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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. CAMPBELL of California).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 10, 2006.

I hereby appoint the Honorable JOHN CAMPBELL to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Reverend Ross Thomson, Bammel Church of Christ, Houston, Texas, offered the following prayer:

Lord, as we gather in this city named for him, we remember George Washington's most precious possession: the keys always on his nightstand, the keys given to him by General Lafayette, the keys to the Bastille.

Lord, we thank You that, two centuries later, we still hold the keys of freedom. We are mindful that then and now, our greatest power is our ability to win hearts and minds; our greatest gift to mankind the inspiration of our ideas; our greatest influence that of moral persuasion.

Lord, You have allowed this Nation the honor of being freedom's first line of defense, and her last bastion of hope. Grant that we might live worthy of our calling and worthy of the hope of those who have gone before; that we in this place, might conduct ourselves with honor, courage and integrity, worthy of this great Republic, worthy of the sacrifices of its citizens. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. STUPAK) come forward and lead the House in the Pledge of Allegiance.

Mr. STUPAK led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND ROSS THOMSON

(Mr. POE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE. Mr. Speaker, Ross Thomson was born in Scotland in 1956. At the age of 4, his family moved to Toowoomba, Australia, where he was raised. While there, he became a Christian. In 1975, faith took his family to Salisbury, Rhodesia for mission work among the Shona tribe. He worked with his father, and would devote the rest of his life to saving souls.

Having lived the ministry for years, Ross moved to the United States to study. He obtained his bachelor and master's degree in theology from Harding University. He did further postgraduate work at Rice University.

In 1989 he married Christine, who is with us today, and moved his family to southeast Texas, Alice, Texas, where he preached for the Morningside Drive congregation.

He has preached for the Brooks Avenue Church of Christ in Raleigh, North Carolina, and Northlake Church of Christ in Atlanta, Georgia. Currently he is the pulpit minister for the 1,200 member Bammel Church of Christ in Houston.

Christine and Ross are blessed with three children, Joshua, Savannah and Justin.

It is clear Ross, with his proper Scottish background, was not born in Texas, but he got there as fast as he could. He became a U.S. citizen in 2002.

One of my favorite stories about Ross was his first trip to an American grocery story. The first place he went was a southern grocery store called Piggly Wiggly. Puzzled, he didn't quite understand that concept.

He has done much to preach the gospel of Jesus in Texas, and spends time in the people business. So today we welcome Ross here to the United States Congress, and appreciate his determination to practice and live the freedom of religion under the first amendment of the U.S. Constitution.

PRESCRIPTION DRUG BENEFIT

(Mrs. DRAKE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. DRAKE. Mr. Speaker, I rise today to thank our local partners in helping spread the word about the new prescription drug benefit. Southeastern Virginia Senior Services and Eastern Shore Senior Services have worked very diligently to sign people up and to spread information.

Many of our local pharmacists, I would like to thank them as well, have allowed people to drop off their information and return for a list of the plans that cover their drugs.

Remember, Medicare part D is a voluntary program. It is a private sector insurance plan with a reduced premium. Many seniors do not need to sign up at all because their coverage is as good or better than Medicare. That would include our Federal retirees, State retirees, military, and many private sector retirees.

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For more information call 1–800–MEDICARE, or go online to www.medicare.gov or call senior services.

Sign up now and begin coverage in June. Otherwise you will have to wait until January to begin this new benefit. Join our over 30 million seniors and begin saving now.

TAX CUTS FOR THE WEALTHY

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DEFAZIO. Mr. Speaker, well, it is a big day inside the Beltway here, the long-anticipated Republican tax cuts are here, the fifth of the Bush Presidency. You would think with huge deficits maybe they would reconsider; but no, they are plowing ahead. Tonight, rivers of champagne will flow in corporate board rooms across America.

Under this bill, we will borrow $70 billion and immediately give $50 billion of it to wealthy investors. We will borrow $70 billion and give $50 billion to wealthy investors in big tax breaks to those who clip coupons off dividend-paying stocks and capital gains.

A person who earns $40,000 a year, they might get a $20 break under this bill. But those who earn $5 million, $82,000 off their tax bill. It is a great country. Yet Republicans couldn't find room in this bill for a tuition tax deduction. They had to bump that out. You know, these are tough times, people have to sacrifice; not the people in the board rooms and not the wealthy investors, but middle class America who want their kids to get an education. They couldn't fit it in the bill.

They are discriminating against wages and salary earners and favoring the investors with lower tax breaks. They are borrowing money and handing the bill to people who work for wages and salaries. I don't think that it is that they really hate wage and salary earners, they just favor the wealthy who fund their campaigns.

TACKLING THE NATION'S ENERGY POLICIES

(Mrs. KELLY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. KELLY. Mr. Speaker, the high gas prices and energy costs that we are experiencing now demonstrate more than ever we have to increase the urgency of achieving U.S. oil independence from foreign sources of oil. Congress needs to work faster to develop new fuel choices and achieve fuel savings.

I am a cosponsor of the Fuel Choices for American Security Act. Our legislation initiates a plan to achieve U.S. oil savings of 2.5 million barrels per day by 2015. That is the amount of oil we currently import from the Middle East every day.

Our plan is committed to developing alternative energy courses and renewable fuels. It will create better market incentives to use the resources and technology already available here in America to develop new fuel choices and bring them to consumers faster.

As long as the U.S. dependence on foreign oil continues to increase, gas prices will continue to increase as well.

Looking backward and using high gas prices to launch political attacks gives us no solution to the Nation's energy problems. Political maneuvers are not an energy policy. Looking forward by passing this bipartisan legislation is the correct approach to implementing the initiatives we need to tackle the Nation's energy problems. Let us commit ourselves to the American consumer and not to politics.

AMT BECOMES ATM

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUMENAUER. Mr. Speaker, nothing spells out the political cynicism and misplaced Republican priorities better than the tax bill we are about to vote upon. More assistance to the people in the top one-tenth of a percent whose burden has actually fallen 25 percent since Bush took office, the over-million-dollar crowd will get an additional $40,000 a year for the next 10 years.

But the Republican leadership and the Bush administration is playing Russian roulette with the alternative minimum tax and the 15.3 million families whose only sin is to pay taxes, pay their mortgage and raise their families. Every year more of them fall into a trap, and each year the Republican leadership fails to make a long-term fix a priority. They would rather play politics with the favored few.

This misguided priority is shameful, as Medicare and Medicaid deficits widen and the national debt increases. The alternative minimum tax, the AMT, has become an ATM to finance more tax cuts for people who need it least and put at risk 33 million American families who will fall into the AMT tax trap by 2010 when the house of cards comes crashing down.

AL QAEDA DISORGANIZATION

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, earlier this week the Associated Press reported from Baghdad that recently discovered al Qaeda and Iraq documents demonstrate that the terrorists are ''concerned about disorganization within their cells in the capital area, with one extremist describing them as simply a 'daily annoyance' to the Iraqi government.''

In one document, a terrorist complains that ''the Americans and the Iraqi government forces 'were able to absorb our painful blows,' raise new recruits and 'take control of Baghdad as well as other areas, one after the other.''

Another terrorist complained about ''the strength of brothers in Baghdad and is based mostly on car bombs and groups of assassins lacking any organized military capabilities.''

These documents demonstrate that courageous American troops and Iraqi security forces are breaking the will of the terrorists in Iraq to protect American families.

In conclusion, God bless our troops. We will never forget September 11.

GAS PRICES DIRECT RESULT OF FAILED POLICIES

(Mr. MORAN of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN of Virginia. Mr. Speaker, today's record gas prices are the direct result of 5 years of failed policies by the Bush administration and this Republican Congress.

We seem to be more interested in giving still more tax breaks to oil executives than providing real relief to American consumers. Rather than proposing policies that would aggressively confront our energy challenges, Republicans are once again pushing to drill in ANWR. They neglect to say that drilling in ANWR would not be possible for another decade and would only provide about 6 months of oil for the American consumer.

House Republicans are also suggesting waiving environmental laws to encourage new refinery construction. But all of the major oil companies have already testified that environmental laws are not what is preventing them from building more refineries. It is more personally profitable to pay out lower-taxed-dividends than invest retained earnings in refineries.

So along with the silly $100 rebate, this is another proposal from House Republicans that will do nothing to reduce prices at the pump today. But the American consumer is beginning to realize it is time to try something new. It is time for a change in leadership.

□ 1015

MEXICO HARSHER ON ILLEGALS THAN U.S.

(Mr. KELLER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KELLER. Mr. Speaker, last week, street protests revealed a lot about the hypocrisy of Mexico. With a great deal of bluster and self-righteousness, the protestors objected to the House-approved border security bill.

They said it was ''too harsh.''

They said it was ''draconian.''

They said we shouldn't criminalize 11 million illegal immigrants.

They said we should, instead, give them amnesty and citizenship.

They waved their Mexican flags with great pride.

Well, a new study just released by the Law Library of Congress, reveals that Mexico itself is far harsher on illegal immigrants than the United States. For example, in Mexico, it is a felony punishable by 2 years in prison merely to be an illegal immigrant. In contrast to giving them citizenship, Mexico actually deported 250,000 illegal immigrants last year. Mexico even put their military soldiers on their southern border to stop illegals from going into Mexico from Guatemala.

Hypocrisy has crossed the border. It makes you wonder, were they protesting the wrong country last week?

ALLOW A VOTE ON THE PUMP ACT

(Mr. STUPAK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUPAK. Mr. Speaker, this weekend I held four town hall meetings in my vast rural northern Michigan district. I put on over 700 miles as I traveled from small town to small town to meet with my constituents. The number one concern of my constituents was the extremely high price of gasoline.

My constituents can't afford to drive the distances necessary to go to and from work. My constituents know they cannot afford the $50 to fill their gas tank. My constituents know that my PUMP legislation, Prevent Unfair Manipulating of Prices, would end the speculation in the pricing of a barrel of oil. My constituents know the legislation would reduce the cost of a barrel of oil by $20 and would lower the cost of the gas at the pump by one-third.

We could do that today.

My constituents also know that President Bush and the rubber-stamp Republican-controlled Congress will not allow a vote on my legislation.

Mr. Speaker, let's lower gas prices today. Let's lower it by bringing forward the PUMP legislation for a vote in this House, and do the people's work instead of the oil companies' work.

PROGRESS BEING MADE IN IRAQ

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, this weekend I had the privilege of leading a delegation of Republicans and Democrats to Operation Iraqi Freedom, and despite what you see on television, there is a lot of good news in Iraq, thanks to American and coalition forces and the good people of Iraq.

We were in Mosul, the ancient site of the city of Nineva. And where Mosul, over a year ago, was inflamed with insurgent violence, today Mosul is secure, thanks to the 101st Airborne, but also thanks to a local Iraqi police chief who is leading 1,500 Iraqi police into the streets daily to capture insurgents.

We also met with the new Prime Minister, Nuri al-Maliki, who told us of his plans to appoint a cabinet maybe as soon as this week, a clear agenda for stabilizing his country. He greeted us with the words, ''Welcome to a new Iraq.''

It will be our hope and our prayer that the American people will stand with the good people of Iraq to see freedom's fruition in that ancient land.

NURSE LOAN FORGIVENESS ACT OF 2006

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, our country is facing an increasing nursing shortage. Currently, in California, we are one of the 30 States that faces significant shortages in full-time registered nurses. But by the year 2020, 44 States are expected to have significant nurse shortages. We are going to need more than 400,000 new nurses nationwide.

We need to take immediate action to recruit and retain nurses for our Nation's medical facilities and address this critical shortage.

Today I am introducing the Nurse Loan Forgiveness Act of 2006. This bill will help recruit and retain more nurses by providing financial incentives for students to enroll in and complete nursing programs. It would forgive up to $17,000 in Federal loans over a 5-year period for people who have been working for at least a year as a full-time registered nurse.

It is time for us to take action and to address this ongoing nursing shortage. I urge my colleagues to help me and cosponsor this bill.

LANCASTER COUNTY, PENNSYLVANIA, GENEROSITY

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, I rise today to recognize the wonderful generosity of the people of my district, the Pennsylvania 16th. This generosity has been on full display in the aftermath of the hurricanes that hit our gulf coast last year.

The small Mississippi town of Pass Christian is roughly 1,200 miles from Lancaster County, but this hasn't stopped the people of Lancaster County, including many of the Amish community, from providing an outpouring of volunteer help to this devastated gulf coast town.

Organized through a group called Community Aid Relief Effort, dozens of Lancaster County residents have been traveling to the gulf coast every week since Katrina to help out with whatever was needed, and the results are showing. Debris has been cleared, damaged homes are being repaired and new homes are being built.

Mr. Speaker, while this outpouring of compassion warms my heart, it doesn't surprise me. The people of Lancaster County have a long tradition of helping those in need, and this is just the most recent example. I honor their efforts.

TAX POLICY BENEFITING TOP 1 PERCENT OF AMERICANS

(Mr. McDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McDERMOTT. Mr. Speaker, some people say this is a do-nothing Congress. They are wrong. This is the rubber-stamp Congress. Every Member of the Republican side is right now looking through his office for where is his rubber stamp, because this is one of the days when they come over here and rubber-stamp the President's tax cuts.

The 13th page of the New York Times today carries the fact that the tax cut for the top 10 percent, 82 percent of the $69 billion goes to the top 10 percent.

Now, that is not do-nothing, that is just forgetting the other 90 percent in this country. And when a decent period has passed by, they are going to come out here and raise the debt limit again. That is in the paper today as well. They raised it in March, and they have given so much away and dug us so deep in debt that they are going to be out here doing it again.

There is nothing in what we will do today that is useful for anybody who is at the middle class or below. This is all for the top 10 percent. That is all these people are for. The time is coming for change in November.

CONTINUED TAX RELIEF NECESSARY

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PRICE of Georgia. Mr. Speaker, the evidence is crystal clear: 32 straight months of job growth, 5.3 million new jobs created since August of 2003, the stock market within sight of a record high and homeownership at an all-time high. These are all good things.

So how should we keep the good things going? Continue the policies that brought them about. The House should ensure that we build on this success by supporting the tax conference report. Positive action today will prevent, prevent, a tax hike on millions of hardworking American families and small businesses that would greatly harm our economy.

By extending the reduced rates on capital gains and dividends, all Americans, all Americans, will be able to plan for the future with a greater sense of stability.

Furthermore, we will extend alternative minimum tax relief for Americans. The AMT was created in the 1970s, and times were much different. Today, an unacceptable number of families are exposed to this unfair tax, and this needs to stop.

Mr. Speaker, the facts are crystal clear: The Republican progrowth economic policies adopted by this House and this Congress are leading the way, and I urge my colleagues on both sides of the aisle to put politics aside, vote for the American people, vote today to prevent a tax increase on millions of hardworking American families.

TAX BREAKS NOT WORKING FOR MIDDLE-CLASS AMERICANS

(Mr. BISHOP of New York asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BISHOP of New York. Mr. Speaker, is there any doubt today that this administration's first priority continues to be tax cuts for the wealthiest at the expense of education, health care and homeland security, all of which are being cut to pay for these tax cuts?

We have been promised that extending dividend and capital gains cuts will create a rising tide that lifts all boats. But American families know that it takes so much more than a trickle-down effect for tax cuts to deliver relief from rising gas prices, soaring tuition and skyrocketing health costs.

If the tax cuts had performed as our friends on the other side of the aisle promised, an exploding economy would have offset these strains. Instead, we are now burdened with $400 billion deficits, $3 trillion in new debt since 2001, and deep cuts to hospitals, schools and law enforcement.

How can we possibly justify tax breaks for millionaires worth more than the entire amount President Bush requested for the Department of Education and more than twice his budget for the VA? The answer is that we can't. We just can't.

Instead, Americans who need our help the most must get in line and patiently wait for the Republicans' tax cuts to make any meaningful difference, if they ever do, in their daily struggle.

Mr. Speaker, middle-class Americans deserve much better.

MEDICARE PRESCRIPTION DRUG PROGRAM SAVES MONEY FOR SENIORS

(Mrs. MYRICK asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MYRICK. Mr. Speaker, to date, more than 30 million Americans have signed up for the new Medicare prescription drug program, and that is because it saves them money. An AARP survey found that almost 80 percent of those enrolled in the Medicare prescription drug plan say that the new benefit is meeting or exceeding their expectations. Seniors don't have to choose between prescription drugs and paying their bills or putting food on the table anymore.

And there is still time for seniors who are not currently enrolled to sign up for the program. They have until May 15th to sign up without any penalty.

They simply have to call 1–800–MEDICARE and ask about drug savings, and there will be someone there who will help to walk them through the process.

Again, the deadline to sign up with no penalties is May 15, so call and save today.

PROVIDE REAL TAX RELIEF FOR CONSUMERS AND REPEAT ENERGY TAX BREAKS

(Mr. CLEAVER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLEAVER. Mr. Speaker, how high do gas prices have to go before this administration is willing to break its ties with the oil and gas company CEOs? For 5 years now, the major oil companies have been bringing in record profits, while the pain at the pump has grown worse for average Americans.

Today, consumers are paying $3 a gallon. If you are making minimum wage, that means your first hour at work is used to buy 1½ gallons of gasoline for your car.

Major oil companies just reported $16 billion in profits for the first quarter alone, and the national response has been moral outrage. Yet last year they pushed through an energy bill that gave oil and gas companies an additional $20 billion in tax breaks and subsidies.

The problem is, those in charge here are not willing to have the courage to stand up and make things right.

TIME FOR ACTION ON ILLEGAL IMMIGRATION

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, one of my colleagues referenced the study from the Law Library of Congress entitled ''Immigration Law Sanctions and Enforcement in Selected Foreign Countries.'' It evaluates the policies and the practices of Brazil, Egypt, Japan, Mexico, Sweden and Switzerland. The countries were selected specifically to provide a geographically and racially diverse group for comparison purposes.

What the study found is that strong enforcement of immigration law and tough sanctions can effectively reduce illegal immigration.

Mr. Speaker, it is of concern to us that we learned yesterday that the U.S. Government is releasing information on the Minutemen border patrols to the Mexican Government. It is very frustrating that our government would be both willing and able to release information to the Mexican Government on these patrols, yet unable to adequately deter illegal entry into this country.

Mr. Speaker, I want to see a border wall or technology improvements that will actually halt illegal border crossings. There is incredible consensus among Tennesseans that enough is enough on this issue. It is time for action.

DO-NOTHING CONGRESS REFUSING TO ADDRESS NEEDS OF AMERICANS

(Mr. BUTTERFIELD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUTTERFIELD. Mr. Speaker, today is the 130th day of 2006. Guess how many of those days this House has been in session to address the needs of the American people? Twenty-nine. Twenty-nine. This is only the 29th voting day of the year here in the House of Representatives.

No wonder, Mr. Speaker, the American people have lost confidence in this Congress. The Republican majority would rather recess than tackle the tough issues of our day.

Or could it be that the Republicans are simply incapable of governing? House Republicans have yet to pass a budget for the upcoming fiscal year. Before the April recess, the House Republican leadership brought a bill to this floor, but was forced to pull it from consideration after determining that it would fail.

Regardless of whether or not Republicans are able to pick up enough Republican votes this week, the fact remains that they have presided over the largest fiscal collapse in American history. Five years ago they inherited record budget surpluses, and they have turned those into record deficits.

□ 1030

PORK BOOTLEGGERS

(Mr. MCHENRY asked and was given permission to address the House for 1 minute.)

Mr. MCHENRY. Mr. Speaker, some say we have no border security. The Associated Press reported that border authorities inspecting a car crossing into the United States from Mexico uncovered a food item in a strange place. Customs and Border Patrol officers searched the man's car, and they found two pounds of raw pork, oh, heaven forbid.

The meat was wrapped in foil inside two disposable diapers. Bringing in pork is prohibited because the ''other white meat'' can carry hog cholera. Some say we have no border security. Authorities seized these items and fined the man $250.

Mr. Speaker, you are telling me, this report tells me that the Border Patrol can stop 2 pounds of pork in a diaper from entering this country, but we can't stop $58 billion worth of illegal drugs and half a million illegals crossing the border each year?

This is crazy. We must fix this problem before people start smuggling themselves in diapers.

ENERGY POLICY IN AMERICA

(Ms. SOLIS asked and was given permission to address the House for 1 minute.)

Ms. SOLIS. Mr. Speaker, today I rise in opposition to America's energy policy, which takes from the working class Americans and rewards rich oil companies. Under President Bush's plan more than $20 billion has been waived in royalty fees and more than $5 billion in giveaways to big oil-producing corporations.

Legislation considered by this body last week targeted our States and our communities as the culprits of high gas prices, rather than pointing a finger at oil companies who made more than $110 billion in profits in 2005 and $16 billion in the first 3 months of 2006.

But we know better. Just yesterday, the Environmental Council of States stated that they were not aware of any credible report that our States are denying or lagging behind on permitting of new refineries and the expansion of existing refineries. Documentation to the contrary has not been presented to our committee, Energy and Commerce Committee.

Rather than take on wealthy oil company executives, this administration and this body continue to delay real action to help working class families and small businesses.

I hope that we can resolve this issue soon.

MEDICARE ENROLLMENT

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BARRETT of South Carolina. Mr. Speaker, on December 8, 2003, President Bush signed the Medicare Prescription Drug and Modernization Act of 2003 into law. While I may have a few differences with certain aspects of this legislation, we have come a long way since the bill first became law.

The Centers for Medicare and Medicaid Services have made great strides to make this implementation process as painless as possible. The first enrollment period for Medicare part D will end in just 5 days.

Over 27 million seniors across America now have coverage and are saving money on their prescription drugs. Currently, the State of South Carolina has over 438,000 people with prescription drug coverage. Almost 80,000 of those seniors are living in my district.

As the enrollment deadline of May 15 nears, I urge my constituents to call 1–800–MEDICARE with any questions. It is important to take an active roll in managing your own health care.

CONGRESS SHOULD EXTEND THE MAY 15 DEADLINE ON THE MEDICARE PRESCRIPTION DRUG PLAN

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to address the House for 1 minute.)

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, the pharmaceutical industry influenced the passage of a Medicare prescription drug plan last year. It is not great, it is just all we got. The deadline is May 15 for seniors to enroll in this program.

If seniors are not enrolled in 5 days, they will face a financial penalty each month for the rest of their lives. Since it took effect at the beginning of this year, the logical problems of implementing this plan have proved enormous. Seniors across the Nation have complained about the confusing number of plans to choose from and the change in prescription benefits each offers.

Research has shown that many of those who contact the Federal Government for help receive incorrect information or no information at all. It is no surprise then that millions of seniors have yet to select a drug plan.

Now with only 5 days to select the right plan or face a steep penalty, these seniors find themselves under pressure to make the best decision for their health and their pocketbook.

Mr. Speaker, serious health decisions require time and information. Our seniors deserve more.

MEDICARE PART D

(Ms. HART asked and was given permission to address the House for 1 minute.)

Ms. HART. Mr. Speaker, I rise today to call for a stop to the misleading and dishonest rhetoric from some political circles that has been used to purposefully scare seniors regarding the new prescription drug program that is available through Medicare. These hollow claims that it is too expensive for seniors or doesn't provide good coverage have been repeated by groups across the country.

These couldn't be farther from the truth. By every true measure, the new program is succeeding in its core mission of helping Medicare patients save money on their prescription drugs. Participation in the program has now exceeded its goal of enrolling 30 million by the conclusion of the first year, and it is only May.

In addition, since the beginning of March of this year, seniors have been enrolling in the prescription drug plan at the average rate of 416,000 seniors per week.

The overwhelming reason that so many Medicare recipients have now enrolled is simple. They are seeing real savings on the cost of their prescription drugs. The average senior who signs up for a plan will save more than $1,100 on their prescription drugs this year and low income seniors projected to save about $3,700; the average premium, only $25. Some in my State are paying just over $10.

Mr. Speaker, with so little time left to enroll, I encourage my colleagues help seniors enroll, not scare them.

FIVE DAYS FOR REPUBLICANS TO REJECT BUSH PRESCRIPTION DRUG TAX ON SENIORS

(Ms. WATSON asked and was given permission to address the House for 1 minute.)

Ms. WATSON. Mr. Speaker, we must stand up for America's seniors. As this calendar shows, House Republicans have less than 1 week, only 5 days left to join Democrats in extending the period seniors have to sign up for private prescription drug plans. If this Congress refuses to act, millions of American seniors who have yet to choose a plan will be penalized with the Bush prescription drug tax that will stay with them for the rest of their lives. The Bush administration is trying to force American seniors to make a decision that will impact both their checkbooks and their health in the next 5 days.

Five million seniors have still not chosen a drug plan. But the Bush administration wants to scare all of these seniors into choosing a plan before May 15, regardless of whether or not they are comfortable or ready to sign up for a plan.

Mr. Speaker, it is time House Republicans declare independence from the White House. As we mark off another day, House Republicans must join us in taking action this week.

THE DEMOCRATS TRIED ON MEDICARE

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Mr. Speaker, you can't say the Democrats haven't tried their hardest. When it comes to the Medicare prescription drug benefit, they have complained, criticized and have held town hall meetings to encourage seniors not to sign up. Luckily for America's seniors, they have decided to listen to the facts instead of the negative spin.

Recently the Department of Health and Human Services reported that more than 30 million Medicare beneficiaries are now getting coverage and saving money on their prescription drugs. This surpasses their expectations of 28 to 30 million enrollees in the first year. I suppose adding to the Democrats' frustration are recent polls showing broad support for the new benefit, as well as amazing success stories of seniors who are now reaping big savings in their prescription drug costs.

For example, a recent AARP poll revealed that nearly 8 in 10, that is nearly 78 percent of those enrolled in a Medicare prescription drug plan, say the new benefit is either meeting or exceeding their expectations.

Mr. Speaker, perhaps if the Democrats put as much effort into encouraging, rather than discouraging seniors, we would have enrolled 30 million much sooner.

ENERGY CRISIS AND PRICES IN AMERICA

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, in San Diego, the average price of regular unleaded gasoline is $3.43 a gallon, highlighting the expanding energy crisis in the country and fueling the frustration of many Americans. It is quite clear that the energy policies of President Bush and the Republican majority have failed.

The American people want Congress to come together and fix this crisis. House Democrats are energized in providing quick relief and long-term solutions. Democrats want to provide quick relief by expanding the Low Income Home Energy Assistance Program and expanding tax credits and grants to small businesses. We do this by repealing the $8 billion in Federal giveaways Republicans dished out to the oil and gas companies.

Democrats are committed to funding groundbreaking research and new technologies so that we can be independent of foreign oil by the year 2020. The energy policy of this administration and this majority is draining the wallets of Americans. It is time we implement a comprehensive energy policy that helps consumers and emphasizes alternate renewable energy.

MONSIGNOR EMILIO VALLINA

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to congratulate the Reverend Monsignor Emilio Vallina in celebration of his 54 years of service. As a servant of God, he has truly made a difference in the San Juan Bosco Church community in my congressional district of Miami, Florida.

San Juan Bosco Church is fortunate to have an individual who gives so generously of his time and energy to improve our area. It is the perseverance and compassion of people like Monsignor Vallina that help in the development of a stronger south Florida.

After fleeing the tyrannical Castro regime in 1961, Monsignor Emilio has dedicated himself to the teaching and the practice of the Catholic doctrine. His church in East Little Havana welcomes the poor immigrants, the homeless and the lonely.

Monsignor Emilio Vallina deserves commendation for his hard work and his continuous effort to improve the welfare of our community. May God continue to bless you, my friend, Monsignor Emilio Vallina.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CAMPBELL of California). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

RECORD votes on postponed questions will be taken later today.

H-PRIZE ACT OF 2006

Mr. INGLIS of South Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5143) to authorize the Secretary of Energy to establish monetary prizes for achievements in overcoming scientific and technical barriers associated with hydrogen energy, as amended.

The Clerk read as follows:

H.R. 5143

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''H-Prize Act of 2006''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ADMINISTERING ENTITY.—The term ''administering entity'' means the entity with which the Secretary enters into an agreement under section 3(c).

(2) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

SEC. 3. PRIZE AUTHORITY.

(a) IN GENERAL.—The Secretary shall carry out a program to competitively award cash prizes only in conformity with this Act to advance the research, development, demonstration, and commercial application of hydrogen energy technologies.

(b) ADVERTISING AND SOLICITATION OF COMPETITORS.—

(1) ADVERTISING.—The Secretary shall widely advertise prize competitions to encourage broad participation, including by individuals, universities (including historically Black colleges and universities and other minority serving institutions), and large and small businesses (including businesses owned or controlled by socially and economically disadvantaged persons).

(2) ANNOUNCEMENT THROUGH FEDERAL REGISTER NOTICE.—The Secretary shall announce each prize competition by publishing a notice in the Federal Register. This notice shall include the subject of the competition, the duration of the competition, the eligibility requirements for participation in the competition, the process for participants to register for the competition, the amount of the prize, and the criteria for awarding the prize.

(c) ADMINISTERING THE COMPETITIONS.—The Secretary shall enter into an agreement with a private, nonprofit entity to administer the prize competitions, subject to the provisions of this Act. The duties of the administering entity under the agreement shall include—

(1) advertising prize competitions and their results;

(2) raising funds from private entities and individuals to pay for administrative costs and to contribute to cash prizes;

(3) working with the Secretary to develop the criteria for selecting winners in prize competitions, based on goals provided by the Secretary;

(4) determining, in consultation with the Secretary, the appropriate amount for each prize to be awarded;

(5) selecting judges in accordance with section 4(d), using criteria developed in consultation with the Secretary; and

(6) preventing the unauthorized use or disclosure of a registered participant's intellectual property, trade secrets, and confidential business information.

(d) FUNDING SOURCES.—Prizes under this Act shall consist of Federal appropriated funds and any funds provided by the administering entity (including funds raised pursuant to subsection (c)(2)) for such cash prizes. The Secretary may accept funds from other Federal agencies for such cash prizes. The Secretary may not give any special consideration to any private sector entity or individual in return for a donation to the administering entity.

(e) ANNOUNCEMENT OF PRIZES.—The Secretary may not issue a notice required by subsection (b)(2) until all the funds needed to pay out the announced amount of the prize have been appropriated or committed in writing by the administering entity. The Secretary may increase the amount of a prize after an initial announcement is made under subsection (b)(2) if—

(1) notice of the increase is provided in the same manner as the initial notice of the prize; and

(2) the funds needed to pay out the announced amount of the increase have been appropriated or committed in writing by the administering entity.

(f) SUNSET.—The authority to announce prize competitions under this Act shall terminate on September 30, 2017.

SEC. 4. PRIZE CATEGORIES.

(a) CATEGORIES.—The Secretary shall establish prizes for—

(1) advancements in components or systems related to—

(A) hydrogen production;

(B) hydrogen storage;

(C) hydrogen distribution; and

(D) hydrogen utilization;

(2) prototypes of hydrogen-powered vehicles or other hydrogen-based products that best meet or exceed objective performance criteria, such as completion of a race over a certain distance or terrain or generation of energy at certain levels of efficiency; and

(3) transformational changes in technologies for the distribution or production of hydrogen that meet or exceed far-reaching objective criteria, which shall include minimal carbon emissions and which may include cost criteria designed to facilitate the eventual market success of a winning technology.

(b) AWARDS.—

(1) ADVANCEMENTS.—To the extent permitted under section 3(e), the prizes authorized under subsection (a)(1) shall be awarded biennially to the most significant advance made in each of the four subcategories described in subparagraphs (A) through (D) of subsection (a)(1) since the submission deadline of the previous prize competition in the same category under subsection (a)(1) or the date of enactment of this Act, whichever is later, unless no such advance is significant enough to merit an award. No one such prize may exceed $1,000,000. If less than $4,000,000 is

available for a prize competition under subsection (a)(1), the Secretary may omit one or more subcategories, reduce the amount of the prizes, or not hold a prize competition.

(2) PROTOTYPES.—To the extent permitted under section 3(e), prizes authorized under subsection (a)(2) shall be awarded biennially in alternate years from the prizes authorized under subsection (a)(1). The Secretary is authorized to award up to one prize in this category in each 2-year period. No such prize may exceed $4,000,000. If no registered participants meet the objective performance criteria established pursuant to subsection (c) for a competition under this paragraph, the Secretary shall not award a prize.

(3) TRANSFORMATIONAL TECHNOLOGIES.—To the extent permitted under section 3(e), the Secretary shall announce one prize competition authorized under subsection (a)(3) as soon after the date of enactment of this Act as is practicable. A prize offered under this paragraph shall be not less than $10,000,000, paid to the winner in a lump sum, and an additional amount paid to the winner as a match for each dollar of private funding raised by the winner for the hydrogen technology beginning on the date the winner was named. The match shall be provided for 3 years after the date the prize winner is named or until the full amount of the prize has been paid out, whichever occurs first. A prize winner may elect to have the match amount paid to another entity that is continuing the development of the winning technology. The Secretary shall announce the rules for receiving the match in the notice required by section 3(b)(2). The Secretary shall award a prize under this paragraph only when a registered participant has met the objective criteria established for the prize pursuant to subsection (c) and announced pursuant to section 3(b)(2). Not more than $10,000,000 in Federal funds may be used for the prize award under this paragraph. The administering entity shall seek to raise $40,000,000 toward the matching award under this paragraph.

(c) CRITERIA.—In establishing the criteria required by this Act, the Secretary shall consult with—

(1) the Department's Hydrogen Technical and Fuel Cell Advisory Committee;

(2) other Federal agencies, including the National Science Foundation; and

(3) private organizations, including professional societies, industry associations, and the National Academy of Sciences and the National Academy of Engineering.

(d) JUDGES.—For each prize competition, the Secretary shall assemble a panel of qualified judges to select the winner or winners on the basis of the criteria established under subsection (c). Judges for each prize competition shall include individuals from outside the Department, including from the private sector. A judge may not—

(1) have personal or financial interests in, or be an employee, officer, director, or agent of, any entity that is a registered participant in the prize competition for which he or she will serve as a judge; or

(2) have a familial or financial relationship with an individual who is a registered participant in the prize competition for which he or she will serve as a judge.

SEC. 5. ELIGIBILITY.

To be eligible to win a prize under this Act, an individual or entity—

(1) shall have complied with all the requirements in accordance with the Federal Register notice required under section 3(b)(2);

(2) in the case of a private entity, shall be incorporated in and maintain a primary place of business in the United States, and in the case of an individual, whether participating singly or in a group, shall be a citizen of, or an alien lawfully admitted for permanent residence in, the United States; and

(3) shall not be a Federal entity, a Federal employee acting within the scope of his employment, or an employee of a national laboratory acting within the scope of his employment.

SEC. 6. INTELLECTUAL PROPERTY.

The Federal Government shall not, by virtue of offering or awarding a prize under this Act, be entitled to any intellectual property rights derived as a consequence of, or direct relation to, the participation by a registered participant in a competition authorized by this Act. This section shall not be construed to prevent the Federal Government from negotiating a license for the use of intellectual property developed for a prize competition under this Act.

SEC. 7. LIABILITY.

(a) WAIVER OF LIABILITY.—The Secretary may require registered participants to waive claims against the Federal Government and the administering entity (except claims for willful misconduct) for any injury, death, damage, or loss of property, revenue, or profits arising from the registered participants' participation in a competition under this Act. The Secretary shall give notice of any waiver required under this subsection in the notice required by section 3(b)(2). The Secretary may not require a registered participant to waive claims against the administering entity arising out of the unauthorized use or disclosure by the administering entity of the registered participant's intellectual property, trade secrets, or confidential business information.

(b) LIABILITY INSURANCE.—

(1) REQUIREMENTS.—Registered participants shall be required to obtain liability insurance or demonstrate financial responsibility, in amounts determined by the Secretary, for claims by—

(A) a third party for death, bodily injury, or property damage or loss resulting from an activity carried out in connection with participation in a competition under this Act; and

(B) the Federal Government for damage or loss to Government property resulting from such an activity.

(2) FEDERAL GOVERNMENT INSURED.—The Federal Government shall be named as an additional insured under a registered participant's insurance policy required under paragraph (1)(A), and registered participants shall be required to agree to indemnify the Federal Government against third party claims for damages arising from or related to competition activities.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) AWARDS.—There are authorized to be appropriated to the Secretary for the period encompassing fiscal years 2007 through 2016 for carrying out this Act—

(A) $20,000,000 for awards described in section (4)(a)(1);

(B) $20,000,000 for awards described in section 4(a)(2); and

(C) $10,000,000 for the award described in section 4(a)(3).

(2) ADMINISTRATION.—In addition to the amounts authorized in paragraph (1), there are authorized to be appropriated to the Secretary for each of fiscal years 2007 through 2016 $2,000,000 for the administrative costs of carrying out this Act.

(b) CARRYOVER OF FUNDS.—Funds appropriated for prize awards under this Act shall remain available until expended, and may be transferred, reprogrammed, or expended for other purposes only after the expiration of 10 fiscal years after the fiscal year for which the funds were originally appropriated. No provision in this Act permits obligation or payment of funds in violation of section 1341 of title 31 of the United States Code (commonly referred to as the Anti-Deficiency Act).

SEC. 9. NONSUBSTITUTION.

The programs created under this Act shall not be considered a substitute for Federal research and development programs.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina (Mr. INGLIS) and the gentleman from Illinois (Mr. LIPINSKI) each will control 20 minutes.

The Chair recognizes the gentleman from South Carolina.

GENERAL LEAVE

Mr. INGLIS of South Carolina. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 5143, as amended, the bill now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. INGLIS of South Carolina. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H-Prize, an exciting opportunity to do for hydrogen what the X Prize did for entrepreneurial space flight. First of all, it is important for us to get a handle on what our need is, why it is that we are aiming at hydrogen, why we must accelerate the drive for hydrogen.

□ 1045

Probably a picture is worth a thousand words. So here is a picture of a gas line in China. As you can see, if that is the future, our addiction to oil becomes a significant problem for us.

ExxonMobil predicts in their energy report at the end of last year that global energy demand will grow by 60 percent between now and 2030. The challenge, of course, for us in that is that that increase in global energy demand will necessitate a 40 percent increase in OPEC oil production. Even if they have got it, do we really want to be that much more dependent on countries in OPEC?

So the idea is to figure out a way to break our addiction to oil, to move away from this dependence that we are currently in.

The Ansari X PRIZE did for entrepreneurial space flight what the H-Prize can do for hydrogen. As you know, Burt Rattan's spaceship won, became the first private spaceship in commercial use and flew within 2 weeks successfully and back to the Earth. That is the idea; that is the model that we are using here in the H-Prize.

The H-Prize would basically set up three categories of prizes. The first is an every-other-year $1 million prize for breakthroughs in production, storage, distribution and utilization of hydrogen. Every other year, as well, we would issue a prize of $4 million for breakthroughs in prototypes. And

then, within 10 years, a $10 million prize for the team that can transform from well to wheels essentially, or as one of our colleagues pointed out, from water to wheels, if you are thinking about splitting water to create hydrogen. That team that can do that transformation would win a $10 million prize, augmented, we hope, by up to $40 million worth of private money that would be added to the prize amount. That private money would be matched dollar for dollar to the venture capital that was raised by the team that does the transformation.

So it is a way of testing the teams' ability to get us all the way to the government's objective, which is not to declare a winner in a science project, but rather, to get all the way to the marketplace. So if a team can do it, if they can break us through to the hydrogen economy, they would get the $10 million, but then they would get a dollar-for-dollar match of up to $40 million if we can raise that private money for their venture capital. And so they would have $50 million to get to the marketplace.

Now, along the way, we have had helpful suggestions from various members of the committee and other Members not on the committee. And it is true that there are other competing technologies. For example, a breakthrough in better batteries could supplant hydrogen. Better solar cells could replace or win out in this race to the fuel of the future. Those, I see, as the three big competitors: hydrogen, solar cells and then better batteries.

What we hope to do in the H-Prize is incentivize the breakthroughs, the creativity that can get us to a hydrogen economy. Along the way I think I am hearing from other Members of Congress about possible other prizes that would incentivize perhaps solar or perhaps better battery technology.

I think it makes sense to have prizes because the beauty of prizes, as we heard from Peter Diamondes, the founder of the X Prize, is, of course, if nobody wins, you don't pay the prize money. So the government basically gets the research done for free until somebody meets the metrics of the prize, and then we award the prize money. So I am very supportive of other prizes.

It is also true that it has worked before. We have actually done prizes in the past. In fact, the transcontinental railroad essentially had some prizes in it, both dollar-per-mile for the railroad companies rewarded by the Congress, appropriations from this body, and also a great deal of land that was offered to the railroads if they could do this, if they could complete the transcontinental railroad.

And, of course, the thing that I think we all need to be aware of is that this was done in 6 years. The transcontinental railroad was begun in 1863, completed in 1869. And you know, there was a lot going on during that time period. In fact, there was the Civil War under way. But the United States, with the support of the U.S. Congress, united east and west within 6 years. We can, because we have done it before.

