

Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table.

SA 2343. Mr. MCCONNELL (for Ms. SNOWE (for herself, Ms. CANTWELL, Mr. STEVENS, and Mr. INOUE)) proposed an amendment to the bill S. 1280, to authorize appropriations for fiscal years 2006 and 2007 for the United States Coast Guard, and for other purposes.

SA 2344. Mr. MCCONNELL (for Mr. INOUE) proposed an amendment to the bill S. 1280, supra.

#### TEXT OF AMENDMENTS

**SA 2335.** Mr. HARKIN submitted an amendment intended to be proposed to amendment SA 2280 proposed by Mr. HARKIN to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 222. (a) Section 640(i) of the Head Start Act (42 U.S.C. 9835(i)) is amended—

(1) by striking “(1) The” and inserting the following:

“(i) TRANSPORTATION SAFETY.—

“(1) REGULATIONS.—The”; and

(2) by adding at the end the following:

“(2) WAIVER AUTHORITY.—

“(A) IN GENERAL.—The Secretary may waive for a period of up to one year the requirements of regulations promulgated under paragraph (1) for one or more vehicles used by the agency or its designee in transporting children enrolled in a Head Start program or an Early Head Start program if—

“(i) such requirements pertain to child restraint systems and bus monitors;

“(ii) the agency demonstrates that compliance with such requirements will result in a significant disruption to the Head Start program or the Early Head Start program; and

“(iii) the waiver is in the best interest of the child.

“(B) RENEWAL.—The Secretary may renew a waiver under subparagraph (A).”.

(b) Section 1310.12(a) of the Code of Federal Regulations shall be effective beginning on the date that is 120 days after the first reauthorization of the Head Start Act occurring after the date of enactment of this Act.

**SA 2336.** Mr. COBURN submitted an amendment intended to be proposed to amendment SA 2234 proposed by Mr. COBURN to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 222, between lines 5 and 6, insert the following:

#### SEC. \_\_\_\_ DEPARTMENT OF HEALTH AND HUMAN SERVICES AND DEPARTMENT OF EDUCATION RISK ASSESSMENT.

(a) ESTIMATE.—The Secretary of Health and Human Services and the Secretary of Education shall estimate improper payments pursuant to section 2 of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note, Public Law 107-300) under—

(1) in the case of the Secretary of Health and Human Services, the Temporary Assistance for Needy Families Program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), the Foster Care and Adoption Assistance Program under part E of title IV of such Act (42 U.S.C. 670 et seq.), the

Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.), the State Children’s Health Insurance Program under title XXI of such Act (42 U.S.C. 1397aa et seq.), and the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.); and

(2) in the case of the Secretary of Education, title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

(b) REPORT.—Not later than 60 days after the date of enactment of this Act, the Secretary of Health and Human Services, in the case of the programs specified in subsection (a)(1), and the Secretary of Education, in the case of the program specified in subsection (a)(2), shall report to Congress on the specific actions taken under each such program to comply with section 2 of the Improper Payments Information Act of 2002, including a schedule for full compliance with such Act within fiscal year 2006.

(c) FAILURE TO REPORT.—If the Secretary of Health and Human Services, in the case of a program specified in subsection (a)(1), or the Secretary of Education, in the case of the program specified in subsection (a)(2), fails to report to Congress on specific actions taken to estimate improper payments under such a program by the date described in subsection (b), none of the funds made available in this Act for that program shall be obligated or expended after such date until a report regarding the program that contains the information specified in subsection (b) is submitted to Congress.

**SA 2337.** Mr. COBURN submitted an amendment intended to be proposed to amendment SA 2285 proposed by Mrs. MURRAY to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, line 5 of the amendment, strike the period and insert “, and a review of the approval process under section 314.510 of title 21, Code of Federal Regulations, of the drug known as RU-486.”.

