be Assistant Secretary for Terrorist Financing, Department of the Treasury.

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

#### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, September 29, 2005, at 10 a.m., on Communications in Disaster, in SD 562.

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

#### COMMITTEE ON FOREIGN RELATIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, September 29, 2005, at 9:30 a.m. to hold a hearing on pending treaties.

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

#### COMMITTEE ON THE JUDICIARY

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, September 29, 2005 at 9:30 a.m. in Senate Dirksen Office Building Room 226.

### Agenda

#### I. Nominations

Timothy Flanigan, to be Deputy Attorney General; and Susan Neilson, to be U.S. Circuit Judge for the Sixth Circuit.

#### II. Bills

S. 1088, Streamlined Procedures Act of 2005; Kyl, Cornyn, Grassley, Hatch.

S. Personal Data Privacy and Security Act of 2005; Specter, Leahy, Feinstein, Feingold.

S. 751, Notification of Risk to Personal Data Act; Feinstein, Kyl.

S. 1326, Notification of Risk to Personal Data Act; Sessions.

S. 1086, A Bill to Improve the National Program to Register and Monitor Individuals Who Commit Crimes Against Children or Sex Offenses; Hatch, Biden, Schumer.

S. 956, Jetseta Gage Prevention and Deterrence of Crimes Against Children Act of 2005; Grassley, Kyl, Cornyn.

S. 1699, Stop Counterfeiting in Manufactured Goods Act; Specter, Leahy, Hatch, DeWine, Cornyn, Brownback, Feingold.

S. 1095, Protecting American Goods and Services Act of 2005; Cornyn, Leahy.

H.R. 683, Trademark Dilution Revision Act of 2005; Smith-TX.

S. 1647, Hurricane Katrina Bankruptcy Relief and Community Protection Act of 2005; Feingold, Leahy, Durbin, Kennedy, Feinstein.

S. 443, Antitrust Criminal Investigative Improvements Act of 2005; DeWine, Kohl, Leahy.

#### COMMITTEE ON THE JUDICIARY

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to meet to conduct a hearing on "Judicial Nominations" on Thursday, September 29, 2005, at 2 p.m. in the Dirksen Senate Office Building room 226.

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

#### COMMITTEE ON VETERANS' AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Thursday, September 29, 2005, for a committee hearing to consider the following nominations: 1. William F. Tuerk, Under Sec for Memorial Affairs, VA 2. Robert J. Henke, Asst Sec for Management, VA 3. John M. Molino, Asst Sec of Policy and Planning, VA 4. Lisette M. Mondello, Asst Sec of Public and Intergovernmental Affairs, VA 5. George J. Opfer, Inspector General, VA

The hearing will take place in Room 418 of the Russell Senate Office Building at 10 a.m.

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

#### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations be authorized to meet on Thursday, September 29, 2005, at 9:30 a.m., for a hearing entitled "The Defense Travel System: Boon or Boondoggle?"

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

#### SPECIAL COMMITTEE ON AGING

Mr. STEVENS. Mr. President, I ask unanimous consent that the Special Committee on Aging to authorized to meet Thursday, September 29, 2005 from 10 a.m. in Hart 216 for the purpose of conducting a hearing.

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

#### SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs be authorized to meet during the session of the Senate on Thursday, September 29, 2005, at 2:30 p.m. to hold a hearing on U.S.-Japan Relations.

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

#### SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, AND INTERNATIONAL SECURITY

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on Federal Financial Management, Government Information, and International Security be authorized to meet on Thursday, September 29, 2005, at 3 p.m. for a hearing regarding "GSA II: The Procurement Process from Start to Finish."

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

### PRIVILEGE OF THE FLOOR

Mr. INOUE. Mr. President, I ask unanimous consent that privilege of the floor be granted to Jonathan Epstein, a legislative fellow in the office of Senator BINGAMAN, during consideration of this H.R. 2863 appropriations for the Department of Defense for fiscal year 2006 and any votes thereupon.

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

Mr. INOUE. Mr. President, I ask unanimous consent that Susan Ball be granted the privilege of the floor during consideration of the Defense appropriations bill.

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

Mr. STEVENS. Mr. President, I ask unanimous consent that privilege of the floor be granted to Mr. David Bann, a detailee with Senator GREGG's office, during consideration of the fiscal year 2006 Defense appropriations bill.

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

Mr. STEVENS. Mr. President, I ask unanimous consent that Donnie Walker, a fellow serving in Senator COCHRAN's office, be granted the privilege of the floor during the duration of the consideration of fiscal year 2006 Defense appropriations bill.

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

Mr. STEVENS. Mr. President, I ask unanimous consent that Senator McCain's legislative fellow, Navy CDR Shawn Grenier, be granted the privilege of the floor during consideration of H.R. 2863.

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

Mr. DURBIN. Mr. President, on behalf of Senator KENNEDY, I ask unanimous consent that Douglas Thompson, a Navy fellow in his office, be granted floor privileges during the consideration of H.R. 2863, the fiscal year 2006 Defense appropriations bill.