Now, in 1927 Charles Lindbergh won a prize for being the first to successfully go in a transcontinental flight across the Atlantic Ocean. That is a transatlantic flight over the Atlantic Ocean. And that prize incentivized him and caused him to go for it. There was a lot of risk involved in that, but he won it; and the face of aviation was changed because of it.

So I submit to my colleagues here today that hydrogen is not as far away as we think it is. When we hear people talking about 10, 20, 30 years away, particularly when they get into the 30 kind of time frame, most Americans start putting that way on the back burner and maybe even off of the stove. But it really is not that far away if we get with it.

And the final example I would use for that is when President Kennedy announced in 1961 his goal of getting to the Moon before the decade was out, we did it in 1969. Within 8 years, the mission was accomplished.

It is important to remember that that mission was accomplished using slide rules, not the computers that we have today. So with the capabilities we have today, there is every reason to believe we can break through if we would but just get with it. And I look forward to the debate from colleagues who will share this view that we can get there faster than we think.

Mr. Speaker, I reserve the balance of my time.

Mr. LIPINSKI. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5143, the H-Prize Act of 2006, an innovative, forward-thinking bill that will spur the application of American ingenuity toward securing our energy future. I applaud Mr. INGLIS for introducing this legislation, and I am proud to have joined him as a chief cosponsor of this bill.

Right now, every American is affected by high energy prices. Working families, small businesses and consumers across the country are feeling the pinch with no end in sight. People aren't just paying more to fill their gas tanks or when they pay for their heating bills for their home; they are paying more at the grocery store, on air travel and for many other daily expenses. Local economies are suffering as people spend more on fuel and less on consumer goods and travel.

The high prices also highlight the fact that the U.S. is too heavily dependent on fossil fuels that we import from unstable parts of the world. To protect our national security, we must become more energy secure.

As we explore ways to bring price relief and bolster our country's energy independence, one significant energy source has emerged as a potential solution, hydrogen fuel cells.

Hydrogen holds great promise to meet many of our future energy needs, and it addresses national security and our environmental concerns. Hydrogen is the simplest, most abundant element in the universe.

Hydrogen fuel cells have already been developed to power cars. Last week I had the opportunity to drive a hydrogen-powered car built by Honda. It did not drive much differently than any other car that we drive, a gasoline-powered car that we have right now, except for the silence of the engine, which I am used to, having driven a Ford Escape hybrid for a couple of years.

Although we do have this car that has been created, we could drive these few on the road, there are significant problems that must still be worked out before we can put a hydrogen car in every garage. For example, the weight of the fuel cells and batteries must be brought down. The range per fill-up must be extended. It is about 200 miles right now on the car that I drove. And most importantly, the price must be lowered very drastically. The car that I drove they told me cost about $1.5 million. So clearly, there are several significant technological advances that we must make. But these are within our reach.

And when these advances are made, hydrogen can fill critical energy needs beyond transportation. Hydrogen can also be used to heat and generate electricity for our homes. The future possibilities of this energy source are enormous.

By utilizing hydrogen, we can and will lessen our dependence on foreign fuels. Right now too much American time and resources are spent dealing with situations caused by our dependence on oil that we import from unstable countries. We must wean ourselves from these unpredictable energy sources while maintaining and strengthening our economy here at home. Hydrogen provides a way to achieve both.

The environmental benefits of hydrogen are also outstanding. When used as an energy source, hydrogen produces no emissions besides water. Zero polluting emissions, an amazing advance over the current sources of energy that we use.

H.R. 5143 seeks the development of needed advances in hydrogen technology by using our greatest national resource, our intelligent and creative workforce. To address our critical energy challenge we must bring our best and brightest to the task, and H-Prize does this.

An economy based on energy outside of fossil fuels is no longer implausible. But to get there, we must invest in research and development. Research grants are the basis of this process, but what we have is a responsibility to find creative and new ways to inspire researchers, business leaders, and our youth to solve the problems that society faces. The H-Prize will help expand the possibilities of hydrogen research,

promoting people not normally involved in Federal research and development to explore avenues for a more secure energy future.

Hydrogen has the potential to reduce our Nation's dependence on foreign oil, improve our air quality and maintain our economic competitiveness. And the H-Prize will help take us there.

I thank Mr. INGLIS for his leadership on this important issue, and I am proud to have joined him in this effort. This legislation has involved much bipartisan cooperation on the Science Committee, which I appreciate, and it exemplifies the usual relationship on our committee under the leadership of Chairman BOEHLERT and Ranking Member GORDON.

I hope that we can continue this cooperation on other critical issues related to America's future technological competitiveness. We must work together to encourage the creative talents that have made our country the world leader in technology.

Mr. Speaker, I urge support of this legislation which will provide some of the encouragement that will better our Nation and the world.

I reserve the balance of my time.

Mr. INGLIS of South Carolina. Mr. Speaker, with great appreciation for his skill and efficiency in moving the H-Prize through the committee, I am very happy to yield 5 minutes to the distinguished chairman of the Science Committee, Mr. BOEHLERT.

(Mr. BOEHLERT asked and was given permission to revise and extend his remarks.)

Mr. BOEHLERT. Mr. Speaker, I rise in strong support of H.R. 5143. And I want to congratulate Chairman INGLIS for bringing forward this initiative and for pursuing it with both energy and open-mindedness.

This bill has moved swiftly through the Science Committee because Chairman INGLIS has been, at the same time, relentlessly focused on his objective and open to compromise. That is how you get things accomplished in this town. We need more Members more able to pair those traits.

The H-Prize this bill creates would similarly allow the government and the Nation to be both focused and open-minded in pursuit of the hydrogen economy.

□ 1100

Establishing an H-Prize would encourage the Nation's most creative scientists and engineers and the public at large to focus on overcoming the many technical challenges that stand between us and a hydrogen economy.

At the same time, the H-Prize does not presume that any particular technological path will lead us to the hydrogen economy. The bill encourages any interested party to take on the technical risk needed to pursue their particular notion of how to improve their production, storage and distribution or use of hydrogen.

The National Academy of Sciences has encouraged the government to experiment with prizes for precisely this reason. Prizes can draw out new ideas from scientists and engineers who may not be willing or able to participate in traditional government research and development programs, while encouraging them, rather than the taxpayer, to assume the risk.

Congress has been following the academy's lead. For example, the NASA Authorization Act that was enacted last year created a prize program, and the space agency has been implementing it. All of these programs draw on several centuries of successfully using prizes to help spur technological development, from the prize to invent a way to measure longitude, a key to improving shipping, to the prize Charles Lindbergh won for his transatlantic flight. Our hope is that the H-Prize will result in a similar landmark achievement in the history of transportation.

I want to emphasize, though, that the prizes are just one tool we need to use to kick our Nation's addiction to oil.

Prizes need to be part of a balanced portfolio of measures to advance technology, a portfolio that needs to include regulations and tax incentives to create demand for new technologies, and traditional R&D programs to ensure a steady stream of work on a range of short and long-term technological questions.

Moreover, prizes are not the best tools to apply to all problems, but they are especially well suited to hydrogen, because we need to solve major long-term puzzles if the hydrogen economy is to become a reality. We need to elicit every possible idea from every quarter to do that, and we know it is going to take time to figure out what might work.

The bill structures the prize program to attack hydrogen questions in several ways: With biannual prizes for advancements to encouraging ongoing efforts and incremental progress, with biannual prizes for prototypes to encourage continuing work on integrating technologies as they develop, and with a grand prize to encourage work on the toughest show stopper, if you will, problems that could prevent us from using hydrogen as a fuel.

No one knows how all of this will turn out. That is the nature of research and the nature of a prize program. But we know that the potential benefits of hydrogen are worth the rather small investment required for a prize program. Hydrogen holds out the promise of becoming a clean, domestically produced fuel that could displace or even replace gasoline as the way we power our cars and trucks.

To achieve this, we still need to figure out how to affordably produce hydrogen using renewable energy, nuclear energy or coal with carbon dioxide sequestration, how to affordably store hydrogen on board a vehicle, how to make fuel cells and batteries more cheaply and have them operate more efficiently and how to distribute hydrogen economically.

That is a tall order, but it is exactly the kind of long-range effort we need. It is an effort that needs to be combined with proven short-range ways to reduce the use of gasoline like tighter fuel economy standards, which this House is likely to debate next week.

Mr. Speaker, I urge support for this bill, which was approved by the committee by voice vote. It is the right way to help see if we can radically change our energy future. Our dependence on foreign oil is a national security threat.

We have ways to use every weapon in our arsenal, and we need to use them to counter it.

Mr. LIPINSKI. Mr. Speaker, I yield 7 minutes to the gentleman from North Carolina (Mr. MILLER).

Mr. MILLER of North Carolina. Mr. Speaker, I support this legislation, but there is so much more that we need to be doing. In fact, there is so much more that we should have done already. The task before us, the urgent task before us, is to develop a practical, sustainable energy source or array of sources that will allow this Nation to be energy independent without busting the budget of middle class families just to go to work, to take the kids to school, to go to the grocery store.

We need practical, sustainable energy sources that do not emit the greenhouse gases that many scientists, really most scientists now fear will lead to catastrophic climate change, that will forever alter life on this planet, and we need practical, sustainable energy sources that will not so limit our options in foreign policy that we have to be uncritical friends to some of the most unattractive nations or governments in the world.

Mr. Speaker, we do need to pursue research into hydrogen, but we need an effort comparable to the effort during World War II, the Manhattan Project. We need an effort, to use Mr. INGLIS' analogy, like the effort that this Nation had in the 1960s to reach the Moon.

That is the effort we need to put behind developing alternative fuels and conservation technologies and to move those energy and conservation technologies into widespread commercial use.

I have sponsored legislation that Mr. BOEHLERT, the Chair of the Science Committee who spoke a moment ago, and Mr. MARKEY, my Democratic colleague, have introduced that would increase fuel efficiency requirements for cars and trucks to 33 miles a gallon by 2015.

Mr. Speaker, that goal can be achieved now with existing technologies, without any technological breakthrough. I feel almost embarrassed at how modest that bill is, how lacking in ambition that bill is. But even that the leadership of this House has not been willing to bring to the floor for debate and for a vote.

But, Mr. Speaker, in our hearing on hydrogen technology, in our hearing in the Science Committee on the H-Prize

legislation, one of the witnesses said that we could achieve cars and trucks that average 100 miles a gallon in the relatively near future if we really put our minds to it.

Why on Earth are we not doing that? Why on Earth are we not acting with the urgency that our energy needs require?

Mr. Speaker, I am pleased that the President's budget this year did increase funding for research into sustainable energy sources. Mr. Speaker, I regret that the President's budget found much of that additional funding from cuts to energy efficiency efforts. We need to proceed on several fronts at one time. We need to proceed without bias, without preconception.

A hydrogen economy or hydrogen fuel cells may not be the winning technology. As several of the speakers have said already, there are huge obstacles to overcome. Yes, hydrogen is abundant, but not as hydrogen. We need to find hydrogen sources, and the present source of hydrogen is by stripping it out of other fuels. Yes, when hydrogen is combined with oxygen to produce energy, that is a clean technology, but stripping hydrogen from fuels now is not clean. It is a very dirty technology, and the usual source of fuels from which it is stripped are fossil fuels, not sustainable, renewable energy sources.

Mr. Speaker, hydrogen technology, to have a hydrogen fuel cell car in every driveway, would make useless the infrastructure we now have, the pipelines, the tanks, the pumps, to transport, to distribute a fuel that is liquid on the planet Earth, which hydrogen is not.

So let's proceed. Let's proceed to develop, to provide an incentive to the private sector to develop the kinds of technologies we are going to need if hydrogen fuel cells are ever to be a practical source of energy for us.

But let us proceed on several fronts. I hope this Congress will be back soon. I will vote for this bill today, but I hope that Congress will be back soon to consider other prizes for energy, other alternative energy sources, other prizes for energy conservation, and that this Congress gives the urgent attention to energy independence, to sustainable energy sources that we desperately need, that the middle class families now paying $3 a gallon desperately need.

Mr. INGLIS of South Carolina. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from Pennsylvania (Mr. DENT), who is a cochair of the House Hydrogen and Fuel Cell Caucus.

Mr. DENT. Mr. Speaker, I thank Mr. INGLIS for his leadership on this very important issue.

Mr. Speaker, American economic success has been built on innovation and competition. By competing against one another to build a better mousetrap, so to speak, American entrepreneurs have developed many products, from early incandescent lights to the Model T automobile to sophisticated computer hardware and software products of today, that have certainly made our lives better and our quality of life better.

Today in an era of increasing fuel costs the drive to produce energy economically can be advanced through this same kind of innovation and competition. Fossil fuel technology was the impetus for 20th century industrial development, but today hydrogen holds out promise for being the driver of the economy of the future.

Of course, hydrogen is a fuel that can be produced domestically, thus limiting our dependence on foreign petroleum products. I mean, that is why I rise today in strong support of H.R. 5143, the H-Prize Act of 2006.

As a founding member of the bipartisan Hydrogen and Fuel Cell Caucus, along with Mr. INGLIS and Mr. WYNN and Mr. LARSON, I certainly applaud Congressman INGLIS' leadership on this issue.

I also wanted to point out, too, that in my district, headquartered, is the largest producer of hydrogen in the world, Air Products and Chemicals. They have told me on many occasions that they produce about 1.7 billion cubic feet of hydrogen per day, and they are producing that for refineries, for the U.S. Government, the electronics industries and other process industries.

But the bottom line is, they said that that 1.7 billion cubic feet is enough to power seven million cars, hydrogen cars on the roads. That is a lot of hydrogen, and we can do more.

The H-Prize Act, the H-Prize Act rewards those innovators and creative thinkers who develop innovative hydrogen technologies. It establishes four $1 million prizes, awarded every other year, to the best advances in hydrogen production, storage, distribution, and utilization. It authorizes an additional $1 million to that person or group that develops superior hydrogen-powered vehicles or other hydrogen-based products. It establishes a minimum lump sum of a $10 million prize award for the best transformational changes in technologies for the production and distribution of hydrogen.

Now, as I speak these words today some scientist or engineer is out there thinking of new ways to employ hydrogen technology to better address our needs. It is my hope that these prizes will serve as an incentive to those bright people as they push forward and develop these products and thereby help relieve us from our dependence on foreign energy.

Mr. Speaker, that is why I support this bill.

Mr. LIPINSKI. Mr. Speaker, we have no more speakers, and I reserve the balance of my time.

Mr. INGLIS of South Carolina. Mr. Speaker, I yield 2 minutes to my colleague from South Carolina (Mr. BARRETT), whose district has one of the keys to this hydrogen future, Savannah River National Lab.

Mr. BARRETT of South Carolina. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, today I rise in support of H.R. 5143, the H-Prize Act of 2006, and I want to thank the gentleman from South Carolina and my colleague for being such a strong proponent of hydrogen research in this ongoing energy debate.

Representative INGLIS is one of the leaders on this and I know personally I always turn to him when I need some help and advice. He is a cofounder of the House Hydrogen and Fuel Cell Caucus, a caucus dedicated to moving the country away from its dependence on foreign oil, and toward a hydrogen economy.

The need to reduce our dependence on foreign sources of energy is evident, Mr. Speaker. Our supply simply does not meet our ever growing demand, and we are paying the price at the gas pump every day in this country.

Further, our home State of South Carolina is poised to lead the Nation towards a hydrogen-based economy. The State's strong relationship with the automotive industry, Clemson's International Center for Automotive Research, ICAR, USC's expertise with hydrogen full cells, Aiken County's new hydrogen research laboratory, and the Savannah River site's future with hydrogen research are examples of what we are doing today for tomorrow.

Promoting the hydrogen economy will provide the missing component to our country's energy portfolio, effectively making a strong movement toward energy independence.

Public-private partnerships are a key component to accomplishing energy independence. There is no doubt that the private sector is the engine of growth and breeds innovation and ingenuity.

Mr. Speaker, I applaud Representative INGLIS for understanding the role the Federal Government has and not to come up with the idea or the science, but rather to provide incentives and promote an atmosphere that encourages such research to take place.

Mr. Speaker, I once again thank my good friend for introducing the H-Prize Act of 2006 and urge my colleagues to vote in favor of energy independence by supporting H.R. 5143.

Mr. LIPINSKI. Mr. Speaker, I yield myself the balance of the time.

Mr. Speaker, again I would like to urge my colleagues to vote in favor of this bill.

□ 1115

Our Nation's future depends on finding a solution to our critical energy needs.

America has always been at the forefront of technological breakthroughs. We have responded to great challenges, perhaps most famously John F. Kennedy's challenge to land a man on the Moon by the end of 1960s. And we have seen that prizes have a great effect to inspire technological advances. As Mr.

INGLIS stated earlier, he talked about Charles Lindbergh, a prize was offered and Charles Lindbergh made that first solo flight across the Atlantic.

The X Prize was put out there and we had the team put together a private flight of a spaceship 100 kilometers above the Earth. Challenges and prizes help spark the imagination of scientists, engineers, and entrepreneurs who invest blood, sweat, tears and large sums of money to achieve a great goal. But perhaps the greatest role that the H-prize may serve is in spurring the imagination of our most valuable resource, our youth.

Back in the 1970s there was great interest in solar power as an alternative energy source. This was largely brought in by the OPEC crisis of the early 1970s, the high oil prices, just as we see today. So there is a great demand. We need something different and solar energy was the big thing that we were looking at.

In my 8th grade science fair project I examined solar energy. I was excited about the thought of moving beyond oil and moving to something that would make us more secure and something that would be clean. I read about it, and I moved forward; I did the science fair project.

Now, my science fair project in my own career as an engineer did not ever find that solution to an alternative energy source. And unfortunately it seemed that we got into the 1980s and what happened? We lost that interest. Interest waned in finding alternative energy.

We cannot afford to let that happen again. All the focus today on energy prices has probably helped to facilitate bringing this bill to the floor for consideration today. Unfortunately, we often only act during crises, which means we do not take the time to think big, to make big plans and to dream big. America has been built on big dreams and hard work. That is what has made America the greatest Nation on Earth. That is why we need to think big in changing the energy that we use today before it is too late, for our environment and for our security. The H-Prize will help in doing this.

Perhaps there is a student out there today whose imagination will be sparked by the H-Prize and he or she may become an engineer and some day help develop the much-needed answers to today's energy problems. I hope that that opportunity is out there today and this H-Prize provides that inspiration to them.

So I ask my colleagues to join me in supporting this bill today, and perhaps one day we will look back on this day when the House passed the H-Prize, look at it as a catalyst that led to a better, cleaner and more secure America and world.

Mr. Speaker, I yield back the balance of my time.

Mr. INGLIS of South Carolina. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, first I would like to thank Mr. LIPINSKI for his cooperative spirit and very helpful comments along the way. Mr. LIPINSKI is our chief cosponsor and someone who has improved the bill as it has worked its way through the process. Perhaps that is because of a pleasant personal relationship and also my respect for his expertise that made it easy for him to work with us, and I appreciate the work that he did to improve the bill.

Along the way we did make improvements through the committee process, and I appreciate the cooperative way that Mr. LIPINSKI and others on the Democratic side of the aisle worked with us in the committee. The result is a better bill and I am very appreciative of that.

Also, Mr. Speaker, I will introduce for the RECORD letters in support of the H-Prize from the National Hydrogen Association, the Hydrogen Advisory Council, the U.S. Fuel Cell Council, SAE International, Shell Hydrogen, BMW, General Motors, Air Products and Chemicals, Inc., Enertech Capital, Ion America, Tiax LLC, Protium Energy Technologies, and professors from USC Davis and Purdue.

Mr. Speaker, I would also like to recognize the great work of our folks on the committee, particularly David Goldston was extremely helpful in making all this happen. He works closely with Chairman BOEHLERT. I also want to thank Mr. GORDON and, again, Mr. LIPINSKI and other members of our staff that made it possible for us to get this quickly to the House floor.

Let me close with this: We have an opportunity to solve America's challenge in energy. It is a Republican problem. It is a Democratic problem. It is an American problem. The good news is, it can have an American solution.

This is an opportunity for a triple play. If we do this right, we can improve our national security by ending our dependence on foreign oil. We will still use foreign oil; of course, we will use oil for a long time, but we can move away from the dependent state that we are in now, dependent on places that are very unstable. So it is an opportunity to improve our national security.

It is also, secondly, an opportunity to create jobs and economic development, because if we can reinvent the car, imagine the jobs we can create.

And then, third, for the third part of the triple play is an opportunity to clean the air. Because whether it is an internal combustion engine, the way that BMW intends to do it, or a fuel cell, the way that General Motors intends to do it, the only emission out of the back of the car is water. We want to incentivize those breakthroughs.

There are some technological hurdles ahead, but with an H-Prize, with the incentive from the Federal Government and the support of the Federal Government saying we are going to do this, we are going to get there, I believe that we will summon the creativity of inventors and investors out there in America and around the world to try to win this prize, and in the process, America will win with a triple play.

Mr. Speaker, the letters I referred to previously are as follows:

HYDROGEN ADVISORY COUNCIL,
May 8, 2006.

Representative BOB INGLIS,
Cannon HOB,
Washington, DC.

DEAR CONGRESSMAN INGLIS: On behalf of the Hydrogen Advisory Council, I want to congratulate you on the movement of H.R. 5143, the H-Prize Act of 2006, through the House Science Committee. We look forward to working with your office in the near future to move this crucial legislation to the President's desk.

As you know, the U.S. spent almost $250 billion on oil in 2005 and 25% of America's trade deficit currently comes from importing oil. These staggering numbers combined with growing instability in the world's oil producing regions is very concerning, and the need for a domestic solution to the nation's future energy needs has never been more apparent.

We believe that the solution is hydrogen. Not only does hydrogen provide a clean and renewable source of energy for the U.S., it will help create thousands of new jobs and enhance our national security.

The H-Prize will help move the nation towards this goal. By incentivizing key breakthroughs in hydrogen technology, storage, production, and distribution, the H-Prize Act of 2006 will help speed the hydrogen economy to fruition. Furthermore, the H-Prize will do this in a fiscally responsible way by only awarding prize monies to technologies that reach set performance metrics and by leveraging a combination of federal dollars and private-sector investment without impeding natural market forces.

The Hydrogen Advisory Council fully supports the H-Prize Act of 2006 and will do all it can to assure its future passage and utilization. Thank you again for your continued leadership on hydrogen policy.

Cordially,

ROBERT S. WALKER,
Chairman, Hydrogen Advisory Council.

THE NATIONAL HYDROGEN ASSOCIATION,
May 9, 2006.

Hon. BOB INGLIS,
House of Representatives, Cannon House Office Building,
Washington, DC.

DEAR REPRESENTATIVE INGLIS: On behalf of the 102 members of the National Hydrogen Association (NHA), I would like to extend our hearty support for your H-Prize legislation, H.R. 5143. For over 17 years, we have been an association dedicated to pursuing the research, development and demonstration of hydrogen and fuel cell technologies, leading to a firm basis for establishing and growing a commercial Hydrogen Economy. We believe that this latest version of the bill will have an important affect upon how needed technical breakthroughs occur.

Your bill promises to generate the drama and excitement of genuine technological feats that might otherwise appear obscure. Above and beyond the steady, devoted work of those many scientists and engineers in our strong RD&D programs, we need to build a sense of excitement, of the high value of pursuing difficult tasks—something to dramatize our nation's willingness to invest in this future. Prizes motivate and inspire—if carefully focused, they can truly move technology ahead.

This is something powerful that the federal government can do together with industry,

by rewarding imagination and creating the climate for the success of innovation. Whole new industries can be built around these ideas, and we can accelerate the pace of achieving them. Celebrate and accelerate—let's put the hydrogen economy on a faster track.

Sincerely,

JEFFREY A. SERFASS,
President.

U.S. FUEL CELL COUNCIL,
Washington, DC, May 8, 2006.

Hon. ROBERT INGLIS,
Cannon HOB,
Washington, DC.

DEAR CONGRESSMAN INGLIS: On behalf of the U.S. Fuel Cell Council, I am writing in support of the ''H-Prize'' Act of 2006 (H.R. 5143). The program proposed under this act represents a creative mechanism to encourage high-risk research and development that will help us commercialize fuel cell and hydrogen technologies. Additionally, the H-Prize will help increase public awareness—a necessary component to improve general education and outreach.

In 2003, President Bush and Congress challenged American industry, academia and other institutions to find new ways to reduce our dependence on foreign sources of energy based on hydrogen fuel cell technology.

Congress recognized the need to bolster federal involvement in developing these technologies last year when it passed the Energy Policy Act of 2005. It is our hope that Congress complements this achievement, passes the H-Prize, and funds both programs accordingly.

The U.S. Fuel Cell Council has long held that the development of fuel cell and hydrogen technologies need not be entirely supported by federal investments. That said, establishing an H-Prize can help leverage federal funding in a way that rewards results and compliments DoE objectives.

America is leading the drive to develop fuel cell and hydrogen technology; however, other countries are pursuing very aggressive programs that may soon rival our own. To that aim, we feel that the H-Prize can help America keep its competitive edge as we work to create a cleaner, more efficient and secure supply of energy.

Thank you for your leadership and consideration.

Sincerely,

ROBERT ROSE,
Executive Director.

SAE INTERNATIONAL,
Warrendale, PA, May 9, 2006.

Representative BOB INGLIS,
Fourth District,
South Carolina.

DEAR REPRESENTATIVE INGLIS: I am writing to strongly support the creation and implementation of the ''H-Prize'' Act of 2006, HR 5143. This Act, creating national prizes for breakthroughs in hydrogen production, distribution, storage and utilization, will greatly enhance the existing work being done in advanced automotive technology research and development and its supporting industries. Being that there is no clear industry consensus on automotive propulsion systems or their fuels for the future, it is clear that a need exists for longer term solutions that will provide energy independence for America, and hydrogen clearly can lead us toward that goal.

It is critically important that research and development activities increase so challenging issues can be resolved sooner than current progress permits, awareness to industry and the public is raised to a much higher level and that preparation for consumer acceptance is advanced beginning in the early phases of hydrogen technology development.

The ''H-Prize'' will support an important initiative toward our longer term goals by providing near term impetus to encourage innovations and solutions to the challenges posed, I urge you to support this important bill.

Sincerely,

DAVID L. AMATI, Ph.D.,
Director, Automotive Business and Automotive Headquarters.

SHELL HYDROGEN,
Houston, TX, May 9, 2006.

Hon. BOB INGLIS,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN INGLIS: I write to you today in support of H.R. 5143, the H-Prize Act of 2006. I would like to commend you for your leadership in introducing this legislation and recognize the members of the Science Committee for endorsing it as well. The creation of an H-Prize will further raise the profile of hydrogen on the national stage and demonstrate more direct and visible leadership from Congress on an important issue for the economy, the environment and from a national security perspective.

The goal of providing hydrogen as a fuel on a significant scale requires a coordinated undertaking within all levels of government, the automotive industry, and energy companies. The federal government has an important role in fostering technological innovation that has societal benefits—the creation of the Hydrogen Prize is an important step because a hydrogen economy will not emerge by virtue of technology alone. Any further developments will be a combination of technology, economics and policy decisions.

One of the strongest points in support of an H-Prize is the ability to stimulate involvement and innovation across a much broader community than is possible with DOE funding alone. For example, student competitions, universities, small labs, start-up companies, even folks in their garages can participate—which has been a hallmark of American ingenuity and competitiveness in so many other pioneering areas. An H-Prize can only accelerate commercialization and increase public awareness in support of the growing global market.

In closing, I would again like to voice my support of this legislation. It is imperative that we find innovative ways to realize the benefits of hydrogen as a clean, competitive and sustainable energy solution.

Sincerely,

PHILLIP T. BAXLEY,
President.

BMW OF NORTH AMERICA,
Woodcliff Lake, NJ, May 9, 2006.

Hon. BOB INGLIS,
House of Representatives, Cannon House Office Building,
Washington, DC.

DEAR REPRESENTATIVE INGLIS: The BMW Group enthusiastically supports the H-Prize Act of 2006 (H.R. 5143).

The BMW Group strongly believes that liquid hydrogen fueled internal combustion engines are a viable clean energy solution. They will also provide the level of driving dynamics that our customers expect. BMW continues to invest in hydrogen technology and to work with other companies and industries on the infrastructure issues that need to be solved in order to make the use of hydrogen a reality in the United States.

While BMW will compete aggressively to win the H-Prize, the award is more important than an individual corporate victory. It is time for everyone in the country—consumers, government leaders, and industry—to expand their horizons to find new and innovative ways to address energy and clean air issues. The answer will not come from one technology or one piece of legislation or regulation, but from providing incentives to let people explore a range of options to achieve the common objective. The H-Prize initiative supports the ''can do'' attitude that is such an important part of the American landscape.

Copies of this letter will be sent to the leadership of the House and the Science Committee urging them to support your effort.

Yours sincerely,

TOM PURVES,
President.

GENERAL MOTORS CORPORATION,
Washington, DC, May 9, 2006.

Hon. BOB INGLIS,
House of Representatives,
Washington, DC.

DEAR MR. INGLIS: General Motors is working aggressively to improve the efficiency of our vehicles through the application of new technologies like flex fuel vehicles and hybrid-electric drives. However, we believe that hydrogen fuel cells offer the opportunity to take a quantum leap in reducing our dependence on foreign oil, and the overall environmental impacts of vehicles. GM's goal is to design and validate a fuel-cell propulsion system for passenger vehicles by 2010 which is competitive with current internal combustion systems on durability and performance, and that ultimately can be built at scale affordably.

We believe that H.R. 5143, the H-Prize Act of 2006, could help us reach that goal, and help to hasten the transformation to a hydrogen economy. The bill would establish a series of prestigious, national prizes to attract the brightest entrepreneurs, scientists, and engineers to hydrogen research. Of particular importance, the bill would provide for up to four $1 million prizes biennially for the most significant breakthroughs in hydrogen storage, production, utilization, and distribution; and a biennial $4 million prize for the most successful prototype use of hydrogen.

Taken together, these prizes can help to attract the interest of new companies and researchers to fields relevant to the hydrogen economy. To ensure that this legislation does not have the unintended consequence of reducing the funding available to the Department of Energy's hydrogen and fuel cell programs, we urge you to consider designating the Department of Commerce, for example, to act as the administrating agency—in consultation with the DOE. However, this concern should not delay the House from moving quickly to pass the bill.

We urge the House to pass the H-Prize Act of 2006.

Sincerely,

KEN W. COLE,
Vice President, Government Relations.

AIR PRODUCTS AND CHEMICALS, INC.,
Allentown, PA, May 8, 2006.

Hon. ROBERT D. INGLIS,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE INGLIS: On behalf of Air Products and Chemicals, Inc., I would like to express our support for the ''H-Prize'' Act of 2006 (H.R. 5143). The program proposed under this act will be instrumental to encourage developments that could lead the United States from our financially draining dependence on foreign oil. Additionally, the projects will be crucial to build public awareness and acceptance of a hydrogen-based fuel economy within the United States.

As the world's leading producer of third-party hydrogen, we at Air Products live the

reality of commercial hydrogen production, storage, and distribution—a world largely unnoticed by the general public. Air Products has been providing hydrogen to the U.S. Government, oil refiners, the electronics industry, and other process industries for decades; we currently produce and deliver over 1.7 billion cubic feet of hydrogen per day. This is enough hydrogen to keep 7 million cars on the road, today. We will bring onstream an additional 240 million cubic feet per day of production in just the next several months, and more capacity will follow.

From our position in today's hydrogen economy, and as a U.S. company, Air Products sees a visible commitment from our federal government as an essential ingredient to accelerate the U.S. toward a more secure future. Our country has established itself as a leader in the hydrogen economy, a justifiable source of national pride that is greatly underappreciated. A critical element in keeping this lead is visible support from the federal government. Moreover, while hydrogen initiatives are advancing, the pace of development could be increased. The fiscally responsible nature of the ''H-Prize'' program will publicize the realities of hydrogen accomplishments, and encourage additional developments. Americans love a good competition.

We support and encourage the efforts of the federal government to work with industry and academia to drive the U.S. toward a larger-scale hydrogen economy. The ''H-Prize'' program could contribute greatly to recognize accomplishments that will improve our environment, enhance energy efficiency, and secure future energy supply needs. We look forward to helping to meet the growing clean energy needs of all Americans. Thank you for your consideration, and we trust that your colleagues will support the ''H-Prize'' initiative.

Sincerely,

THOMAS E. MUTCHLER,
General Manager—Integrated Businesses.

ENERTECH,
Wayne, PA, May 9, 2006.

Representative BOB INGLIS,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE INGLIS: I am writing in support of creation of the ''H-Prize'' act of 2006, H.R. 5143. This act, when implemented, will create a series of national prizes for the most significant breakthroughs in hydrogen production, distribution, storage, and utilization. I am particularly interested in the grand prize that enables a match of any venture capital raised by the grand prize winner. This may aid in the capitalization and commercialization of important new technologies, and lay the foundation for creation of new jobs and potentially enhance national security.

As a managing partner in one of the most established venture capital funds that has targeted energy and clean technologies, I have a strong interest in encouraging our emerging scientists and engineers to develop breakthrough technologies and solutions which may yield some of the most important venture capital investments ever made in this country.

There are numerous challenges that exist in the development of a viable hydrogen economy. They include: (1) the development of safe, light-weight, low-cost hydrogen storage for onboard vehicles and at refueling stations; (2) the development of inexpensive, durable, and efficient fuel cell systems for vehicle propulsion; and (3) the integration of this technology into the infrastructure and respective supply chains. All of these activities could benefit from a well-designed nationally sponsored competition.

I believe that a competition, as envisioned by the act, will have benefit for individual contributors, venture capitalists interested in the emerging energy technology space, and for the country at large. There is a wide gulf today in the beliefs about the timelines for the implementation of important technologies in the hydrogen arena. This competition may raise the interest, and attention of our scientific community, and enable the continued development of technologies that encounter the gulf between scientific advancement and the first steps towards commercialization.

The announcement of these awards should generate significant press and media interest, and will further raise the awareness among the nation's brightest students, scientists and engineers to this critically important area. We have a tremendous opportunity in this country to turn our attention to a critically important and fundamental need. This H-prize can help direct our best minds towards solving some of the most important energy challenges of our time. I encourage you and your colleagues to support this important bill. Thank you.

Sincerely,

BILL KINGSLEY,
Managing Partner.

ION AMERICA,
Sunnyvale, CA, May 9, 2006.

Hon. BOB INGLIS,
Washington, DC.

DEAR CONGRESSMAN INGLIS: I am writing in support of HR 5143. As the CEO of a leading fuel cell company dedicated to utilizing technology to address our nation's energy problems. I applaud and support your efforts to create incentives for the private sector to achieve solutions that will help our country succeed in the 21st century.

As you know, 25 percent of America's trade deficit comes from importing oil and the U.S. spent around $250 billion on oil in 2005 alone. It's time to end our oil addiction and one way to achieve that goal is to begin to transition to a sustainable hydrogen economy. By transitioning to hydrogen, we can leapfrog debates on environment and climate change, create thousands of new high value jobs, and enhance national security. The ''H-Prize'' will help move the Nation towards this transition.

By providing for up to four $1 million prizes biennially for the most significant breakthroughs in hydrogen storage, production, utilization, and distribution; and a biennial $4 million prize for the most successful prototype use of hydrogen, this Act will truly make a difference.

The H-Prize will provide necessary federal leadership to incentivize private dollars without impeding market forces. As with many prizes in the past, the private-sector investment towards winning the prize is often many times the amount of the prize itself.

The H-Prize signals to those of us who are working in clean energy technology that the Federal government is a committed partner in our quest for energy security and a cleaner environment.

Best regards,

KR SRIDHAR,
CEO.

TIAX,
Cambridge, MA, May 9, 2006.

Representative BOB INGLIS,
Washington, DC.

DEAR REPRESENTATIVE INGLIS: TIAX LLC is pleased to offer our support of the ''H-Prize'' Act of 2006 (HR 5143) to establish a series of prestigious, national prizes that would attract leading entrepreneurs, scientists, and engineers into hydrogen research. We believe that the establishment of this prize would accelerate the development of the technologies required for the commercialization of hydrogen fueled vehicles.

The Act would provide up to four $1 million prizes biennially for the most significant breakthroughs in hydrogen storage, production, utilization, and distribution: and a biennial $4 million prize for the most successful prototype use of hydrogen.

TIAX is a leading technology development firm in Cambridge, Mass., with a history of supporting the efforts of DOE and industry in assessing the technologies needed to implement highly efficient hydrogen fuel cell vehicles, as well as other options for improving the fuel efficiency of our transportation system. Our experience in this field suggests that the H-Prize Act of 2006, while certainly not being a substitute for the DOE's current hydrogen program, would greatly help stimulate the creative thinking needed to address the multiple challenges associated with the use of hydrogen.

We believe that the H-Prize would generate significant interest among a wide range of academic institutions and small businesses to accelerate R&D in this complex field. Its existence would likewise emphasize the importance that Congress is placing on addressing our reliance on imported oil with its increasingly negative economic and national security implications.

Please feel free to contact me if I can be of any further assistance.

Best regards,

JOHN M. COLLINS,
President.

PROTIUM ENERGY TECHNOLOGIES,
Emmaus, PA, May 9, 2006.

Hon. BOB INGLIS,
House of Representatives,
Washington, DC.

DEAR CHAIRMAN INGLIS: I applaud you for introducing, and the House Science Committee for moving the H-Prize bill (H.R. 5143) forward for consideration by the full House. Thank you for your vision and leadership in trying to establish a prize program to encourage breakthrough developments in hydrogen technology.

As a hydrogen energy consultancy business owner, and as an individual who has focused his energies over the last 14 years on the development and advancement of hydrogen as an energy option, I can tell you that this legislation will play an extremely important role in accelerating the creation of new energy options for our Nation. That H-Prize Act by establishing a series of prestigious, national prizes will attract the brightest entrepreneurs, scientists, and engineers to hydrogen research. I also believe that the creation of these prizes will serve to invigorate interest on the part of our younger generation, in science and math education, and prepare them to tackle our critical energy supply issues.

The hydrogen economy is not as far away as many think. With key developments in hydrogen technology, we can make our country less dependent on oil and thus more secure; generate jobs and new industry by reinventing the way we power our economy while cleaning up the environment. The $11 million in annual appropriations authorized by this legislation is but a small investment in helping solve one of the major problems faced by society in the 21st century.

In addition to my private business endeavors, I have served voluntarily on numerous public initiatives to promote hydrogen as an energy carrier including serving as a trustee of the National Hydrogen Association (NHA) based in Washington, D.C. and have had the privilege of serving on the Board of Directors for over 10 years including as Chairman during 1997–1999. I respectfully refer you to my

web site for more background, www.protiumenergy.com.

In closing I once again want to thank you for your consideration efforts in moving this idea forward and would wholeheartedly urge the House to pass this important supplement to the ongoing Department of Energy Hydrogen R&D program which must continue. My thanks to you and your colleagues for considering this request.

Sincerely,

VENKI RAMAN, PH.D.,
President, Protium Energy Technologies.

Mr. SOUDER. Mr. Speaker, I rise today in support of H.R. 5143, the H-Prize Act of 2006, a bill that represents a significant step towards our Country's energy independence.

The recent rise in gas prices has only magnified the United States' overwhelming reliance on oil. We cannot allow our economy to be held captive by nations such as Saudi Arabia and Venezuela, whose manipulation of the world oil market can cause massive price disruptions at home. Obviously, we need another way.

The forecasts of future high oil prices make possible other options, and to further transition our economy away from its dependence on foreign oil we must pursue all of them—nuclear, renewables such as ethanol and biodiesel, wind, solar—and expand our domestic oil supplies by drilling in ANWR and offshore. One of the most promising of these alternatives is hydrogen power. Hydrogen's huge advantage is that it can be created from virtually any energy source, both conventional or unconventional. Indeed, in my district a company is planning to build a ''green hydrogen'' plant that will use waste materials that often end up in landfills. Broadening the materials that can be used as primary energy sources increases our chances at reducing our energy imports from overseas. And furthermore, by lowering emissions of pollutants and greenhouse gases, hydrogen power is good for the environment, too.

By establishing a national prize competition for innovations in hydrogen power, the H-Prize Act will summon our Nation's best and brightest to the challenge of overcoming the technical hurdles that stand in the way of the hydrogen economy. Government initiatives are no match for the entrepreneurial power of the private sector to discover a way to make hydrogen a viable alternative to oil.

Mr. Speaker, I commend Messrs. INGLIS, LIPINSKI, and BOEHLERT for their hard work on this bill, and urge my colleagues to support it.

