

other support services as they may determine advisable and as may be authorized by law.

(e) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(f) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

**SEC. 06. NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**

(a) IN GENERAL.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(b) PUBLIC MEETINGS AND RELEASE OF PUBLIC VERSIONS OF REPORTS.—The Commission shall—

(1) hold public hearings and meetings to the extent appropriate; and

(2) release public versions of the reports required under section 10.

(c) PUBLIC HEARINGS.—Any public hearings of the Commission shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Commission as required by any applicable statute, regulation, or Executive order.

**SEC. 07. STAFF OF COMMISSION.**

(a) IN GENERAL.—

(1) APPOINTMENT AND COMPENSATION.—The chairman, in consultation with the vice chairman, in accordance with rules agreed upon by the Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(2) PERSONNEL AS FEDERAL EMPLOYEES.—

(A) IN GENERAL.—The executive director and any personnel of the Commission who are employees shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.

(B) MEMBERS OF COMMISSION.—Subparagraph (A) shall not be construed to apply to members of the Commission.

(b) DETAILEES.—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(c) CONSULTANT SERVICES.—The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

**SEC. 08. COMPENSATION AND TRAVEL EXPENSES.**

(a) COMPENSATION.—Each member of the Commission may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission.

(b) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be al-

lowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5, United States Code.

**SEC. 09. SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.**

The appropriate Federal agencies or departments shall cooperate with the Commission in expeditiously providing to the Commission members and staff appropriate security clearances to the extent possible pursuant to existing procedures and requirements, except that no person shall be provided with access to classified information under this title without the appropriate security clearances.

**SEC. 10. REPORTS OF COMMISSION; TERMINATION.**

(a) INTERIM REPORTS.—The Commission may submit to the President and Congress interim reports containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(b) FINAL REPORT.—Not later than 6 months after the date of the enactment of this title, the Commission shall submit to the President and Congress a final report containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(c) TERMINATION.—

(1) IN GENERAL.—The Commission, and all the authorities of this Act, shall terminate 60 days after the date on which the final report is submitted under subsection (b).

(2) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the 60-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its reports and disseminating the final report.

**SEC. 11. FUNDING.**

(a) EMERGENCY APPROPRIATION OF FUNDS.—There are authorized to be appropriated \$3,000,000 for purposes of the activities of the Commission under this title and such funding is designated as emergency spending under section 402 of H. Con. Res. 95 (109th Congress).

(b) DURATION OF AVAILABILITY.—Amounts made available to the Commission under subsection (a) shall remain available until the termination of the Commission.

**SA 2052.** Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 1955 proposed by Mr. WARNER (for himself and Mr. LEVIN) 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:

At the end of title XII of division A, as added by Senate amendment No. 1955, add the following:

**SEC. . BUILDING THE PARTNERSHIP SECURITY CAPACITY OF FOREIGN MILITARY AND SECURITY FORCES.**

(a) AUTHORITY.—The President may authorize building the capacity of partner nations' military or security forces to disrupt or destroy terrorist networks, close safe havens, or participate in or support United States, coalition, or international military or stability operations.

(b) TYPES OF PARTNERSHIP SECURITY CAPACITY BUILDING.—The partnership security capacity building authorized under subsection (a) may include the provision of equipment, supplies, services, training, and funding.

(c) AVAILABILITY OF FUNDS.—The Secretary of Defense may, at the request of the Secretary of State, support partnership security capacity building as authorized under subsection (a) including by transferring funds available to the Department of Defense to the Department of State, or to any other Federal agency. Any funds so transferred shall remain available until expended. The amount of such partnership security capacity building provided by the Department of Defense under this section may not exceed \$750,000,000 in any fiscal year.

(d) CONGRESSIONAL NOTIFICATION.—Before building partnership security capacity under this section, the Secretaries of State and Defense shall submit to their congressional oversight committees a notification of the nations designated by the President with which partnership security capacity will be built under this section and the nature and amounts of security capacity building to occur. Any such notification shall be submitted not less than 7 days before the provision of such partnership security capacity building.

(e) COMPLEMENTARY AUTHORITY.—The authority to build partnership security capacity under this section is in addition to any other authority of the Department of Defense to provide assistance to a foreign country.

(f) MILITARY AND SECURITY FORCES DEFINED.—In this section, the term "military and security forces" includes armies, guard, border security, civil defense, infrastructure protection, and police forces.

**SEC. . SECURITY AND STABILIZATION ASSISTANCE.**

(a) IN GENERAL.—Notwithstanding any other provision of law, upon a request from the Secretary of State and upon a determination by the Secretary of Defense that an unforeseen emergency exists that requires immediate reconstruction, security, or stabilization assistance to a foreign country for the purpose of restoring or maintaining peace and security in that country, and that the provision of such assistance is in the national security interests of the United States, the Secretary of Defense may authorize the use or transfer of defense articles, services, training or other support, including support acquired by contract or otherwise, to provide such assistance.

(b) AVAILABILITY OF FUNDS.—Subject to subsection (a), the Secretary of Defense may transfer funds available to the Department of Defense to the Department of State, or to any other Federal agency, to carry out the purposes of this section, and funds so transferred shall remain available until expended.

(c) LIMITATION.—The aggregate value of assistance provided or funds transferred under the authority of this section may not exceed \$200,000,000.