**SA 2338.** Mr. BROWNBACK submitted an amendment intended to be proposed to amendment SA 2319 submitted by Mrs. CLINTON to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 3 of the amendment, between lines 5 and 6, insert the following:

(c) CONSCIENCE PROTECTION.—Nothing in this section shall be construed to require any hospital that receives Federal funds or any individual to offer, provide, refer for or administer any treatment that has as its effect the destruction or interference with the implantation of a newly conceived human embryo if the offering, provision, referral or administering of such treatment is contrary to the religious beliefs or moral convictions of such hospital or individual.

**SA 2339.** Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30,

2006, and for other purposes; which was ordered to lie on the table; as follows:

In the amendment strike all after the first word and insert the following:

#### \_\_\_\_ SURVIVORS OF SEXUAL ASSAULT; PROVISION BY HOSPITALS OF EMERGENCY CONTRACEPTIVES.

(a) IN GENERAL.—No Federal funds appropriated in this Act may be provided to a hospital under any health-related program, unless the hospital meets the conditions specified in subsection (b) in the case of—

(1) any woman who presents at the hospital and states that she is a victim of sexual assault, or is accompanied by someone who states she is a victim of sexual assault; and

(2) any woman who presents at the hospital whom hospital personnel have reason to believe is a victim of sexual assault.

(b) ASSISTANCE FOR VICTIMS.—The conditions specified in this subsection regarding a hospital and a woman described in subsection (a) are as follows:

(1) The hospital promptly provides the woman with medically and factually accurate and unbiased written and oral information about emergency contraception, including information explaining that—

(A) emergency contraception does not cause an abortion; and

(B) emergency contraception is effective in most cases in preventing pregnancy after unprotected sex.

(2) The hospital promptly offers emergency contraception to the woman, and promptly provides such contraception to her on her request.

(3) The information provided pursuant to paragraph (1) is in clear and concise language, is readily comprehensible, and meets such conditions regarding the provision of the information in languages other than English as the Secretary may establish.

(4) The services described in paragraphs (1) through (3) are not denied because of the inability of the woman or her family to pay for the services.

(c) DEFINITIONS.—For purposes of this section:

(1) The term “emergency contraception” means a drug, drug regimen, or device that—

(A) is used postcoitally;

(B) prevents pregnancy by delaying ovulation, preventing fertilization of an egg, or preventing implantation of an egg in a uterus; and

(C) is approved by the Food and Drug Administration.

(2) The term “hospital” has the meanings given such term in title XVIII of the Social Security Act, including the meaning applicable in such title for purposes of making payments for emergency services to hospitals that do not have agreements in effect under such title.

(3) The term “Secretary” means the Secretary of Health and Human Services.

(4) The term “sexual assault” means coitus in which the woman involved does not consent or lacks the legal capacity to consent.

(d) EFFECTIVE DATE; AGENCY CRITERIA.—This section takes effect upon the expiration of the 180-day period beginning on the date of enactment of this Act. Not later than 30 days prior to the expiration of such period, the Secretary shall publish in the Federal Register criteria for carrying out this section.

**SA 2340.** Mr. MARTINEZ (for Ms. COLLINS (for herself, Mr. MARTINEZ, Mr. LOTT, and Mr. NELSON of Florida)) proposed an amendment to the bill S. 939, to expedite payments of certain Federal emergency assistance authorized pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance

Act, to authorize the reimbursement under that Act of certain expenditures, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Debris Removal Act of 2005”.

**SEC. 2. EXPEDITED PAYMENTS.**

(a) EXPEDITED PAYMENTS AUTHORIZED.—Notwithstanding the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) (including any regulation promulgated pursuant to that Act), the Secretary of Homeland Security, acting through the Director of the Federal Emergency Management Agency, shall pay to an eligible applicant, in accordance with subsection (b), 50 percent of the Federal share of assistance that the applicant is eligible to receive under section 407 of that Act (42 U.S.C. 5173).

(b) DATE OF PAYMENT.—A claim described in subsection (a) shall be paid not later than 60 days after the date on which the applicant files an eligible claim for assistance.