Ms. JACKSON-LEE of Texas. Mr. Speaker, the need for hydrogen energy is vital in a time when our dependence on foreign oil is placing a heavy burden on our economy. H.R. 5143, the H-Prize Act of 2006 will establish a prize competition to encourage the development of breakthrough technologies that would make hydrogen a practical alternative to foreign oil in our transportation sector. Hydrogen holds out the promise of being a non-polluting fuel since water vapor is the only byproduct of consuming it.

Currently, much research is needed in order for hydrogen to be stored, economically distributed, and used efficiently in cars. In order to facilitate this research, prize programs such as this one encourage more work to be done on the matter without putting much money up front. Thus, monetary awards offered for hydrogen production, storage distribution and utilization creation of a working hydrogen vehicle prototype research are essential to promote research in these areas.

Private entities invest far more in research to win a prize than the government pays out in the prize reward. However, making this contest open to all people, especially minorities, women and disadvantaged enterprises, can help contribute significantly to these efforts.

Hydrogen technology seems ideal for a prize contest as long as it is advertised to a diverse segment of the population which includes minorities, women, small and disadvantaged businesses. Since, hydrogen technologies hold the promise of enormous reward, it is wise to encourage all to compete and provide them tools that assist in this area. At the end of the day, the Hydrogen Prize Act will help promote innovative results from a diverse community that will reduce technical and others barriers to the advancement of hydrogen technologies and the betterment of America.

Mr. WELDON of Florida. Mr. Speaker, I rise in strong support of this bill. For several years now, I have been supporting hydrogen research efforts at Kennedy Space Center and at the Florida Institute of Technology. We are making progress, but still have a long way to go if we are to utilize hydrogen as a common source of energy.

The H-Prize Act of 2006, which will advance the research, development, demonstration, and commercial application of hydrogen energy technologies, is a critical initiative in our national efforts to make hydrogen a viable energy alternative.

Hydrogen is a very promising source of energy that is both renewable and environmentally friendly. Most importantly, it is also an energy source that can be generated domestically without relying on imported energy products from unstable regions of the world.

I fully support the format for this initiative, which will award prizes based on the technologies developed. The prize format will save American taxpayers money as compared to the standard funding of research and development programs. Also, The cost to the American taxpayer from the H-Prize program is very minimal as compared to the returns that could be realized through a domestically renewable energy source.

By delivering feasible technologies in the areas of hydrogen production, storage, distribution, and utilization, the H-Prize program will solve the most problematic issues in making hydrogen a workable solution. In addition, the H-Prize program will advance the crucial efforts to develop prototypes of hydrogen-powered vehicles and, eventually, production vehicles.

Taken together, the technological advancements born out of the H-Prize program will deliver transformational changes to our energy and transportation sectors. Creative initiatives like the H-Prize will help us move toward energy independence.

Mr. INGLIS of South Carolina. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CONAWAY). The question is on the motion offered by the gentleman from South Carolina (Mr. INGLIS) that the House suspend the rules and pass the bill, H.R. 5143, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LIPINSKI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4297, TAX INCREASE PREVENTION AND RECONCILIATION ACT OF 2005

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 805 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 805

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 4297) to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, House Resolution 805 waives all points of order against the conference report and against its consideration. The resolution also provides that the conference report shall be considered as read.

Mr. Speaker, in 2001, 2003 and 2004, Congress enacted responsible tax relief to help create jobs, grow America's economy and allow workers, families and small businesses to keep more of their hard-earned money to save, invest and spend for their future. I believe individuals and families are best able to make these decisions, not the Federal Government.

These tax relief policies are clearly working, Mr. Speaker. Over the last 5 years, tax relief has helped spur economic and job growth. The economy has expanded for 18 consecutive quarters, reaching 4.8 percent growth in the first quarter of this year alone, and the forecast for continued growth is positive.

Since enacting tax relief, national unemployment has dropped over a full

percentage point and is now down to 4.7 percent which is lower, Mr. Speaker, than the average of the 1960s, the 1970s, the 1980s and the 1990s. We have experienced 31 consecutive months of job growth, and during that time more than 5 million new jobs have been created.

The Department of the Treasury reported that Federal revenues for fiscal year 2005 totaled $2.15 trillion, the highest level ever; and the increase is 15 percent over last year, which amounts to over $320 billion this year alone. Homeownership is at nearly 70 percent, and the stock market is soaring. Yesterday, the Dow Jones Industrial Average surged within 85 points of its record high, which was reached in January of 2000. A new all-time high could happen any day now.

It is clear that encouraging investment leads to significant job growth which leads to a more prosperous America for America's working families.

The Tax Increase Prevention and Reconciliation conference report before us today protects families, small businesses and investors from tax increases and provides taxpayers with additional certainty. This certainty is vital to continued economic growth.

I would like to take this opportunity, Mr. Speaker, to highlight a few provisions in the conference report that allow small businesses to grow and hire more workers, encourage investment by extending capital gains and dividend income tax relief, and continued relief for millions of middle-income taxpayers from the alternative minimum tax.

Mr. Speaker, small businesses are the backbone of our economy, employing over half of all private sector employees, paying 45 percent of total U.S. private payroll, and generating 60 to 80 percent of net new jobs annually over the last decade.

In 2003, Congress allowed small businesses to keep more of their money through enhanced business expensing. It is vital that we extend tax relief to small business in order for them to grow and hire more workers. This conference report provides small businesses that tax relief.

The alternative minimum tax was originally enacted to ensure that all taxpayers, especially high-income taxpayers pay at least a minimum amount of Federal taxes. However, the alternative minimum tax is not indexed for inflation, and more and more middle-class families are adversely affected by this tax.

In 2001, 1.8 million taxpayers were subject to the alternative minimum tax. And it is estimated, over the next 5 years, 33 million, or one-third of all taxpayers, will be subject to this tax.

This conference report will extend the alternative minimum tax exemption levels through the end of 2006 and at a higher level than 2005. It also will allow taxpayers to claim nonrefundable personal tax credits such as dependent care credit, the credit for the elderly and disabled, and the credit for interest on certain home mortgages against the alternative minimum tax. This will help families continue to receive the full benefit of these tax credits.

This conference report extends reduced tax rates on capital gains and dividend income for an additional 2 years. This extension will continue to encourage investment by lowering the tax burden of 24 million families, including 7 million seniors who depend on dividend income to pay their bills.

□ 1130

Mr. Speaker, the Tax Increase Prevention and Reconciliation Act Conference Report before us today is part of a commitment we made to taxpayers last year when Congress passed a responsible budget that called for spending restraint, slowing the currently unsustainable growth of automatic spending programs and extending tax relief to families and small businesses.

However, let me be clear that this conference report is not our final commitment to taxpayers. Last year, the House and Senate approved extending additional tax provisions that are not part of this conference report, including State sales tax deductibility for those States that do not have an income tax.

I look forward to working with my colleagues to quickly bring a bill to the floor that will extend this important provision as well as others that have expired, such as tax incentives to enhance affordability of higher education and spur innovation in our country through research and development.

Mr. Speaker, I urge my colleagues to support House Resolution 805 and the underlying conference report.

Mr. Speaker, I reserve the balance of my time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume, and I thank my good friend and namesake from the State of Washington for yielding me the time.

Mr. Speaker, I rise in strong opposition to this closed rule and the underlying legislation. At the outset, Mr. Speaker, let me just say that I truly do not question the motives of my Republican colleagues who genuinely believe, in my judgment, that the legislation they might pass later today will make for good public policy. I do not impugn their motives or question their determination regarding this issue, but I do quite frankly question their fiscal sanity.

It is my belief that cutting taxes to the tune of $70 billion at a time of war and staggering human needs is, well, just financially crazy for a governmental body.

Last week, we debated port security on the floor of this House, and I heard many of my Republican colleagues say that we did not have the money to inspect all incoming containers. Well, here apparently is some extra money for that purpose.

We hear almost daily from the President that the so-called war on terrorism costs a lot of money. In fact, we face emergency spending bills on a near monthly basis in this place. Maybe instead of having the Chinese bankroll us until they call in their chips we should use some of the $70 billion that we are prepared now to give to the wealthiest Americans.

Today's headlines in all three of the biggest papers in south Florida that is represented by Republicans and Democrats, half and half alike, those papers announced the need for more Federal dollars, not a curtailing of services which this bill will ultimately mandate.

The Miami Herald front page says, ''Miami Dade 911 System Experiencing Difficulties.'' Maybe they could use a few of these $70 billion to help upgrade critical emergency communications in the Nation's eighth largest county.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS of Florida. I yield to the gentleman from California.

Mr. DREIER. Mr. Speaker, I thank my friend for yielding and, Mr. Speaker, I think my friend makes an extraordinarily good and important point about the need to ensure that we have the resources that are necessary to fight the global war on terror and to make sure that we are able to meet all of these pressing demands that are there.

The point that I think needs to be made here, and I am going to make it in my remarks in just a few minutes, but when the gentleman was talking about it, it led me to come to my feet.

We have seen a surge in revenues to the Federal Treasury in the areas that we are talking about here, in the area of both capital gains and in dividends with that reduction that has taken place, and I know conventional wisdom in the earliest part of this decade was that if we cut taxes we would see a diminution in that flow of revenues, but between 2002 and 2004 we have seen a 79 percent increase in the flow of revenues to the Treasury because of the capital gains cut and a 35 percent increase because of the dividend cut.

So I think, though, my friend makes an excellent point about the need to make sure we reduce the deficit and have the resources to meet the pressing needs in the global war on terror and all, but the best way to do that is to keep the economy growing, and that is exactly what this package is doing.

I thank my friend for yielding.

Mr. HASTINGS of Florida. Mr. Speaker, I would respond to the chairman simply by saying that you ignore the fact that the deficits are sky high in this surge of revenue of which you speak, and the needs, I might add, of those that are most vulnerable in our society have not been reduced. The poor and the near poor are feeling the effects of us, and what we are really

doing is we are taking care of the wealthiest people in our society. As a matter of fact, we fall in that category. Those of us that make $165,000 a year here, we are getting the benefit, and the people at the bottom that we are going to cut the services to are getting hurt.

Mr. DREIER. Mr. Speaker, if the gentleman will further yield, just to take each of the points my friend has mentioned, and I thank him for yielding to me on this.

First, if you look at this issue of the deficit, I do not know if my friend is aware of the fact that we last month saw a monthly budget surplus in the months of December and January, we actually saw a monthly budget surplus, more money coming in than was going out for that month. That is even though we have to deal with the war on terror, the war in Iraq, because of Hurricane Katrina and those very important needs which my friend has addressed so well.

Obviously, meeting the needs of those who are less fortunate is something that is important. I would argue that those in the upper income brackets are paying more, and it is not just my argument. It is actually the facts, and this was pointed out in an op-ed piece the other day.

Americans who are earning in excess of $200,000 a year saw nearly twice, actually more than twice, the amount in tax payments than all other Americans earning less than that, meaning that their payments to the Federal Government, even though they got this tax cut, they were paying more in taxes because of the economic growth that we have seen. Actually, it was nearly 20 percent, and so what has happened is the rich are paying more in tax payments to the Federal Government, and so they are not the great beneficiary of this.

Yes, they are encouraging more investment, but we have seen an increase in the Federal revenues.

Mr. HASTINGS of Florida. Mr. Speaker, reclaiming my time, I have been very generous in yielding, and I hope at some point in the future you will do likewise.

Mr. DREIER. Absolutely.

Mr. HASTINGS of Florida. Mr. Speaker, I hear you, but what you ignore is the fact that when President Bush took office we had a surplus in this Nation and now we have deficits. I mean, we cannot keep swiping the Chinese, Japanese, Saudi Arabian card to pay for the war. You cannot have guns and butter, and I think we have proved that more times than one in this Nation.

Insofar as your argument about the wealthiest paying more taxes, let me just give you today's Washington Post and the analysis that they put forward and just use as a ''for example'' someone making $40,000 to $50,000. Their average tax savings under this particular measure will be $46. That amounts to just a little bit more than a tank of gas if you ain't driving an SUV, but someone who makes $500,000 to $1 million gets $41,000. The persons, Jane Lunch Bucket and Joe Lunch Bucket, who are in the category of $20,000 to $30,000 get $9. They cannot even buy 3 gallons of gasoline.

The Palm Beach Post front page reads today, ''Farm Workers Still Waiting on FEMA Aid,'' and I know that all too well from the calls in my office every day. So maybe some of my constituents in Bell Glade and Pahokee and Clewiston and South Bay and Canal Point might like to see a slice of this $70 billion kickback we are giving to the most well off in this country.

In the South Florida Sun-Sentinel, a large newspaper where CLAY SHAW and DEBBIE WASSERMAN SCHULTZ and I represent that area, are reports on a theft at a homeless shelter which led to $3,000 worth of spoiled food. So while we give roughly $42,000 tax cuts for those in the country making more than $1 million, a footnote right there: People making $1 million have not been flooding our offices with calls saying give me some more money. They are willing to share. But what we have gotten into is an argument here that seems to make it sound like we do not like rich people. All of us wish we were rich people, but what we are saying is that rich people have the same responsibility as all of us do in sharing and caring about the least of us in this society. People in south Florida and throughout this country are going to go hungry tonight while we go about our business here allegedly fixing their problem.

My Republican friends have and will continue to argue all today that these irresponsible tax cuts establish a strong economy and are necessary to continue this myth of growth. That is just plain old hocus-pocus, and the money that you talk about is funny money, phony money, because the deficit absorbs it any way you look at it economically.

Mr. Speaker, I beg to differ. Facts can be stubborn things, but I think we ought to discuss them anyway. Since this President began to work with this rubber-stamp Congress, 1 million more Americans are unemployed today than there were in January 2001.

Last night, I said to the chairman, if this economy is so good, why is it I feel so broke, and I make $165,000 a year, like every other Member of the House of Representatives, and am barely able to have minimum discretionary income.

5.4 million more Americans live in poverty today than they did 6 years ago, and 6 million more Americans are without health insurance. Some 45 million Americans in all are uninsured.

And these are things we should be proud of? These are signs of a strong economy? Where is the shame? Better yet, where is the decency to those that are the least among us in this society?

How dare we absorb resources to our wealthy selves and cut spending when people here and all over the world expect better of the United States of America.

Some of the same money could be used to take care of the impoverished conditions and the significant number of people that have been pushed into lower than middle class or you could argue intent to eliminate the middle class in this country.

Mr. Speaker, I recognize that others want to speak on this critical issue so I will not go on longer right now. I think, however, that the distinguished Senator in the other body, Ms. SNOWE from Maine, summed it up perfectly yesterday when criticizing this bill. After reflecting on the fact that the preponderance of the benefits of this bill go to upper income people, Senator SNOWE said simply, ''It's a question of priorities.''

Indeed, it is, Mr. Speaker. We should prioritize those Americans who have the greatest needs, not those who have the greatest wealth, and when I hear the rest of what my colleagues are going to say, they are going to say all the things we are going to do before we get out of here and go have our death grip fight in November about we are going to fix it for the poor. In the meantime, some more poor just got poorer and some more rich just got richer.

Mr. Speaker, I reserve the balance of my time,

Mr. HASTINGS of Washington. Mr. Speaker, I am pleased to yield as much time as he may consume to the gentleman from California (Mr. DREIER), the distinguished chairman of the Rules Committee.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I have to say that my friend in his opening remarks said that he did not question our motives, and I appreciate the fact he did not question our motives. He basically said he thought we were insane. He questioned our sanity. I understand that means slightly insane, but the fact is my friends on the other side of the aisle, Mr. Speaker, appear to be fearless in the face of the facts because the facts clearly are that no matter how you try to obfuscate it we are enjoying tremendous economic growth because of the tax cuts.

I am a proud Republican. I am a proud Republican, and by virtue of being a Republican I was born to cut taxes. I am proud of the fact that I was born to cut taxes because I believe that not only should people be able to keep more of their own hard-earned money, but I believe that cutting taxes is what generates the kind of economic growth that will allow us to deal with the extraordinarily pressing problems that my friend from Fort Lauderdale mentioned.

□ 1145

It is clear we want to do everything we can to help the underclass, the poor,

those struggling to get onto the first rung of the economic ladder. There is no doubt about that. I do not believe we do anything at all to help those who are struggling by trying to penalize the job creators.

The founder of my party, Abraham Lincoln, said it best, although I guess he didn't actually say it, but he is always credited with saying that you can't pull up the wage earner by pulling down the wage payer.

So the standard old argument of class warfare, us versus them, is a tired, worn and failed argument. I believe we need to do everything we can to again look at the facts. The facts are that the first quarter of this year saw a 4.8 percent gross domestic product growth. Virtually unprecedented, very strong, bold, dynamic growth. We are going to see the Federal Reserve have a 250 basis point increase in interest rates. Why? Because they are making sure we do not go into inflation. I am not a proponent of seeing the 16th consecutive increase in rates, but the fact is we do have a growing economy.

As we look at those who are struggling to get onto the first rung of the economic ladder, it is very important to note that they are individuals who frankly are enjoying a higher standard of living than has been the case in the past.

Last night in the Rules Committee, Mr. HASTINGS and I engaged in a discussion on homeownership and the savings rate. We know it is regularly discussed that Americans are not huge savers. We do not have as high a savings rate as some other countries do, but when you look at the level of homeownership in this country, the highest level of minority homeownership that this Nation has ever seen, in excess of 50 percent of those in the minority community own their homes. On a nationwide basis, it is nearly 70 percent of the American people own their own homes. That is forced savings. As people pay down their mortgages, they are seeing their asset, their savings increased. Obviously as we see the increase in value of property, we are also seeing those savings increased. So that is taking place today.

And to the argument, Mr. Speaker, of this lack of revenues to the Treasury, as I said to my friend just a few minutes ago, during the month of April we actually saw a budget surplus. We saw a budget surplus for the month of April that has come about because of the economic growth that was put into place through these tax cuts.

Now we want to encourage investment. We hear Republicans and Democrats alike talk about the need to encourage investment. Frankly, one of the reasons that this measure is so critically important is that we look at the problem of uncertainty out there.

The reduction of the rate on capital gains and dividends to 15 percent is, if we do nothing, set to expire in 2008. What does that mean? It means there will be a tax increase that clearly will slow the economy if we do nothing. So what is it that we have found by making sure that we keep that rate low and extending it for at least 2 years? I and a majority of this House would like to make it permanent. Unfortunately, because of rules in the other body, we have not been able to make it permanent. But we need to make it permanent and at least extend it for these 2 years. Why? So the job creators out there can plan and save for the future, so they can make long-term investments that will create more jobs and opportunities for the American worker.

Mr. Speaker, if you look at what has happened, again we have seen an increase in the flow of revenues to the Treasury because of what it is that we have done here.

My friend raised concern about middle income Americans. That is one of the reasons that we addressed the so-called alternative minimum tax. The alternative minimum tax, because it was not indexed, is a tax that has not just hit the rich, but has hit middle income wage earners. That is exactly why we will be providing relief to millions and millions of middle income workers in this country with the AMT provisions included in this bill.

I think it is also important for us to note that there are some real specifics we can point to that we have seen by virtue of these tax cuts that were put into place.

In the early part of this decade, time and time again we heard our friends on the other side of the aisle say if you cut taxes the economy is going to go right into the tank and we will see the deficit go sky high when in fact the opposite has been the case in both instances. Between 2002 and 2004 we were able to see a 79 percent increase.

Mr. HASTINGS of Florida. Mr. Speaker, will the gentleman yield?

Mr. DREIER. I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. When you speak of the middle class, what is the income of the middle class?

Mr. DREIER. The income of the middle class, that is people earning $40,000 to $70,000 a year.

Mr. HASTINGS of Florida. If the chairman will continue to yield, in the calculations under the AMT as he proposes they will get between $9 and $14. That person in the middle class, how in the world is that helping them?

Mr. DREIER. Mr. Speaker, I thank the gentleman for his question. It is very clear that we are providing relief to middle income wage earners who would get no relief at all under the AMT provisions that our colleagues were very supportive of putting into effect in the past.

We are providing relief because we are seeing their standard of living increase. Obviously we have a lot of problems. Gasoline prices, we want to do everything we can to help us attain self-sufficiency by increasing refinery capacity, dealing with boutique fuels and other problems that are out there. But we have seen the standard of living for the American people improve dramatically because of these tax cuts.

As I was saying, we have seen a 79 percent increase in the flow of revenues to the Federal Treasury between 2002 and 2004 because of reducing that top rate on capital gains to 15 percent. Similarly, from the dividend tax relief we have seen a 35 percent increase.

Again, I would harken back to the arguments that were made in the early part of this decade when President Bush came forward and this Republican supported the notion of reducing taxes to increase economic growth, and the argument that was made was it would ruin us.

We know we have tremendous costs out there. We have costs like dealing with the war, and thank God we are seeing this week under Mr. Malicki's government a new cabinet go into place in Iraq. We are seeing progress there.

Similarly, if you look at the fact that we have tremendous costs related to Hurricane Katrina, unanticipated. We do have responsibilities there. And yes, as my friend from Fort Lauderdale said, it is essential that we do all we can to provide assistance to those who are truly in need and to help them get onto the economic ladder. That is why when you have a 4.7 percent unemployment rate, virtually full employment in this country, we are doing all that we can to find more opportunities, and that is what this measure is all about, and generating the kind of growth that will allow us to have the resources to meet these very pressing needs is essential as well.

If you don't vote for this bill, you are voting for a tax increase, you are voting for a tax increase on those middle income wage earners who are getting relief from AMT and on the job creators out there who are successful.

So I believe we have a win/win. I hope very much we will see Democrats join with Republicans to keep our economy growing, help us meet the pressing needs that are out there, and make sure we can have the kind of success for which the United States of America is known.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume and remind the chairman just one thing: I think everybody in America knows the difference between $9 and $42,000, and under the AMT provision, persons making $40,000–$50,000 get $9. Under the AMT provisions, people making between $500,000 and $1 million get $42,000. That is not rocket science. That is real money that is not going to middle class people.

Mr. Speaker, I yield 5 minutes to the gentlewoman from New York (Ms. SLAUGHTER), the ranking member of the Rules Committee, who can talk about industrial circumstances in her district.

Ms. SLAUGHTER. Mr. Speaker, let me first say something about the rising standard of living in America. We have

lost over a million manufacturing jobs that were paying good wages with good futures, and many people employed in those jobs, lucky enough to find a second job, found on average they are making $9,000 less a year, plus little or no benefits.

There is no way in the world that can ever translate out to other than a falling of the standard of living in America. Sure, it is better for the guy who retired from Exxon with $400 million, but we are not in that class in Rochester.

Mr. Speaker, leadership is about choices. When this Republican leadership allows a bill to be debated on this House floor, they are in effect telling the American people that this is the most important challenge we face in America today. Why? Because they have chosen this over everything else.

I can tell you with certainty that if Democrats controlled the agenda in the House we would make different choices. Instead of passing yet another tax cut bill that benefits millionaires, billionaires and giant corporations, Democrats would be voting to raise the minimum wage. We would be leading the way to fix our broken health care system, or creating a comprehensive, consumer friendly energy policy.

Today, Democrats would be passing legislation that would ensure a degree of accountability, transparency, integrity and competence in this government, all of which have been missing far too long.

But today, for this leadership, none of these issues which affect the lives of hardworking Americans are as important as providing even more tax cuts for the super-rich, and indeed their record of failure on each of these items I have mentioned is a telling indicator of where their priorities really lie.

There is a widely used saying in the business world that I think is particularly salient this morning. It says the definition of insanity is doing the same thing over and over again and each time expecting a different result.

We have been down this road before and all one needs to do is look around to see exactly where it has taken us. For years this leadership has passed bills that have raised our deficits and increased our staggering debt. And while they give away big tax breaks for the wealthiest corporations in the world and provide more obscene tax relief for the wealthiest 1 percent of Americans, and the rest of America gets left behind holding the check, my friends on the other side will no doubt tell you that this will provide needed tax cuts for the working class and middle class, too. Isn't that what they always say?

But the facts, as usual, tell us a different story. Under this legislation the middle income households receive an average cut of $20, which is less than half a tank of gas.

According to the Brookings Institute which gives figures we use very often here, while 0.02 percent of the households, those with incomes over a million, would receive an average tax cut of $42,000, the bill represents a classic example of what economists call trickle-down economics. By cutting capital gains and dividend taxes and reducing the revenue that the Federal Government receives and redirecting it to the coffers of big business and the super-wealthy, the majority tells us they are going to spur investment and create more jobs.

They told us the same thing in the 1980s, too, and it didn't work. Instead of investing that money in our economy, corporations and the super-rich sent our tax dollars overseas, along with our jobs. We ended up with out-of-control deficits and the largest debt in American history, superseded only by the debt we have today.

Ironically, the very man who originally labeled trickle-down theory as ''voodoo economics,'' our current President's father, lost his own Presidency because of the stagnating economy and staggering debt that became the legacy of trickle-down economics in the 1980s.

So why would they be proposing that failed policy once again? Today's Washington Post may have the answer. It described what has truly befallen this majority: a ''bankruptcy of ideas.''

With Republicans, it is the same story again and again no matter the results. What they have given us, Mr. Speaker, is a commitment to a legacy of failure. The only difference is today the American people's eyes are wide open.

Mr. HASTINGS of Washington. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the chairman of the Rules Committee.

Mr. DREIER. Mr. Speaker, my friend from Pasco understands this very well, and he has done a great job of providing leadership on these economic growth issues.

Mr. Speaker, my friend from Rochester and my friend from Fort Lauderdale are two people for whom I have the highest regard. I really do. I enjoy working with them on the Rules Committee, and I just had the thrill of participating in the Canada-U.S. Interparliamentary Conference with my friend from Rochester, dealing with areas of concern as it relates to our neighbor to the north.

But I have to say, as I listen to the arguments that are being propounded by both of my friends from the other side of the aisle, they represent little more than what I describe as the ideological baggage of the past.

□ 1200

Now, my friend from Rochester has just talked about the 1980s. It is true that we saw a tremendous increase in spending during the 1980s, a lot of increased spending in the area of national defense. And we saw the demise of the Soviet Union. The Cold War came to an end.

During the 1980s, Mr. Speaker, because of the 1981 Economic Recovery Tax Act, I think I am the only Member on the floor now who was here at that time, and I am very proud to have voted for that. We put into place across-the-board tax rate reductions, marginal rate reductions. And Mr. Speaker, what happened? We saw a doubling of the flow of revenues to the Federal Treasury during the 1980s.

People continue to try and rewrite the history of the 1980s, somehow implying that we saw the U.S. economy go right into the tank. We saw a surge in economic growth and a doubling in that flow of revenues to the Treasury. And so I think that this notion of class warfare, us versus them, is a tired, old, failed one.

Now, my friend just referred to the tax reduction that an American who is earning $40,000 will get juxtaposed to someone who is earning hundreds of thousands of dollars a year, who will get a $41,000 tax reduction. And he referred to the fact that someone will earn $40,000 and get a very small tax cut, and that person in the upper bracket will get a $41,000 tax cut.

I mean, I would ask my friend, does he advocate that the person earning $40,000 a year get a $41,000 tax cut?

Mr. HASTINGS of Florida. Mr. Speaker, will the gentleman yield?

Mr. DREIER. I yield to the gentleman from Florida.

Mr. HASTINGS of Florida. Absolutely not.

Mr. DREIER. The point that I am making, Mr. Speaker, is the fact that if you look at someone who is paying taxes, you look at what their tax liability is, and again I get to the point that we raise that we have seen the American people who are earning in excess of $200,000 a year, Mr. Speaker, having a tax payment to the Federal Treasury that is twice that of all other taxpayers, twice that of all other taxpayers, the rate of growth of that.

And so I think that we need to realize it is the job creators who pay taxes and it is the job creators who, with tax relief, will be able to create more opportunity in this country to make sure that those who are less fortunate, those about whom my friend from Ft. Lauderdale and I are concerned.

And to somehow imply that there is not concern on this side of the aisle for those who are trying to have opportunity in this country is a preposterous argument. We care even more, I would argue, because we are the ones who are guaranteeing everything possible to provide them with opportunity will be met.

And so I say, Mr. Speaker, that we are in a position where this measure is going to allow investors to plan and save. It will provide a little certainty. And we need to remember that more than half of the American people, 91 million Americans, are today members of the investment class. One of the things we need to note is that many people who are earning $40–, $50–,

$60,000 a year, in fact, the income for the median shareholder in this country is $65,000 a year, not considered to be very rich, but they will be the beneficiaries of keeping this capital gains rate and the dividend rate at 15 percent.

And so that is why, Mr. Speaker, I believe that this is a measure which is going to be beneficial all the way across the board.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume, in large measure to respond to the distinguished chairman from California, who is my friend.

The arguments that Chairman DREIER makes, among other things, are that Ms. SLAUGHTER's and my arguments are tired in the sense that from an ideological point of view, we somehow or another don't understand the dynamics of wage payers providing for wage earners.

Mr. Speaker, we don't have the time to go into every nuance of persons who make a lot of money. But a lot of people that make a lot of money that are going to benefit from this tax don't hire anybody because they don't own any businesses. They have been legatees. Some of them were born rich, and all they have ever had to do is invest. But some people were born poor and have never had an opportunity to get out of that.

In essence, I believe that most Americans are willing to share. Evidence the fact that until very recently, we have been the greatest givers to charity, not the government, but individuals, and that is small and large contributors to charity. We know that there are great moral standards in this country, and among them is the fact that we, as a community, care about each other.

But you cannot convince me that you have been good economic stewards of the revenue that has come into this country. And, Mr. Chairman, you can't have it both ways.

If, as some would argue, the distinguished late President Ronald Reagan's economic policies were successful, and they were successful, those, in part, would argue because of a reduction in taxes, and at that particular time, you argue everything that happened, and you somehow skip over the success of the 1990s, I question whether or not you are mindful that during that period of time taxes were increased.

I was here, you were here when Marjorie Margolis Mezvinsky walked down this aisle in tears and cast her vote and didn't come back here. But the economy in this country took off, and we had a dynamic surplus when Bill Clinton went out of office.

Now, I don't know how you account for the trickle down of Ronald Reagan and then the fact that there was the gap that you don't allow for. But I am asking you to, at the very least, allow for the success during the Clinton administration that nobody can deny. And you can't deny that when you came into power with this President, we had a surplus, and today we have deficits as far as the eye can see.

The American public will eventually understand that we are going to pay for this stuff. And you know where President Bush is going to be? He is going to be back at his ranch. He is going to be doing good things for America as a civilian in 2009 when the baby boomers hit and all of this stuff hits the fan.

Just one more thing. This chart reflects, and I ask you to refute it if you can, Mr. Chairman, that income in dollars, 2005, the average tax saving for people making 10,000 to 20,000 is $2; 20,000 to 30,000, $9; 30,000 to 40,000, $16; 40,000 to 50,000, $46; 75,000 to 100,000; $403. 100,000 to 200,000, $1,388; $1 million, $41,977.

Now, millionaires have a right to have all the money that they can. But if you ask them, I believe that they want to share it with the poor. I believe they want to see that other 50 percent who do not have affordable housing have affordable housing. I think they want to help to cure the problems of AIDS. I don't think that they want to see people pushed out into the streets in nursing homes. I don't think that they want to see the suffering that is going on in the insufferable triumvirate of inadequate jobs, inadequate education and inadequate housing.

There may be this big boom on Wall Street, but on Main Street, there is hell to pay.

Mr. DREIER. Mr. Speaker, will the gentleman yield?

Mr. HASTINGS of Florida. I yield to the gentleman from California.

Mr. DREIER. I thank my friend for yielding. And my friend has made several very important points, Mr. Speaker. And let me just go back to his earlier argument about the Clinton years.

The gentleman is absolutely right. We saw a surge in economic growth during the Clinton Presidency. It was economic growth that actually began before he became President. Virtually every economist has acknowledged that economic growth.

Mr. HASTINGS of Florida. Reclaiming my time to ask a question. Are you saying that those tax cuts didn't help this country?

Mr. DREIER. The tax cuts, yes. The tax increases did not help the country.

Mr. HASTINGS of Florida. And are you saying that those tax increases that you voted against and I voted for did not cause this economy to boom?

If we use that argument, my mom used to say something to me that was really interesting. She said, All you all do is go up there and say that the other people did it if it is bad, and if it is good, you did it.

If you use the doctrine of relating back, then if Bush didn't cause the deficit and Clinton didn't cause the surplus, and former President Bush didn't cause anything, and Reagan caused the economy to take off, by that standard, George Washington did it. My goodness gracious, man. The 1990s were real.

Mr. DREIER. If the gentleman would yield, I was just building my argument to talk about the great policies of President Clinton.

Mr. HASTINGS of Florida. I yield to the chairman.

Mr. DREIER. I thank my friend for yielding.

And, Mr. Speaker, what I was arguing is the fact that the economic growth that we saw during the 1990s began before Bill Clinton became President. Virtually every economist has acknowledged that.

Now, in 1993, we saw the largest tax increase at that time in our Nation's history. It was put into place, and I voted against it. I said, I am a Republican and I was born to cut taxes. I am proud of the fact that I voted against that tax increase.

I will never forget, late one night, Bill Clinton, in giving a speech to business leaders in Houston, Texas, said that he believed that that tax increase in 1993 was too much. He said he raised taxes too much. He later regretted that. He said that his mother told him he shouldn't, when he was tired, give a speech like that.

But the fact is I believe the truth came out in that speech that he delivered in 1994. I don't remember exactly when it was. But the tax increase went into effect in 1993.

Then we need to look at what happened in the 1990s. A year after the largest tax increase was put into place by President Clinton, what happened? For the first time in four decades the body that, according to article I, section 7, of the U.S. Constitution has the responsibility for taxing and spending changed hands. And what happened? In 1994, we won our majority, 12 years ago. And we immediately began our quest to cut taxes.

Mr. HASTINGS of Florida. Reclaiming my time, Mr. Chairman.

Mr. DREIER. It was a joint effort with President Clinton is what I am saying.

Mr. HASTINGS of Florida. A joint effort speaking well for divided government, and the precursor to what is coming in November when doubtless we have divided government again.

Mr. DREIER. God forbid.

Mr. HASTINGS of Florida. And we have secured the deficit that you created, or maybe it was George Washington.

Mr. Speaker, I yield back the balance of my time.

Mr. HASTINGS of Washington. Mr. Speaker, this has been an absolutely fascinating exchange between my friend from Florida and the distinguished chairman of the Rules Committee, and I have been enjoying it. This is exactly, I think, what our Founders thought the House should be is a time to debate great ideas and come to conclusions and so forth.

Let me make a few points here that were made and just kind of, hopefully, put things into perspective.

I think this rule that will support the underlying bill is a very good rule. I

think the underlying bill is a very good rule.

My friend from Florida talked several times about the deficit. I am concerned about the deficit too. But I think you have to put this into some sort of a historical perspective. Right after the war, Second World War, the percentage of the deficit as it related to GDP was extremely high. I think it was well in excess of 10 or maybe even 15 percent.

This year, according to CBO, the deficit as a percentage of GDP is 2.6 percent. To put that into perspective, during the 1980s it was in excess of 5 percent before the economy started to grow.

If we maintain this policy, and we certainly have a responsibility in this body to control the spending, not only discretionary spending, but mandatory spending, which we did last year in our budget resolution, and which we want to do again this year with our budget resolution, if we stay the course on that, the percentage of debt, as opposed to GDP, will be down to less than 2 percent. I think that is a trend in the right direction.

Mr. Speaker, I think this, as I mentioned, is a good rule. The underlying bill is a good rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. CONAWAY). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

□ 1215

GENERAL LEAVE

Mr. COLE of Oklahoma. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on House Resolution 806.

The SPEAKER pro tempore (Mr. JINDAL). Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 5122, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

Mr. COLE of Oklahoma. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 806 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 806

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 5122) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2007, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. After disposition of the amendments printed in the report of the Committee on Rules, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

The SPEAKER pro tempore. The gentleman from Oklahoma (Mr. COLE) is recognized for 1 hour.

Mr. COLE of Oklahoma. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from California (Ms. MATSUI), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, on Tuesday the Rules Committee met and reported a rule for consideration of the House report for H.R. 5122, the Fiscal Year 2007 National Defense Authorization Act.

Mr. Speaker, the rule is a structured rule. It provides 1 hour of general debate equally divided and controlled between the chairman and the ranking minority member of the Committee on Armed Services. It waives all points of order against consideration of the bill.

Additionally, it provides that the amendment in the nature of a substitute recommended by the Committee on Armed Services now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read.

It waives all points of order against the amendment in the nature of a substitute recommended by the Committee on Armed Services and makes in order only those amendments printed in the Rules Committee report accompanying the resolution.

Furthermore, it provides that the amendments printed in the report accompanying the resolution may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

The rule waives all points of order against the amendments printed in the Rules Committee report, and the rule provides that after disposition of the amendments printed in the Rules Committee report, the Committee of the Whole shall rise without motion and no further consideration of the bill shall be in order except by a subsequent order of the House.

Mr. Speaker, today I rise in support of the rule for H.R. 5122 and the underlying legislation. This important legislation takes a number of dramatic steps to better the lives of our servicemen and women, increase our defense capabilities, and more aggressively conduct operations in the generational global war on terror that is now under way. It is a bill that fundamentally addresses many of the transformative challenges for the future and provides many of the interim steps to meet those challenges.

Mr. Speaker, as a member on leave from the House Armed Services Committee and a member of the Rules Committee, I firmly believe that this legislation takes the appropriate and necessary steps to better secure America's security and more successfully prosecute the war which we were drawn into on September 11, 2001.

To fully appreciate the significance of H.R. 5122, one most understand the four long-term challenges that we face in the 21st century security environment. Briefly put, these challenges are, first, responding to the dramatic procurement holiday we took in the 1990s; second, responding to the operational demands for the transformation of our forces; third, responding to the operational and strategic demands for increased end strength; fourth, shaping our military for a generational war, the global war on terror.

Mr. Speaker, these challenges are not options. They are requirements that the Armed Services Committee must address on a continuing basis. I am happy to report that there is a bipartisan agreement that the committee has done precisely that in H.R. 5122.

The gentleman from California, Chairman HUNTER, and the gentleman from Missouri, Ranking Member SKELTON, have worked in a good, bipartisan

way to bring forward a legislative package that we may all be proud of. Now it is important that we collectively, as the House, support our deployed servicemen and women by supporting the underlying legislation.

Mr. Speaker, I firmly believe that this legislation responds in a dramatic way to all the long-term challenges that we face. Being specific, the underlying legislation increases the procurement accounts by approximately $9 billion over fiscal year 2006 and effectively replenishes several historically underfunded accounts.

Mr. Speaker, this legislation also takes dramatic steps forward in transforming the nature and the structure of our operational forces by funding the Brigade Combat Team conversions for the Army, addressing the needs of the Navy's future shipbuilding program and increasing the end strength of the Army by 30,000 soldiers and 5,000 Marines to the Marine Corps to better support the war on terror.

Moreover, Mr. Speaker, the underlying legislation takes dramatic steps to better ensure our long-term success in the global war on terror. Specifically, this legislation includes a $50 billion allocation of supplemental funding to support ongoing war-related costs and procurement of replacement equipment.

It significantly increases personnel protection efforts with respect to improvised explosive devices and authorizes support for shipyards to maintain the long-term operational success and stability of the shipping industry critical to all of our services.

Also, the underlying legislation supports troop morale and welfare by ensuring a 2.7 percent pay raise and blocks the Department of Defense's proposed TRICARE Prime and TRICARE Standard fee increases and zeroes out copayments for generic and formulary mail order prescriptions for military beneficiaries.

Mr. Speaker, over the next 2 days, we will hear arguments in favor of specific amendments that do not relate to our four long-term challenges, nor do they address the subject matter of the underlying legislation in any real way.

We will also hear arguments attacking the executive and our progress in the war on terror. Those discussions are appropriate, but they do not really relate to the purpose of this legislation.

I would caution those who would like to politicize the defense authorization bill that this legislation is absolutely essential to our servicemen and women deployed overseas in a wartime deployment. The operational situation will not change through continuing attacks on the choices that we collectively as the House have made in the past.

Our focus should be to advance our Nation's and our servicemen and women's interest by providing them with the tools they require to be successful. The underlying legislation does just that.

Mr. Speaker, additionally, some Members may want to engage in debate that is essentially tangential to the issue at hand. What we must remember is that this bill is a finely crafted piece of legislation that attempts to bridge the policy and political divide to do what is best for our servicemen and women.

Fundamentally this legislation moves us in the proper direction. No bill is perfect. However, this bill is a very good piece of legislation that increases our security, assists in prosecuting our global war on terror, protects our troops and enhances the lives of our servicemen and women.

Mr. Speaker, to that end I urge support for the rule and the underlying bill.

Mr. Speaker, I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I thank the gentleman from Oklahoma for yielding me this time, and I yield myself such time as I may consume.