(d) COMPLEMENTARY AUTHORITY.—The authority to provide assistance under this section shall be in addition to any other authority to provide assistance to a foreign country.

(e) EXPIRATION.—The authority in this section shall expire on September 30, 2006.

## NOTICES OF HEARINGS/MEETINGS

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

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

The hearing will be held on Tuesday, October 18, 2005, at 3 p.m. in Room SD-

366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider our national capacity for producing innovation in energy technologies and the importance of this innovation to our global economic competitiveness. The Committee will also hear testimony describing the results of a forthcoming National Academy of Sciences report on this same topic.

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

For further information, please contact Dr. Kathryn Clay (202) 224-6224 or Steve Waskiewicz at (202) 228-6195.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on October 5, 2005, at 2:30 p.m. to conduct a hearing on the Kyoto Protocol: assessing the status of efforts to reduce greenhouse gases.

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 Wednesday, October 5, 2005, at 2:15 p.m. to hold a Business Meeting on nominations.

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

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on October 5, 2005, at 2:30 p.m. to hold a closed briefing.

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 be authorized to meet today, October 5, 2005, from 10:30 a.m.-12:30 p.m. in Hart 216 for the purpose of conducting a hearing.

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

##### SUBCOMMITTEE ON TRADE, TOURISM, AND ECONOMIC DEVELOPMENT

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on Trade, Tourism, and Economic Development be authorized to meet on October 5, 2005, at 2:30 p.m., on Spyware.

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

#### PRIVILEGE OF THE FLOOR

Ms. LANDRIEU. Mr. President, I ask unanimous consent that privilege of the floor be granted to Jason Matthews and Kathleen Strotzman during consideration of this legislation.

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

The PRESIDING OFFICER. The Senator from Louisiana.

#### UNANIMOUS-CONSENT REQUEST— S. 1716

Ms. LANDRIEU. Mr. President, I understand we are now in morning business. I ask unanimous consent that immediately upon the disposition of the Defense appropriations bill, on which we just voted cloture, that immediately following the vote on that bill that the Senate return to consideration of S. 1716, which is a bill by Senator GRASSLEY and Senator BAUCUS to provide emergency health care relief to the many victims of Hurricanes Katrina and Rita throughout the gulf coast and the needs of States throughout the Nation. I ask unanimous consent that the bill be brought up for consideration right after the final vote on the Defense appropriations bill.

The PRESIDING OFFICER. Is there objection?

Mr. FRIST. Reserving the right to object.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, I will object shortly. As the distinguished Senator from Louisiana knows, the issue we are talking about is one that is very close to me, one on which she and I have had many conversations because it goes right to the heart of health care for hundreds of thousands of people. It is an issue we have to address. I personally have spent about an hour and a half today on this issue with the chairman and many others. We are not there yet. I pledge to keep working on this issue. I understand the time urgency of it.

As the distinguished Senator from Louisiana knows, there are several objections on our side, and on behalf of those colleagues, I object.

The PRESIDING OFFICER. Objection is heard.

Ms. LANDRIEU. Mr. President, may I ask the majority leader a question?

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

Ms. LANDRIEU. Through the Chair, first of all, I appreciate the work that he has been doing behind the scenes with the leadership in the Senate to press forward on this very important issue. But I would like to ask him what he thinks about the possibility of us going home on break for over a week before something can be determined definitively as to whether people who are without a home, without a job, without a church, without a neighborhood, without their family—does the Senator think we should possibly make

some decisions at least about their emergency health care needs before we leave?

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, the issue of health care and health care delivery among peoples who have lost their homes, who have lost shelters, security, family members, is something we need to address quickly, expeditiously, and we are going to continue to work on it.

At the same time, I wish to say to the American people who are listening to me—and the Senator from Louisiana and I have had the opportunity to travel together over the region she is about to discuss, and I observed firsthand. Those people now are getting health care, and health care is not being denied anybody. It cannot be denied, and it will not be denied. The real issue is to make sure that compensation for that health care does flow and does flow in a timely fashion to where the patient is displaced or to the State of Louisiana or it might be Alabama or Mississippi. How that is done most appropriately and fairly where the funds can follow the individual and follow the patient, the family, is what is being addressed.

The issue is not as to whether or not health care is being provided. Health care is being provided. It is available to those people who need it.

Mr. President, I would like to proceed with a couple of items of business, and then I know that the Senator from Louisiana has the floor and has a number of very important things to address.

I should also say that Senator LANDRIEU and I have been in discussion over the course of today on a number of issues that she provided in a letter to me which addresses health care issues, small business issues, education issues, and community disaster loans. I continue to aggressively address all four of those issues with my colleagues as well.

#### APPOINTMENT

The Chair, on behalf of the President pro tempore, pursuant to Public Law 106-398, as amended by Public Law 108-7, in accordance with the qualifications specified under section 1238(b)(3)(E) of Public Law 106-398, and upon the recommendation of the Democratic leader, in consultation with the chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, reappoints the following individuals to the United States-China Economic Security and Review Commission: C. Richard D'Amato of Maryland for a term beginning January 1, 2006 and expiring December 31, 2007 and William A. Reinsch of Maryland for a term beginning January 1, 2006 and expiring December 31, 2007.