**SEC. 3. DEBRIS CLEARANCE, REMOVAL, AND DISPOSAL FROM EMERGENCY ACCESS ROADS.**

(a) DEFINITION OF EMERGENCY ACCESS ROAD.—In this section, the term “emergency access road” means a road that requires access by emergency personnel, including firefighters, police, emergency medical personnel, or any other entity identified by the Secretary of Homeland Security that provides an emergency service after a declaration of an emergency or major disaster (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)).

(b) REIMBURSEMENT AUTHORIZED.—Any reimbursement authorized under section 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5173) for clearing and removing debris may include reimbursement for clearing, removing, and disposing of debris from any emergency access road.

**SEC. 4. INCLUSION OF DEBRIS REMOVAL AS ELIGIBLE CLAIM FOR FEDERAL ASSISTANCE.**

Section 408(c)(2)(A) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)(2)(A)) is amended—

(1) in clause (i), by striking “and” at the end;

(2) in clause (ii), by striking the period at the end and inserting “; and”; and

(3) by inserting after clause (ii) the following:

“(iii) the removal of debris and wreckage resulting from a major disaster from owner occupied private residential property, utilities, and residential infrastructure (such as a private access route) as necessary for a safe and sanitary living or functioning condition.”.

**SEC. 5. COST SHARE.**

For a period of not less than 180 days after the date of declaration of an emergency or major disaster (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)) during the period beginning on August 25, 2005 through December 31, 2005, the Federal share of assistance provided to eligible applicants for debris removal under section 407 of that Act (42 U.S.C. 5173) shall be 100 percent.

**SEC. 6. GUIDELINES FOR REIMBURSEMENT.**

In light of concerns regarding inconsistent policy memoranda and guidelines issued to counties and communities affected by the 2004 hurricane season, the Secretary of Homeland Security, acting through the

Under Secretary for Emergency Preparedness and Response, shall provide clear, concise, and uniform guidelines for the reimbursement to any county or government entity affected by a hurricane of the costs of hurricane debris removal.

**SEC. 7. APPLICABILITY; TERMINATION OF AUTHORITY.**

This Act and the authority provided by this Act (including by any amendment made by this Act) shall—

(1) apply to each major disaster declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) during calendar year 2005; and

(2) terminate on the date that is 1 year after the date of enactment of this Act.

**SA 2341.** Mr. MARTINEZ proposed an amendment to the bill S. 939, to expedite payments of certain Federal emergency assistance authorized pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, to authorize the reimbursement under that Act of certain expenditures, and for other purposes; as follows:

Amend the title so as to read: “To expedite payments of certain Federal emergency assistance authorized pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, to authorize the reimbursement under that Act of certain expenditures, and for other purposes.”.

**SA 2342.** Mr. SPECTER submitted an amendment intended to be proposed to amendment SA 2283 proposed by Mr. HARKIN (for himself, Mr. KENNEDY, Mr. REID, Mr. DURBIN, Mr. OBAMA, Mr. BAYH, Mr. KOHL, Ms. MIKULSKI, Mrs. CLINTON, Mr. JOHNSON, and Mr. DAYTON) to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and or other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, strike “\$183,589,000: Provided, That \$120,000,000 of amounts available for influenza preparedness” and replace with “\$8,158,589,000: Provided, That \$8,095,000,000 of amounts available for influenza preparedness is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006 and”

**SA 2343.** Mr. MCCONNELL (for Ms. SNOWE (for herself, Ms. CANTWELL, Mr. STEVENS, and Mr. INOUE)) proposed an amendment to the bill S. 1280, to authorize appropriations for fiscal years 2006 and 2007 for the United States Coast Guard, and for other purposes; as follows:

On page 2, strike the item relating to section 211 and insert the following:

Sec. 211. Undocumented Maine fish tenders.

On page 2, after the item relating to section 217, insert the following:

Sec. 218. Distant water tuna fleet.

Sec. 219. Automatic identification system.

On page 3, after the item relating to section 410, insert the following:

Sec. 411. Conveyance of decommissioned Coast Guard Cutter MACKINAW.