(Ms. MATSUI asked and was given permission to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, the resolution we are now considering allows for general debate of the fiscal year 2007 defense authorization bill and also makes in order a limited number of amendments.

The annual defense authorization is one of the most critical bills Congress considers. It serves two roles. First, for national security, it is a blueprint to ensure our military has the resources and tools to meet any threat from abroad.

Second, and just as important, this bill provides for the men and women standing on the front lines of our Nation's defense. These men and women work tirelessly to protect this country. It gives me great pride to support the most professional and dedicated military in the world.

For all that we ask of them, these individuals, be they members of the Army, Navy, Air Force, Marine Corps, Reserves or National Guard, ask very little of us in return. What they ask is that we provide the equipment they need to get the job done, provide for them and provide for their family.

So, Mr. Speaker, it is with these two key points in mind, our national security and our duty to our troops, that many of us were dismayed by several of the President's proposals for the Defense Department.

Our National Guard is an important source of strength for this country, both overseas and here at home. Whether they are risking their lives in combat or overseas or bringing order to a stressful situation after a natural disaster, it is clear that our National Guard is worthy of our strong support. The twin challenges we faced this year with Iraq and Hurricane Katrina could not have made this point more clearly.

I would like to thank the committee for preserving our Guard strength despite the President's recommendation to Congress to reduce the strength of the Army and National Guard by 17,100 and the Air Guard by 5,000.

From California alone, about 9,100 of our National Guard soldiers have been called to active duty. Almost 3,800 are still deployed, and another 2,300 are expected to be called up. Among those who recently returned after an 18-month tour are 350 soldiers from the 1–184 and 174 members of the 2668th Transportation Company. Both groups are from my hometown of Sacramento. Weakening the Guard in this manner only serves to weaken our security.

The strains of our current force strengths are already evident: In Iraq, too many Guard and Reserve have borne a heavy burden, some with multiple tours of duty. At home, we must have a strong responsive Guard if we are to be prepared for future natural disasters. Louisiana, facing one of the Nation's worst natural disasters, found its response efforts further hamstrung when one-third of its National Guard was serving in Iraq.

I also appreciate the committee's decision to include $300 million for equipment for the National Guard. This is a strong acknowledgment of the very real impact the war in Iraq is having on the Guard, and it is a strong signal that to be prepared in the future current preparedness is essential.

At a time when we are relying so heavily on our Armed Forces, there was also an attempt to urge Congress to allow an increase in premiums and fees for the military's health care plan TRICARE. Thankfully, this bill contains no such ideas, and I applaud the committee's decision to work in a bipartisan fashion to meet the needs of our troops. However, I am deeply concerned about one recommendation made that the committee did accept. This proposal would result in increases in TRICARE prescription drug copays.

□ 1230

If passed without further amendment, this legislation would double copays for generic drugs, and raises the costs of name-brand drugs 75 percent.

This potential increase in copays could be devastating to a young family. It is not enough to exempt mail orders from this hike. Our troops should have a guarantee that as they are serving on the front lines, their families back home are not presented with impossible choices because of financial hardship.

I mentioned the 2668th Transportation Company having recently returned from Iraq. During their deployment, I was privileged to sit down with the family members of these soldiers. They conveyed to me that for their family, the last thing the spouse serving overseas should be worrying about is whether their family is provided for.

The esteemed ranking member on the committee, Mr. SKELTON, proposed an amendment in committee which would have blocked these large copay increases. Unfortunately, it was narrowly defeated, by just two votes. I

hope that the Rules Committee allows the Skelton amendment as part of a second rule on the floor tomorrow. Such an important change should be debated in the most open manner possible on the House floor.

I would also like to highlight an additional Democratic amendment that has not yet been made in order from Mr. ISRAEL. Today's military manual currently includes complete guidelines for the role of military chaplains, who play a critical role in the spiritual lives and health of our troops. Despite this, the underlying bill usurps that local control with language that the rear admiral in charge of Navy chaplains says will ''degrade military chaplains use and effectiveness to the crew and commanding officer.''

Mr. Speaker, I will include the letter from the Department of Navy for the RECORD.

If the language cannot be removed from the bill, the House should at least allow debate on Mr. ISRAEL's amendment. The language should be corrected so that it more closely mirrors current military manuals. I hope this amendment is made in order before we finish the bill.

As I conclude, I would like to commend the committee for their decision to authorize funds for the costs of the first 6 months of the wars in Iraq and Afghanistan in fiscal year 2007. This provision will allow Congress to resume its important oversight responsibility. Its inclusion is also an opportunity for this institution to discuss one of the largest issues facing this Nation, the war in Iraq. While we may all not agree, it is our duty as Members of Congress to discuss and debate our Iraq policy, as I know Ranking Member SKELTON has urged. I hope we may have more opportunity soon. With that in mind, this bill is an important first step.

Mr. Speaker, I include for the RECORD the letter from Rear Admiral Iasiello, Chief of Navy Chaplains.

DEPARTMENT OF THE NAVY,
Washington, DC, May 9, 2006.

Hon. STEVE ISRAEL,
House of Representatives,
Washington, DC.

DEAR MR. ISRAEL: In response to your inquiry regarding the Department of the Navy's position on Section 590 of H.R. 5122, the Department has concerns with the proposed language. It is the Department's position that the proposed section will lead to confusion, compromise, and loss of credibility of religious ministry and chaplains services for the men and women of the sea services.

The chaplain's role in the Navy is as naval officer, counselor and religious advisor. The chaplain is assigned to commands to help commanding officers administer their religious ministries program. The chaplain is a representative of his or her faith group and provides or facilitates for the religious needs of all members of the command. For this reason, it is essential that the chaplain possess the trust and respect of all the crew, not simply the members of his or her own faith group. The proposed language will alter this historic relationship and responsibility of chaplain's to their commanding officer and their crew.

Primarily I have three concerns with the proposed language:

The language ignores and negates the primary duties of the chaplain to support the religious needs of the entire crew and to be a faithful representative of the chaplains endorsing faith group. Current practice carefully balances establishment of religion with free exercise of the chaplain and crew's religion, by providing almost unlimited opportunity for the chaplain to pray according to his conscience and faith and providing safeguards where he or she cannot be forced to violate their conscience in all matters regarding religious ministry. It also ensures a commanding officer can balance religious needs and provide a non-coercive, non-denominational spiritual presence during command functions.

The proposed wording will compromise religious ministry for Sailors and Marines. By allowing chaplains to lead prayers in nearly all situations, potentially independent of the endorsing faith group and legitimate concerns of the command and crew, chaplains will be independent agents operating outside the military command structure. Commanders, who must ensure good order and discipline in their commands, will have no choice but to limit chaplain access to the crew to preserve such good order, discipline and morale. Commanders will have no choice but to limit chaplain access to the crew in order to ensure good order and discipline.

The proposed section will also lead to a loss of credibility for religious ministry and chaplains services to all military members. The U.S. military has always recognized that those given the high privilege of serving as chaplain do so with an obligation to meet the needs of all members of the command regardless of religious preference. It has made chaplains part of the command structure with recognized credibility. The proposed language opens opportunity to drive wedges into the Chaplain Corps due to the emphasis it puts on each chaplain doing that which is right in his or her own eyes. It also offers chaplains a role outside of the command structure, by offering him or her prerogative outside what the command needs for good order, discipline and morale.

This proposed legislation will, in the end, marginalize chaplains and degrade their use and effectiveness to the crew and the commanding officer.

Thank you for the opportunity to comment on this important issue and I appreciate the support you provide the fine men and women of the Department of the Navy.

Sincerely,

L.V. IASIELLO,
Rear Admiral, CRC, U.S. Navy
Chief of Navy Chaplains.

Mr. Speaker, I reserve the balance of my time.

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentlewoman for her recognition of the National Guard. I share her admiration and appreciation for that splendid service. I certainly appreciate her remarks and the bipartisan way in which we arrived at a common agreement on end strength, and also appreciate her praise for the committee's strong bipartisan work on TRICARE, while recognizing she would prefer to go a little bit further. But I think we certainly went much further in both those areas than the original administration proposal.

Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I rise today to express my strong support for this rule and the underlying legislation, H.R. 5122. I would like to commend Chairman HUNTER, Ranking Member SKELTON, my colleague on both the Rules Committee and the House Armed Services Committee, Mr. COLE, and thank him for this time; and all of the Members of the Armed Services Committee for their hard work on this legislation in support of our soldiers, sailors, airmen and marines who are bravely defending us at home and abroad.

Mr. Speaker, this bill does a remarkable job covering a wide scope of issues that are vitally important to our armed services, both active and Reserve components. It clearly meets the immediate needs of the warfighter. From a 2.7 percent across-the-board pay raise to an additional $50 billion to prosecute the war on terror, this legislation addresses the most pressing needs of our troops in a very trying time for America.

H.R. 5122 also recognizes the perils of cutting force numbers at a time when our troops are stretched thin by increasing both active duty personnel and National Guard end strength.

For our deployed soldiers, this legislation authorizes additional funding for their force protection and needs and support of Operation Enduring Freedom in Afghanistan and Operation Iraqi Freedom, to include up-armored Humvees, Humvee IED protection kits and gunner protection kits, and, perhaps most importantly, improvised explosive device jammers and state-of-the-art body armor to protect our brave men and women from roadside bombs.

Speaking on behalf of my district, Mr. Speaker, I am so grateful for the hard work of the House Armed Services Committee this year in authorizing funding for 20 F–22 Raptors, as well as conditionally approving the multiyear contract. Authorizing funding for the procurement of C–130Js and for the modernization of the C–5 will go a long way toward providing stability for our forces and ensuring that America maintains a modern airlift capability for the foreseeable future.

Finally, Mr. Speaker, I am especially appreciative for the efforts of Chairman HUNTER and subcommittee Chairman MCHUGH in listening to my concerns and addressing the needs of the families of our fallen soldiers.

Mr. Speaker, a brave young man from my district who heroically gave his life for our country, Sergeant Paul Saylor, from Bremen, Georgia, his family was not able to view his remains for a final time when his body was returned. With the help of Chairman HUNTER and Chairman MCHUGH, H.R. 5122 includes a provision requiring the Department of Defense to train health care professionals on the best practices for the preservation of remains following field combat death. With this provision, we are taking steps to ensure that we can honor the remains of

our fallen heroes with the dignity and respect they and their families deserve.

Mr. Speaker, again, I would like to thank the chairman and the ranking member of the committee for their hard work, as well as my colleague, Mr. COLE. H.R. 5122 is a strong bill. We can be proud of it, and it deserves the unanimous support of this House.

Ms. MATSUI. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I thank my colleague for yielding.

Mr. Speaker, I rise to urge my colleagues on the Rules Committee to make in order my amendment to save Santa Rosa Island in the second rule. Santa Rosa Island is part of the Channel Islands National Park located in my district. This bill kicks the public off the island, which the public bought for $30 million in 1986.

The bill prohibits the Park Service from carrying out a court-ordered settlement to phase out and shut down the privately run, extremely lucrative trophy hunting operation on Santa Rosa Island, as ordered, by 2011 and requiring removal by that date of non-native deer and elk. This ridiculous provision has no place in a Defense bill. There have been no hearings, the Pentagon hasn't requested it, and the Park Service strongly opposes it.

Under this provision, the former owners of the island, who were already paid $30 million, will continue this money-making trophy hunting operation indefinitely. Since hunting basically closes the island to the public for 5 months a year, taxpayers will keep getting shortchanged.

In addition, the Park Service's plans to expand visitor services will be halted and the huge non-native herds will continue to threaten several endangered species on the island.

It remains unclear why this provision was even in the bill. The chairman has said it was to increase access to the island for veterans. But veterans can visit today, and the park superintendent has offered to work out any accessibility problems, if they are identified.

There is also a fuss about how this will protect the deer and elk from extermination. Nonsense. These privately owned animals are presently required to be removed from the island, not killed. And since when was an effort to keep hunting animals a strategy for protecting animal rights?

I have here a letter from many groups opposing this provision, including the Humane Society, which I will include as part of the RECORD.

Mr. Speaker, this provision is a travesty. It is an affront to all taxpaying Americans. That is why I hope the Rules Committee will make my amendment in order for the second rule. It will give us an opportunity for debate and the ability to strike this shameless provision and let all American taxpayers, including veterans, enjoy their own national park.

Mr. Speaker, I include the letter from the various groups opposing this provision for the RECORD:

MAY 10, 2006.

DEAR REPRESENTATIVE: On behalf of the millions of members represented by our organizations, we write to express our strong opposition to Section 1036 of the FY 2007 Defense Authorization Bill put forth by Representative Duncan Hunter concerning Santa Rosa Island, part ofthe Channel Islands National Park.

Section 1036 would counteract restoration efforts at the national park, as well as decrease public access to the park. The proposal represents a severe threat to the recovery and survival of 3 subspecies of the island fox that are each listed as endangered under the federal Endangered Species Act. This unique fox species is found nowhere else in the world and only 32 wild foxes currently exist on Santa Rosa Island. The proposal would undermine the immense amount of time and resources that have been spent to address the recovery needs of this species on the island.

The provision would close off a portion of the island to the public, and undermine a court ordered settlement that calls for the phase out of hunting on the island over the next five years. The current court settlement regarding hunting on Santa Rosa Island requires that Vail & Vickers Inc., which owned the island since 1902 and sold it to the National Park Service in 1986 for about $30 million, phase out deer and elk hunting by 2011. The hunting currently prohibits full public access to the park as portions open to hunting are closed to the public. Maintaining populations of non-native species for the expressed purpose of hunting is contrary to the intended purpose of the island as a national park.

In short, Section 1036 of the FY Defense Authorization Bill would undermine the ongoing and successful work to restore the island, including the recovery ofthe federally endangered Channel Island fox, and greatly reduce the accessibility and ultimate value of the Channel Islands National Park.

The National Park Service is strongly opposed to this provision and the Defense Department has not requested it. We strongly urge you to oppose this unnecessary provision that will harm both restoration and public access on one of our nation's crown jewels, the Channel Islands National Park.

Sincerely,

Kieran Suckling, Policy Director, Center for Biological Diversity; Mary Beth Beetham, Director of Legislative Affairs, Defenders of Wildlife; Liz Godfrey, Program Director, Endangered Species Coalition; Dr. C. Mark Rockwell, D.C., Vice President, Conservation Northern California Council Federation of Fly Fishers; Nancy Perry, Vice President, Government Affairs, Humane Society of the United States; David K. Garcelon, President Institute for Wildlife Studies; Karen Steur, Vice President, Government Affairs, National Environmental Trust; Blake Selzer, Legislative Director, National Parks Conservation Association; Emily Roberson, Ph.D., Director, Native Plant Conservation Campaign; Karen Wayland, Legislative Director, Natural Resources Defense Council; and Sara Barth, California/Nevada Regional Director, The Wilderness Society.

Mr. COLE of Oklahoma. Mr. Speaker, I am pleased to yield such time as he may consume to the gentleman from California (Mr. HUNTER), the distinguished chairman of the House Armed Services Committee.

Mr. HUNTER. Mr. Speaker, I appreciate the gentleman yielding.

Mr. Speaker, I want to talk about this great bill, because it is an important bill for America.

Let me just lead by following my good colleague from California, Mrs. CAPPS, with the statement about Santa Rosa Island, which is a very small part of this bill. It is important that the gentlewoman knows that there was virtually one sentence in our Defense bill with respect to Santa Rosa Island. It doesn't prohibit anybody from enjoying the park or the transfer from taking place or the court-ordered operation or transfer from the private entity to the public entity to take place. It only says one thing: Don't exterminate the deer and elk that are on that island.

The court-ordered plan is to exterminate them, and a number of disabled veterans, if you would read the letter from the Paralyzed Veterans of America, would like to keep that population of deer and elk on the island after it comes over to government ownership. I think that is wise also, because the chronic wasting disease and brain disease in deer and elk is sweeping the western United States right now, and that herd that we have offshore on Santa Rosa Island could be a vital restocking resource if, in fact, we have chronic wasting disease rise to a pandemic proportion in the West.

It is a little, protected group of animals there. This is not any big deal in terms of stopping anybody from using that huge island. It just says, don't exterminate all the deer and elk, and the court order says to shoot the last of them from helicopters. We agreed with the Paralyzed Veterans of America that it would be nice to have a small herd there where veterans, disabled, paralyzed and others, could enjoy that resource.

Let me talk about this bill a little bit, because this is a tremendous bill and it has been put together on a bipartisan basis. I want to thank Mr. SKELTON for all the great work he did. I want to thank the Rules Committee.

This bill provides for the protection of our soldiers in theater, in the shooting wars we are engaged in right now in Afghanistan and Iraq and the global war against terror, and it also looks over the horizon and provides for new equipment, new trucks, tanks, ships, planes and new technology to protect our country.

On the force protection side especially, we put in over $100 million in additional money for jamming devices to handle roadside bombs. We put in new and improved armor. Our laboratories and the private sector are developing new technology all the time. We have new and improved armor, both in platforms and in body armor, that we are bringing to the field to try to give our troops more and more ballistic protection and protection from fragments. So we truly have a troop protection package in this bill that is going to be very important for everyone who cares about folks in uniform.

We also have some long-range proposals in this bill. For example, we think it is important to keep some of the stealth aircraft around for a while longer than the administration thought. Those great stealth aircraft, like the F–117s that did only a couple of percent of the missions in the first gulf operation, yet knocked out over 20 percent of the targets, that combination of stealth and precision munitions is a very, very important capability for the United States and we don't want to retire those birds too early.

We also feel that in this bill retiring our B–52 force to the degree that is recommended by the Air Force is not providing as much insurance as we need for deep strike capability, the capability to deliver precision munitions at great distances. So we have moved to protect more of those bombers from being retired. We think that is important, to keep them in place until we bring on the new bomber program.

We have a great package in here for people. I just thank my colleagues, Mr. COLE and Mr. GINGREY, who did such great work on this bill, and the Rules Committee and Mr. HASTINGS and all the others who really care about national security.

Thank you, gentleman, for the great work that you did, because we have in this bill expansion of medical benefits for our National Guard personnel and for their families.

We have lots of resources in this bill for quality of life, for housing. We have a 2.7 percent pay raise, which now means that we are a little bit under, and I heard this from Mr. GINGREY the other day and Mrs. MILLER, we have provided now in the last 5 years now right at a 30 percent increase in pay for the 2.5 million people that wear the uniform of the United States.

□ 1245

Almost 30 percent. So we have been caring about the troops at the same time we are looking at the warfighting missions that we know are going to come to this country in the future.

So I want to thank all of the members of the Rules Committee for their hard work on this very important bill, and we hope to be able to get it up and down in the next 2 days and truly serve the people who serve America.

Ms. MATSUI. Mr. Speaker, I yield 2 minutes to my friend, the gentleman from Texas (Mr. GENE GREEN).

Mr. GENE GREEN of Texas. Mr. Speaker, I want to congratulate both our ranking member and the Chair of the committee for the bill that they put together. This is a fair reauthorization bill.

Mr. Speaker, I do have some concern, though, that the bill does not do enough to address equipment shortages from our Reserve and National Guard units returning from Iraq and Afghanistan. Many of these units are forced to leave their equipment in the theater when they return home, and this has resulted in some Reserve and National Guard units having less than one-third of the equipment they had prior to being deployed.

Conservative estimates state that it would cost nearly $20 billion for National Guard and Reserves to re-equip to pre-Iraq war levels due to the extensive wear and the extreme conditions and loss of equipment in the theater.

Many areas of the gulf coast are prone to flooding, and with hurricane season less than a month away we need to make certain that the Guard and Reserve have the resources and the equipment necessary to response to natural disasters.

In June 2001, just days into the hurricane season, Tropical Storm Allison caused extensive flooding and damage in our congressional district, and the National Guard and Reserves were instrumental in providing assistance and rescue in high water.

We saw again last year when Katrina and Rita hit the gulf coast how important our Reserve and National Guard units are to natural disaster response. Congress needs to ensure that the equipment necessary to perform these duties is available if similar strikes occur.

Mr. Speaker, we must ensure not only that our troops have the necessary equipment to fight overseas, but that troops serving here at home have the equipment to protect Americans and respond to natural disasters.

Mr. COLE of Oklahoma. Mr. Speaker, I yield 2 minutes to the gentlewoman from West Virginia (Mrs. CAPITO).

Mrs. CAPITO. Mr. Speaker, I would like to thank my friend and colleague on the Rules Committee, Mr. COLE from Oklahoma, for granting me the time to speak.

Mr. Speaker, I rise today in support of the rule and the underlying legislation. This is a fair rule providing for general debate and consideration of the amendments made in order.

The underlying legislation is one of the most important measures we consider each year. I congratulate the chairman and the ranking member of that committee for their good, hard work. The National Defense Authorization Act is a statement of our support for the troops, the various missions our military are carrying out, and support for the men and women serving in the military once they return from their service.

I have traveled to Iraq and Afghanistan on several occasions and have incredible memories from the discussions I have had with the young men and women serving in our Armed Forces. They are patriotic, capable and determined to complete the mission of spreading democracy throughout the Middle East. We are very proud of them and we must continue to provide them with the necessary equipment to continue this mission.

I am very proud of those West Virginians who serve in the Guard and Reserves who have repeatedly, over time, shown their commitment to our country.

First and foremost, we need to ensure that our troops are properly protected. I am especially pleased that this year's authorization includes additional funding for force protection needs in support of Operation Enduring Freedom, including state-of-the-art body armor for our troops and increased armor and better technology to protect our Humvees from the IEDs.

This legislation also provides for a 2.7 percent pay increase for members of the Armed Forces. While no monetary amount will ever cover the debt of gratitude owed them, this pay raise will help the members of our Armed Forces and their families with their everyday needs.

And finally, and very important to my constituency as well, this authorization blocks the Department of Defense proposed fee increases retirees must pay under the TRICARE standard health program and zeroes out copays for generic and formulary mail order prescriptions.

Mr. Speaker, we must continue to honor the commitment made to provide quality affordable health care to our young men and women serving in the military.

Mr. Speaker, I urge all of my colleagues to support this rule and the underlying legislation.

Ms. MATSUI. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I want to thank the gentlewoman for yielding, also for her leadership on the Rules Committee and on so many issues that we are addressing in this body.

Mr. Speaker, let me just say once again I rise in opposition to this misguided $513 billion defense authorization bill.

I ask you, Mr. Speaker, what does it say really about our national security priorities when this bill authorizes a $9.1 billion missile defense program that has consistently failed, will never protect us from terrorists, and continues to siphon funds from other critical security priorities that keep nuclear materials out of the hands of terrorists and protect our ports from terrorist attacks?

What does it say about our priorities when billions of taxpayer dollars are channeled to military contractors with little accountability or oversight for combating waste, fraud and abuse? What does it say when we have another bill that authorizes Cold War era weapons systems?

Mr. Speaker, what does it say about our priorities when Congress once again authorizes nearly $50 billion more for the unnecessary war in Iraq without any accountability, direction or a way out? Every additional day our troops remain in Iraq is an extra day that they feel the insurgency in terms of the attacks. That is why I joined with my friend and colleague, Mr. ALLEN from Maine, in offering an amendment to clearly put Congress on record stating that it is the policy of

the United States not to have permanent military bases in Iraq.

This would take the target off of our troops' backs. Unfortunately this amendment was rejected, along with dozens of others which would have made this bill better. Yes, as the daughter of an Army officer, career Army officer, who consistently has supported our brave troops, I believe in a strong national defense, but this bill provides authorization for too many wasteful programs that fuel military contractors, does nothing to eliminate the waste, fraud and abuse at the Pentagon, and does very little, if you ask me, to put money into 21st century era national security needs that we need at this point rather than building in the continuation of Cold War era weapons systems.

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to point out simply for the record that this bill was reported out of committee by a 60–1 margin, a very strong bipartisan indication of support and appreciation for the main points in the bill.

As to the point on missile defense, I think the activities in Iran and certainly North Korea indicate that we would be prudent to think about developing missile defense. So I am very pleased with the bipartisan nature of this legislation. Frankly, I suspect most Members will vote for it in the end.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I thank the gentleman for yielding me time. I thank all of the members of the Rules Committee for bringing the rule to the floor today.

As a member of the House Armed Services Committee, Mr. Speaker, I am extremely proud of the bill that we have brought to the floor here today, and I certainly want to congratulate and thank Chairman DUNCAN HUNTER as well for his outstanding leadership and his dedication to a strong national defense and particularly to our troops.

Mr. Speaker, one of the most important parts of this bill, I think, is that we do recognize that the most important asset in our entire arsenal is really not our incredible weapons or vehicles or ships, it is the men and women who bravely wear the uniform. That is why this bill has put such a strong focus once again on supporting our troops.

The bill will provide for an across-the-board increase of 2.7 percent in the base pay for our troops, as has been mentioned numerous times already. It blocks increases in fees for those who are enrolled in TRICARE prime and standard.

It also allows full TRICARE coverage for select Reserve personnel. It provides enhanced pharmacy services for nearly every military beneficiary. In addition, we forcefully attack the persistent problem of improvised explosive devices, or IEDs as they are commonly called, which have caused so many terrible problems for our troops.

The enemy knows that they cannot defeat our forces on the battlefield, so they are resorting to planting bombs along the roadside. This bill authorizes over $100 million for radio signal jamming devices to prevent the detonation of IEDs.

It also provides for another $100 million for 10 or more surveillance aircraft to patrol those areas where the IED activity is most deadly, and we must do certainly more to protect our troops from IEDs so that we can limit the amount, the number of casualties in battle. But in addition we need to learn better really how to defeat these terrible weapons, because, guess what, they could soon be finding their way to our streets here within our own borders in America.

The American people and our troops can rest assured that we understand the problem of IEDs, and with this bill, again, we are taking very forceful action to defeat them.

When we take the oath of office, we swear to uphold the Constitution of the United States, whose preamble actually requires for us to provide for the national defense. This bill not only allows us to live up to our constitutional responsibilities to provide for that defense, it ensures that our Armed Forces will remain the best trained, the best equipped and the most lethal fighting force the world has ever known.

Mr. Speaker, I urge my colleagues to support the rule and the underlying bill.

Ms. MATSUI. Mr. Speaker, I yield 2½ minutes to the gentleman from Arkansas (Mr. SNYDER).

Mr. SNYDER. Mr. Speaker, I was eating my lunch downstairs, and as a member of the committee I voted for this bill in committee, as did Mr. SKELTON, and I support the bill.

However, Mr. HUNTER's discussion of the provision about Channel Islands National Park, Santa Rosa Island, I thought was incomplete and gave an inaccurate picture of what the situation is. I agree with Mrs. CAPPS. This is a provision, section 1036(c) of the bill, that should never be in the defense bill. You read the one sentence. It has nothing to do with veterans. There is not the word ''veterans'' or ''military'' anywhere in the provision. This should have been a provision that was considered by the Resources Committee.

Having said that, this is the background on this situation. In 1902 a private family owned and took control of the Channel Islands. In 1986 they sold it to the National Park Service as part of the Channel Islands National Park for about $30 million and had an agreement that they could be on the island managing their own private herd of elk and deer for some period of time.

In the late 1990s there was litigation brought by the National Parks and Conservation Association, and a settlement was reached between the National Park Service, the family that owns the deer and the elk, and the National Parks and Conservation Association. Everyone agreed to this settlement that has been going on now for the last decade, that by December 31, 2011, there would be no more hunting on this island because the island is shut down, about 90 percent of it, 4 to 5 months of the year.

But here is the key point. Number one, this is a privately owned herd. It is the same as if Mr. COLE or Mr. SKELTON had a herd of cows. This herd of deer and elk is owned not by the government, not by the National Park Service, this herd is owned by a private group. It is not the government's business to decide what to do.

Second, there is not a plan, as was described by the Armed Services Committee chairman, to exterminate the herd. Here is what the plan is. And several months ago I talked to a member of the family. They love this herd. They have professionally managed this herd for years. They have trophy hunts on the island. Their intent is to move this herd off the island and find a place, they do not know where yet, I do not think, but to move it off of the island.

According to the settlement that was reached, it is what I call the Wiley Rogue provision, if there are a few animals that are left that the company is having trouble, that own it, they are having trouble trapping those animals, the National Park Service has agreed to share in half of the expense of getting those last few animals, including perhaps, perhaps, if necessary, the hiring of professional hunters or helicopters or something to get them. There is not a plan to exterminate this private herd. This is a privately owned herd. It is not up to the government to exterminate it. This provision is only to help this private company get these last few animals. That is only if necessary. This provision should not have been in the defense bill.

Mr. COLE of Oklahoma. Mr. Speaker, I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield 2 minutes to the gentlemen from Rhode Island (Mr. LANGEVIN).

(Mr. LANGEVIN asked and was given permission to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, I rise in support of the rule and H.R. 5122. I thank Chairman HUNTER and Ranking Member SKELTON for their exceptionally hard work on this bill.

□ 1300

This bill helps our men and women serving in the Armed Forces and makes investments to keep our military strong in the future.

Now, I supported this measure in the House Armed Services Committee because it contains a number of provisions to assist our service members and

their families, as well as military retirees. It includes a 2.7 percent pay increase for military personnel. This is higher than what the DOD requested, and much-needed increases to end-strength numbers.

It blocks a controversial DOD recommendation as well to increase TRICARE fees and deductibles for military retirees and also extends TRICARE eligibility for reservists, two issues that have been very important to my constituents.

I thank the committee leadership for their efforts to accomplish all of these important goals.

Now, I am particularly pleased that H.R. 5122 addresses the current crisis in our submarine industrial base. Mr. Speaker, our Navy right now has no plans to develop a replacement for the *Virginia* class which I believe threatens to cause our design and engineering base to disappear. Now, if we lose design capability, we will do irreparable harm to our shipbuilding industry.

The bill also includes $400 million to expedite the construction schedule for the *Virginia* class so that we can start building two submarines per year as early as 2009. This is critically important. The submarines current shipbuilding plan would have our submarine fleet drop to dangerously low levels and this bill clearly states that we cannot allow that to happen.

I commend the chairman and ranking member for all those provisions. That is the good news.

The bad news, however, I remain troubled by provisions regarding fee increases for certain prescription drugs under the TRICARE program as well as controversial language regarding religious expression by military chaplains. I hope that we will be able to consider amendments tomorrow to address these topics.

But overall, however, the underlying bill addresses many urgent needs of our military, and I encourage my colleagues to support it.

Mr. COLE of Oklahoma. Mr. Speaker, I appreciate the gentleman from Rhode Island's bipartisan remarks about the legislation.

Mr. Speaker, I reserve the balance of my time.

Ms. MATSUI. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, the bipartisan collaboration between Chairman HUNTER and Ranking Member SKELTON has yielded a thoughtful, balanced defense authorization bill that seeks to meet our current and future defense needs. They should be commended for their hard work. However, there are still areas within this bill that can be improved. As we move to floor consideration, we have an opportunity to make this bipartisan bill even better.

Still pending before the Rules Committee are more than 90 amendments covering a host of critical issues. This includes Ranking Member SKELTON's proposal on TRICARE prescription drug copays and Mr. ISRAEL's correction to the guidelines for military chaplains.

Other amendments not yet allowed on the floor concern our Nation's Iraq policy, abuses of military contracting, and boosts to our critical nonproliferation initiatives.

It is my hope that when the Rules Committee reports out the second and final rule today these amendments will be made in order. Allowing these amendments to be debated on the floor will continue the committee's bipartisan precedent, something this body would benefit from, as well as show the issues addressed in this legislation, so critical to our Nation's well-being, the respect they deserve.

Mr. Speaker, I yield back the balance of my time.

Mr. COLE of Oklahoma. Mr. Speaker, I yield myself such time as I may consume.

In closing, I want to take this opportunity to remind our Members that this rule and the underlying legislation is not about us or our interests. It is fundamentally about the long-term interests of our Nation, the security and stability of our military, and the welfare of our deployed servicemen and women.

Mr. Speaker, no generation undertakes a war lightly. Certainly, the World War I and World War II generations and the Cold War generations did not do so, and it is clear that historically there is always dissent. That is good and it is American. However, the previous generations understood that if they were not firm in their commitment, unwavering in their support for the troops and sure in their convictions, America would be the worse for future generations.

Mr. Speaker, we face the very same challenges as these previous generations. Today is the day that we must support our forces to secure the peace for our progeny and to spread freedom around the globe.

Mr. Speaker, we are very fortunate at this particular moment in our history to have men like Chairman HUNTER and Ranking Member IKE SKELTON heading and cooperating so closely on this very important committee, one in which whatever our differences may be, we come together as Americans to support those Americans who defend our freedom and who put themselves in harm's way for our benefit.

Mr. Speaker, I would encourage my colleagues to support the rule and the underlying legislation. It is critical for America, for the cause of freedom, and for the success of the brave men and women who proudly wear the uniform of the United States.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. JINDAL). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. MATSUI. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

H.R. 5143, by the yeas and nays;

H. Res. 805, by the yeas and nays;

H. Res. 806, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

H-PRIZE ACT OF 2006

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 5143, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from South Carolina (Mr. INGLIS) that the House suspend the rules and pass the bill, H.R. 5143, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 416, nays 6, answered ''present'' 1, not voting 9, as follows:

[Roll No. 131]

YEAS—416

Abercrombie	Boren	Clyburn
Ackerman	Boswell	Coble
Aderholt	Boucher	Cole (OK)
Akin	Boustany	Conaway
Alexander	Boyd	Conyers
Allen	Bradley (NH)	Cooper
Andrews	Brady (PA)	Costa
Baca	Brady (TX)	Costello
Bachus	Brown (OH)	Cramer
Baird	Brown (SC)	Crenshaw
Baker	Brown, Corrine	Crowley
Baldwin	Brown-Waite, Ginny	Cubin
Barrett (SC)	Burgess	Cuellar
Barrow	Burton (IN)	Culberson
Bartlett (MD)	Butterfield	Cummings
Barton (TX)	Buyer	Davis (AL)
Bass	Calvert	Davis (CA)
Bean	Camp (MI)	Davis (FL)
Beauprez	Campbell (CA)	Davis (IL)
Becerra	Cannon	Davis (KY)
Berkley	Cantor	Davis (TN)
Berman	Capito	Davis, Jo Ann
Berry	Capps	Davis, Tom
Bilirakis	Capuano	Deal (GA)
Bishop (GA)	Cardin	DeFazio
Bishop (NY)	Carnahan	DeGette
Bishop (UT)	Carson	Delahunt
Blackburn	Carter	DeLauro
Blumenauer	Case	DeLay
Blunt	Castle	Dent
Boehlert	Chabot	Diaz-Balart, L.
Boehner	Chandler	Diaz-Balart, M.
Bonilla	Chocola	Dicks
Bonner	Clay	Dingell
Bono	Cleaver	Doggett
Boozman		Doolittle

Doyle
Drake
Dreier
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—6

Duncan
Flake
Foxx
Manzullo
Paul
Tancredo

ANSWERED ''PRESENT''—1

Biggert

NOT VOTING—9

Cardoza
Evans
Gonzalez
Kennedy (RI)
Kirk
Meehan
Murphy
Osborne
Smith (WA)

□ 1335

Mr. HYDE changed his vote from ''nay'' to ''yea.''

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 4297, TAX INCREASE PREVENTION AND RECONCILIATION ACT OF 2005

The SPEAKER pro tempore (Mr. DANIEL E. LUNGREN of California). The pending business is the vote on adoption of House Resolution 805 on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 228, nays 194, not voting 10, as follows:

[Roll No. 132]

YEAS—228

Aderholt
Akin
Alexander
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—194

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton

Slaughter
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—10

Bachus
Cardoza
Evans
Gonzalez
Kennedy (RI)
Meehan
Murphy
Nadler
Osborne
Smith (WA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1344

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 5122, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

The SPEAKER pro tempore. The pending business is the vote on adoption of House Resolution 806 on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 351, nays 70, not voting 11, as follows:

[Roll No. 133]

YEAS—351

Aderholt
Akin
Alexander
Andrews
Baca
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Cardin
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Costa
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Israel
Issa
Istook
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Keller
Kelly
Kennedy (MN)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Mack
Maloney
Manzullo
Marchant
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Meek (FL)
Melancon
Mica
Millender-McDonald
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moore (KS)
Moran (KS)
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Ortiz
Otter
Oxley
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Snyder
Sodrel
Souder
Spratt
Stearns
Strickland
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (AK)
Young (FL)

NAYS—70

Abercrombie
Ackerman
Allen
Baird
Baldwin
Becerra
Blumenauer
Capuano
Conyers
Cooper
Costello
Davis (IL)
DeFazio
Delahunt
Dingell
Doggett
Fattah
Filner
Frank (MA)
Grijalva
Gutierrez
Hastings (FL)
Hinchey
Holt
Inslee
Jackson (IL)
Jefferson
Kaptur
Kilpatrick (MI)
Kucinich
Lantos
Larson (CT)
Lee
Lynch
Markey
McDermott
McGovern
McKinney
McNulty
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Obey
Olver
Owens
Payne
Rangel
Sanders
Schakowsky
Serrano
Slaughter
Solis
Stark
Stupak
Taylor (MS)
Thompson (CA)
Tierney
Velázquez
Waters
Watson
Watt
Waxman
Woolsey
Wu

NOT VOTING—11

Cardoza
Evans
Gonzalez
Gordon
Kennedy (RI)
Lewis (GA)
Meehan
Murphy
Osborne
Reynolds
Smith (WA)

□ 1353

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MURPHY. Mr. Speaker, I regret that I was unable to be present for the following roll-call votes today due to a death in the family. Had I been present, let the RECORD reflect that I would have voted "yea" on H.R. 5143, "yea" on House Resolution 805, and "yea" on House Resolution 806.

GENERAL LEAVE

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5122.

The SPEAKER pro tempore (Mr. DANIEL E. LUNGREN of California). Is there objection to the request of the gentleman from California?

There was no objection.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

Mr. HUNTER. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 5122, pursuant to House Resolution 806, general debate shall not exceed 2 hours equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 806 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 5122.

□ 1355

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 5122) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2007, and for other purposes, with Mr. GINGREY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

Pursuant to the order of the House of today, the gentleman from California (Mr. HUNTER) and the gentleman from Missouri (Mr. SKELTON) each will control 60 minutes.

The Chair recognizes the gentleman from California.

Mr. HUNTER. Mr. Chairman, I yield myself such time as I may consume.

Last week the Committee on Armed Services reported out a bill that very clearly reflects our steadfast support for our service members and their families, our deep appreciation for their many sacrifices, and the strong bipartisan spirit that characterizes this committee.

Passing with a committee vote of 60–1, the National Defense Authorization Act for Fiscal Year 2007 provides for both near and long-term military personnel and force structure requirements, and highlights the need for improvements in acquisition processes and cooperation among key Federal agencies.

Mr. Chairman, the legislation provides $512.9 billion for the Department of Defense and the security programs of the Department of Energy. We include a recommendation of active duty growth of 30,000 for the Army and 5,000 for the Marine Corps above the President's budget request.

We also include a supplemental bridge fund of some $50 billion to support our troops operating in Afghanistan, Iraq and other places in the global war on terrorism, and this, Mr. Chairman, is to provide for a seamless continuity in the waning calendar months of this year so that our troops continue to be well supplied before any supplementals in the following year.

Mr. Chairman, we appreciate the National Guard and Reserve, and we have provided for additional end strength up to 350,000, and we also have right now a series of other enhancements that are being looked at by the special commission chartered by this body and the other body and the President to address National Guard issues. We are going to be doing that. We are going to be getting their recommendations shortly, and those recommendations may be manifested in a bill to follow this one.

But this year, taking care of our troops and protecting our troops has been a real priority, and we have included additional money, in excess of $100 million, for jamming devices to handle roadside bombs. We have included additional money for greater armor in our platforms, better armor with our new technology in the body armor units that are issued so our Army and Marine Corps personnel, in fact all personnel who are stationed in this theater, and we are spending a lot of resources protecting our forces, protecting the troops.

Additionally, Mr. Chairman, we look over the horizon and we look at potential trouble spots around the world, security challenges over the next 5, 10, 15, 20 years, and we do a few other things, and our very able chairmen of the subcommittees are going to describe a lot of the things that we do with respect to equipment and personnel in detail. But we keep a little more insurance, perhaps, than the administration has in a couple of areas.

One is stealth attack aircraft. We used just a few percentage of these great F–117 stealth aircraft in the first gulf war, and yet they knocked out over 20 percent of the targets. This combination of stealth and precision munitions has been a very critical and important factor in the American security apparatus. We don't allow the Air Force to move so quickly to retire those stealth aircraft until we get others online.

We also retain a greater part of our bomber force. That has been the backbone of our deep strike for many, many years. We don't have a new bomber program right now and we don't want to let quite as many of those birds go before we are well embarked on this new bomber program.

□ 1400

As you move across the modernization spectrum, Mr. Chairman, our members have done an extraordinary job in putting together packages for our special operators, for our line troops, for our Guard and Reserve. We have also done some great things for people, for families.

We have extended TRICARE. We have completed this movement of coverage of TRICARE to our National Guard personnel. We have made prescription drugs more affordable. We have put an emphasis and an incentive on getting your medicine through the mail, because that is a much lower burden for the taxpayers of the United States and very convenient now for those recipients.

Mr. Chairman, we have great subcommittee chairmen and great ranking members. We are going to be recognizing them to tell us about this bill. I want to give my thanks to them and my special partner and friend, IKE SKELTON, who has put in countless hours leading on issues and developing issues and working to ensure that the people that wear the uniform of the United States have the very finest conditions and the very finest treatment for themselves and their family, and that America's defense remains the envy of the world.

I reserve the balance of my time, Mr. Chairman, with many thanks to all the committee, and all the staff, who helped to put this bill together.

Mr. SKELTON. Mr. Chairman, let me first begin by complimenting the chairman, DUNCAN HUNTER, as well as the subcommittee chairmen and ranking members. This is an excellent bill. I hope it will pass in due course by the substantial vote by this body. It authorizes $462.9 billion for defense programs.

It also authorizes a supplemental authorization for $50 billion that I believe we should go beyond budgeting for foreseeable war costs in a supplemental fund. We should do it the proper way because we know at least within the realm of possibility what they are, and we would authorize those programs and activities. However, it is being done this way, and we will make the most of it, and we are at least following what is correct by authorizing that $50 billion.

This also increases the end strength of the Army, Marines, protective vests, armored Humvees and additional equipment for the National Guard. Though it is still going to be shortchanged, we are making substantial steps in equipping the National Guard. I think that a supplemental does not go far enough in that regard.

The bill also reserves the administration's plan or reverts to the administration's plan with regard to the Army National Guard and it fully funds the end strength at the authorized level. The administration recommended authorizing the full amount of troops for the Army National Guard that are there now, but paying for that number only rather than for the full amount that it should. We changed that in this bill.

We also take a look at the area regarding the Persian Gulf, and it is so very, very important that we take a look at that area. The bill addresses important quality-of-life issues that are at the top of the agenda for members and their families, a 2.7 percent pay raise.

It also does what we should have done some time ago, preserves the retiree benefits by keeping health care premiums under TRICARE at their current levels.

With this bill we take steps to ensure that our troops have the best possible equipment. We take a step toward doing better in the Navy by fully funding the ship steaming days and adding an additional $400 million for advanced procurement for the Virginia class submarine; $300 million more for the National Guard equipment, including the prepositioned stocks.

The bill also includes important bipartisan initiatives to address the future challenges. It directs the Secretary of Defense to provide Congress with a report on the Department's 10-year strategy for addressing threats posed by Iran to our country and to international security. This is terribly important because Iran is on the horizon, and hopefully we can take a good look at this and see what the report from the Department of Defense will say, which specifically addresses Iran's nuclear activities and the destabilizing influence that country has on the entire Middle East. Given the great challenges posed by Iran, that is a very important provision.

The bill also takes the first step at enhancing interagency coordination so that the United States truly is able to engage in a full range of national powers and pursue our national interest.

A number of years ago we passed what is known as the Goldwater-Nichols bill, which created a jointness among the various services. We need one hundred-fold of the coordination between the agencies of our government so we can pursue the national interest far better than we are today. The left hand often does not know what the right hand is doing.

But even with all these positive steps, this bill would be improved by a number of amendments that I am hopeful, Mr. Chairman, the Rules Committee will make in order: My amendment to lower the increased retail pharmacy copay fees for military families; the amendments offered by Mr. HOYER, Mr. UDALL and Mr. GORDON on energy security; the amendment offered by Mr. ANDREWS and other colleagues to increase funding for nonproliferation programs. We are simply not doing enough to deal with the weapons of mass destruction threat. The amendment by Mr. ISRAEL to require that chaplains demonstrate sensitivity, respect and tolerance towards service members of all faiths, that is terribly important.

Mr. Chairman, I sincerely hope that these amendments at the next go-round of the rules decisions will be made in order to make this bill all the better.

Mr. Chairman, let me take this opportunity to say a special thanks to JOEL HEFLEY and to LANE EVANS. JOEL HEFLEY, a subcommittee chairman for many years, LANE EVANS, ranking member of the Veterans' Affairs Committee, will be leaving us. This will be their last bill. We are so grateful for their tireless service through the years. We wish them all the best in the days ahead. We owe a special thanks to JOEL HEFLEY and LANE EVANS.

Mr. Chairman, I reserve the balance of my time.

Mr. HUNTER. Mr. Chairman, we are at a crossroads on a lot of our defense weapons systems. There is no one more capable or better trained to lead in these very important decisions than the gentleman from Pennsylvania (Mr. WELDON), who is the chairman of the Tactical Air and Land Forces Subcommittee.

Mr. Chairman, I yield the gentleman from Pennsylvania (Mr. WELDON) 6 minutes.

Mr. WELDON of Pennsylvania. Mr. Chairman, I thank my distinguished chairman and friend for yielding and thank the ranking member for his outstanding leadership, two great Americans.

You know, this city is filled with a rhetoric that we don't work well together, that we are at each other's throats, that we are partisan. This bill passed our committee with a vote of 61 to 1. This bill was done in a bipartisan way and has the support of members from both sides.

I am proud of the fact, Mr. Chairman, that my subcommittee, which has 28 members, for the 12th consecutive year had no votes, no votes or suggested votes that would split our party along or our committee along party lines. My good friend NEIL ABERCROMBIE, my ranking member, and I worked together. He had great ideas. I took his ideas and suggestions and made them a part of the bill.

I want to say to our colleagues in this body and our people around the country, the Congress is working, we are working well together. We are doing good things. Now some would say that we don't have the right thing in the Congress to change what the White House and the Pentagon gives us. Hogwash. That is our job. If we hadn't done our job, we would not have had the Predator armed. It was this Congress mandated back in 1996 that we arm the Predator. It was this Congress in the 1990s, when the Clinton administration didn't request increases for pay for the troops, that plussed up the funding for the pay for the troops.

It is our responsibility to make change, and we have done it. It was this committee that recommended we put the $25 billion up for the supplemental for the war. When the White House didn't want to do it, we led the effort, and everyone else followed.

Mr. Chairman, in this committee, in my mark we have increased $1.5 million for up-armoring Humvees. We have increased $200 million for tactical radios for the troops to use. We have increased to $69 million towards explosive jammers to allow our troops to be able to detonate these bombs before they are in the area or to make them not able to work.

We have increased technology that will reduce the weight of the equipment that our military officers and soldiers and officers have to wear when they are in combat situations in the theater of Iraq or in any place in the world.

This committee has also cut programs. There are some who say all we want to do is keep increasing defense spending. In my subcommittee alone, or our subcommittee, we cut $678 million from programs that we felt the contractors were requesting too many dollars or the services were not properly overseeing. We cut the Joint Strike Fighter Program, Future Combat Systems, even the Presidential helicopter, because as my friend pointed out, Mr. ABERCROMBIE, we want the President to be flying in a safe platform when that helicopter is ready to go.

We took that money and we added $276 million for M1s and Bradley fighting vehicles; $408 million for an additional alternate engine for the Joint Strike Fighter to continue competition. We put hundreds of millions of dollars into our Guard and Reserve troops.

The role that this committee played is an unbelievable role. It is the legitimate role that was thought of in advance by our Founding Fathers when they designed our Constitution, that we just do not rubber-stamp what the White House and the Pentagon tell us.

Mr. Chairman, this committee went through dozens and dozens of hearings. This chairman has had more briefings for us. In fact, Members of Congress walk around with their eyes partly closed because he has us up at 8:00 in the morning attending briefings and our markups and hearings go until late at night. The involvement of both our members from the other side and our members from this side produces a cooperative spirit where the resultant product, I think, is outstanding.

There may be some disagreements on floor. I can tell you, Mr. Chairman, I am so proud of the committee and the work that we did in delivering a 61–1 vote.

But it is not just about our troops. It is not just about giving them the best technology, the best training, the best equipment. We have also taken some bipartisan steps to increase the flexibility of using our cooperative threat reduction dollars, to go after those weapons of mass destruction, whether it is in North Korea or whether it is in Libya. In our bill in a joint bipartisan amendment with Mr. SPRATT, we have put language in providing flexibility for up to $30 million to be used by the Pentagon to go into these areas without having to go back for a reprogram request to allow us to immediately take action against these deposits of WMD when we find them.

We have also put into place the Nuclear Strategy Forum. We happen to think there should be a national debate on what the use of nuclear weapons should be in the 21st century. Again with bipartisan support, we have put together a team of the best thinkers, the best academics in America, who in a bipartisan and nonpartisan way will hold meetings and hearings on what should be our nuclear posture. Should we in fact reduce our nuclear arsenal? Should we in fact look at testing? Should we in fact look to an alternative type of technology away from nuclear weapons totally?

That is a part of this bill. So it is not just about weapons systems. It is about a comprehensive approach that will allow us to maintain security and, in the end, avoid war, which is the ultimate objective I have as long as I am going to be a Member of this institution.

We also reauthorized the EMP Commission. I want to pay particular accolades to ROSCOE BARTLETT, our colleague, who has been out front on that issue for a decade warning us of the threat from the use of electromatic pulse. We have put into place a panel. That panel has now been reauthorized and are advising us on how we can protect America's infrastructure and weapons systems.

Mr. Chairman, there is a personal priority in this bill to me because I am also vice chairman of the Homeland Security Committee and I work on behalf of the Nation's firefighters.

You know our firefighters are our domestic defenders. Our soldiers are international defenders. Much of the technology we developed for the soldiers has direct application to our firefighters, our paramedics and our first responders, but we haven't done a good job in transferring that technology, whether it is thermal imagers or whether it is GPS capability. We need to give our first responders the same kind of protection that we give to our warfighters. In this bill, again with the cooperation of members on both sides, we put in a specific provision that focuses on the need to immediately transfer technology developed by our military people and put it into use for our domestic defenders.

I ask our colleagues to vote ''yes'' on this important domestic bill.

Mr. Chairman, I have the honor of serving as the Vice Chairman of the Armed Services Committee and as the Chairman of the Tactical Air and Land Forces Subcommittee.

I, first of all, want to thank my distinguished chairman for the leadership he continues to provide across the wide range of issues that come before our committee. And similarly, I would like to express my admiration for the ranking member, for the leadership and expertise he brings to the committee. To the gentleman from Hawaii (Mr. ABERCROMBIE), my ranking member, I thank him. He is a great American and it is great to work with him.

We have a great committee. Yes, there are contentious issues, but they get debated, we vote, and then we move on. We address the vast majority of issues in a what is best for the troops and taxpayer, non-partisan way. I cannot tell the Members how proud I am to serve on this committee. Every day that I serve in this institution, I am happy that we work so well together. This committee, I think, sets the example for the entire Congress, demonstrating that we can all work together. I think the best evidence of that is, we again had a vote out of committee of 61 of the 62 members coming together. Where we had areas of disagreement, we have been able to work those out. This is a real credit and testimony to this Congress and those 62 members who are on this committee and to our Chairman.

Those of us in the Subcommittee have two priorities: to take care of the troops and to do our best to hold DOD accountable for its acquisition programs.

This committee did this year what we have done for the prior two years to support our personnel in Iraq and Afghanistan. We have held hearings at the subcommittee and full committee level, pushing the Pentagon's bureaucracy to get the best available equipment to our personnel as soon as it can be properly tested—body and vehicle armor; improvised explosive device jammers, unmanned aerial vehicles, small arms, night vision equipment, and so on. It was this committee that first called for additional funding to up-armor our Humvees and take care of the troops that were in harm's way. It was this committee that led the White House two years ago in getting that first $25 billion supplemental.

This bill makes big changes to programs and it makes seemingly small changes to programs that are yet very meaningful to the average soldier, sailor, marine, and airman. H.R. 5122 provides over $1.5 billion in additional funds to procure up-armor Humvees and body armor to protect our personnel. The bill provides over $200 million in additional funds to procure tactical handheld and small unit radios for ground forces, addressing urgent needs in Iraq. The bill also provides an additional $69.0 million to produce and deploy 10,000 man-portable improvised explosive device jammers that can address a full spectrum of threats in theater.

At the same time increased authorization is provided for small arms and small arms technologies. The basic infantryman or marine entering combat can be required to carry combat configured loads of ammunition and equipment, that combined, can exceed 90 pounds. The bill contains funding to advance technologies that can reduce this carrying load through advancements in lightweight components for existing small arms and caseless ammunition.

With our military personnel at risk each and every day, supporting those personnel by providing them the proper equipment is where our number one priority must continue to be. We cannot shortchange the current force for a promised future capability.

Our military is facing major financial challenges in upgrading tactical aircraft programs, shipbuilding programs, and space programs. And the Army in particular is facing a major budgetary challenge in trying to fund its Future Combat Systems Program—a $200 billion program; along with Modularity—a major restructuring and equipping of its combat brigade structure, a $52.5 billion program; and Reset, repairing and remanufacturing equipment returning from Iraq and Afghanistan, a $72.3 billion program.

The bill is about balancing the health and capability of the current force with the needs of future military capability.

Our concern with several programs is one of excess R&D and procurement concurrency. We have cut $678 million from the Pentagon's request in programs within the subcommittee's jurisdiction. Both the Joint Strike Fighter, F–35, and Presidential Helicopter Program, the VH–71, have been reduced by a total of $280 million because of our concerns that they are not meeting our ''fly before buy'' rule.

We make other changes that better balance current against promised future capabilities: $276 million has been added for M–1 tank and Bradley fighting vehicle upgrades. Instead of the Army paying $3 million per Bradley upgrade, if done at the minimum economic order quantity rate, the Army is paying $8 million per vehicle—2½ times what we should be paying. Instead of paying $5 million for an M–1 tank upgrade, the Army is paying $7.4 million a tank. Our $276 million recommended increase would fund the economic order quantity for each vehicle.

Finally, we seek to correct major last minute budget decisions by the Pentagon that seemingly make no sense whatsoever. An example is the alternate engine for the Joint Strike Fighter, the F–35. Congress has supported a competitive engine strategy for that program for the past ten years. The Pentagon proposes to terminate that program without having done any substantive analysis. It was a last minute decision to balance the books. We add back $408 million to maintain competition in the F–35 engine development program. The Subcommittee believes engine competition is an important ingredient in fielding an F–35 that is both capable and affordable.

In closing, I again want to thank my distinguished chairman and ranking members of the full committee and our subcommittee. This bill is deserving of a ''yes'' vote from every Member of this body.

□ 1415

Mr. SKELTON. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. ORTIZ).

Mr. ORTIZ. Mr. Chairman, I rise in support of this bill. I want to thank Chairman HUNTER and my ranking member, Mr. SKELTON, for their skills and leadership in addressing the military issues before us today. This bill provides for the needs of our troops and their families. I want to thank the staff also for their hard work and all they have done to get this bill out and get it on the floor today.

One of the most important parts of this bill is the attention given to the immediate readiness needs of our men and women in uniform. The bill takes action in addressing shortfalls in operations, training and maintenance, funding that the Department of Defense failed to address in their budget submission. Over $850 million is moved into vital functions, such as ship steaming days, pre-positioned stocks, depot maintenance and training.

As the ranking member on the Readiness Subcommittee, I have worked very closely with my good friend, Chairman HEFLEY, to address these shortfalls while balancing the need for our military to transform itself to maintain its standing as the world's premier fighting force. We hate to see Chairman HEFLEY leave, who has done a great job and who is retiring.

Thank you for your leadership and commitment in building housing for the families and all you have done for our troops. We will never forget what you have done.

Also leaving is another good friend that came to Congress with me, LANE EVANS, who did a heck of a job looking after the welfare of veterans on this committee.

I thank again Chairman HUNTER and Mr. SKELTON for bringing us to where we are today.

Vote for this bill.

Mr. HUNTER. Mr. Chairman, I yield 6 minutes to the gentleman from Colorado, JOEL HEFLEY, who has done remarkable work in this Readiness Subcommittee, which controls such a big portion of the defense bill. The gentleman is a great friend to everyone who wears a uniform and is probably the best rodeo cowboy who has ever served in this House.

Mr. HEFLEY. Mr. Chairman, I thank you very much. I thank you, Mr. HUNTER, Mr. SKELTON and Mr. ORTIZ for the very kind words. You kind of went over the top when you said I was the best rodeo cowboy. The truth is I was and still am a rodeo cowboy, still enter some charity rodeos, but if there has ever been a rodeo cowboy serving

in this body, I would say that he probably is better than I am. But I appreciate the kind words and I appreciate your yielding me time.

The gentleman from California, our chairman, and the ranking member as well, there is no one in this body that has more of a heart for the soldiers, for the people who dedicate themselves to defending us, than these two gentlemen do, and I think this is exemplified in the bill that you have before you today.

I am very, very proud to endorse and support this bill, because it meets the needs of the men and women in uniform while protecting our national security, and I think we can be very proud of it.

I think also Mr. WELDON emphasized one thing that I think is important as an example, Mr. HUNTER, to our body here. So much of what we do in this body is for political advantage, one party, the other party, to get political advantage. This bill is truly a bipartisan bill. When you have 61–1, for crying out loud, it means that we sat down and tried to solve the problems that we solved. And we didn't solve them as Democrats or Republicans; we solved them as Members of Congress trying to do the right thing for our troops. I think we can be proud of the bill from that standpoint as well.

The gentleman from Texas (Mr. ORTIZ) and the other members of the Readiness Subcommittee and I worked very closely to examine the Department's funding for the military readiness, which includes $129.8 billion in operation and maintenance funds, as well as approximately $16.7 billion for military construction and implementation of the 2005 base closure and realignment round.

The actions we took this year balanced the current operations and maintenance needs of our Armed Forces with the need to transform our military into the force of tomorrow. We looked at the readiness levels of our military units, including the adequacy of training programs, the maintenance of equipment in theater and the service's ability to reset and recapitalize equipment that returns from war.

Our work led us to the conclusion that more needs to be done to support our core readiness needs, and, therefore, the bill before us today fully funds basic requirements such as ship operations, aircraft flying hours and depot maintenance.

The bill also requires the Army and Navy to fund these critical readiness requirements before embarking on costly modernization programs. This requirement is significant as it will ensure that transformation of the services does not come at the expense of today's military readiness.

It is also worth noting that this bill provides more than $10 billion for the construction of structures that range from child development centers to critical readiness facilities. I have seen many of the facilities where the servicemembers live and work, and I must say that these funds are badly needed. It is our responsibility to ensure that our servicemembers and their families live, work and play in modern and well-maintained facilities and homes. To do anything else threatens our Nation's ability to retain the best and the brightest people in the ranks of our military.

Several years ago, we began to look at where our servicemembers live and work, and in many cases it was third-world conditions, and we have been whacking away at this over the years to try to provide a decent place to live and work for everybody who wears the uniform.

Mr. Chairman, the bill before us is certainly worthy of our support, and I urge my colleagues to join me in voting for it.

Mr. SKELTON. Mr. Chairman, I yield 3 minutes to the gentleman from Hawaii (Mr. ABERCROMBIE).

(Mr. ABERCROMBIE asked and was given permission to revise and extend his remarks.)

Mr. ABERCROMBIE. Mr. Chairman, I thank Chairman HUNTER and Mr. SKELTON for the opportunity. I stand here today in support of the bill moving forward, but I have a caveat that I hope will be able to be addressed before we come to a final conclusion.

As the chairman knows, my original opposition was to what has been termed the ''bridge fund''; upon reconsideration, I have become a strong advocate of it. For those not familiar with it, the bridge fund is a legitimate methodology for the authorizing committee to deal with the actual cost of deployments of our Armed Forces throughout the world.

Presently, the bridge fund will deal only with approximately 6 months' worth of costs associated, expenditures associated, with these deployments. As a result then we will have to take up yet another supplemental budget, probably just after the first of the year, within a month or so, and that will, in turn, find us dealing with other requests, other emergencies, that will be included in this so-called supplemental budget. It is not an emergency that we need funding for for our deployments overseas, but rather an admission and an acknowledgment of the true costs of these deployments overseas.

So, Mr. Chairman, I most certainly urge that we move the bill along and, at the same time, then take up this question of being straightforward and honest with the American people as to what the true costs are of our deployments and to see to it that the military does not have to cannibalize the existing budget and take us away from what I consider 100 percent support of the troops 50 percent of the time.

I believe, even though I am in opposition to much of what is the foundation for support, the irony in this is that those like myself who did not support the effort in Iraq as undertaken and have serious reservations about how the war is being conducted, the military action is being conducted in Afghanistan, are actually being sustained in our position; rather than finding support for those who originally were for the war in Iraq or think that we are doing the right thing in Afghanistan, that position is being undermined because we are not being straightforward with people as to what the true costs are.

There is a case of unease in the American public, I think, with regard to our present policies in Iraq and Afghanistan because we do not have a straightforward, honest approach with the American people as to what the costs are. I believe the American people will pay any costs to protect our security if they feel that we are being honest and straightforward about it.

We need to do that. We need to bring the bridge fund in our authorization up to the actual cost, and not undermine the good work that has been on this bill this year.

Mr. Chairman, as the ranking minority member of the Air and Land Forces Subcommittee of the HASC, I am pleased to support H.R. 5122. I also want to commend my chairman and partner on the Air and Land Forces Subcommittee, Congressman KURT WELDON, for his nonpartisan approach to our subcommittee's portion' of this bill.

The procurement and research portions of this bill that the Air and Land Forces Subcommittee oversees strikes an effective balance between getting our troops the equipment they need, ensuring that the equipment works, and ensuring that it is all acquired at a price the Nation can afford. Striking this balance is always difficult, but given the pressure on the DOD budget from the war in Iraq, this was an especially challenging year. I am pleased to support the procurement and research aspects of this bill as a good-government approach to making tough decisions when funds are limited.

This bill is a significant improvement over the procurement and research budget presented by the President in two critical ways. First, it is a more straightforward document that lays out what the committee decided the military's priorities should be, and what funding these priorities will actually cost. Second, it shifts funding from programs that are simply not working and moves those funds to programs that are working and are delivering effective equipment to the troops in the field today. With troops in combat the Congress has a non-negotiable obligation to weigh in heavily on the side of immediate and near-term needs of the military.

There are two programs that this bill takes some significant funding away from, and I want to address the committee's reasoning on these reductions, because they were both difficult decisions. The first is the Army's Future Combat System, which this bill cuts by $325 million.

I want to be clear that this is not a move to punish the Army. Everyone on this committee recognizes that the Army is carrying the heaviest burden in the wars in Iraq and Afghanistan in terms lives lost and dollars spent. Every member of this committee also wants to ensure we have an Army that is ready today and prepared for the challenges of the future. The

problem is that the Army simply has too many bills to pay and not enough funding to cover all of them. Difficult choices had to be made.

The second program cut is to the VH–71 ''Presidential Helicopter'' program. This rather modest cut is based on the committee's concern that this program is being pushed too fast and is taking test and development risks that are clearly not appropriate and could be outright dangerous. I want to make it absolutely clear that the goal of this cut and some language in the bill is not to kill the program, or even scale back its size. Instead, it is a reflection of this committee's support for the principle of ''fly before you buy'' that must be followed, especially for a helicopter the President of the United States is going to fly in.

Given the demands of an ongoing war and the need to continue to buy and develop new equipment, this bill strikes an appropriate balance given the funding available.

Despite my support for the bill, I did want to caveat that support in one important aspect: the lack of an authorization in this bill for the full-year cost of the wars in Iraq and Afghanistan.

In each of the past two years, the Congress has put some of the funding for the wars in Iraq and Afghanistan through the normal authorization and appropriations process. The rest of the funding for the year, however, has come through very large supplemental appropriations bills that the Armed Services Committee has been unable to oversee properly.

I have supported all of the Defense authorization and Defense Appropriations bills done under our normal budget procedures since the war in Iraq began. Putting the money in the normal budget would be best, but the ''bridge fund'' mechanism in the legislation before us today is arguably a reasonable middle ground between funding purely through supplementals and the normal budget process. Chairman Hunter deserves credit for coming up with this more honest approach.

This year, for whatever reason, the Administration only requested $50 billion in additional funding in FY 2007 for the wars in Iraq and Afghanistan. This total is reflected in the bill as reported by the committee. During committee consideration of this bill, I had an amendment that sought to increase the amount of the bridge fund to $92 billion so that it would reflect the likely full-year cost of combat operations overseas. Unfortunately this amendment was voted down by the majority.

Having a more realistic full-year figure in this bill would have improved this legislation's relevance and honesty. The troops overseas and the American people deserve to know what our best estimate of the cost of these wars will be in 2007.

Continuing to rely on massive supplemental, so-called ''emergency'' spending bills to pay for the war is both dishonest and fiscally unsound. I believe that the American people are willing to sacrifice to get the troops the funds they need, but instead of asking all Americans to sacrifice we are instead using a budget shell game to hide the real cost of the war. This shell game also allows massive tax cuts for the wealthy during a war which we are borrowing money from other nations to pay for. Funding the war in this manner is saddling our children and grandchildren with a massive debt that they will have to payoff in the future.

Overall, the bill before us today is a good bill, but choosing to only authorize 6 months of funding for the troops in the field is like saying to them that the Congress supports you 100 percent for 50 percent of the year. I do not think that is the message that the House wants to send.

Mr. HUNTER. Mr. Chairman, the heart of this bill is the 2.5 million Americans that wear the uniform of the United States, and the subcommittee that oversees personnel issues and sets the pay raises and does personnel policy is headed by the gentleman from New York (Mr. MCHUGH). This is an enormous job, and he has done a great job. I yield the gentleman 6 minutes.

Mr. MCHUGH. Mr. Chairman, I thank the distinguished chairman for his kind comments and for the very generous allocation of time. I also want to thank my other colleagues who deferred to me to allow me to kind of go out of order because of another appointment I have. Gracious, as always.

Mr. Chairman, the chairman of the full committee is absolutely right. We have the honor on this subcommittee to deal really with what I think all of us believe are the very core issues of fielding any effective military, and that is caring for the men and women who proudly wear this uniform, of course, under our system voluntarily, and, equally important, ensuring that the kinds of programs that are necessary to take care of their loved ones, their families, as they deploy into such dangerous places as Iraq, Afghanistan, and the literally hundreds of other places across this planet in which our military and men and women serve today, protecting our freedoms, find themselves.

This is, as we have heard here, as is reflective of the entire committee, a truly bipartisan effort, and I want to thank, of course, the chairman of the full committee, the gentleman from California, for his amazing leadership in very, very difficult times; the support that he has so graciously acknowledged, and rightfully so, from the ranking member, the gentleman from Missouri, IKE SKELTON; and on the Personnel Subcommittee, for the support, for the leadership, for the guidance of our ranking member, the gentleman from Arkansas, Dr. Snyder.

It is tough in this day and age, as others, including the gentleman from Pennsylvania, have suggested, to put aside partisan politics at all times in this Nation's Capital, particularly in this, an even-numbered year. But if it is being done anywhere, it is being done most successfully, perhaps not perfectly, but most successfully on this Armed Services Committee, and I would argue, most strongly on this Personnel Subcommittee.

The name ''personnel'' can confuse some folks. It doesn't send a very clear message. But what we try to do is the best we possibly can, within limited resources, to care for those folks who have done such an amazing job.

We are all, very collectively, very proud of the fact that when members of this committee come and talk about the achievements, significant achievements, of this bill, they generally more often than not talk about the provisions that first started in this Personnel Subcommittee:

The pay increase, the eighth consecutive year that it exceeds the general average pay increase in the Employment Cost Index, and the help that that provides, closing the gap between the civilian and the military sectors, down to a low now of 4 percent should this pay increase proposal prevail;

The kinds of things we have done in trying to take the next logical step towards controlling and keeping the cost of the military health care system affordable, but not doing it in a way that immediately inflicts what I would argue and I think my colleagues would agree is unnecessary and excessive pain in terms of the hundreds of percent of increase in copay and in enrollment fees and such through the TRICARE program;

The efforts we have made, at great expense, by the way, to add to the military end strength, recognizing that the demands we have placed upon our men and women in uniform are so significant. And one of the challenges we face is to ensure that there are sufficient numbers in the military, in the uniform, to try to assure a better and reasonable level of operations and personnel tempo, so folks who are coming home from theaters like in Iraq and Afghanistan have time to recoup, have time to unwind and spend time with their families.

□ 1430

The only way that can be done is through a reasonable extension and expansion of the numbers that we authorize in terms of putting men and women into particularly the Army, the Guard, and, of course, the Marine Corps as well.

Casualty assistance programs, recognizing that we are in a time of war, that there are difficulties in terms of those programs, and we have to ensure that the remains of military personnel who give their all, their ultimate in times of combat or who die of noncombat-related injuries in the theater of combat are moved and dedicated and brought home by military-leased aircraft and are processed in a timely and a humane and a respectful way, and on and on and on.

This is just a good bill from top to bottom. I would certainly, with a sense of pride, suggest that the 61–1 vote I think clearly illustrates that in the personnel sections this is a truly beneficial and truly progressive bill.

Mr. Chairman, I would urge all of my colleagues to support it.

Mr. SKELTON. I yield such time as he may consume to the ranking member of the Personnel Subcommittee, the gentleman from Arkansas (Mr. SNYDER).

Mr. SNYDER. Mr. Chairman, I want to acknowledge the work that the

ranking member has done on this bill, to work with Chairman HUNTER, also my Personnel Subcommittee chairman, Mr. MCHUGH, for the work that he has done on this bill. He has given a good summary of the provisions and our concern for our men and women in uniform and their families.

Mr. Chairman, you know, I hope while I rise today in support of this bill, we certainly did have disagreements on the committee, and there are Members who are not on the committee that want to have the opportunity to present their ideas also.

We have approved one rule today that has made eight amendments in order. I hope tonight when the Rules Committee meets that most of the other amendments that have been requested will also be made in order. It would be ironic if while we are supporting our men and women in uniform fighting for democracy in Afghanistan and Iraq that the winds of democracy would be denied on the House floor in the consideration of the remainder of this bill tomorrow.

Mr. Chairman, what I wanted to do is just take a minute of time here today and talk about a provision that is not in the bill. Chairman HUNTER has heard some of these discussions before. But I am one of those, I think there are a fair number now, that believe that we really need to do some work on the Montgomery GI bill.

And we have got some bureaucratic issues that we have to deal with here in the Congress. The GI bill for veterans, those who are in the active component, is handled by the Veterans' Committee. The GI bill for the Reserve component, our Guard and Reserve force, is handled by the Armed Services Committee, and because of that, the active component benefit has had some inflationary increase through the years. We have not done that same kind of thing on a comparable basis for the Reserve component.

We also have a very unfair situation now where a person who is in the Reserve component is activated, serves overseas in a war for 12 months or longer, comes back and their enlistment contract ends. If they do not reenlist and stay in the Guard or Reserve forces, they get no GI bill benefits.

That is just terribly unfair. I say that as someone who many years ago, when I was a young man, enlisted in Marine Corps for 2 years, spent 12 months and 20 days in Vietnam, came back, was discharged from the military and actually received, for my 21½ months of total Marine Corps service 45 months in the GI bill.

Now, we just do not treat our Reserve component forces fairly. They could have spent 18 months in a war zone, get out of the Reserve and get no GI bill benefit. We need to work on that. Chairman MCHUGH has committed himself to holding hearings on this issue. I know that Chairman BUYER on the Veterans' Committee is very interested in this issue. Somehow, Mr. Chairman, we have to get the sides together on this and work through some of these issues. I appreciate your interest.

Mr. HUNTER. Mr. Chairman, the Strategic Forces Subcommittee is extremely important to our country, and the gentleman from Alabama (Mr. EVERETT) does a wonderful job of overseeing this very important dimension of national security.

Mr. Chairman, I yield 6 minutes to the gentleman from Alabama (Mr. EVERETT).

Mr. EVERETT. Mr. Chairman, I thank Chairman HUNTER. I would also like to say that under his leadership we certainly have produced one of the most bipartisan bills in one of the areas that is most important to our national defense, and I appreciate his leadership.

Mr. Chairman, I also appreciate Mr. SKELTON, my friend who is ranking member. And also let me say that we had an extremely bipartisan markup in my subcommittee, and this subcommittee handles some of the most controversial, contentious, complex issues in the defense industry. We could not have had such a bipartisan markup had it not been for my good friend from Texas (Mr. REYES), who is my ranking member of that subcommittee.

So it was an extremely good markup, and as we have seen now, that markup was followed by the full committee markup where the bill passed 61–1.

I want to say a few things about the bill. The need for providing support to ongoing operations in Iraq and the war on terrorism have appropriately been the focus of much of the committee's work this year. It is also important to examine our Nation's strategic posture and our ability to maintain a strong national defense, capable of projecting a powerful and diversified global force.

I am proud that our bill provides investments in the Nation's long-term need for transforming the Nation's capabilities of our strategic forces, and I am also proud that near-term benefits for our Armed Forces deployed around the world protecting our Nation at home is included in this bill.

In the Missile Defense Agency, the bill before you adds $140 million to transition the Army's PAC–2 Patriot missile equipment to the PAC–3 configuration and funds upgrades to the Aegis ballistic defense system. These recommendations shift funds from longer term and less well-defined projects to near-term priorities.

In the area of military space, the bill makes adjustments to the budget request to address concerns about whether space program funds are executable in the year 2007. The bill also includes a provision to establish a Department of Defense Office of Operational Responsive Space to focus and advance the Nation's ability to provide on-demand space capabilities to global military operations.

Within the atomic energy defense activities, the bill funds the Department of Energy programs at the budget request. The bill also includes a provision that requires the Secretary of Energy and the Secretary of Defense to submit to Congress a plan for the transformation of the nuclear weapons complex and authorizes funds for infrastructure upgrades.

In addition, Mr. Chairman, this is a problem that I frankly had gotten tired of seeing come before the subcommittee, and that is the Mixed Oxide, or MOX, fuel fabrication facilities and the agreements that we were trying to have with the Russians. The mark includes information that would uphold the nonproliferation objectives of the committee to begin disposition of weapons grade plutonium in the U.S. The problem is that we do not see any movement among the Russians. For a couple of years now we have been faced with this. I have become frankly a little tired of seeing it come before the Congress when we have seen no movement from the Russians to do away with their plutonium nor to reach any agreement with us to do so.

So an amendment was offered by Mr. WILSON. I asked the staff to look at a way that we can do this. There is an amendment offered by Mr. WILSON to delink the U.S. disposition of its plutonium from that of the Russians. That is also included in the mark.

The bill also adds $40 million to other nuclear nonproliferation programs and $50 million to environmental cleanup activities.

Mr. Chairman, the committee's report addresses administrative objectives, unfunded military requirements, and Member priorities. This is a good bill, as I said earlier. We simply could not have gotten this bill through the committee without the strong help from my good friend, Mr. REYES from Texas, and also from the members of the committee, both the minority members and the majority members, who really worked hard, as I said, on some of the most complex, controversial issues that are included in the entire defense bill.

So I would ask Members to take a strong look at this bill. Much like the subcommittee, it passed out of the full committee on a 61–1 vote. It is a bipartisan bill.

Finally, let me just simply say that much of this was achieved by the extremely hard work in my subcommittee by both staffs on the minority and the majority side.

I urge this bill to be passed. It is a very good bill.

Mr. SKELTON. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Chairman, I appreciate the gentleman's courtesy in permitting me to speak on this.

Mr. Chairman, I rise to thank Chairman HUNTER and Ranking Member SKELTON for the real progress that this legislation represents for our men and women in uniform.

I think this is truly landmark legislation in this regard. I also deeply appreciate the work of the committee

leadership in working with me to include section 311 to improve the management of our unexploded ordnance and munition response programs. This is going to pay dividends for our troops here at home.

In the long run it is going to save money for the taxpayers, and the more progress we make here we are going to develop technology and techniques that are going to make people safer around the world.

I do want to share a troubling story that came forth in my community this weekend of military recruitment abuse, a problem that frankly I thought was behind us.

An 18-year-old autistic high school student who, despite a clear disability, was recruited into the Army, in the calvary as a scout, despite the strong objection of his parents and in apparent violation of military rules.

After news media attention and our office intervened, the Army has recently back-pedaled. But this is an outrageous situation. I have heard from numerous sources that this young man was not even aware that we were fighting in Iraq when he was being recruited in and signed a contract to serve in the Army.

The evidence strongly suggests that the recruiters purposefully withheld information about his disability in order to circumvent the rules. This does not appear to be an isolated incident. Pentagon statistics show accusations of recruitment abuses are at record levels.

I have called upon the Secretary of Defense for an investigation at least in this situation, because we need to get to the bottom of it, and it is likely not just one isolated case around the country. To be the finest fighting force in the world, we must continue to demand the most rigorous standards of conduct at all ranks of the military, including recruiting.

Mr. Chairman, I hope that the Armed Services Committee will work with me as this bill moves forward to make sure that safeguards are in place to make sure what happened to this young student never happens again and, most important, to make sure the integrity of the people he would serve with are protected as well.

Thank you for your courtesy.

Mr. HUNTER. Mr. Chairman, I yield 4 minutes to the gentleman from Maryland (Mr. BARTLETT), who heads the Projection Forces Subcommittee, which oversees the construction of the platforms and our ships and our bomber forces and our airlift that projects American power around the world.

(Mr. BARTLETT of Maryland asked and was given permission to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Chairman, I rise in strong support of H.R. 5122, a truly bipartisan bill that supports our troops.

As chairman of the Subcommittee on Projection Forces, I want to recognize the outstanding service rendered to our great Nation by our men and women in uniform around the globe here, meeting every challenge with true dedication and professionalism.

I also want to thank all Americans, especially the families of the deployed service members, for their unwavering support of our servicemen and women.

□ 1445

I want to thank the gentleman from Mississippi (Mr. TAYLOR), ranking member of the Projection Forces Subcommittee, for his extraordinary partnership and support in completing this bill.

Thank you, sir, so very much. I express my sincere gratitude to all of my colleagues and staff on the subcommittee for their diligence, commitment and hard work. Further, I would like to recognize our chairman, Mr. HUNTER, and ranking member, Mr. SKELTON, for their continued exemplary leadership in bringing this year's National Defense Authorization Act to the floor with unwavering bipartisanship and clear focus to providing our military what it needs to accomplish its mission.

I am pleased to report that the National Defense Authorization Act that we consider today takes bold steps to ensure our Nation's continued ability to safeguard our national interests and, when necessary, project U.S. military power around the globe.

We have taken action to provide our troops with the capabilities they need to meet current and emerging threats. But we also have taken precautions to ensure that current capabilities are not permanently or prematurely retired to fund future replacement capabilities that are either undefined or unaffordable.

Some of the Projection Forces highlights in this bill include: a program to infuse our shipyards with leading-edge manufacturing technology and management systems to reduce shipbuilding costs and return our shipyards to global competitiveness; legislative provisions that will improve the Navy's ability to execute the 313-ship plan envisioned by the Chief of Naval Operations by setting cost limitations at Navy budget estimates for the LHA(R), CVN–21 and LPD–17 programs; force structure initiatives that set a minimum requirement for 48 attack submarines and 299 strategic airlift aircraft and limited retirements of KC–135E and B–52 aircraft; 400 million in advance procurement funds to begin construction of a second Virginia class submarine in fiscal year 2009; $300 million to procure three additional C–17 aircraft; and $200 million to accelerate the DDG–51 destroyer modernization program by 2 years.

While there is much more to do, the National Defense Authorization Act for fiscal year 2007 is an important step in strengthening the Armed Forces of the United States. I urge all of my colleagues to support this bill.

Mr. SKELTON. Mr. Chairman, I yield 7 minutes to the gentlewoman from Georgia (Ms. MCKINNEY), a member of the subcommittee.

Ms. MCKINNEY. Mr. Chairman, I anticipate today that mine will be one of the few votes against this bill, just as I cast the only dissenting vote on the bill in committee. I have submitted a thoroughgoing written statement of the reasons for my dissent.

President Theodore Roosevelt said, ''To announce that there must be no criticism of the President, or that we are to stand by the President right or wrong, is not only unpatriotic and servile, but is morally treasonable to the American public.''

The American public are expressing their criticism of our President and his war in opinion polls showing the President's approval rating is the lowest it has been during his tenure. But Congress continues to march in step with the President's war plans. The wars and military operations we are funding through this defense authorization act are based on a simple use of force authorization passed by this Congress in October of 2001, which was to have been linked to the provisions of the War Powers Act of 1973. Thus, it is Congress that paved the way for the disastrous war in Iraq, and Congress must accept that it too bears responsibility for this war.