On page 8, line 17, strike “2006.” and insert “2006 and as of September 30, 2007.”.

On page 8, beginning in line 18, strike “fiscal year 2006,” and insert “each of fiscal years 2006 and 2007.”.

On page 9, beginning in line 3, strike “fiscal year 2006” and insert “each of fiscal years 2006 and 2007”.

On page 18, strike lines 6 through 24 and insert the following:

**SEC. 211. UNDOCUMENTED MAINE FISH TENDERS.**

Notwithstanding any other provision of law, a vessel that is ineligible for documentation under chapter 121 of title 46, United States Code, because it measures less than 5 net tons, may transport fish or shellfish within the coastal waters of the State of Maine if—

(1) the vessel transported fish or shellfish pursuant to a valid wholesale seafood license, issued under the authority of section 6851 of title 12 of the Maine Revised Statutes prior to December 31, 2004; and

(2) the vessel is owned by an individual or entity meeting the citizenship requirements necessary to document a vessel under section 12106 of title 46, United States Code.

On page 19, line 18, insert “(a) IN GENERAL.—” before “The”.

On page 20, after line 25, insert the following:

(b) INDEPENDENT ANALYSIS OF REVISED DEEP WATER PLAN.—Within 180 days after the date of enactment of this Act, the Commandant of the Coast Guard may execute a contract with an independent entity—

(1) to conduct an analysis of the Coast Guard’s revised Deepwater Plan; and

(2) to assess whether—

(A) the mix of assets and capabilities selected as part of that plan will meet the Coast Guard’s criteria of—

(i) performance; and

(ii) minimizing total ownership costs; or

(B) additional or different assets should be considered as part of the plan.

On page 22, strike lines 13 through 18, and insert the following:

“(c)(1) No vessel without a registry endorsement may engage in—

“(A) the setting or movement of the anchors or other mooring equipment of a mobile offshore drilling unit that is located over the outer Continental Shelf (as defined in section 2(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1331(a))) whether or not attached to the outer Continental Shelf; or

“(B) the movement of merchandise or personnel to or from a point in the United States from or to a mobile offshore drilling unit located over the outer Continental Shelf that is—

“(i) not attached to the seabed; or

“(ii) attached to the seabed on the outer Continental Shelf but not exploring for oil and gas resources from the outer Continental Shelf.

“(2) Nothing in paragraph (1) authorizes the employment in the coastwise trade of a vessel that does not meet the requirements of section 12106 of this title.”.

On page 22, between lines 18 and 19, insert the following:

**SEC. 218. DISTANT WATER TUNA FLEET.**

(a) MANNING REQUIREMENTS.—United States purse seine fishing vessels transiting to or from, or fishing exclusively for highly migratory species in, the Treaty area under a fishing license issued pursuant to the 1987 Treaty of Fisheries Between the Governments of Certain Pacific Islands States and the Government of the United States of America may utilize non-United States licensed and documented personnel to meet manning requirements for the 48 month period beginning on the date of enactment of this Act if, after timely notice of a vacancy, no United States-licensed and documented personnel are readily available.

(b) LIMITATION.—Subsection (a) applies only to vessels operating in and out of American Samoa.

(c) WAIVER.—The citizenship requirements of sections 8103(a) and 12110 of title 46, United States Code, are waived for vessels to which subsection (a) applies during the 48-month period.

#### SEC. 219. AUTOMATIC IDENTIFICATION SYSTEM.

(a) PREVENTION OF HARMFUL INTERFERENCE.—The Secretary of the Department in which the Coast Guard is operating, acting through the Commandant of the Coast Guard, may, within 60 days of the enactment of this Act, transfer \$1,000,000 to the National Telecommunications and Information Administration of the Department of Commerce for the purposes of awarding, within 120 days after the date of enactment of this Act a competitive grant to design, develop, and prototype a device that integrates a Class B Automatic Identification System transponder (International Electrotechnical Commission standard 62287) with an FCC-approved wireless maritime data device with channel throughput greater than 19.2 kilobits per second to enable such wireless maritime data device to provide wireless maritime data services, concurrent with the operation of such Automatic Identification System transponder, on frequency channels adjacent to the frequency channels on which the Automatic Identification System transponder operates, while minimizing or eliminating the harmful interference between such Automatic Identification System transponder and such wireless maritime data device. The design of such device shall be available for public use.