No regular review of that authorization has taken place, which has been cited by the President to justify preemptive war, the creation of a dual legal system, military tribunals, imprisoning enemy combatants without due process, the abandonment of the Geneva Accords and U.N. principles relating to war, extralegal secret renditions involving illegal methods of interrogation, including torture, expanded secrecy and attacks on civil liberties at home.

Calls from the executive for ending the principle of separating military and civilian policing by rescinding the Posse Comitatus Act of 1878 should send a chill to all who value civil liberties. We are quick to honor our young men and women in uniform with words and medals, but do we honor them where it really counts, in the pocketbook? In the hospitals for amputees and third-degree burns? We must do a better job of representing the American people and our people in uniform.

Unchecked fraudulent recruitment, failed retention, violation of rights and regulations, stop-loss policies and overrotation, lack of adequate protection for combat troops, protection of rights of conscience, diminished medical care for troops and their families, decreases in veterans benefits, environmental damage done by the manufacture, storage and use of military weapons, falsified benefits and bonuses, and privatization of functions all remain inadequately addressed by the passage of this bill, and in some cases, they are worsened.

By passing this bill virtually without dissent, the Congress is effectively legitimizing these unprecedented actions of the executive.

As we enter a fourth year of war in Iraq, the level of violence in Iraq continues unabated. It is higher than it has been at any time since the U.S.-led invasion of March 2003. As we enter a fifth year in Afghanistan, there is renewed violence and the specter of another drawn-out war. Meanwhile, our military budget continues to grow to unprecedented levels along with the deficits it is creating.

We now have a larger and more lethal military force and a more expanded intelligence budget and consolidation than we did at the height of the Cold War. That threat has receded, but the threat of unconsolidated and ill-equipped terrorist groups has been used to expand the funding of huge corporate contracts for weapons and war while denying the human suffering and needs that face us.

According to Pentagon figures, we are spending $9 billion a month to wage wars in Iraq and Afghanistan. That comes to $300 million a day, $12.5 million an hour, over $200,000 a minute, and $3,500 a second.

After the Second World War, President Truman set up a commission to investigate war profiteering and the government asked that corporations plow their war profits back into social programs to help rebuild the postwar economy. But today, corporations are profiting from war and its related military activities as never before, with a green light from the White House to proceed, despite massive abuse, waste and corruption.

Our current military budget is larger than the budgets of every other major country in the world combined, both allies and perceived enemies. Our nuclear arsenal and other weapons systems are maintained and defended, while new systems with questionable utility are designed and promoted each year.

It is time for these wars to end and for alternative military budgets that reduce the waste on flawed weapons systems to be considered by this Congress. More diplomacy, less Pentagon waste on little or nonused weapons systems; less support for corrupt regimes in the developing world; more support for the judiciary and law-abiding regimes that respect human rights; and most of all, a global plan to eliminate poverty.

Those who commit acts of terrorism may not themselves be motivated by poverty, but they are able to thrive where they can exploit the hopes and dreams of the poor and the oppressed. As many have said, terrorism is a tactic, not an enemy. The victory over terrorism will not come through war, but through peace and prosperity.

Mr. HUNTER. Mr. Chairman, from the mountains of Afghanistan to the desert country of Iraq to the jungles of many hemispheres, Special Operations and Special Forces personnel in the U.S. military are cognizant of an individual in this House who works for them night and day, and that is JIM SAXTON, who is the chairman of the Terrorism and Special Operations Subcommittee, and I want to recognize the gentleman for 4 minutes.

Mr. SAXTON. Mr. Chairman, I want to thank my great friend, Chairman HUNTER, for yielding me time and for those very kind words.

Mr. Chairman, I rise in strong support of H.R. 5122, the National Defense Authorization Act for the Fiscal Year 2007. Last week, the Committee on Armed Services approved this bill by an overwhelming bipartisan vote which was, as has been said here before, 60–1. It is not that we do not have policy disagreements, but when it comes to the final vote on a great bill that supports the troops, Members of both parties come together and vote in a resounding, positive way.

Our committee well knows that we are a Nation at war, and that the brave young men and women of America who have volunteered for military service are in danger every day in Afghanistan and Iraq and in other places in the world. Those infantrymen who venture from the base and patrol the street are truly valorous, but all of those who are in the line of fire and even in the most secure bases, they take an occasional mortar or rocket attack. And for risking themselves in this way, this country says, ''Thank you.''

Yet, we are making progress. I was privileged just a few short weeks ago to be on the floor of the fledgling Iraqi Parliament as the government was formed. They have a long way to go. But as a veteran legislator myself, it definitely had the feel of a legitimate and promising legislative body.

As matters in Iraq progress, we have taken measures to ensure that our broader efforts in the war on terrorism are improved and reinforced. To that end, we have begun to explore ways to improve interagency coordination process and included several items to improve the capabilities of the Special Operations Command.

We included two legislative measures to improve Pentagon processes. One would provide for more effective test and evaluation procedures, bringing them into synch with the rapid acquisition authorities which have already been provided to DOD; and the other would speed the development of information technology systems, putting a 5-year limit on the development of new business systems.

We continue our successful initiative of last year to develop novel chemical and biological countermeasures, and have supported programs for the equally important medical research and development programs.

We continue our scrutiny of the Department's information technology programs, though not as severely as in past years. In fact, our recommended reductions are barely 1 percent of the requested $31 billion in IT budget requests.

The bill recommended by the committee recognizes that we remain a Nation at war, but builds upon our capability to fight a more protracted, global war against unseen adversaries, the difficult-to-pinpoint, but nonetheless deadly and real, war against the small number of truly evil terrorists who wish to cripple Western Civilization.

We do not like to think about it, but this war came upon us on September 11 and will come to us again if we do not persevere. The enemy is clever, growing desperate, and must be taken seriously by the American people. This bill will help our soldiers keep the enemy on the defensive.

In closing, Mr. Chairman, I want to express my appreciation to the members of the Terrorism Subcommittee who contributed to this bill, and particularly the ranking member, Mr. MEEHAN. This is an excellent bill, and I urge all Members to vote ''yes'' on H.R. 5122.

Mr. SKELTON. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. REYES).

Mr. REYES. Mr. Chairman, I thank the gentleman from Missouri and congratulate him on his award that we announced on the floor yesterday.

Mr. Chairman, as the ranking member of the Strategic Forces Subcommittee, I rise in strong support of this bill and want to thank our chairman, Mr. HUNTER, and ranking member, Mr. SKELTON.

The Strategic Forces Subcommittee has jurisdiction over several complex and contentious issues, including ballistic missile defense and nuclear weapons. I want to recognize and thank our subcommittee chairman and my good friend from Alabama, Mr. EVERETT, for his leadership and all the effort that he puts into making this a truly bipartisan bill. I also want to thank the staff on both sides of the aisle for the truly great job they do and the tremendous work that goes into a bipartisan bill like this.

Sometimes we do not see eye to eye on every single matter, but I am pleased to report that this subcommittee reached bipartisan accord on several major issues.

In the short time that I have, I want to highlight three areas of bipartisan agreement: ballistic missile defense, conventional global strike capability, and operationally responsive space.

H.R. 5122 redistricts missile defense funding from longer-range programs, such as a multiple-kill vehicle, to near-term needs, such as buying upgrades for the Patriot and Aegis interceptors that can protect our servicemembers and allies today.

□ 1500

While we might disagree about whether further adjustments or reductions are possible from within the $10.4 billion for missile defense programs, I commend the subcommittee chairman

for this good-faith effort and great work on this bipartisan agreement. This bill clearly reflects a bipartisan desire to obtain effective missile defense capabilities aimed at defeating real threats.

The bill also slows down development of an advanced global strike capability using the Trident missile in a conventional capacity. While not precluding development of this capability, the subcommittee has concerns that basing a conventional Trident missile on a traditionally nuclear platform could lead to misinterpretation by both our friends and potential adversaries of a launch of a conventional missile. There are real strategic implications of pursuing this capability. We must ensure that we have done all we can to avoid the potential for conflict escalation through misinterpretation.

Finally, the bill as reported contains a $20 million add for operationally responsive space to encourage the Pentagon to pay more attention to the potential of smaller and less expensive satellites that might complement or supplement current expensive satellite systems designed for both military and intelligence purposes. We cannot expect small satellites to meet all mission requirements, but we need a more robust, focused effort to seriously explore their potential given the spiraling acquisition costs of our major satellite programs.

Mr. Chairman, there are differences in the way we approach some of these issues, but as we have seen this afternoon everyone gets an opportunity to express their views. Time does not permit me to describe in detail the rest of our subcommittee's mark and important issues, but I again want to thank our chairman, Mr. EVERETT, for his bipartisan leadership, our chairman of the committee and ranking member, and I commend this bill to my colleagues and hope that everyone will support this.

Mr. HUNTER. Mr. Chairman, I might add the gentleman who just spoke, the gentleman from Texas, has been to the warfighting theaters more than any other Member of either body in this Congress and we appreciate his great efforts.

Mr. Chairman, I yield 4 minutes to the gentleman from South Carolina (Mr. WILSON), who took the place of the great Floyd Spence, former chairman of this committee, and nobody has devoted more in terms of their personal effort toward national security or, in Mr. WILSON's case, more of their family members. The Wilson family wears the uniform of the United States.

Mr. WILSON of South Carolina. Mr. Chairman, thank you, and I appreciate your leadership and the cooperation of Ranking Member IKE SKELTON for developing the Defense Authorization Act. I am grateful that both of you have had family members as service members overseas in the global war on terrorism.

My support of this bill is as a Member of Congress, very proud to represent Fort Jackson, the Marine Air Station at Beaufort, Parris Island, the Beaufort Naval Hospital.

Additionally, I am very grateful to have a background as a veteran of the National Guard for 30 years, but I am particularly proud, as the chairman has referenced, that in August my fourth son will be serving in the military of the United States. So our family is very, very proud of what the military means in protecting American families.

Mr. Speaker, in 2000, leaders from Russia and the United States announced a strategic agreement designed to dispose of tons of surplus weapons grade plutonium by turning it into mixed oxide, MOX, fuel for use in existing commercial nuclear reactors.

After this agreement was announced, the Savannah River Site near Aiken, South Carolina, which is located in the district I represent and Representative GRESHAM BARRETT, was chosen to fulfill the U.S. side of this important mission. Throughout the past 6 years, our country has demonstrated that we are ready to move forward with our part of the nonproliferation agreement.

Last week, my colleagues on the committee, with the leadership of Chairman TERRY EVERETT, supported the amendment to delink the U.S. and Russia MOX programs to ensure that the pace of the Russia MOX program will not dictate the progress of the U.S. MOX program. Described by CQ Today as perhaps the most significant amendment adopted at Wednesday's markup, this provision enables SRS to immediately begin construction of a MOX facility. We remain confident that our progress will encourage Russia to proceed with the same momentum.

In addition to fulfilling our agreements to nuclear nonproliferation, this crucial piece of legislation will help create hundreds of jobs in South Carolina and Georgia. By passing the National Defense Authorization Act, Congress will continue to lead the effort to reduce our excess plutonium supply. I urge my colleagues to support passage.

In conclusion, God bless our troops, and we will never forget September 11.

Mr. SKELTON. Mr. Chairman, I yield 4 minutes to the gentleman from South Carolina (Mr. SPRATT).

Mr. SPRATT. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, on the whole this is a good bill. I commend the ranking member and the chairman for the excellent work they have put into it, and I intend to support it.

This bill gives strong support to our troops in the field by continuing to give them the equipment they need and the compensation they deserve. In particular, due to an amendment that I offered, it provides for the waiver of premiums for those soldiers in combat, Iraq or Afghanistan, on $400,000 of Servicemen's Group Life Insurance, the maximum amount available to our troops, so that all of our troops in combat can take full advantage of what is available without being concerned about the cost. We put them there. The least we can do for them and their families is give them the security of more life insurance. This bill, I am happy to say, does just that.

On an issue closer to my domain, this bill adds $30 million to the cost of cleaning up some of the most radioactive waste in the country precariously stored in 51 steel tanks at the Savannah River Site in South Carolina. It also contains provisions that will allow work to begin on a facility to fabricate 34 tons of weapons grade plutonium into mixed oxide fuel.

In 2002, as a result of agreements with Russia, South Carolina agreed to accept 34 metric tons of plutonium at Savannah River Site to be fabricated into MOX fuel and burned in light water reactors. Russia agreed likewise to dispose of 34 tons of plutonium with a similar MOX fuel plant.

For 4 or 5 years, this agreement to move in parallel tracks was awaiting the outcome of disagreements and discussions of the liability for the plant. These were finally resolved last year only to find out that these were not Russia's only concerns, and now they have indicated a reluctance to pursue the parallel track of building a MOX fuel plant.

So this bill provides that South Carolina can proceed on its own on a separate track, subject to DOE's agreement of course, and subject to several conditions which have been imposed by the bill. One is that DOE certifies to us that they are still convinced that this is the best way to dispose of weapons grade plutonium. Secondly, DOE will have to indicate to us in a report that they have made adjustments and addressed the criticisms of this particular project, particularly its cost escalation, that were mentioned by the IG the last time they took a look at the project. Thirdly, we ask for a report on the disposition of off-spec plutonium, plutonium that cannot be processed into MOX fuel.

These provisions are important for South Carolina, but they also are important for our national security and nonproliferation and for the workers that will build and operate the MOX fuel plant.

Mr. Speaker, the Department of Energy has an important program called Megaports, which is to help foreign countries install radiation detection equipment so that we can interdict radioactive material in cargoes headed for the U.S. before they reach our shores. For some reason, the administration this year cut the program by $33 million. Many of us have argued for some time that we need to do a lot more to protect our ports.

This bill recognizes the gravity of that problem by authorizing an additional $15 million for the purchase of radiation detectors. By helping foreign countries bolster port and border detection, we help ourselves.

The bill contains one other notable provision on nuclear nonproliferation.

The Global Threat Reduction Initiative is a comprehensive initiative to secure and remove high risk nuclear materials, many times in insecure places, from around the world, typically in research reactors. By working with the committee, we have been able to increase the GTRI budget by $20 million over the President's budget and allow the Department of Energy an additional $30 million of previously appropriated but as yet unobligated funds. This amounts to an almost 50 percent increase in funds available for this important program.

Lastly, Mr. Chairman, this bill contains important language which restricts spending on space-based missile defense interceptors. We now have five ballistic missile interceptor systems in various phases of development. I think it is important that we stick to our plan, that we keep focusing this system and that we bring further along these five systems before we start up another, particularly one with the complications that the space-based interceptor will entail.

All things considered, it is a good bill. I intend to support it. I commend those who have crafted it and helped bring it to the floor.

Mr. HUNTER. Mr. Chairman, I yield 3 minutes to the gentleman from Kentucky (Mr. DAVIS), who brought his experience as an officer of the 82nd Airborne to the Armed Services Committee.

Mr. DAVIS of Kentucky. Mr. Chairman, I also thank the chairman. It is a privilege to serve on a committee chaired by a fellow Army Ranger.

Today, I rise in strong support of H.R. 5122 and to speak about a matter of importance to our men and women who serve in the Reserve component, in the National Guard and our Armed Forces. As a former enlisted soldier, West Point graduate and 11-year veteran of active duty, and serving a number of years in Reserve, this is an important issue and one of particular interest and concern to me.

The bill which we are considering today includes an important provision that will for the first time establish equity in the computation of retired disability pay for all servicemembers, regardless of whether they were serving in the active military, Reserve or National Guard.

I thank Chairman HUNTER and Personnel Subcommittee Chairman MCHUGH for their support of my amendment in committee which ensured inclusion of this vital amendment in today's legislation.

Earlier this year on one of my trips to Walter Reed Hospital, I visited a severely wounded member of the Kentucky Army National Guard from my district, Sergeant Carlos Farler of Tollesboro, Kentucky. I was stunned in talking with this great American, whose home is not far from mine, as he told me that his disability pay would be computed at a different level for Reservists and for Guardsmen than it is for active servicemembers who have the same wounds from the same battle.

After meeting Sergeant Farler, I researched how military disability and retirement pay is computed. I learned that this computation is often based on the years of service. Under current law, a Reservist gets credit only for the time he actually spends in uniform. For example, a soldier who has spent 13 years in the Kentucky National Guard may have only 4 years of service when his or her duty days are added up. With a 30 percent disability this soldier gets about 8 percent less disability retirement pay than their regular Army counterpart.

In other words, two personnel with identical disabilities, incurred in the same Iraqi fire fight, will end up with a different disability retirement benefit with the citizen soldier coming up short. A lifetime difference of 8 percent in disability pay can have a significant impact on a retiree's standard of living.

The amendment which I offered and which was accepted in committee will change the law so that the actual number of years spent in the Reserves will be used. Any servicemember who earns the Purple Heart for being wounded in action and who was medically retired as a result of that action will be entitled to the same compensation for his or her disability retirement pay as somebody serving in the regular military.

A bullet does not discriminate between an active and Reserve servicemember and neither should we. Now is the time to correct this long-standing inequity. With passage of today's bill, we will do so.

In closing, I thank Sergeant Farler for bringing this inequity to my attention and for his service to our Nation, and also, more importantly, to his fellow veterans in the Guard and Reserve, and again I thank Chairman HUNTER, Ranking Member SKELTON, Chairman MCHUGH for their support of this important provision to do right by America's soldiers, sailors, airmen and marines, truly making the regular Reserve and Guard forces one force to defend this Nation.

Mr. SKELTON. Mr. Chairman, I yield 3 minutes to the gentleman from Mississippi (Mr. TAYLOR).

Mr. TAYLOR of Mississippi. Mr. Chairman, I rise in support of this bill. I want to commend all of my colleagues. In particular, I want to commend a former colleague, Congressman Sonny Montgomery, who is under the weather, who is probably watching, and we want him to know that all of us are thinking of him, and in this bill, in particular, I think Congressman Montgomery after his years of avidly serving the National Guard would be very pleased to know that a provision in this bill will extend to our Guardsmen and Reservists the exact same TRICARE benefits that are extended to the regular force. It is long overdue and I want to thank the chairman of the subcommittee, Chairman MCHUGH, and all the other people who helped make this happen.

I also want to mention on the TRICARE for retirees that there will be no increase in their copays. That is an issue of great importance to the people who have already served us. Great people and great nations keep their word, and we need to keep our word to them to keep their premiums low.

I would also like to commend my colleague JOEL HEFLEY. We are going to miss him very much. He has been a very honorable Member of this body. I think the committee did the right thing in naming the housing complex off of Fort Carson after him. He is going to be missed greatly.

Mr. Chairman, a couple of things in the limited time I have left that I would ask you to consider for the remaining time on this bill. First is the amendment by the gentleman from Virginia (Mr. TOM DAVIS) that would elevate the Chief of the National Guard Bureau to Joint Chiefs of Staff. There are over 400,000 National Guardsmen, and the events of the hurricane in south Mississippi last fall really convinced me that should there be an attack on the American homeland it is going to look a lot like Hurricane Katrina.

□ 1315

You are going to have a lack of electricity, food and water, no place even to put the bodies of the dead, and the National Guard did a magnificent job in responding to that. They will in all probability do a magnificent job should there be a terrorist event in this country.

But the person who should be at the table with the President in the event of that is the Chief of the National Guard. I would ask that the Members of this body be given an opportunity to vote on the Davis amendment.

Second is an amendment of my own that would provide that 100 percent of the wheeled vehicles in the Iraq and Afghanistan theaters that leave a base have an IED jammer. I voted to send those young men and women over there. We are now in the third year of this conflict. Well over half of all of the casualties, well over half of all deaths are caused by IEDs. Just as the Department early on did not think it was necessary for every soldier to have body armor, or every vehicle to be uparmored, I think the Department has been slow in seeing to it that every vehicle has an IED jammer. I would ask for a vote on that amendment. I think it is important.

I do not think any of us want to go to a funeral and tell the moms and dads that we are visiting that their son, their daughter, husband, brother happened to be in the last vehicle in Iraq that we failed to put a jammer on.

We are going to spend $10 billion this year on missile defense. We have not been attacked by a missile. Thousands

of young Americans have died in Iraq. Half of those young Americans died as a result of IEDs. It is, unfortunately, the weapon of choice and, unfortunately, a very efficient weapon that our enemy is using. We need to take that weapon away from them, and the IED jammers can contribute to that. I ask for an opportunity for a vote on that amendment. It is in the best interest of our troops.

Again, this is a good bill and I encourage my colleagues to vote for it.

Mr. HUNTER. Mr. Chairman, I want to thank the gentleman who just spoke. I share his focus on IEDs, and we will work together.

Mr. Chairman, I yield 4 minutes to the gentleman from North Carolina (Mr. HAYES), who represents so many great people in uniform in North Carolina and has spent so much time working for their quality of life and for their effectiveness on the battlefield, and also for all of the people who work in the defense industry so we can make sure when the American taxpayer pays for defense items, since we defend the free world, that those items are made by Americans and represent American jobs.

Mr. HAYES. Mr. Chairman, I thank Chairman HUNTER and I thank the minority member, Mr. SKELTON, for a truly outstanding piece of bipartisan work. This is all about the men and women in uniform. It reflects the commitment, the dedication, the timing and the absolute perseverance of two fine leaders in our committee in wholeheartedly supporting the incredible effort that our men and women in uniform are putting forward in winning the war on terrorism. I thank them for their hard work and support and their unanimous approval of this bill.

I am very proud to have Fort Bragg, the epicenter of the universe, home of Joint Special Operations Command, in my home district.

As we are all aware, Special Operations Forces, SOF, are playing an increasingly essential role as we continue to fight and, more importantly, win the war on terror. Due to their importance in winning this fight, the 2006 Quadrennial Defense Review called for a 15 percent increase in Special Operations Forces beginning in fiscal year 2007. This would increase Army Special Forces battalions by one-third, raise SEAL team manning, and grow Civil Affairs and Psychological Operations.

Some of the very best ways to begin growing the SOF force is to retain those highly trained individuals already serving under Special Operations and attract like-minded warriors to the command. That is why my provision requiring a DOD study on improving retention of special operators is so essential.

I would again like to thank Chairman HUNTER and Chairman SAXTON of our subcommittee for their support and for working with me on this, and supporting me by including it in the manager's amendment.

The report will give us better data on the cost and investment that goes into training and maintaining a special operator. It will include cost of training and how much has been invested in the average SOF operator after two deployments. It will also speak financially to the special operators who have accumulated over 48 months of hostile fire pay and the percentage who have accumulated over 60.

I will soon introduce a bill to provide a new retention incentive for Special Forces soldiers, and look forward to continuing to work with Chairman HUNTER and my colleagues on this critical national security issue.

As we look towards the future, winning the war on terror, securing the freedom for America and other like-minded folks around the world, I want to emphasize this is about every man and woman in uniform whom we are so proud of and appreciate for their service, and for their families' support, and we will continue to say prayers for their continued safety and success.

As we look forward to freedom, the shining city on the hill and the best days of America lying ahead, it is the men and women in uniform who protect, defend and make us proud to whom we should look and give thanks every night.

Mr. SKELTON. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. UDALL).

Mr. UDALL of Colorado. Mr. Chairman, I rise in support of this bill. As a relatively new member of the Armed Services Committee, I am grateful to the ranking member, Mr. SKELTON, and Chairman HUNTER for working with me on parts of the bill that are particularly important for Colorado, including report language about the importance of the High Altitude Army Aviation Training Site, which is located in Eagle, Colorado, and its need for enough aircraft to fulfill its mission.

I am also grateful for the chairman's support of a provision to name a housing facility at Fort Carson, Colorado, in honor of Mr. HEFLEY, who as my colleagues know is retiring this year. During his 20 years of representing Colorado's Fifth District, Mr. HEFLEY has served with integrity and honor, and he has been a fair and effective lawmaker. I have learned a great deal from Mr. HEFLEY in my years in Congress, and along with everyone else here, I will miss him.

I am also pleased with many other provisions in the bill, including the extension of TRICARE coverage to all Reservists, the blocking of the proposed plan to raise certain TRICARE fees, the authorization of additional active duty Army and Army National Guard personnel, added funds for up-armored Humvees and IED jammers, and the 2.7 percent pay increase for military personnel, among other provisions.

I hope that the Rules Committee will allow debate on many important amendments not made in order in today's rule, including one I proposed that will bring us further towards our goal of energy independence, and therefore national security.

In conclusion, I think this is a good bill, a carefully drafted and bipartisan bill, and I urge its support.

Mr. HUNTER. Mr. Chairman, I reserve the balance of my time.

Mr. SKELTON. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I thank the ranking member for yielding me this time. I would like to thank all of my colleagues on the committee and the committee staff for their hard work on what I believe is a very good bill.

In particular, I would like to thank our Personnel Subcommittee chairman, Mr. MCHUGH, for working with me this year on several issues pertaining to sexual assault and harassment of military women, and Chairman EVERETT of the Strategic Forces Subcommittee for his cooperation in ensuring that we do not put technology ahead of policy in the realm of military space.

I am also very happy to report that this bill includes language to strengthen congressional oversight of detainees issues, particularly with regards to the issue of command responsibility. The Department of Defense wants to say that they are holding people accountable whenever detainee abuse occurs, but where does the ultimate responsibility lie?

A full 95 percent of the courts martial cases of detainee abuse involve the enlisted personnel. As of last month, only five officers had been criminally charged in connection with abuse cases, none of them above the rank of major, and I do not believe that that is command responsibility. It is clear that this committee and this Congress take the issue of detainee abuse seriously, but we cannot fool ourselves into thinking the problem is solved until this issue of command accountability has been effectively addressed.

Our work on detainee issues is far from over, but the language in this bill is definitely a step in the right direction.

The budget we received from the Department of Defense this year had many major flaws, misguided increases and out-of-pocket health care costs, severe cuts to National Guard funding, and other budgetary shell games that have sacrificed the well-being of our servicemembers to avoid the pain of cutting big ticket items, but this committee came together in a very bipartisan way to address these problems and we ended up with a bill that we are proud of. It is not a perfect bill and I hope that the next rule will allow for my colleagues' amendments that will make this bill even better.

Mr. HUNTER. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. GINGREY), a former member of the Armed Services Committee, who is

still very devoted to national security and exercises that role as a member of the Rules Committee.

Mr. GINGREY. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise in strong support of the 2007 National Defense Authorization Act. I would like to thank all of the members of the Armed Services Committee for their hard work on this vital legislation, and I am especially appreciative for the efforts of Chairman HUNTER and the subcommittee chairman, Mr. MCHUGH, and of course the ranking member, Mr. SKELTON, in listening to the families of our fallen soldiers.

A brave young man from my district who heroically gave his life for our country, SGT Paul Saylor, was not able to be viewed for a final time upon being returned to his family. Sergeant Saylor's family is extremely patriotic in support of our troops and has worked tirelessly to ensure that other military families are able to gain closure when a family member dies in defense of our Nation.

H.R. 5122 includes, thanks to the chairman, a remains preservation provision which takes steps to ensure that we can honor our fallen heroes with the dignity and respect that they deserve.

Mr. Chairman, I would like to personally thank you, as well as the ranking member, Mr. SKELTON, and the subcommittee chairman, Mr. MCHUGH, for proving that one soldier and one family can truly make a difference. I urge support of the legislation.

Mr. SKELTON. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS. Mr. Chairman, I thank my friend for his very gracious yielding of time.

I rise in support of a piece of legislation that I think deserves the support of each Member of this body. I thank Chairman HUNTER and Mr. SKELTON and the various subcommittee chairmen and members for their hard work on this bill.

My reasons for supporting this bill are both local and global. Locally, I would like to thank my friend and colleague, Mr. SAXTON, chairman of our subcommittee, for his excellent work, along with Mr. LOBIONDO, for inserting language which will put a stop to what I believe is an unwise and poorly thought out plan to dispose of the residue of VX nerve agent in the Delaware River adjoining our districts. I thank them for their leadership on that.

More globally, the role of the Armed Forces of the United States is to act in conjunction with our diplomatic and other leaders to shape the world in which we live so it is safer for our people.

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And I think by any measure, this bill measures up to that very high standard. Most importantly, I am proud to support this bill because it significantly exceeds the pay increase for the people in uniform that was originally proposed.

The original proposal under the President's budget was for a 2.2 percent increase in the base pay of those who serve our country. I commend both the majority and minority for finding the right ways to alter that request and increase it to 2.7 percent, far more in line with pay raises being received by people in the private sector in lines of work that are obviously less risky and stressful for the defense of our country.

I also believe that this bill wisely invests in the information technologies and the intelligence gathering technologies that will serve us well in dealing with the asymmetric threats that our country faces and will surely face in the years ahead. I think this is a very positive foundation for the enactment of this bill.

I will say that I hope that the Rules Committee finds it within its purview to permit the full House to debate some other measures about shaping the environment in which we live, with specific reference to the question of limiting the proliferation of weapons of mass destruction. There is an amendment presently before the Rules Committee which speaks to that issue, which I would urge the Rules Committee to adopt so that we can have an argument about the best way to shape the future in which we find ourselves.

But I will say this. There is unanimity that the best way to shape that future is to recruit, retain, reward, equip and take care of the brave Americans who step forward to serve this country and their families. I am very pleased that this has not become a partisan issue, that Members on both sides of the aisle have worked very hard to try to a achieve that promise, the recognition of that promise for the people who serve.

So I am proud to support this bill because of what it does for the anonymous young Americans whose names we do not know usually, until something terrible happens to them. I hope that we never learn their names if that is the reason that we would hear them.

But what they will learn from us is that their compensation, the care for their families will improve as a result of this bill that we support today.

Mr. SKELTON. Mr. Chairman, may I ask, does the gentleman from California have additional speakers?

Mr. HUNTER. I would say to my good colleague, I have just one additional thing that I would like to mention about a provision in the bill. But outside of that, we are ready to wrap up the general debate. So I have got just maybe a minute or two.

Mr. SKELTON. Mr. Chairman, I reserve the balance of my time.

Mr. HUNTER. Mr. Chairman, I just wanted to say to my colleagues that this, the story of this global war against terror with the special focus in Iraq and Afghanistan, is a story of families. It is a story of enormous sacrifice, not just by the people that wear the uniform in the theater, but by their families back home, their moms, their dads, their wives, their husbands, their children.

And there is a particular family, the Holley family from San Diego, California, that brought an issue to the attention of the Armed Services Committee here over this last year when their great 101st Airborne Trooper, Matthew Holley, was killed in the Iraq theater. And they pointed out that in the present chain of transportation of our fallen heroes home, where they come through Dover, Delaware, and ultimately go to their final resting place at their particular hometown or community in America, that part of that chain of transportation has been carried out by commercial airlines. And despite the best wishes and the best efforts on the part of those people who operate the commercial airlines, the proper amount of respect, the extreme respect that should be afforded those fallen heroes is in some cases, has in some cases been lacking.

And that came to the attention of the Holley family. And they talked to me and to other members of the committee, and we looked at the issue and as a result of that, we have, in the law, in this bill or in the proposed law, some very clear and strong directives to the administration to utilize military aircraft in taking our fallen heroes from Dover, Delaware, from where they land on American shores, to the military base that is closest to their hometown, unless otherwise directed by the family, and to use those military aircraft and to accompany those fallen heroes with American military personnel, and to greet that military aircraft when it arrives at that military base closest to their hometown with an honor guard.

And so we have laid out very directive language, very clear language for the administration. And I want to thank John and Stacy, who really brought this to our attention in honor of their son, Matthew Holley. And I think that we have talked to the other body and I think that this will have clear support all the way through.

But this is an important part of this bill because part of this bill is about respect. And this particular provision is about respect for those people who have given that last full measure of devotion to our country.

Mr. Chairman, I yield back the balance of my time.

Mr. SKELTON. Mr. Chairman, I yield myself such time as I may consume.

I want to add one more word about this bill. It is an excellent bill, reflects the best of bipartisanship. I thank the chairman, DUNCAN HUNTER, all of the subcommittee chairmen and ranking members for the very, very hard work that they did. I certainly hope that we are able to return tomorrow with some amendments that need to be debated

and discussed, including the prescription drug amendment that I have offered.

Mr. FOSSELLA. Mr. Chairman, today I rise in support of H.R. 5122, the 2007 Defense Reauthorization.

In February 2006, I introduced legislation that would allow military families to mail packages postage-free to their loved ones serving in Iraq and Afghanistan. With the help of Chairman HUNTER, Sub-Committee Chairman MCHUGH, and Chairman TOM DAVIS, this legislation has been included in the underlying legislation we are currently debating.

I drafted the legislation in response to concerns expressed to me by many military families that it was becoming too costly for them to send regular care packages to their loved ones overseas. I heard story after story of families that were already finding it hard to make ends meet now having to spend as much as $1,500 a year to mail care packages. These packages bring a touch of home to our servicemembers—like pictures, cards and school projects from their children. But they also provide our military men and women with basic necessities like shampoo, powder, and phone cards.

In my district of Staten Island and Brooklyn, residents joined together and raised money to help military families send these packages over seas. I was inspired by the outpouring of support for our service men and women in Dyker Heights, Brooklyn, where postal service employees raised money to cover the postage for every package sent to our troops. On Staten Island, several groups dedicated to helping miltary families also raised money to help offset the cost of postage.

It was these acts of genorosity and partiotism that prompted me to introduce my legislation. And today, with the strong, bipartisan support of 133 of my colleagues, the House of Representatives will show our enduring support for our service men and women and their families.

It goes without saying that our servicemen and women are making enormous sacrifices fighting the War on Terrorism and defending freedom and liberty. They face great challenges under trying circumstances, and often without the benefit of basic necessities like blankets or toothpaste. It falls upon their families back home to get them these supplies and to cover the cost of shipping them overseas. This bill will help make life better for our soldiers and to ease the financial burden on those back home. It is a simple way to bring a touch of home to America's heroes overseas.

I urge my colleagues to support this bill and allow our military families an easier path to sending care packages to their loved ones.

Mr. NORWOOD. Mr. Chairman, I would like to thank Chairman HUNTER, Ranking Member SKELTON, and committee staff for including my legislation improving TRICARE dental coverage into this bill.

Currently, TRICARE will only pay for medically necessary dental work in a hospital if the condition has a medical component.

That means if a young child or disabled dependent has a serious dental condition and cannot be treated in the office, the general anesthesia costs get passed to the family.

As a former Army and private practice dentist, I can tell you that hospital dental care is medically necessary in limited cases, and that these costs are an unjust burden on military families.

This Authorization finally acknowledges that fact, and I urge its support.

Mr. SKELTON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. KUHL of New York). All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 5122

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Defense Authorization Act for Fiscal Year 2007''.

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into three divisions as follows:

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

(3) Division C—Department of Energy National Security Authorizations and Other Authorizations.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.
Sec. 3. Congressional defense committees.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Army.
Sec. 102. Navy and Marine Corps.
Sec. 103. Air Force.
Sec. 104. Defense-wide activities.

Subtitle B—Army Programs

Sec. 111. Multiyear procurement authority for Family of Medium Tactical Vehicles.
Sec. 112. Multiyear procurement authority for MH–60R helicopters and mission equipment.
Sec. 113. Funding profile for Modular Force Initiative of the Army.
Sec. 114. Bridge to Future Networks program.

Subtitle C—Navy Programs

Sec. 121. Attack submarine force structure.
Sec. 122. Adherence to Navy cost estimates for CVN–21 class of aircraft carriers.
Sec. 123. Adherence to Navy cost estimates for LHA Replacement amphibious assault ship program.
Sec. 124. Adherence to Navy cost estimates for San Antonio (LPD–17) class amphibious ship program.
Sec. 125. Multiyear procurement authority for V–22 tiltrotor aircraft program.
Sec. 126. Quality control in procurement of ship critical safety items and related services.
Sec. 127. DD(X) Next-Generation Destroyer program.
Sec. 128. Sense of Congress that the Navy make greater use of nuclear-powered propulsion systems in its future fleet of surface combatants.

Subtitle D—Air Force Programs

Sec. 131. Requirement for B–52 force structure.
Sec. 132. Strategic airlift force structure.
Sec. 133. Limitation on retirement of U–2 aircraft.
Sec. 134. Multiyear procurement authority for F–22A Raptor fighter aircraft.
Sec. 135. Limitation on retirement of KC–135E aircraft during fiscal year 2007.
Sec. 136. Limitation on retirement of F–117A aircraft during fiscal year 2007.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.
Sec. 202. Amount for defense science and technology.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Alternate engine for Joint Strike Fighter.
Sec. 212. Extension of authority to award prizes for advanced technology achievements.
Sec. 213. Extension of Defense Acquisition Challenge Program.
Sec. 214. Future Combat Systems milestone review.
Sec. 215. Independent cost analyses for Joint Strike Fighter engine program.
Sec. 216. Dedicated amounts for implementing or evaluating DD(X) and CVN–21 proposals under Defense Acquisition Challenge Program.

Subtitle C—Ballistic Missile Defense

Sec. 221. Fielding of ballistic missile defense capabilities.
Sec. 222. Limitation on use of funds for space-based interceptor.

Subtitle D—Other Matters

Sec. 231. Review of test and evaluation policies and practices to address emerging acquisition approaches.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.
Sec. 302. Working capital funds.
Sec. 303. Other Department of Defense Programs.

Subtitle B—Environmental Provisions

Sec. 311. Revision of requirement for unexploded ordnance program manager.
Sec. 312. Identification and monitoring of military munitions disposal sites in ocean waters extending from United States coast to outer boundary of outer Continental Shelf.
Sec. 313. Reimbursement of Environmental Protection Agency for certain costs in connection with Moses Lake Wellfield Superfund Site, Moses Lake, Washington.
Sec. 314. Funding of cooperative agreements under environmental restoration program.
Sec. 315. Analysis and report regarding contamination and remediation responsibility for Norwalk Defense Fuel Supply Point, Norwalk, California.

Subtitle C—Workplace and Depot Issues

Sec. 321. Extension of exclusion of certain expenditures from percentage limitation on contracting for depot-level maintenance.
Sec. 322. Minimum capital investment for Air Force depots.
Sec. 323. Extension of temporary authority for contractor performance of security guard functions.

Subtitle D—Reports

Sec. 331. Report on Nuclear Attack Submarine Depot Maintenance.

Sec. 332. Report on Navy Fleet Response Plan.
Sec. 333. Report on Navy surface ship rotational crew programs.
Sec. 334. Report on Army live-fire ranges in Hawaii.
Sec. 335. Comptroller General report on joint standards and protocols for access control systems at Department of Defense installations.
Sec. 336. Report on Personnel Security Investigations for Industry and National Industrial Security Program.

Subtitle E—Other Matters

Sec. 341. Department of Defense strategic policy on prepositioning of materiel and equipment.
Sec. 342. Authority to make Department of Defense horses available for adoption at end of useful working life.
Sec. 343. Sale and use of proceeds of recyclable munitions materials.
Sec. 344. Capital security cost sharing.
Sec. 345. Prioritization of funds within Navy mission operations, ship maintenance, combat support forces, and weapons system support.
Sec. 346. Prioritization of funds within Army reconstitution and transformation.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.
Sec. 402. Revision in permanent active duty end strength minimum levels.
Sec. 403. Additional authority for increases of Army and Marine Corps active duty end strengths for fiscal years 2008 and 2009.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.
Sec. 412. End strengths for Reserves on active duty in support of the reserve components.
Sec. 413. End strengths for military technicians (dual status).
Sec. 414. Fiscal year 2007 limitation on number of non-dual status technicians.
Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.
Sec. 422. Armed Forces Retirement Home.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

Sec. 501. Authorized strength of Navy Reserve flag officers.
Sec. 502. Standardization of grade of senior dental officer of the Air Force with that of senior dental officer of the Army.
Sec. 503. Management of chief warrant officers.
Sec. 504. Reduction in time-in-grade requirement for promotion to captain in the Army, Air Force, and Marine Corps and lieutenant in the Navy.
Sec. 505. Military status of officers serving in certain Intelligence Community positions.

Subtitle B—Reserve Component Management

Sec. 511. Revisions to reserve call-up authority.
Sec. 512. Military retirement credit for certain service by National Guard members performed while in a State duty status immediately after the terrorist attacks of September 11, 2001.
Sec. 513. Report on private-sector promotion and constructive termination of members of the reserve components called or ordered to active service.

Subtitle C—Education and Training

Sec. 521. Authority to permit members who participate in the guaranteed reserve forces duty scholarship program to participate in the health professions scholarship program and serve on active duty.
Sec. 522. Junior Reserve Officers' Training Corps instruction eligibility expansion.
Sec. 523. Authority for United States Military Academy and United States Air Force Academy permanent military professors to assume command positions while on periods of sabbatical.
Sec. 524. Expansion of service academy exchange programs with foreign military academies.
Sec. 525. Review of legal status of Junior ROTC program.

Subtitle D—General Service Authorities

Sec. 531. Test of utility of test preparation guides and education programs in enhancing recruit candidate performance on the Armed Services Vocational Aptitude Battery (ASVAB) and Armed Forces Qualification Test (AFQT).
Sec. 532. Nondisclosure of selection board proceedings.
Sec. 533. Report on extent of provision of timely notice of long-term deployments.

Subtitle E—Authorities Relating to Guard and Reserve Duty

Sec. 541. Title 10 definition of Active Guard and Reserve duty.
Sec. 542. Authority for Active Guard and Reserve duties to include support of operational missions assigned to the reserve components and instruction and training of active-duty personnel.
Sec. 543. Governor's authority to order members to Active Guard and Reserve duty.
Sec. 544. National Guard officers authority to command.
Sec. 545. Expansion of operations of civil support teams.

Subtitle F—Decorations and Awards

Sec. 551. Authority for presentation of Medal of Honor Flag to living Medal of Honor recipients and to living primary next-of-kin of deceased Medal of Honor recipients.
Sec. 552. Cold War Victory Medal.
Sec. 553. Posthumous award of Purple Heart for prisoners of war who die in or due to captivity.
Sec. 554. Advancement on the retired list of certain decorated retired Navy and Marine Corps officers.
Sec. 555. Report on Department of Defense process for awarding decorations.

Subtitle G—Matters Relating to Casualties

Sec. 561. Criteria for removal of member from temporary disability retired list.
Sec. 562. Department of Defense computer/electronic accommodations program for severely wounded members.
Sec. 563. Transportation of remains of casualties dying in a theater of combat operations.
Sec. 564. Annual budget display of funds for POW/MIA activities of Department of Defense.

Subtitle H—Assistance to Local Educational Agencies for Defense Dependents Education

Sec. 571. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.
Sec. 572. Enrollment in defense dependents' education system of dependents of foreign military members assigned to Supreme Headquarters Allied Powers, Europe.

Subtitle I—Postal Benefits

Sec. 575. Postal benefits program for members of the Armed Forces.
Sec. 576. Funding.
Sec. 577. Duration.

Subtitle J—Other Matters

Sec. 581. Reduction in Department of Defense accrual contributions to Department of Defense Military Retirement Fund.
Sec. 582. Dental Corps of the Bureau of Medicine and Surgery.
Sec. 583. Permanent authority for presentation of recognition items for recruitment and retention purposes.
Sec. 584. Report on feasibility of establishment of Military Entrance Processing Command station on Guam.
Sec. 585. Persons authorized to administer enlistment and appointment oaths.
Sec. 586. Repeal of requirement for periodic Department of Defense Inspector General assessments of voting assistance compliance at military installations.
Sec. 587. Physical evaluation boards.
Sec. 588. Department of Labor transitional assistance program.
Sec. 589. Revision in Government contributions to Medicare-Eligible Retiree Health Care Fund.
Sec. 590. Military chaplains.
Sec. 591. Report on personnel requirements for airborne assets identified as Low-Density, High-Demand Airborne Assets.
Sec. 592. Entrepreneurial Service Members Empowerment Task Force.
Sec. 593. Comptroller General report on military conscientious objectors.
Sec. 594. Commission on the National Guard and Reserves.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Increase in basic pay for fiscal year 2007.
Sec. 602. Targeted increase in basic pay rates.
Sec. 603. Conforming change in general and flag officer pay cap to reflect increase in pay cap for Senior Executive Service personnel.
Sec. 604. Availability of second basic allowance for housing for certain reserve component or retired members serving in support of contingency operations.
Sec. 605. Extension of temporary continuation of housing allowance for dependents of members dying on active duty to spouses who are also members.
Sec. 606. Clarification of effective date of prohibition on compensation for correspondence courses.
Sec. 607. Payment of full premium for coverage under Servicemembers' Group Life Insurance program during service in Operation Enduring Freedom or Operation Iraqi Freedom.

Subtitle B—Bonuses and Special and Incentive Pays

Sec. 611. Extension of certain bonus and special pay authorities for reserve forces.
Sec. 612. Extension of bonus and special pay authorities for health care professionals.
Sec. 613. Extension of special pay and bonus authorities for nuclear officers.
Sec. 614. Extension of other bonus, special pay, and separation pay authorities.

Sec. 615. Expansion of eligibility of dental officers for additional special pay.
Sec. 616. Increase in maximum annual rate of special pay for Selected Reserve health care professionals in critically short wartime specialties.
Sec. 617. Authority to provide lump sum payment of nuclear officer incentive pay.
Sec. 618. Increase in maximum amount of nuclear career accession bonus.
Sec. 619. Increase in maximum amount of incentive bonus for transfer between armed forces.
Sec. 620. Clarification regarding members of the Army eligible for bonus for referring other persons for enlistment in the Army.
Sec. 621. Pilot program for recruitment bonus for critical health care specialties.
Sec. 622. Enhancement of temporary program of voluntary separation pay and benefits.
Sec. 623. Additional authorities and incentives to encourage retired members and reserve component members to volunteer to serve on active duty in high-demand, low-density assignments.

Subtitle C—Travel and Transportation Allowances

Sec. 631. Authority to pay costs associated with delivery of motor vehicle to storage location selected by member and subsequent removal of vehicle.
Sec. 632. Transportation of additional motor vehicle of members on change of permanent station to or from nonforeign areas outside the continental United States.
Sec. 633. Travel and transportation allowances for transportation of family members incident to illness or injury of members.

Subtitle D—Retired Pay and Survivor Benefits

Sec. 641. Military Survivor Benefit Plan beneficiaries under insurable interest coverage.
Sec. 642. Retroactive payment of additional death gratuity for certain members not previously covered.
Sec. 643. Equity in computation of disability retired pay for reserve component members wounded in action.

Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits

Sec. 651. Treatment of price surcharges of tobacco products and certain other merchandise sold at commissary stores.
Sec. 652. Limitation on use of Department of Defense lease authority to undermine commissaries and exchanges and other morale, welfare, and recreation programs and nonappropriated fund instrumentalities.
Sec. 653. Use of nonappropriated funds to supplement or replace appropriated funds for construction of facilities of exchange stores system and other nonappropriated fund instrumentalities, military lodging facilities, and community facilities.
Sec. 654. Report on cost effectiveness of purchasing commercial insurance for commissary and exchange facilities and facilities of other morale, welfare, and recreation programs and nonappropriated fund instrumentalities.

Subtitle F—Other Matters

Sec. 661. Repeal of annual reporting requirement regarding effects of recruitment and retention initiatives.
Sec. 662. Pilot project regarding providing golf carts accessible for disabled persons at military golf courses.
Sec. 663. Enhanced authority to remit or cancel indebtedness of members of the Armed Forces incurred on active duty.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE Program Improvements

Sec. 701. TRICARE coverage for forensic examination following sexual assault or domestic violence.
Sec. 702. Authorization of anesthesia and other costs for dental care for children and certain other patients.
Sec. 703. Improvements to descriptions of cancer screening.
Sec. 704. Prohibition on increases in certain health care costs for members of the uniformed services.
Sec. 705. Services of mental health counselors.
Sec. 706. Demonstration project on coverage of selected over-the-counter medications under the pharmacy benefit program.
Sec. 707. Requirement to reimburse certain travel expenses of certain beneficiaries covered by TRICARE for life.
Sec. 708. Inflation adjustment of differential payments to children's hospitals participating in TRICARE program.
Sec. 709. Expanded eligibility of Selected Reserve members under TRICARE program.
Sec. 710. Extension to TRICARE of medicare prohibition of financial incentives not to enroll in group health plan.

Subtitle B—Studies and Reports

Sec. 711. Department of Defense task force on the future of military health care.
Sec. 712. Study and plan relating to chiropractic health care services.
Sec. 713. Comptroller General study and report on Defense Health Program.
Sec. 714. Transfer of custody of the Air Force Health Study assets to Medical Follow-up Agency.
Sec. 715. Study on allowing dependents of activated members of Reserve Components to retain civilian health care coverage.

Subtitle C—Other Matters

Sec. 721. Costs of incentive payments to employees for TRICARE enrollment made unallowable for contractors.
Sec. 722. Requirement for military medical personnel to be trained in preservation of remains.

Subtitle D—Pharmacy Benefits Program Improvements

Sec. 731. TRICARE pharmacy program cost-share requirements.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Provisions Relating to Major Defense Acquisition Programs

Sec. 801. Requirements Management Certification Training Program.
Sec. 802. Additional requirements relating to technical data rights.
Sec. 803. Study and report on revisions to Selected Acquisition Report requirements.
Sec. 804. Quarterly updates on implementation of acquisition reform in the Department of Defense.
Sec. 805. Establishment of defense challenge process for critical cost growth threshold breaches in major defense acquisition programs.
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TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Sec. 2601. Authorized Guard and Reserve construction and land acquisition projects.

TITLE XXVII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

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Subtitle C—Base Closure and Realignment

Sec. 2831. Treatment of lease proceeds from military installations approved for closure or realignment after January 1, 2005.

Subtitle D—Land Conveyances

Sec. 2841. Land conveyance, Naval Air Station, Barbers Point, Hawaii.
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Subtitle E—Other Matters

Sec. 2851. Availability of community planning assistance relating to encroachment of civilian communities on military facilities used for training by the Armed Forces.
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Sec. 2853. Naming housing facility at Fort Carson, Colorado, in honor of Joel Hefley, a member of the House of Representatives.
Sec. 2854. Naming Navy and Marine Corps Reserve Center at Rock Island, Illinois, in honor of Lane Evans, a member of the House of Representatives.
Sec. 2855. Naming of research laboratory at Air Force Rome Research Site, Rome, New York, in honor of Sherwood L. Boehlert, a member of the House of Representatives.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

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Sec. 3113. Utilization of contributions to Global Threat Reduction Initiative.
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Sec. 3115. Two-year extension of authority for appointment of certain scientific, engineering, and technical personnel.
Sec. 3116. National Academy of Sciences study of quantification of margins and uncertainty methodology for assessing and certifying the safety and reliability of the nuclear stockpile.
Sec. 3117. Consolidation of counterintelligence programs of Department of Energy and National Nuclear Security Administration.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

Sec. 3301. Authorized uses of National Defense Stockpile funds.
Sec. 3302. Revisions to required receipt objectives for previously authorized disposals from National Defense Stockpile.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

Sec. 3401. Authorization of appropriations.

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Sec. 3501. Authorization of appropriations for fiscal year 2007.
Sec. 3502. Limitation on transfer of Maritime Security Fleet operating agreements.
Sec. 3503. Applicability to certain Maritime Administration vessels of limitations on overhaul, repair, and maintenance of vessels in foreign shipyards.
Sec. 3504. Vessel transfer authority.
Sec. 3505. United States Merchant Marine Academy graduates: alternate service requirements.
Sec. 3506. United States Merchant Marine Academy graduates: service obligation performance reporting requirement.
Sec. 3507. Temporary authority to transfer obsolete combatant vessels to Navy for disposal.
Sec. 3508. Temporary requirement to maintain Ready Reserve Force.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

For purposes of this Act, the term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Army.
Sec. 102. Navy and Marine Corps.
Sec. 103. Air Force.
Sec. 104. Defense-wide activities.

Subtitle B—Army Programs

Sec. 111. Multiyear procurement authority for Family of Medium Tactical Vehicles.
Sec. 112. Multiyear procurement authority for MH–60R helicopters and mission equipment.
Sec. 113. Funding profile for Modular Force Initiative of the Army.
Sec. 114. Bridge to Future Networks program.

Subtitle C—Navy Programs

Sec. 121. Attack submarine force structure.
Sec. 122. Adherence to Navy cost estimates for CVN–21 class of aircraft carriers.
Sec. 123. Adherence to Navy cost estimates for LHA Replacement amphibious assault ship program.
Sec. 124. Adherence to Navy cost estimates for San Antonio (LPD–17) class amphibious ship program.
Sec. 125. Multiyear procurement authority for V–22 tiltrotor aircraft program.
Sec. 126. Quality control in procurement of ship critical safety items and related services.
Sec. 127. DD(X) Next-Generation Destroyer program.
Sec. 128. Sense of Congress that the Navy make greater use of nuclear-powered propulsion systems in its future fleet of surface combatants.

Subtitle D—Air Force Programs

Sec. 131. Requirement for B–52 force structure.
Sec. 132. Strategic airlift force structure.
Sec. 133. Limitation on retirement of U–2 aircraft.
Sec. 134. Multiyear procurement authority for F–22A Raptor fighter aircraft.
Sec. 135. Limitation on retirement of KC–135E aircraft during fiscal year 2007.
Sec. 136. Limitation on retirement of F–117A aircraft during fiscal year 2007.

Subtitle A—Authorization of Appropriations

SEC. 101. ARMY.

Funds are hereby authorized to be appropriated for fiscal year 2007 for procurement for the Army as follows:

(1) For aircraft, $3,714,783,000.

(2) For missiles, $1,490,898,000.

(3) For weapons and tracked combat vehicles, $2,335,004,000.

(4) For ammunition, $1,691,475,000.

(5) For other procurement, $6,970,079,000.

(6) For National Guard Equipment, $318,000,000.

SEC. 102. NAVY AND MARINE CORPS.

(a) NAVY.—Funds are hereby authorized to be appropriated for fiscal year 2007 for procurement for the Navy as follows:

(1) For aircraft, $10,760,671,000.

(2) For weapons, including missiles and torpedoes, $2,517,020,000.

(3) For shipbuilding and conversion, $11,183,153,000.

(4) For other procurement, $5,042,766,000.

(b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 2007 for procurement for the Marine Corps in the amount of $1,223,813,000.

(c) NAVY AND MARINE CORPS AMMUNITION.—Funds are hereby authorized to be appropriated for fiscal year 2007 for procurement of ammunition for the Navy and the Marine Corps in the amount of $758,793,000.

SEC. 103. AIR FORCE.

Funds are hereby authorized to be appropriated for fiscal year 2007 for procurement for the Air Force as follows:

(1) For aircraft, $13,042,630,000.

(2) For ammunition, $1,076,749,000.

(3) For missiles, $4,171,495,000.

(4) For other procurement, $15,428,636,000.

SEC. 104. DEFENSE-WIDE ACTIVITIES.

Funds are hereby authorized to be appropriated for fiscal year 2007 for Defense-wide procurement in the amount of $2,856,461,000.

Subtitle B—Army Programs

SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR FAMILY OF MEDIUM TACTICAL VEHICLES.

(a) AUTHORITY.—The Secretary of the Army may, in accordance with section 2306b of title 10, United States Code, enter into a multiyear contract for the Family of Medium Tactical Vehicles (FMTV) program beginning with the fiscal year 2008 program year.

(b) CONTRACT REQUIREMENT.—Any multiyear contract or extension entered into under this section for procurement under the Family of Medium Tactical Vehicles program shall provide for incorporation of improvements in the areas of performance capability and survivability from lessons learned from operations involving the Global War on Terrorism (as well as from product improvement programs carried out for the Family of Medium Tactical Vehicles program)..

(c) LIMITATION ON TERM OF CONTRACT.—Notwithstanding subsection (k) of section 2306b of title 10, United States Code, a contract or extension under this section may not be for a period in excess of three program years.

SEC. 112. MULTIYEAR PROCUREMENT AUTHORITY FOR MH–60R HELICOPTERS AND MISSION EQUIPMENT.

(a) MH–60R HELICOPTER.—Subject to subsection (c), the Secretary of the Army, acting as executive agent for the Department of the Navy, may enter into a multiyear contract for the procurement of 144 MH–60R helicopters.

(b) MH–60R HELICOPTER MISSION EQUIPMENT.—Subject to subsection (c), the Secretary of the Army, acting as executive agent for the Department of the Navy, may enter into a multiyear contract for the procurement of MH–60R helicopter mission equipment for the helicopters covered by a multiyear contract under subsection (a).

(c) CONTRACT REQUIREMENTS.—Any multiyear contract under this section—

(1) shall be entered into in accordance with section 2306b of title 10, United States Code, and shall commence with the fiscal year 2007 program year; and

(2) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose.

(d) COST LIMITATION.—The combined value for the contracts authorized by subsections (a) and (b) may not exceed $2,600,000,000, and the average unit cost per helicopter under those contracts may not exceed $37,790,000.

SEC. 113. FUNDING PROFILE FOR MODULAR FORCE INITIATIVE OF THE ARMY.

The Secretary of the Army shall set forth in the budget presentation materials of the Army submitted to Congress in support of the President's budget for any fiscal year after fiscal year 2007, and in other relevant materials submitted to Congress with respect to the budget of the Army for any such fiscal year, all amounts for procurement for the M1A2 Abrams tank System Enhancement Program (SEP) and for the Bradley A3 fighting vehicle as elements within the amounts requested for the Modular Force Initiative of the Army, in accordance with the report of the Army titled ''The Army Modular Force Initiative'', submitted to Congress in March 2006.

SEC. 114. BRIDGE TO FUTURE NETWORKS PROGRAM.

(a) LIMITATION ON FISCAL YEAR 2007 AMOUNT.—Of the amount authorized to be appropriated for the Army for fiscal year 2007 for Other Procurement, Army, that is available for the program of the Army designated as the Bridge to Future Networks, not more than 70 percent shall be made available for obligation until the Secretary of the Army submits to the congressional defense committees a report on that program that includes the matters specified in subsection (b).

(b) MATTERS TO BE INCLUDED.—The report under subsection (a) shall include the following:

(1) An analysis of how the Joint Network Node (JNN) element of the Bridge to Future Networks program and the Warfighter Information Network-Tactical (WIN–T) program will fit together, including an analysis of whether there are opportunities to leverage technologies and equipment from the Joint Network Node program as part of the development of the Warfighter Information Network-Tactical program.

(2) A description of the extent to which components of the Joint Network Node and the Warfighter Information Network-Tactical programs could be used together as elements of a single tactical network.

(3) A description of the strategy of the Army for completing the systems engineering necessary to ensure the end-to-end interoperability of a single tactical network referred to in paragraph (2).

Subtitle C—Navy Programs

SEC. 121. ATTACK SUBMARINE FORCE STRUCTURE.

Section 5062 of title 10, United States Code, is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) The naval combat forces of the Navy shall include not less than 48 operational attack submarines. For purposes of this subsection, an operational attack submarine includes an attack submarine that is temporarily unavailable for worldwide deployment due to routine or scheduled maintenance or repair.''.

SEC. 122. ADHERENCE TO NAVY COST ESTIMATES FOR CVN–21 CLASS OF AIRCRAFT CARRIERS.

(a) LIMITATION.—

(1) LEAD SHIP.—The total amount obligated or expended from funds appropriated or otherwise made available for Shipbuilding and Conversion, Navy, or for any other procurement account, for the aircraft carrier designated as CVN–21 may not exceed $10,500,000,000 (as adjusted pursuant to subsection (b)).

(2) FOLLOW-ON SHIPS.—The total amount obligated or expended from funds appropriated or otherwise made available for Shipbuilding and Conversion, Navy, or for any other procurement account, for the construction of any ship that is constructed in the CVN–21 class of aircraft carriers after the lead ship of that class may not exceed $8,100,000,000 (as adjusted pursuant to subsection (b)).

(b) ADJUSTMENT OF LIMITATION AMOUNT.—The Secretary of the Navy may adjust the amount set forth in subsection (a) for any ship constructed in the CVN–21 class of aircraft carriers by the following:

(1) The amounts of increases or decreases in costs attributable to economic inflation after September 30, 2006.

(2) The amounts of increases or decreases in costs attributable to compliance with changes in Federal, State, or local laws enacted after September 30, 2006.

(3) The amounts of outfitting costs and post-delivery costs incurred for that ship.

(4) The amounts of increases or decreases in costs of that ship that are attributable to insertion of new technology into that ship, as compared to the technology baseline as it was defined in the approved acquisition program baseline estimate of December 2005.

(c) LIMITATION ON TECHNOLOGY INSERTION COST ADJUSTMENT.—The Secretary of the Navy may use the authority under paragraph (4) of subsection (b) to adjust the amount set forth in subsection (a) for a ship referred to in that subsection with respect to insertion of new technology into that ship only if—

(1) the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology would lower the life-cycle cost of the ship; or

(2) the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology is required to meet an emerging threat and the Secretary of Defense certifies to those committees that such threat poses grave harm to national security.

(d) WRITTEN NOTICE OF CHANGE IN AMOUNT.—

(1) REQUIREMENT.—The Secretary of the Navy shall submit to the congressional defense committees each year, at the same time that the budget is submitted under section 1105(a) of title 31, United States Code, for the next fiscal year, written notice of any change in the amount set forth in subsection (a) during the preceding fiscal year that the Secretary has determined to be associated with a cost referred to in subsection (b).

(2) EFFECTIVE DATE.—The requirement in paragraph (1) shall become effective with the budget request for the year of procurement of the first ship referred to in subsection (a).

SEC. 123. ADHERENCE TO NAVY COST ESTIMATES FOR LHA REPLACEMENT AMPHIBIOUS ASSAULT SHIP PROGRAM.

(a) LIMITATION.—The total amount obligated or expended from funds appropriated or otherwise made available for Shipbuilding and Conversion, Navy, or for any other procurement account, for procurement of any ship that is constructed under the LHA Replacement (LHA(R)) amphibious assault ship program may not exceed $2,813,600,000 (as adjusted pursuant to subsection (b)).

(b) ADJUSTMENT OF LIMITATION AMOUNT.—The Secretary of the Navy may adjust the amount set forth in subsection (a) for any ship constructed under the LHA Replacement amphibious assault ship program by the following:

(1) The amounts of increases or decreases in costs attributable to economic inflation after September 30, 2006.

(2) The amounts of increases or decreases in costs attributable to compliance with changes in Federal, State, or local laws enacted after September 30, 2006.

(3) The amounts of outfitting costs and post-delivery costs incurred for that ship.

(4) The amounts of increases or decreases in costs of that ship that are attributable to insertion of new technology into that ship, as compared to the technology baseline as it was defined at the development stage referred to as Milestone B.

(c) LIMITATION ON TECHNOLOGY INSERTION COST ADJUSTMENT.—The Secretary of the Navy may use the authority under paragraph (4) of subsection (b) to adjust the amount set forth in subsection (a) for a ship referred to in that subsection with respect to insertion of new technology into that ship only if—

(1) the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology would lower the life-cycle cost of the ship; or

(2) the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology is required to meet an emerging threat and the Secretary of Defense certifies to those committees that such threat poses grave harm to national security.

(d) WRITTEN NOTICE OF CHANGE IN AMOUNT.—

(1) REQUIREMENT.—The Secretary of the Navy shall submit to the congressional defense committees each year, at the same time that the budget is submitted under section 1105(a) of title 31, United States Code, for the next fiscal year, written notice of any change in the amount set forth in subsection (a) during the preceding fiscal year that the Secretary has determined to be

associated with a cost referred to in subsection (b).

(2) EFFECTIVE DATE.—The requirement in paragraph (1) shall become effective with the budget request for the year of procurement of the first ship referred to in subsection (a).

SEC. 124. ADHERENCE TO NAVY COST ESTIMATES FOR SAN ANTONIO (LPD–17) CLASS AMPHIBIOUS SHIP PROGRAM.

(a) LIMITATION.—

(1) PROCUREMENT COST.—The total amount obligated or expended from funds appropriated or otherwise made available for Shipbuilding and Conversion, Navy, or for any other procurement account, for the San Antonio-class amphibious ships designated as LPD–18, LPD–19, LPD–20, LPD–21, LPD–22, LPD–23, LPD–24, and LPD–25 may not exceed the amount for each such vessel specified in paragraph (2) (those specified amounts being the estimated total procurement end cost of those vessels, respectively, in the fiscal year 2007 budget):

(2) SPECIFIED COST LIMIT BY VESSEL.—The limitation under this subsection for each vessel specified in paragraph (1) is the following:

(A) For the LPD–18 ship, $1,111,310,000 (as adjusted pursuant to subsection (b)).

(B) For the LPD–19 ship, $1,137,400,000 (as adjusted pursuant to subsection (b)).

(C) For the LPD–20 ship, $1,004,600,000 (as adjusted pursuant to subsection (b)).

(D) For the LPD–21 ship, $1,126,966,000 (as adjusted pursuant to subsection (b)).

(E) For the LPD–22 ship, $1,246,736,000 (as adjusted pursuant to subsection (b)).

(F) For the LPD–23 ship, $1,191,230,000 (as adjusted pursuant to subsection (b)).

(G) For the LPD–24 ship, $1,333,001,000 (as adjusted pursuant to subsection (b)).

(H) For the LPD–25 ship, $1,671,800,000 (as adjusted pursuant to subsection (b)).

(b) ADJUSTMENT OF LIMITATION AMOUNTS.—The Secretary of the Navy may adjust the amount set forth in subsection (a) for any ship specified in that subsection by the following:

(1) The amounts of increases or decreases in costs attributable to economic inflation after September 30, 2006.

(2) The amounts of increases or decreases in costs attributable to compliance with changes in Federal, State, or local laws enacted after September 30, 2006.

(3) The amounts of outfitting costs and post-delivery costs incurred for that ship.

(4) The amounts of increases or decreases in costs of that ship that are attributable to insertion of new technology into that ship, as compared to the technology built into the U.S.S. San Antonio (LPD–17), the lead ship of the LPD–17 class.

(c) LIMITATION ON TECHNOLOGY INSERTION COST ADJUSTMENT.—The Secretary of the Navy may use the authority under paragraph (4) of subsection (b) to adjust the amount set forth in subsection (a) for any LPD–17 class ship with respect to insertion of new technology into that ship only if—

(1) the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology would lower the life-cycle cost of the ship; or

(2) the Secretary determines, and certifies to the congressional defense committees, that insertion of the new technology is required to meet an emerging threat and the Secretary of Defense certifies to those committees that such threat poses grave harm to national security.

(d) WRITTEN NOTICE OF CHANGE IN AMOUNT.—

(1) REQUIREMENT.—The Secretary of the Navy shall submit to the congressional defense committees each year, at the same time that the budget is submitted under section 1105(a) of title 31, United States Code, for the next fiscal year, written notice of any change in the amount set forth in subsection (a) during the preceding fiscal year that the Secretary has determined to be associated with a cost referred to in subsection (b).

(2) EFFECTIVE DATE.—The requirement in paragraph (1) shall become effective with the budget request for the year of procurement of the first ship referred to in subsection (a).

SEC. 125. MULTIYEAR PROCUREMENT AUTHORITY FOR V–22 TILTROTOR AIRCRAFT PROGRAM.

The Secretary of the Navy, in accordance with section 2306b of title 10, United States Code, and acting as executive agent for the Secretary of the Air Force and the commander of the United States Special Operations Command, may enter into a multiyear contract, beginning with the fiscal year 2008 program year, for procurement of V–22 tiltrotor aircraft. The total number of aircraft procured through a multiyear contract under this section may not exceed 211, of which not more than 185 may be in the MV–22 configuration and not more than 26 may be in the CV–22 configuration.

SEC. 126. QUALITY CONTROL IN PROCUREMENT OF SHIP CRITICAL SAFETY ITEMS AND RELATED SERVICES.

(a) IN GENERAL.—

(1) QUALITY CONTROL POLICY.—Chapter 633 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 7317. Ship critical safety items and related services: quality control in procurement

''(a) QUALITY CONTROL POLICY.—The Secretary of Defense shall prescribe in regulations a quality control policy for the procurement of—

''(1) ship critical safety items; and

''(2) modifications, repair, and overhaul of ship critical safety items.

''(b) CONTENT OF REGULATIONS.—The policy set forth in the regulations under subsection (a) shall include the following requirements:

''(1) That the head of the design control activity for ship critical safety items establish processes to identify and manage the procurement, modification, repair, and overhaul of ship critical safety items.

''(2) That the head of the contracting activity for a ship critical safety item enter into a contract for the procurement, modification, repair, or overhaul of such item only with a source that is on a qualified manufacturers list or is approved by the design control activity in accordance with section 2319 of this title.

''(3) That the ship critical safety items delivered, and the services performed with respect to ship critical safety items, meet all technical and quality requirements specified by the design control activity.

''(c) DEFINITIONS.—In this section:

''(1) The term 'ship critical safety item' means any part, assembly, or support equipment of a vessel that contains a critical characteristic the failure, malfunction, or absence of which may cause a catastrophic or critical failure resulting in loss or serious damage to the vessel or unacceptable risk of personal injury or loss of life.

''(2) The term 'design control activity', with respect to a ship critical safety item, means the systems command of a military department that is specifically responsible for ensuring the seaworthiness of a ship system or equipment in which the item is to be used.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''7317. Ship critical safety items and related services: quality control in procurement.''.

(b) CONFORMING AMENDMENTS.—Section 2319 of title 10, United States Code, is amended—

(1) in subsection (c)(3), by inserting ''or ship critical safety item'' after ''aviation critical safety item''; and

(2) In subsection (g)—

(A) by redesignating paragraph (2) as paragraph (3);

(B) by inserting after paragraph (1) the following new paragraph (2):

''(2) The term 'ship critical safety item' has the meaning given that term in section 7317(c) of this title.''; and

(C) in paragraph (3) (as redesignated)—

(i) by inserting ''or a ship critical safety item'' after ''aviation critical safety item'' the first place it appears; and

(ii) by inserting '', or the seaworthiness of a ship system or equipment,'' after ''equipment''.

SEC. 127. DD(X) NEXT-GENERATION DESTROYER PROGRAM.

(a) FUNDING AUTHORIZED.—Of the amount authorized to be appropriated by section 102(a)(3) for fiscal year 2007 for Shipbuilding and Conversion, Navy, $2,568,000,000 is available for the DD(X) Next-Generation Destroyer program.

(b) CONTRACT AUTHORITY.—The Secretary of the Navy may enter into two contracts during fiscal year 2007 for the DD(X) Next-Generation Destroyer program. The contracts shall be entered into with two different shipbuilders. One such contract shall provide for procurement of a DD(X) Next-Generation destroyer, including detail design and construction. The other contract shall provide only for detail design of a DD(X) Next-Generation destroyer. The two contracts shall be awarded simultaneously.

SEC. 128. SENSE OF CONGRESS THAT THE NAVY MAKE GREATER USE OF NUCLEAR-POWERED PROPULSION SYSTEMS IN ITS FUTURE FLEET OF SURFACE COMBATANTS.

(a) FINDINGS.—Congress makes the following findings:

(1) Securing and maintaining access to affordable and plentiful sources of energy is a vital national security interest for the United States.

(2) The Nation's dependence upon foreign oil is a threat to national security due to the inherently volatile nature of the global oil market and the political instability of some of the world's largest oil producing states.

(3) Given the recent increase in the cost of crude oil, which cannot realistically be expected to improve over the long term, other energy sources must be seriously considered.

(b) SENSE OF CONGRESS.—In light of the findings in subsection (a), it is the sense of Congress that the Navy should make greater use of alternative technologies, including nuclear power, as a means of vessel propulsion for its future fleet of surface combatants.

Subtitle D—Air Force Programs

SEC. 131. REQUIREMENT FOR B–52 FORCE STRUCTURE.

(a) REQUIREMENT.—Before the date specified in subsection (b), the Secretary of the Air Force—

(1) may not retire any B–52 aircraft, other than the aircraft with tail number 61–0025; and

(2) shall maintain not less than 44 such aircraft as combat-coded aircraft.

(b) TERMINATION.—For purposes of subsection (a), the date specified in this subsection is the earlier of—

(1) January 1, 2018; and

(2) the date as of which a long-range strike replacement aircraft with equal or greater capability than the B–52H model aircraft has attained initial operational capability status.

SEC. 132. STRATEGIC AIRLIFT FORCE STRUCTURE.

(a) REQUIRED FORCE STRUCTURE.—

(1) MINIMUM NUMBER OF AIRCRAFT.—Effective October 1, 2008, the Secretary of the Air Force shall maintain a total aircraft inventory of strategic airlift aircraft of not less than 299 aircraft.

(2) DEFINITIONS.—For purposes of this subsection:

(A) The term ''strategic airlift aircraft'' means an aircraft that has a cargo capacity of at least 150,000 pounds and that is capable of transporting outsized cargo an unrefueled range of at least 2,400 nautical miles.

(B) The term ''outsized cargo'' means any single item of equipment that exceeds 1,090 inches in length, 117 inches in width, or 105 inches in height.

(b) REPEAL OF LIMITATION ON RETIREMENT OF C–5 AIRCRAFT.—Section 132 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1411) is repealed.

SEC. 133. LIMITATION ON RETIREMENT OF U–2 AIRCRAFT.

(a) FISCAL YEAR 2007.— The Secretary of the Air Force may not retire any U–2 aircraft of the Air Force in fiscal year 2007.

(b) YEARS AFTER FISCAL YEAR 2007.—After fiscal year 2007, the Secretary of the Air Force may retire a U–2 aircraft only if the Secretary of Defense certifies to Congress that the U–2 intelligence, surveillance, and reconnaissance (ISR) capability provided by the U–2 aircraft no longer contributes to mitigating any gaps in ISR capabilities identified in the 2006 Quadrennial Defense Review. No action may be taken by the Department of Defense to retire (or to prepare to retire) any U–2 aircraft—

(1) before such a certification is submitted to Congress; or

(2) during the 60-day period beginning on the date on which such a certification is submitted.

SEC. 134. MULTIYEAR PROCUREMENT AUTHORITY FOR F–22A RAPTOR FIGHTER AIRCRAFT.

(a) MULTIYEAR AUTHORITY.—The Secretary of the Air Force may enter into a multiyear contract for the procurement of up to 60 F–22A Raptor fighter aircraft beginning with the 2007 program year,

(b) COMPLIANCE WITH LAW APPLICABLE TO MULTIYEAR CONTRACTS.—A contract under subsection (a) for the procurement of F–22A aircraft shall be entered into in accordance with section 2306b of title 10, United States Code, except that, notwithstanding subsection (k) of that section, such a contract may not be for a period in excess of three program years.

(c) REQUIRED CERTIFICATIONS.—In the case of a contract under subsection (a) for the procurement of F–22A aircraft, a certification under subsection (i)(1)(A) of section 2306b of title 10, United States Code, with respect to that contract may only be submitted if the certification includes an additional certification that each of the conditions specified in subsection (a) of that section has been satisfied with respect to that contract.

(d) NOTICE-AND-WAIT REQUIREMENT.—Upon submission to Congress of a certification referred to in subsection (c) with respect to a proposed contract under subsection (a) for the procurement of F–22A aircraft, the contract may then be entered into only after a period of 30 days has elapsed after the date of the submission of the certification.

SEC. 135. LIMITATION ON RETIREMENT OF KC–135E AIRCRAFT DURING FISCAL YEAR 2007.

(a) LIMITATION.—The number of KC–135E aircraft retired by the Secretary of the Air Force during fiscal year 2007 may not exceed 29.

(b) TREATMENT OF RETIRED AIRCRAFT.—The Secretary of the Air Force shall maintain each KC–135E aircraft that is retired by the Secretary after September 30, 2006, in a condition that would allow recall of that aircraft to future service in the Air Force Reserve, Air National Guard, or active forces aerial refueling force structure.

SEC. 136. LIMITATION ON RETIREMENT OF F–117A AIRCRAFT DURING FISCAL YEAR 2007.

(a) LIMITATION.—The number of F–117A aircraft retired by the Secretary of the Air Force during fiscal year 2007 may not exceed 10.

(b) TREATMENT OF RETIRED AIRCRAFT.—The Secretary of the Air Force shall maintain each F–117A aircraft that is retired by the Secretary after September 30, 2006, in a condition that would allow recall of that aircraft to future service.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.
Sec. 202. Amount for defense science and technology.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Alternate engine for Joint Strike Fighter.
Sec. 212. Extension of authority to award prizes for advanced technology achievements.
Sec. 213. Extension of Defense Acquisition Challenge Program.
Sec. 214. Future Combat Systems milestone review.
Sec. 215. Independent cost analyses for Joint Strike Fighter engine program.
Sec. 216. Dedicated amounts for implementing or evaluating DD(X) and CVN–21 proposals under Defense Acquisition Challenge Program.

Subtitle C—Ballistic Missile Defense

Sec. 221. Fielding of ballistic missile defense capabilities.
Sec. 222. Limitation on use of funds for space-based interceptor.

Subtitle D—Other Matters

Sec. 231. Review of test and evaluation policies and practices to address emerging acquisition approaches.

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2007 for the use of the Department of Defense for research, development, test, and evaluation as follows:

(1) For the Army, $10,932,209,000.

(2) For the Navy, $17,377,769,000.

(3) For the Air Force, $24,810,041,000.

(4) For Defense-wide activities, $20,944,559,000, of which $181,520,000 is authorized for the Director of Operational Test and Evaluation.

SEC. 202. AMOUNT FOR DEFENSE SCIENCE AND TECHNOLOGY.

(a) FISCAL YEAR 2007.—Of the amounts authorized to be appropriated by section 201, $11,735,555,000 shall be available for the Defense Science and Technology Program, including basic research, applied research, and advanced technology development projects.

(b) BASIC RESEARCH, APPLIED RESEARCH, AND ADVANCED TECHNOLOGY DEVELOPMENT DEFINED.—For purposes of this section, the term ''basic research, applied research, and advanced technology development'' means work funded in program elements for defense research and development under Department of Defense category 6.1, 6.2, or 6.3.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. ALTERNATE ENGINE FOR JOINT STRIKE FIGHTER.

Of the funds authorized to be appropriated for the Departments of the Navy and Air Force for the system development and demonstration program for the Joint Strike Fighter, not less than $408,000,000 shall be obligated for continued development of an alternate engine for the Joint Strike Fighter.

SEC. 212. EXTENSION OF AUTHORITY TO AWARD PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.

Section 2374a(f) of title 10, United States Code, is amended by striking ''September 30, 2007'' and inserting ''September 30, 2010''.

SEC. 213. EXTENSION OF DEFENSE ACQUISITION CHALLENGE PROGRAM.

(a) EXTENSION.—Section 2359b of title 10, United States Code, is amended by striking subsection (j).

(b) CONFIDENTIALITY.—Such section is further amended in subsection (g)—

(1) by amending the heading to read as follows: ''CONFLICTS OF INTEREST AND CONFIDENTIALITY.—''; and

(2) by inserting before the period at the end the following: ''and that the identity of any person or activity submitting a challenge proposal is not disclosed outside the Federal Government without the consent of the person or activity''.

SEC. 214. FUTURE COMBAT SYSTEMS MILESTONE REVIEW.

(a) MILESTONE REVIEW REQUIRED.—After the preliminary design review of the Future Combat Systems program, but in no event later than the end of fiscal year 2008, the Secretary of Defense shall carry out a Defense Acquisition Board milestone review of the Future Combat Systems program. The milestone review shall include an assessment as to each of the following:

(1) Whether the warfighter's needs are valid and can be best met with the concept of the program.

(2) Whether the concept of the program can be developed and produced within existing resources.

(3) Whether the program should continue.

(b) DETERMINATIONS TO BE MADE IN ASSESSING WHETHER PROGRAM SHOULD CONTINUE.—In making the assessment required by subsection (a)(3), the Secretary shall make a determination with respect to each of the following:

(1) Whether each critical technology for the program is at least Technical Readiness Level 6.

(2) For each system and network component of the program, what the key design and technology risks are, based on System Functional Reviews, Preliminary Design Reviews, and Technical Readiness Levels.

(3) Whether actual demonstrations, rather than simulations, have shown that the concept of the program will work.

(4) Whether actual demonstrations, rather than plans, have shown that the software for the program is functional.

(5) What the cost estimate for the program is.

(6) What the affordability assessment for the program is, based on that cost estimate.

(c) REPORT.—The Secretary shall submit to the congressional defense committees a report on the findings and conclusions of the milestone review required by subsection (a). The report shall include, and display, each of the assessments required by subsection (a) and each of the determinations required by subsection (b).

(d) RESTRICTION ON FUNDS EFFECTIVE FISCAL 2009.—For fiscal years beginning with 2009, the Secretary may not obligate any funds for the Future Combat Systems program until after the report required by subsection (c) is submitted.

SEC. 215. INDEPENDENT COST ANALYSES FOR JOINT STRIKE FIGHTER ENGINE PROGRAM.

(a) INDEPENDENT COST ANALYSES.—A comprehensive and detailed cost analysis of the Joint Strike Fighter engine program shall be independently performed by the Comptroller General and by the Secretary of Defense, acting through the Cost Analysis Improvement Group of the Office of the Secretary of Defense. The cost analysis shall cover—

(1) an alternative under which the aircraft are capable of using the F135 engine only;

(2) an alternative under which the aircraft are capable of using either the F135 engine or the F136 engine, and is carried out on a competitive basis; and

(3) any other alternative, whether competitive or sole source, that would reduce total life-cycle cost, improve program schedule, or both.

(b) REPORTS.—Not later than March 15, 2007, each official specified in subsection (a) shall independently submit to the congressional defense committees a report on the cost analysis carried out by that official under subsection (a). Each report shall include each of the following matters:

(1) The key assumptions used in carrying out the cost analysis.