(b) IMPLEMENTATION OF AIS.—It is the Sense of the Senate that the Federal Communications Commission should resolve within 60 days after the date of enactment of this Act the disposition of its rulemaking on the Automatic Information System and license use of frequency bands 157.1875-157.4375 MHz and 161.7875-162.0375 MHz (RM-10821, WT Docket Number 04-344). The implementation of this section shall not delay the implementation of an Automatic Identification System as required by the Maritime Transportation Security Act of 2002 and international convention.

On page 30, line 5, strike “ ‘Members;’ ” and insert “ ‘The;’ ”.

On page 30, line 7, insert “(1)” before “The”.

On page 30, line 12, strike the closing quotation marks and the second period.

On page 30, between lines 12 and 13, insert the following:

“(2) Any motorized vehicle placed at the disposition of the Coast Guard and utilized to carry out its functions under paragraph (1) shall be considered to be a ‘motorized vehicle utilized under section 826(b)’ as that term is used in section 830.”

On page 35, between lines 4 and 5, insert the following:

#### SEC. 411. CONVEYANCE OF DECOMMISSIONED COAST GUARD CUTTER MACKINAW.

(a) IN GENERAL.—Upon the scheduled decommissioning of the Coast Guard Cutter MACKINAW, the Commandant of the Coast Guard shall convey all right, title, and interest of the United States in and to that vessel to the City and County of Cheboygan, Michigan, without consideration, if—

(1) the recipient agrees—

(A) to use the vessel for purposes of a museum;

(B) not to use the vessel for commercial transportation purposes;

(C) to make the vessel available to the United States Government if needed for use by the Commandant in time of war or a national emergency; and

(D) to hold the Government harmless for any claims arising from exposure to hazardous materials, including asbestos and polychlorinated biphenyls (PCBs), after conveyance of the vessel, except for claims arising from the use by the Government under subparagraph (C);

(2) the recipient has funds available that will be committed to operate and maintain the vessel conveyed in good working condition, in the form of cash, liquid assets, or a written loan commitment, and in an amount of at least \$700,000; and

(3) the recipient agrees to any other conditions the Commandant considers appropriate.

(b) MAINTENANCE AND DELIVERY OF VESSEL.—Prior to conveyance of the vessel under this section, the Commandant shall, to the extent practical, and subject to other Coast Guard mission requirements, make every effort to maintain the integrity of the vessel and its equipment until the time of delivery. If a conveyance is made under this section, the Commandant shall deliver the vessel to a suitable mooring in the local area, in its present condition, on or about June 10, 2006, and no later than June 30, 2006. The conveyance of the vessel under this section shall not be considered a distribution in commerce for purposes of section 6(e) of Public Law 94-469 (15 U.S.C. 2605(e)).

(c) OTHER EXCESS EQUIPMENT.—The Commandant may convey to the recipient any excess equipment or parts from other decommissioned Coast Guard vessels for use to enhance the vessel’s operability and function for purposes of a museum.

**SA 2344.** Mr. MCCONNELL (for Mr. INOUE) proposed an amendment to the bill S. 1280, to authorize appropriations for fiscal years 2006 and 2007 for the United States Coast Guard, and for other purposes; as follows:

On page 3, after the item relating to section 601, insert the following:

#### TITLE VII—HURRICANE KATRINA

Sec. 701. Sense of the Senate on Coast Guard response to Hurricane Katrina.

Sec. 702. Supplemental authorization of appropriations.

Sec. 703. Report on the use of vessels.

Sec. 704. Use of maritime safety and security teams.

Sec. 705. Temporary authority to extend duration of merchant mariner licenses and documents.

Sec. 706. Temporary authority to extend duration of vessel certificates of inspection.

Sec. 707. Preservation of leave lost due to Hurricane Katrina operations.

Sec. 708. Reports on impacts to Coast Guard.

Sec. 709. Reports on impacts on navigable waterways.

On page 44, after line 10, add the following:

#### TITLE VII—HURRICANE KATRINA

SEC. 701. SENSE OF SENATE ON COAST GUARD RESPONSE TO HURRICANE KATRINA.

(a) FINDINGS.—The Senate makes the following findings:

(1) The response of the Coast Guard to Hurricane Katrina was exemplary.

(2) The Coast Guard strategically positioned its aircraft, vessels, and personnel the day before Hurricane Katrina made landfall and launched search and rescue teams within hours after Hurricane Katrina struck.

(3) The impacts of Hurricane Katrina were unprecedented, and the Coast Guard rose to meet the challenges presented by such impacts.

(4) The Coast Guard moved its operations in areas threatened by Hurricane Katrina to higher ground and mobilized cutters, small

boats, and aircraft from all around the United States to help in the response to Hurricane Katrina.

(5) The Coast Guard rescued more than 33,000 people affected by Hurricane Katrina through the air and by water, including evacuations of hospitals, and has been at the center of efforts to restore commerce to areas affected by Hurricane Katrina by clearing shipping channels, replacing aids to navigation, and securing uprooted oil rigs.

(6) The Coast Guard has been at the forefront of the Federal response to the numerous oil and chemical spills in the area affected by Hurricane Katrina.

(7) As an indication of the effectiveness of the Coast Guard in a time of emergency, the Chief of Staff of the Coast Guard was placed in charge of coordinating all response operations relating to Hurricane Katrina.

(b) SENSE OF SENATE.—It is the sense of the Senate that the Coast Guard should play a major role in the event of any future national emergency or disaster caused by a natural event in the United States in a coastal or offshore area.

#### SEC. 702. SUPPLEMENTAL AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts provided to the Coast Guard from another Federal agency for reimbursement of expenditures for Hurricane Katrina, there are authorized to be appropriated for fiscal year 2005 to the Secretary of the department in which the Coast Guard is operating the following amounts for non-reimbursed expenditures:

(1) For the operation and maintenance of the Coast Guard in responding to Hurricane Katrina, including, but not limited to, search and rescue efforts, clearing channels, and emergency response to oil and chemical spills, and for increased costs of operation and maintenance of the Coast Guard due to higher than expected fuel costs, \$200,000,000.

(2) For the acquisition, construction, renovation, and improvement of aids to navigation, shore and offshore facilities, and vessels and aircraft, including equipment related thereto, related to damage caused by Hurricane Katrina, \$300,000,000.

(b) CONSTRUCTION WITH OTHER FUNDING.—The amounts authorized to be appropriated by subsection (a) are in addition to any other amounts authorized to be appropriated for fiscal year 2005 to the Secretary of the department in which the Coast Guard is operating under any other provision of law.

(c) AVAILABILITY.—The amounts authorized to be appropriated by subsection (a) shall remain available until expended.

#### SEC. 703. REPORT ON THE USE OF VESSELS.

(a) IN GENERAL.—The Inspector General of the Department of Homeland Security shall review any contract valued at \$10,000,000 or more entered into by or on behalf of the United States Government with an owner, charterer, managing operator, agent or person in charge of a vessel in response to Hurricane Katrina to determine whether—

(1) the contract price, as modified, was appropriate and reasonable, and based on current, accurate, and complete cost and pricing data;

(2) information other than certified cost or pricing data was relied upon;

(3) applicable procurement laws and regulations were followed to the extent practicable throughout the award and contract administration process; and

(4) there were any irregularities or deviations in the award and subsequent oversight and administration of the contract.

(b) REPORT.—No later than 9 months after the date of enactment of this Act, the Inspector General shall transmit a report of results of the review with findings and recommendations, including possible legislative

or regulatory changes, or improvements to the contracting process immediately following a disaster, to the Senate Committee on Commerce, Science, and Transportation, and the House of Representatives Committee on Transportation and Infrastructure.

**SEC. 704. USE OF MARITIME SAFETY AND SECURITY TEAMS.**

Section 70106 of title 46, United States Code, is amended by adding at the end the following new subsection:

“(d) IMPLEMENTATION OF COAST GUARD MISSIONS.—The Secretary may also use maritime safety and security teams to implement any other mission of the Coast Guard.”.

**SEC. 705. TEMPORARY AUTHORITY TO EXTEND DURATION OF MERCHANT MARINER LICENSES AND DOCUMENTS.**

(a) MERCHANT MARINER LICENSES.—The Secretary of the department in which the Coast Guard is operating may temporarily extend the expiration date of any merchant mariner license issued pursuant to chapter 71 of title 46, United States Code, when such action is deemed appropriate and necessary.

(b) MERCHANT MARINER DOCUMENTS.—The Secretary of the department in which the Coast Guard is operating may temporarily extend the expiration date of any merchant mariner's document issued pursuant to chapter 73 of title 46, United States Code, when such action is deemed appropriate and necessary.

(c) SCOPE OF AUTHORITY.—Any extension under subsection (a) or (b) may be granted to individual mariners or to specifically identified groups of mariners.

(d) EXPIRATION OF AUTHORITY.—The authorities provided in this section shall expire on September 30, 2007.

**SEC. 706. TEMPORARY AUTHORITY TO EXTEND DURATION OF VESSEL CERTIFICATES OF INSPECTION.**

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the department in which the Coast Guard is operating may temporarily extend the expiration date or validity of any Certificate of Inspection or Certificate of Compliance issued pursuant to subtitle II of title 46, United States Code.

(b) EXPIRATION OF AUTHORITY.—The authority provided in this section shall expire on September 30, 2007.

**SEC. 707. PRESERVATION OF LEAVE LOST DUE TO HURRICANE KATRINA OPERATIONS.**

(a) PRESERVATION OF LEAVE.—Notwithstanding section 701(b) of title 10, United States Code, any member of the Coast Guard who serves on active duty for a continuous period of 30 days, who is assigned to duty or otherwise detailed in support of units or operations in the Eighth Coast Guard District area of responsibility for activities to mitigate the consequences of, or assist in the recovery from, Hurricane Katrina, during the period beginning on August 28, 2005, and ending on January 1, 2006, and who would otherwise lose any accumulated leave in excess of 60 days as a consequence of such assignment, is authorized to retain an accumulated total of up to 90 days of leave.

(b) EXCESS LEAVE.—Leave in excess of 60 days accumulated under subsection (a) shall be lost unless used by the member before the commencement of the second fiscal year following the fiscal year in which the assignment commences, in the case of a Reserve members, the year in which the period of active service is completed.

**SEC. 708. REPORTS ON IMPACTS TO COAST GUARD.**

(a) REPORTS REQUIRED.—

(1) INTERIM REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall submit to

the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an interim report on the impacts of Hurricane Katrina and the response of the Coast Guard to such impacts.

(2) FINAL REPORT.—Not later than 180 days after the date of the date of the submittal of the report required by paragraph (1), the Secretary of the department in which the Coast Guard is operating shall submit to the committees of Congress referred to in that paragraph a final report on the impacts of Hurricane Katrina and the response of the Coast Guard to such impacts.

(b) ELEMENTS.—Each report required by subsection (a) shall include the following:

(1) A discussion and assessment of the impacts of Hurricane Katrina on the facilities, aircraft, vessels, and other assets of the Coast Guard, including an assessment of such impacts on pending or proposed replacements or upgrades of facilities, aircraft, vessels, or other assets of the Coast Guard.

(2) A discussion and assessment of the impact of Hurricane Katrina on Coast Guard operations and strategic goals.

(3) A statement of the number of emergency drills held by the Coast Guard during the five-year period ending on the date of the report with respect to natural disasters and with respect to security incidents.

(4) A description and assessment of the lines of communication and reporting within the Coast Guard, and between the Coast Guard and other departments and agencies of the Federal Government and State and local governments, as well as the interoperability of such communications, during the response to Hurricane Katrina.

(5) A discussion and assessment of the financial impact on Coast Guard operations during fiscal years 2005 and 2006 of unbudgeted increases in prices of fuel.

**SEC. 709. REPORTS ON IMPACTS ON NAVIGABLE WATERWAYS.**

(a) REPORTS REQUIRED.—

(1) INTERIM REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall, in consultation with the Secretary of Commerce, submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the impacts of Hurricane Katrina on navigable waterways and the response of the Coast Guard to such impacts.

(2) FINAL REPORT.—Not later than 180 days after the date of the submittal of the report required by paragraph (1), the Secretary of the department in which the Coast Guard is operating shall, in consultation with the Secretary of Commerce, submit to the committees of Congress referred to in that paragraph a report on the impacts of Hurricane Katrina on navigable waterways with respect to missions within the jurisdiction of the Coast Guard and the response of the Coast Guard to such impacts.

(b) ELEMENTS.—Each report required by subsection (a) shall include the following:

(1) A discussion and assessment of the impacts, and associated costs, of Hurricane Katrina on—

(A) the navigable waterways of the United States;

(B) facilities located in or on such waterways;

(C) aids to navigation to maintain the safety of such waterways; and

(D) any other equipment located in or on such waterways related to a mission of the Coast Guard.

(2) An estimate of the costs to the Coast Guard of restoring the resources described in

paragraph (1) and an assessment of the vulnerability of such resources to natural disasters in the future.

(3) A discussion and assessment of the environmental impacts in areas within the Coast Guard's jurisdiction of Hurricane Katrina, with a particular emphasis on any releases of oil or hazardous chemicals into the navigable waterways of the United States.

(4) A discussion and assessment of the response of the Coast Guard to the impacts described in paragraph (3), including an assessment of environmental vulnerabilities in natural disasters in the future and an estimate of the costs of addressing such vulnerabilities.

(c) NAVIGABLE WATERWAYS OF THE UNITED STATES.—In this section, the term “navigable waterways of the United States” includes waters of the United States as described in Presidential Proclamation No. 5928 of December 27, 1988.

**NOTICES OF HEARINGS/MEETINGS**

**PERMANENT SUBCOMMITTEE ON INVESTIGATIONS**

Mr. COLEMAN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs will hold a hearing on October 31, 2005, entitled “Corruption in the United Nations Oil-for-Food Program: Reaching a Consensus on UN Reform.”

The October 31 hearing will be the fourth hearing the Permanent Subcommittee on Investigations has held on the United Nations' Oil-for-Food Program (“OFF Program”). The Subcommittee's first hearing on the OFF Program laid the foundation for future hearings by describing how the OFF Program was exploited by Saddam Hussein. A second hearing examined the operations of the independent inspection agents retained by the United Nations in the OFF Program and examined issues related to inadequate management, audit, and procurement oversight. The hearing also examined issues related to why the U.S. and U.N. did not interfere with Iraq's open exports of oil to Jordan and Turkey, in violation of U.N. sanctions. The Subcommittee's third hearing detailed how Saddam Hussein manipulated the OFF Program to win influence and reward friends in order to undermine sanctions. In particular, the hearing presented evidence detailing how Saddam rewarded foreign officials with lucrative oil allocations that could be converted to money. The hearing also examined the illegal surcharges paid on Iraqi oil sales, using examples involving the recently indicted U.S. company, Bayoil. In addition, more detailed information was provided on the nature and extent of the 2003 Khor al-Amaya incident in which oil tankers loaded a large amount of Iraqi oil circumventing U.N. sanctions.

The Subcommittee's October 31 hearing will address: 1. The findings of the Subcommittee's October 25, 2005, Oil-for-Food Program Report covering illegal payments to individuals; 2. the