(2) The methodology and techniques used in carrying out the cost analysis.

(3) For each alternative under subsection (a)—

(A) a comparison of the life-cycle costs, including costs in current and constant collars and a net-present-value analysis; and

(B) estimates of—

(i) supply, maintenance, and other operations manpower required to support the alternative;

(ii) the number of flight hours required to achieve engine maturity and in what year that is expected to be achieved; and

(iii) the total number of engines expected to be procured over the lifetime of the Joint Strike Fighter program.

(4) The acquisition strategies that were used for, and the experience with respect to cost, schedule, and performance under past acquisition programs for engines for tactical fighter aircraft, including the F–15, F–16, F–18, and F–22.

(5) A comparison of the experiences under past engine acquisition programs carried out on a sole-source basis, and those carried out on a competitive basis, with respect to performance, savings, maintainability, reliability, and technical innovation.

(6) Conclusions and recommendations.

(c) CERTIFICATION BY COMPTROLLER GENERAL.—In submitting the report required by subsection (b), the Comptroller General shall also submit a certification as to whether the Comptroller General had access to sufficient information to enable the Comptroller General to make informed judgments on the matters required to be included in the report.

(d) LIFE-CYCLE COSTS DEFINED.—In this section, the term ''life-cycle costs'' includes those elements of cost that would be considered for a life-cycle cost analysis for a major defense acquisition program, such as procurement of engines, procurement of spare engines, and procurement of engine components and parts, and also includes good-faith estimates of routine engine costs, such as performance upgrades and component improvement, that historically have occurred in tactical fighter engine programs.

SEC. 216. DEDICATED AMOUNTS FOR IMPLEMENTING OR EVALUATING DD(X) AND CVN–21 PROPOSALS UNDER DEFENSE ACQUISITION CHALLENGE PROGRAM.

(a) AMOUNTS REQUIRED.—Of the amounts appropriated pursuant to the authorization of appropriations in section 201(4) for research, development, test, and evaluation, Defense-wide, $4,000,000 shall be available only to implement or evaluate challenge proposals specified in subsection (b).

(b) CHALLENGE PROPOSALS COVERED.—A challenge proposal referred to in subsection (a) is a proposal under the Defense Acquisition Challenge Program established by section 2359b of title 10, United States Code, that relates to—

(1) the DD(X) next-generation destroyer program; or

(2) the CVN–21 next-generation aircraft carrier program.

Subtitle C—Ballistic Missile Defense

SEC. 221. FIELDING OF BALLISTIC MISSILE DEFENSE CAPABILITIES.

Upon approval by the Secretary of Defense, funds authorized to be appropriated for fiscal years 2007 and 2008 for research, development, test, and evaluation for the Missile Defense Agency may be used for the development and fielding of ballistic missile defense capabilities.

SEC. 222. LIMITATION ON USE OF FUNDS FOR SPACE-BASED INTERCEPTOR.

(a) LIMITATION.—No funds appropriated or other wise made available to the Department of Defense may be obligated or expended for the testing or deployment of a space-based interceptor until 90 days after the date on which a report described in subsection (c) is submitted.

(b) SPACE-BASED INTERCEPTOR DEFINED.—For purposes of this section, the term ''space-based interceptor'' means a kinetic or directed energy weapon that is stationed on a satellite or orbiting platform and that is intended to destroy another satellite in orbit or a ballistic missile launched from earth.

(c) REPORT.—A report described in this subsection is a report prepared by the Director of the Missile Defense Agency and submitted to the congressional defense committees containing the following:

(1) A description of the essential components of a proposed space-based interceptor system, including a description of how the system proposed would enhance or complement other missile defense systems.

(2) An estimate of the acquisition and life-cycle cost of the system described under paragraph (1), including lift cost and periodic replacement cost due to depreciation and attrition.

(3) An analysis of the vulnerability of such a system to counter-measures, including direct ascent and co-orbital interceptors, and an analysis of the functionality of such a system in the aftermath of a nuclear detonation in space.

(4) A projection of the foreign policy and national security implications of a space-based interceptor program, including the probable response of United States adversaries and United States allies.

Subtitle D—Other Matters

SEC. 231. REVIEW OF TEST AND EVALUATION POLICIES AND PRACTICES TO ADDRESS EMERGING ACQUISITION APPROACHES.

(a) REVISION TO REPORT REQUIREMENT.—Section 2399(b)(2)(B) of title 10, United States Code, is amended by striking ''tested are effective and suitable for combat'' and inserting the following: ''tested—

''(i) are effective and suitable for combat in accordance with the users' standards for effectiveness and suitability as reflected in the requirements process; or

''(ii) are operationally acceptable under certain restricted conditions, as delineated by the Director.''.

(b) REVIEW OF TEST AND EVALUATION POLICIES.—

(1) IN GENERAL.—The Under Secretary of Defense for Acquisition, Technology, and Logistics, in coordination with the Director of Operational Test and Evaluation and the Director of the Defense Test Resource Management Center, shall conduct a review of test and evaluation policies and practices of the Department of Defense and issue such new or revised guidance as may be necessary to address emerging acquisition approaches.

(2) ISSUES TO BE ADDRESSED.—The issues to be addressed by the Under Secretary in the review under paragraph (1) shall include, at a minimum, appropriate polices and practices for—

(A) ensuring the adequacy and the expediency of test and evaluation activities with regard to—

(i) items that are acquired pursuant to the rapid acquisition authority in section 806 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (10 U.S.C. 2302 note);

(ii) programs that are conducted pursuant to the spiral development authority in section 803 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (10 U.S.C. 2430 note) (or other authority for the conduct of incremental acquisition programs) ;

(iii) systems that are acquired pursuant to other emerging acquisition approaches, as approved by the Under Secretary; and

(iv) materiel that is not subject to the operational test and evaluation requirements in sections 2366 and 2399 of title 10, United States Code, but which may require limited operational test and evaluation for the purposes of ensuring the safety and realistic survivability of the materiel and the personnel using the materiel; and

(B) the appropriate use, if any, of operational test and evaluation resources to assess technology readiness levels for purposes of section 2366a of title 10, United States Code, and other applicable technology readiness requirements.

(c) INCLUSION OF TESTING NEEDS IN STRATEGIC PLAN.—The Director of the Defense Test Resource Management Center shall ensure that the strategic plan for Department of Defense test and evaluation resources required by section 196 of title 10, United States Code—

(1) reflects any testing needs of the Department of Defense that are identified in the review under paragraph (1); and

(2) includes an assessment of the test and evaluation facilities, resources, and budgets that will be required to meet such needs.

(d) REPORT.—Not later than nine months after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the congressional defense committees a report on the review conducted, and any new or revised guidance issued, pursuant to subsection (b).

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Operation and maintenance funding.
Sec. 302. Working capital funds.
Sec. 303. Other Department of Defense Programs.

Subtitle B—Environmental Provisions

Sec. 311. Revision of requirement for unexploded ordnance program manager.
Sec. 312. Identification and monitoring of military munitions disposal sites in ocean waters extending from United States coast to outer boundary of outer Continental Shelf.
Sec. 313. Reimbursement of Environmental Protection Agency for certain costs in connection with Moses Lake Wellfield Superfund Site, Moses Lake, Washington.
Sec. 314. Funding of cooperative agreements under environmental restoration program.
Sec. 315. Analysis and report regarding contamination and remediation responsibility for Norwalk Defense Fuel Supply Point, Norwalk, California.

Subtitle C—Workplace and Depot Issues

Sec. 321. Extension of exclusion of certain expenditures from percentage limitation on contracting for depot-level maintenance.
Sec. 322. Minimum capital investment for Air Force depots.
Sec. 323. Extension of temporary authority for contractor performance of security guard functions.

Subtitle D—Reports

Sec. 331. Report on Nuclear Attack Submarine Depot Maintenance.
Sec. 332. Report on Navy Fleet Response Plan.
Sec. 333. Report on Navy surface ship rotational crew programs.
Sec. 334. Report on Army live-fire ranges in Hawaii.
Sec. 335. Comptroller General report on joint standards and protocols for access control systems at Department of Defense installations.
Sec. 336. Report on Personnel Security Investigations for Industry and National Industrial Security Program.

Subtitle E—Other Matters

Sec. 341. Department of Defense strategic policy on prepositioning of materiel and equipment.
Sec. 342. Authority to make Department of Defense horses available for adoption at end of useful working life.
Sec. 343. Sale and use of proceeds of recyclable munitions materials.
Sec. 344. Capital security cost sharing.
Sec. 345. Prioritization of funds within Navy mission operations, ship maintenance, combat support forces, and weapons system support.
Sec. 346. Prioritization of funds within Army reconstitution and transformation.

Subtitle A—Authorization of Appropriations

SEC. 301. OPERATION AND MAINTENANCE FUNDING.

Funds are hereby authorized to be appropriated for fiscal year 2007 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

(1) For the Army, $24,920,735,000.

(2) For the Navy, $31,089,075,000.

(3) For the Marine Corps, $3,974,081,000.

(4) For the Air Force, $31,098,957,000.

(5) For Defense-wide activities, $19,876,763,000.

(6) For the Army Reserve, $2,300,102,000.

(7) For the Naval Reserve, $1,288,764,000.

(8) For the Marine Corps Reserve, $211,911,000.

(9) For the Air Force Reserve, $2,723,800,000.

(10) For the Army National Guard, $5,089,565,000.

(11) For the Air National Guard, $5,336,017,000.

(12) For the United States Court of Appeals for the Armed Forces, $11,721,000.

(13) For Environmental Restoration, Army, $413,794,000.

(14) For Environmental Restoration, Navy, $304,409,000.

(15) For Environmental Restoration, Air Force, $423,871,000.

(16) For Environmental Restoration, Defense-wide, $18,431,000.

(17) For Environmental Restoration, Formerly Used Defense Sites, $242,790,000.

(18) For Overseas Humanitarian, Disaster, and Civic Aid programs, $63,204,000.

(19) For Cooperative Threat Reduction programs, $372,128,000.

(20) For the Overseas Contingency Operations Transfer Fund, $10,000,000.

SEC. 302. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2007 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds in amounts as follows:

(1) For the Defense Working Capital Funds, $180,498,000.

(2) For the National Defense Sealift Fund, $1,138,732,000.

(3) For the Defense Working Capital Fund, Defense Commissary, $1,184,000,000.

SEC. 303. OTHER DEPARTMENT OF DEFENSE PROGRAMS.

(a) DEFENSE HEALTH PROGRAM.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2007 for expenses, not otherwise provided for, for the Defense Health Program, in the amount of $21,226,521,000, of which—

(1) $20,699,563,000 is for Operation and Maintenance;

(2) $130,603,000 is for Research, Development, Test, and Evaluation; and

(3) $396,355,000 is for Procurement.

(b) DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2007 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, in the amount of $926,890,000.

(c) DEFENSE INSPECTOR GENERAL.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2007 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, in the amount of $216,297,000, of which—

(1) $214,897,000 is for Operation and Maintenance;

(2) $1,400,000 is for Procurement; and

(3) $0 is for Research, Development, Test, and Evaluation.

Subtitle B—Environmental Provisions

SEC. 311. REVISION OF REQUIREMENT FOR UNEXPLODED ORDNANCE PROGRAM MANAGER.

Section 2701(k) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''establish'' and inserting ''designate'';

(B) by inserting ''research,'' after ''characterization,''; and

(C) by adding at the end the following: ''The position of program manager shall be filled by—

''(A) in the case of an employee, an employee in a position that is equivalent to pay grade O–6 or above; or

''(B) in the case of a member of the armed forces, a commissioned officer of the Army, Navy, Air Force, or Marine Corps who is serving in the grade of colonel, or in the case of the Navy, captain, or a higher grade.''; and

(2) by striking paragraph (2) and inserting the following:

''(2) The program manager shall report to the Deputy Under Secretary of Defense for Installations and Environment.''.

SEC. 312. IDENTIFICATION AND MONITORING OF MILITARY MUNITIONS DISPOSAL SITES IN OCEAN WATERS EXTENDING FROM UNITED STATES COAST TO OUTER BOUNDARY OF OUTER CONTINENTAL SHELF.

(a) IDENTIFICATION OF MILITARY MUNITIONS DISPOSAL SITES.—

(1) REVIEW OF HISTORICAL RECORDS.—The Secretary of Defense shall conduct a review of historical records to determine—

(A) the number and probable locations of sites where the Armed Forces disposed of military munitions within covered United States ocean waters;

(B) the size of the disposal sites; and

(C) the types and quantities of military munitions disposed of at the sites.

(2) COOPERATION.—The Secretary shall request the assistance of the Coast Guard, the National Oceanic and Atmospheric Administration, and other relevant Federal agencies in conducting the review required by this subsection.

(3) RELEASE OF INFORMATION.—The Secretary shall periodically release, but no less often than annually, information obtained during the review conducted under this subsection. The Secretary may withhold from public release information about the exact nature and location of a disposal site if the Secretary determines that the potential unauthorized retrieval of military munitions at the site could pose a significant threat to national defense or public safety.

(4) REPORTING REQUIREMENTS.—The Secretary shall include the information obtained during a year through the review conducted under this subsection in the report submitted to Congress under section 2706(a) of title 10, United States Code, for the same year.

(b) IDENTIFICATION OF NAVIGATIONAL AND SAFETY HAZARDS.—

(1) INFORMATION FOR NAUTICAL CHARTS AND OTHER NAVIGATIONAL MATERIALS.—The Secretary shall share information obtained through the review conducted under subsection (a) with the Secretary of Commerce to assist the National Oceanic and Atmospheric Administration in preparing nautical charts and other navigational materials for covered United States ocean waters to identify known or probable hazards from disposed military munitions.

(2) INFORMATION FOR USERS.—The Secretary shall continue activities to inform potentially affected users of the ocean environment, and particularly fishing operations, of the possible hazards from contact with military munitions and the proper methods to mitigate such hazards.

(c) RESEARCH.—

(1) IN GENERAL.—The Secretary shall conduct research on the effects of military munitions disposed of in covered United States ocean waters.

(2) SPECIFIED RESEARCH EFFORTS.—The research conducted under this subsection shall include the following:

(A) The sampling and analysis of ocean waters and seabeds at or adjacent to the military munitions disposal sites selected by the Secretary under paragraph (4).

(B) The investigation into the long-term effects of seawater exposure on military munitions, particularly chemical munitions.

(C) The development of effective safety measures when dealing with military munitions disposed of in seawater.

(3) RESEARCH METHODS.—In conducting research under this subsection, the Secretary may make grants to, and enter into cooperative agreements with, qualified research entities, as determined by the Secretary.

(4) RESEARCH LOCATIONS.—In conducting research under this subsection, the Secretary shall ensure that the sampling, analysis, and investigations are conducted at reasonably representative sites applying factors such as depth, water temperature, nature of the military munitions present, and relative proximity to shore populations. The Secretary shall select at least two representative sites from each of the following areas:

(A) Along the Atlantic coast.

(B) Along the Pacific coast (including the coast of Alaska).

(C) Off the shore of the Hawaiian Islands.

(d) MONITORING.—If research conducted under subsection (c) at a military munitions disposal site indicates that the disposed military munitions have caused or may be causing contamination of ocean waters or seabeds, the Secretary shall institute appropriate monitoring mechanisms at that site to recognize and track the potential release of contamination into the ocean waters from military munitions.

(e) DEFINITIONS.—In this Act:

(1) The term ''coast line'' has the same meaning given that term in section 2 of the Submerged Lands Act (43 U.S.C. 1301).

(2) The term ''covered United States ocean waters'' means that part of the ocean extending from the coast line to the outer boundary of the outer Continental Shelf.

(3) The term ''military munitions'' has the same meaning given that term in section 101(e) of title 10, United States Code.

(4) The term ''outer Continental Shelf'' has the same meaning given that term in section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331).

(5) The term ''Secretary'' means the Secretary of Defense.

SEC. 313. REIMBURSEMENT OF ENVIRONMENTAL PROTECTION AGENCY FOR CERTAIN COSTS IN CONNECTION WITH MOSES LAKE WELLFIELD SUPERFUND SITE, MOSES LAKE, WASHINGTON.

(a) AUTHORITY TO REIMBURSE.—Using funds described in subsection (b), the Secretary of Defense may transfer not more than $111,114.03 to the Moses Lake Wellfield Superfund Site 10–6J Special Account to reimburse the Environmental Protection Agency for the costs incurred by the Environmental Protection Agency in overseeing a remedial investigation and feasibility study performed by the Department of the Army under the Defense Environmental Restoration Program at the former Larson Air Force Base, Moses Lake Wellfield Superfund Site, Moses Lake, Washington. This reimbursement is provided for in the March 1999 interagency agreement entered into by the Department of the Army and the Environmental Protection Agency for the Moses Lake Wellfield Superfund Site.

(b) SOURCE OF FUNDS.—Any payment under subsection (a) shall be made using funds authorized to be appropriated by section 301(17) for operation and maintenance for Environmental Restoration, Formerly Used Defense Sites.

SEC. 314. FUNDING OF COOPERATIVE AGREEMENTS UNDER ENVIRONMENTAL RESTORATION PROGRAM.

Section 2701(d)(2) of title 10, United States Code, is amended by adding at the end the following new sentence: ''This two-year limitation does not apply to an agreement funded using amounts in the Department of Defense Base Closure Account 1990 or the Department of Defense Base Closure Account 2005 established under sections 2906 and 2906A of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note).''.

SEC. 315. ANALYSIS AND REPORT REGARDING CONTAMINATION AND REMEDIATION RESPONSIBILITY FOR NORWALK DEFENSE FUEL SUPPLY POINT, NORWALK, CALIFORNIA.

(a) ANALYSIS REQUIRED.—The Secretary of the Air Force shall conduct a comprehensive analysis on the contamination and remediation costs of the Norwalk Defense Fuel Supply Point in Norwalk, California. As part of the analysis, the Secretary shall—

(1) characterize the contamination at the Norwalk Defense Fuel Supply Point;

(2) prepare a plan for the remediation of the Norwalk Defense Fuel Supply Point;

(3) prepare an estimate of anticipated costs to responsible parties;

(4) prepare a timeline for implementation and completion of the remediation at the Norwalk Defense Fuel Supply Point;

(5) describe the status of efforts to reach an allocation agreement of responsibility for remediation of the Norwalk Defense Fuel Supply Point with all entities that have contributed to the contamination of the property; and

(6) prepare a plan for removal or conveyance of infrastructure at the Norwalk Defense Fuel Supply Point, including costs and responsibility for those costs of elements of that plan.

(b) REPORT REQUIRED.—Not later than January 30, 2007, the Secretary shall submit to Congress a report containing the results of the analysis conducted under subsection (a) and addressing each of the matters specified in paragraphs (1) through (6) of such subsection.

(c) CONVEYANCE REQUIREMENTS.—The Secretary shall not convey property by public auction at the Norwalk Defense Fuel Supply Point before such time as the Secretary has—

(1) pursued a fair market transfer of the property to the City of Norwalk, California, taking into consideration all contamination of the property;

(2) submitted the report required by subsection (b); and

(3) submitted an additional report to Congress explaining the efforts undertaken by the Secretary to reach agreement with the City on the sale of the property, including the reasons that those efforts were not successful, and 30-days have elapsed after this report is submitted.

Subtitle C—Workplace and Depot Issues

SEC. 321. EXTENSION OF EXCLUSION OF CERTAIN EXPENDITURES FROM PERCENTAGE LIMITATION ON CONTRACTING FOR DEPOT-LEVEL MAINTENANCE.

Section 2474(f)(1) of title 10, United States Code, is amended by striking ''fiscal years 2003 through 2009'' and inserting ''fiscal years 2003 through 2014''.

SEC. 322. MINIMUM CAPITAL INVESTMENT FOR AIR FORCE DEPOTS.

(a) INVESTMENT REQUIRED.—Chapter 803 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 8025. Minimum capital investment in Air Force depots

''(a) MINIMUM INVESTMENT REQUIREMENT.—Each fiscal year, the Secretary of the Air Force shall invest in the capital budgets of the depots of the Air Force a total amount equal to not less than six percent of the total combined revenue of all the depots of the Air Force for the preceding fiscal year.

''(b) WAIVER.—The Secretary of the Air Force may waive the requirement under subsection (a) if the Secretary determines that the waiver is necessary for reasons of national security and notifies the congressional defense committees.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''8025. Minimum capital investment for Air Force depots.''.

(c) EFFECTIVE DATE.—Section 8025 of title 10, United States Code, shall apply with respect to fiscal years beginning after the date of the enactment of this Act.

SEC. 323. EXTENSION OF TEMPORARY AUTHORITY FOR CONTRACTOR PERFORMANCE OF SECURITY GUARD FUNCTIONS.

(a) ONE-YEAR EXTENSION.—Section 332(c) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314) is amended by striking ''September 30, 2007'' both places it appears and inserting ''September 30, 2008''.

(b) REPORT ON CONTRACTOR PERFORMANCE OF SECURITY-GUARD FUNCTIONS.—Not later than February 1, 2007, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives, a report on contractor performance of security guard functions under section 332 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314). The report shall include the following:

(1) An explanation of progress made toward implementing each of the seven recommendations in the Comptroller General report entitled ''Contract Security Guards: Army's Guard Program Requires Greater Oversight and Reassessment of Acquisition Approach'' (GAO–06–284).

(2) An assessment, taking into considerations the observations made by the GAO on the report of the Department of Defense of November 2005 that is entitled ''Department of Defense Installation Security Guard Requirement Assessment and Plan'', of the following:

(A) The cost-effectiveness of using contractors rather than Department of Defense employees to perform security-guard functions.

(B) The performance of contractors employed as security guards compared with the performance of military personnel who have served as security guards.

(C) Specific results of on-site visits made by officials designated by the Secretary of Defense to military installations using contractors to perform security-guard functions.

(c) CONTRACT LIMITATION.—No contract may be entered into under section 332 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314) after September 30, 2007, until the report required under subsection (b) is submitted.

Subtitle D—Reports

SEC. 331. REPORT ON NUCLEAR ATTACK SUBMARINE DEPOT MAINTENANCE.

(a) REPORT REQUIRED.—Not later than February 1, 2007, the Secretary of the Navy shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report describing the criteria used when a nuclear attack submarine is sent to a facility other than a facility located within 200 miles of the homeport of the submarine for maintenance described in subsection (d) when there is a public or private facility located within 200 miles of the homeport at which the maintenance required could be conducted.

(b) CONTENTS OF REPORT.—The report required under subsection (a) shall include the following:

(1) An assessment of the cost of housing for the crew of the submarine.

(2) The costs associated with traveling to the homeport of the submarine for official duty.

(3) The treatment of crew time while the submarine is undergoing nondeployed maintenance work away from the homeport.

(4) An assessment of the effect that maintenance conducted away from the homeport of a submarine has on the families of the members stationed on that submarine.

(5) An analysis of the retention of officers and enlisted members stationed on the submarine.

(6) An analysis of the use of fixed maintenance crews or semi-permanent engineering crews for maintenance availabilities that exceed 13 months.

(c) RESTRICTION ON MAINTENANCE AWAY FROM HOMEPORT.—

(1) RESTRICTION.—During fiscal year 2007, the Secretary of the Navy may not conduct maintenance described in subsection (d) on a nuclear attack submarine at a facility other than a facility located within 200 miles of the homeport of that submarine if there is a public or private facility located within 200 miles of the homeport at which the maintenance required could be conducted without adversely affecting operational deployment schedules.

(2) NOTIFICATION REQUIRED.—Not later than five days before maintenance restricted under paragraph (1) is conducted due to operation deployment schedules, the Secretary of the Navy shall provide to the congressional defense committees written notice of the maintenance that is to be conducted and the justification for conducting that maintenance.

(d) COVERED MAINTENANCE.—Maintenance described in this subsection is any of the following:

(1) Maintenance referred to as selected restricted availability maintenance.

(2) Maintenance referred to as preinactivation restricted availability maintenance.

(3) Maintenance referred to as extended selected restricted availability maintenance.

(4) Maintenance referred to as interim dry dock availabilities.

SEC. 332. REPORT ON NAVY FLEET RESPONSE PLAN.

(a) REPORT REQUIRED.—Not later than December 1, 2006, the Secretary of the Navy shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the program of the Navy referred to as the Fleet Response Plan. The report shall include the following:

(1) A directive that provides guidance for the conduct of the Plan and standardizes terms and definitions.

(2) Performance measures for evaluation of the Plan.

(3) Costs and resources needed to achieve objectives of the Plan.

(4) Operational tests, exercises, war games, experiments, and deployments used to test performance.

(5) A collection and synthesis of lessons learned from the implementation of the Plan as of the date on which the report is submitted.

(6) Evaluation of each of the following with respect to each ship participating in the Plan:

(A) Combat Readiness.

(B) Ship material condition.

(C) Number of maintenance deficiencies.

(D) Amount of maintenance accomplished while underway.

(E) Amount of maintenance accomplished at pier dockings.

(F) Number of voyage repairs during each deployment.

(G) Combat skills training requirements accomplished during a deployment and at the home station.

(H) Professional development training requirements accomplished during a deployment and at home station.

(I) Crew retention statistics.

(7) Any proposed changes to the Surface Force Training Manual.

(8) The amount of funding required to effectively implement the operations and maintenance requirements of the Plan and the effect of providing funding in an amount less than that amount.

(9) Any recommendations of the Secretary of the Navy with respect to expanding the Plan to include Expeditionary Strike Groups.

(b) COMPTROLLER GENERAL REPORT.—Not later than March 15, 2007, the Comptroller General shall submit to the congressional defense committees a report containing a review of the Navy report required under subsection (a). The report shall include the following:

(1) An examination of the management approaches of the Navy in implementing the Fleet Response Plan.

(2) An assessment of the adequacy of Navy directives and guidance with respect to maintenance and training requirements and procedures.

(3) An analysis and assessment of the adequacy of the Navy's test, exercises, and evaluation criteria.

(4) An evaluation of Navy data on aircraft carriers, destroyers, and cruisers that participated in the Fleet Response Plan with respect to readiness, response time, and availability for routine or unforeseen deployments.

(5) An assessment of the Navy's progress in identifying the amount of funding required to effectively implement the operations and maintenance requirements of the Fleet Response Plan and the effect of providing funding in an amount less than that amount.

(6) Any recommendations of the Comptroller General with respect to expanding the Fleet Response Plan to include Expeditionary Strike Groups.

(c) POSTPONEMENT OF EXPANSION.—The Secretary of the Navy may not expand the implementation of the Fleet Response Plan beyond the Carrier Strike Groups until October 1, 2007.

SEC. 333. REPORT ON NAVY SURFACE SHIP ROTATIONAL CREW PROGRAMS.

(a) REPORT REQUIRED.—Not later than April 1, 2007, the Secretary of the Navy shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the ship rotational crew experiment referred to in subsection (c)(1). The report shall include the following:

(1) A comparison between the three destroyers participating in that experiment and destroyers not participating in the experiment that takes into consideration each of the following:

(A) Cost-effectiveness, including a comparison of travel and per diem expenses, maintenance costs, and other costs.

(B) Maintenance procedures, impacts, and deficiencies, including the number and characterization of maintenance deficiencies, the extent of voyage repairs, post-deployment assessments of the material condition of the ships, and the extent to which work levels were maintained.

(C) Mission training requirements.

(D) Professional development requirements and opportunities.

(E) Liberty port of call opportunities.

(F) Movement and transportation of crew.

(G) Inventory and property accountability.

(H) Policies and procedures for assigning billets for rotating crews.

(I) Crew retention statistics.

(J) Readiness and mission capability data.

(2) Results from surveys administered or focus groups held to obtain representative views from commanding officers, officers, and enlisted members on the effects of rotational crew experiments on quality of life, training, professional development, maintenance, mission effectiveness, and other issues.

(3) The extent to which standard policies and procedures were developed and used for participating ships.

(4) Lessons learned from the destroyer experiment.

(5) An assessment from the combatant commanders on the crew mission performance when deployed.

(6) An assessment from the commander of the Fleet Forces Command on the material condition, maintenance, and crew training of each participating ship.

(7) Any recommendations of the Secretary of the Navy with respect to the extension of the ship rotational crew experiment or the implementation of the experiment for other surface vessels.

(b) POSTPONEMENT OF IMPLEMENTATION.—The Secretary of the Navy may not begin implementation of any new surface ship rotational crew experiment or program during the period beginning on the date of the enactment of this Act and ending on October 1, 2009.

(c) TREATMENT OF EXISTING EXPERIMENTS.—

(1) DESTROYER EXPERIMENT.—Not later than January 1, 2007, the Secretary of the Navy shall terminate the existing ship rotational crew experiment involving the U.S.S. Gonzalez (DDG–66), the U.S.S. Stout (DDG–55), and the U.S.S. Laboon (DDG–58) that is known as the ''sea swap''.

(2) PATROL COASTAL CLASS SHIP EXPERIMENT.—The Secretary of the Navy may continue the existing ship rotational crew program that is currently in use by overseas-based Patrol Coastal class ships.

(d) COMPTROLLER GENERAL REPORT.—Not later than July 15, 2007, the Comptroller General shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the ship rotational crew experiment referred to in subsection (c)(1). The report shall include the following:

(1) A review of the report submitted by the Secretary of the Navy under subsection (a) and an assessment of the extent to which the Secretary fully addressed costs, quality of life, training, maintenance, and mission effectiveness, and other relevant issues in that report.

(2) An assessment of the extent to which the Secretary established and applied a comprehensive framework for assessing the use of ship rotational crew experiments, including formal objectives, metrics, and methodology for assessing the cost-effectiveness of such experiments.

(3) An assessment of the extent to which the Secretary established effective guidance for the use of ship rotational crew experiments.

(4) Lessons learned from recent ship rotational crew experiments and an assessment of the extent to which the Navy systematically collects and shares lessons learned.

(e) CONGRESSIONAL BUDGET OFFICE REPORT.—Not later than July 15, 2007, the Director of the Congressional Budget Office shall submit a report to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the long-term implications of the use of crew rotation on Navy ships on the degree of forward presence provided by Navy ships. The report shall include the following:

(1) An analysis of different approaches to crew rotation and the degree of forward presence each approach would provide.

(2) A comparison of the degree of forward presence provided by the fleet under the long-term shipbuilding plan of the Navy with and without the widespread use of crew rotation.

(3) The long-term benefits and costs of using crew rotation on Navy ships.

SEC. 334. REPORT ON ARMY LIVE-FIRE RANGES IN HAWAII.

Not later than March 1, 2007, the Secretary of the Army shall submit to Congress a report on the adequacy of the live-fire ranges of the Army in the State of Hawaii with respect to current and future training requirements. The report shall include the following:

(1) An evaluation of the capacity of the existing live-fire ranges to meet the training requirements of the Army, including the training requirements of Stryker Brigade Combat Teams.

(2) A description of any existing plan to modify or expand any range in Hawaii for the purpose of meeting anticipated live-fire training requirements.

(3) A description of the current live-fire restrictions at the Makua Valley range and the effect of these restrictions on unit readiness.

(4) Cost and schedule estimates for the construction of new ranges or the modification of existing ranges that are necessary to support future training requirements if existing restrictions on training at the Makua Valley range remain in place.

SEC. 335. COMPTROLLER GENERAL REPORT ON JOINT STANDARDS AND PROTOCOLS FOR ACCESS CONTROL SYSTEMS AT DEPARTMENT OF DEFENSE INSTALLATIONS.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report containing the assessment of the Comptroller General of—

(1) the extent to which consistency exists in standards, protocols, and procedures for access control across installations of the Department of Defense; and

(2) whether the establishment of joint standards and protocols for access control at such installations would be likely to—

(A) address any need of the Department identified by the Comptroller General; or

(B) improve access control across the installations by providing greater consistency and improved force protection.

(b) ISSUES TO BE ASSESSED.—In conducting the assessment required by subsection (a), the Comptroller General shall assess the extent to which each installation of the Department of Defense has or would benefit from having an access control system with the ability to—

(1) electronically check any identification card issued by any Federal agency or any State or local government within the United States, including any identification card of a visitor to the installation who is a citizen or legal resident of the United States;

(2) verify that an identification card used to obtain access to the installation was legitimately issued and has not been reported lost or stolen;

(3) check on a real-time basis all relevant watch lists maintained by the Government, including terrorist watch lists and lists of persons wanted by State, local, or Federal law enforcement authorities;

(4) maintain a log of individuals seeking access to the installation and of individuals who are denied access to the installation; and

(5) exchange information with any installation with a system that complies with the joint standards and protocols.

SEC. 336. REPORT ON PERSONNEL SECURITY INVESTIGATIONS FOR INDUSTRY AND NATIONAL INDUSTRIAL SECURITY PROGRAM.

(a) REPORTS REQUIRED.—Not later than 90 days after the date of the enactment of this Act and every six months thereafter, the Secretary of Defense shall submit to the congressional defense committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Government Reform of the House of Representatives, a report on the future requirements of the Department of Defense with respect to the Personnel Security Investigations for Industry and the National Industrial Security Program of the Defense Security Service.

(b) CONTENTS OF REPORTS.—

(1) INITIAL REPORT.—The initial report required under subsection (a) shall include each of the following:

(A) The number of personnel security clearance investigations conducted during the period beginning on October 1, 1999, and ending on September 30, 2006.

(B) The number of each type of security clearance granted during that period.

(C) The unit cost to the Department of Defense of each security clearance granted during that period.

(D) The amount of any fee or surcharge paid to the Office of Personnel Management as a result of conducting a personnel security clearance investigation.

(E) A description of the procedures used by the Secretary of Defense to estimate the number of personnel security clearance investigations to be conducted during a fiscal year.

(F) A description of any effect of delays and backlogs in the personnel security clearance investigation process on the national security of the United States.

(G) A description of any effect of delays and backlogs in the personnel security clearance investigation process on the defense industrial base assets of the United States.

(H) A plan developed by the Secretary of Defense to reduce such delays and backlogs.

(I) A plan developed by the Secretary of Defense to adequately fund the personnel security clearance investigation process.

(J) A plan developed by the Secretary of Defense to establish a more stable and effective Personnel Security Investigations Program.

(K) A plan developed by the Secretary of Defense to involve external sources, including defense contractors, in the plans of the Secretary of Defense under subparagraphs (H), (I), and (J).

(2) SUBSEQUENT REPORTS.—Each report required to be submitted under subsection (a) after the submission of the initial report shall include each of the following:

(A) The funding requirements of the personnel security clearance investigation program and ability of the Secretary of Defense to fund the program.

(B) The size of the personnel security clearance investigation process backlog.

(C) The length of the average delay for an individual case pending in the personnel security clearance investigation process.

(D) Any progress made by the Secretary of Defense during the six months preceding the date on which the report is submitted toward implementing planned changes in the personnel security clearance investigation process.

(E) A determination certified by the Secretary of Defense of whether the personnel security clearance investigation process has improved during the six months preceding the date on which the report is submitted.

(c) COMPTROLLER GENERAL REPORT.—As soon as practicable after the Secretary of Defense submits the initial report required under subsection (a), the Comptroller General shall submit a report to Congress that contains a review of such initial report.

(d) SENSE OF CONGRESS ON IMPROVING THE PERSONNEL SECURITY INVESTIGATIONS PROGRAM.—

(1) FINDINGS.—Congress finds the following:

(A) Since fiscal year 2000, the General Accountability Office has listed the Personnel Security Investigations Program of the Department of Defense as a systemic weakness that affects more than one component of the Department and may jeopardize the operations of the Department.

(B) In 2005, the Government Accountability Office designated the Personnel Security Investigations Program as a high-risk area because delays by the Program in issuing security clearances can affect national security.

(C) In 2005, the Government Accountability Office found that the Department of Defense continues to face sizeable security clearance backlogs.

(D) The Government Accountability Office also reported in 2005 that security clearance delays increase national security risks, delay the start of classified work, hamper employers from hiring the best qualified workers, and increase the cost to the Government of national security-related contracts.

(E) These security clearance backlogs and delays continue in 2006, and have brought the security clearance program to a reported standstill.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the delays and backlogs associated with the Personnel Security Investigations Program threaten the national security of the United States and key defense industrial assets; and

(B) the Secretary of Defense should take such steps as are necessary to eliminate the backlogs of applications for security clearance and the delays associated with the security clearance application process and make systemic improvements to the Personnel Security Investigations Program.

Subtitle E—Other Matters

SEC. 341. DEPARTMENT OF DEFENSE STRATEGIC POLICY ON PREPOSITIONING OF MATERIEL AND EQUIPMENT.

(a) STRATEGIC POLICY REQUIRED.—Chapter 131 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2229. Strategic policy on prepositioning of materiel and equipment

''(a) POLICY REQUIRED.—The Secretary of Defense shall maintain a strategic policy on the programs of the Department of Defense for the prepositioning of materiel and equipment. Such policy shall take into account national security threats, strategic mobility, and service requirements.

''(b) LIMITATION OF DIVERSION OF PREPOSITIONED MATERIEL.—The Secretary of a military department may not divert materiel or equipment from prepositioned stocks except—

''(1) in accordance with a change made by the Secretary of Defense to the policy maintained under subsection (a); or

''(2) for the purpose of supporting a contingency operation.

''(c) CONGRESSIONAL NOTIFICATION.—The Secretary of Defense may not implement or change the policy required under subsection (a) until the Secretary submits to the congressional defense committees a report describing the policy or change to the policy.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2229. Strategic policy on prepositioning of materiel and equipment.''.

(c) DEADLINE FOR ESTABLISHMENT OF POLICY.—

(1) DEADLINE.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall establish the strategic policy on the programs of the Department of Defense for the prepositioning of materiel and equipment required under section 2229 of title 10, United States Code, as added by subsection (a).

(2) LIMITATION ON DIVERSION OF PREPOSITIONED MATERIEL.—During the period beginning on the date of the enactment of this Act and ending on the date on which the Secretary of Defense submits the report required under section 2229(c) of title 10, United States Code, on the policy established under paragraph (1), the Secretary of a military department may not divert materiel or equipment from prepositioned stocks except for the purpose of supporting a contingency operation.

SEC. 342. AUTHORITY TO MAKE DEPARTMENT OF DEFENSE HORSES AVAILABLE FOR ADOPTION AT END OF USEFUL WORKING LIFE.

(a) INCLUSION OF DEPARTMENT OF DEFENSE HORSES IN EXISTING AUTHORITY.—Section 2583 of title 10, United States Code, is amended—

*(1) in the section heading, by striking ''**working dogs**'' and inserting ''**animals**'';*

(2) by striking ''working'' each place it appears;

(3) by striking ''dog'' and ''dogs'' each place they appear and inserting ''animal'' and ''animals'', respectively;

(4) by striking ''dog's'' in paragraphs (1) and (2) of subsection (a) and inserting ''animal's'';

(5) by striking ''a dog's adoptability'' in subsection (b) and inserting ''the adoptability of the animal''; and

(6) by adding at the end the following new subsection:

''(g) MILITARY ANIMAL DEFINED.—In this section, the term 'military animal' means the following:

''(1) A military working dog.

''(2) A horse owned by the Department of Defense.''.

(b) CLERICAL AMENDMENT.—The item relating to such section in the table of sections at the beginning of chapter 153 of such title is amended to read as follows:

''2583. Military animals: transfer and adoption at end of useful working life.''.

SEC. 343. SALE AND USE OF PROCEEDS OF RECYCLABLE MUNITIONS MATERIALS.

(a) ESTABLISHMENT OF PROGRAM.—Chapter 443 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 4690. Recyclable munitions materials: sale; use of proceeds

''(a) AUTHORITY FOR PROGRAM.—Notwithstanding section 2577 of this title, the Secretary of the Army may carry out a program to sell recyclable munitions materials resulting from the demilitarization of conventional military munitions without regard to chapter 5 of title 40 and use any proceeds in accordance with subsection (c).

''(b) METHOD OF SALE.—The Secretary shall use competitive procedures to sell recyclable munitions materials under this section in accordance with Federal procurement laws and regulations.

''(c) PROCEEDS.—(1) Proceeds from the sale of recyclable munitions materials under this section shall be credited to an account that is specified as being for Army ammunition demilitarization from funds made available for the procurement of ammunition, to be available only for reclamation, recycling, and reuse of conventional military munitions (including research and development and equipment purchased for such purpose).

''(2) Amounts credited under this subsection shall be available for obligation for the fiscal year during which the funds are so credited and for three subsequent fiscal years.

''(d) REGULATIONS.—The Secretary shall prescribe regulations to carry out the program established under this section. Such regulations shall be consistent and in compliance with the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) and the regulations implementing that Act.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''4690. Recyclable munitions materials: sale; use of proceeds.''.

SEC. 344. CAPITAL SECURITY COST SHARING.

(a) RECONCILIATION REQUIRED.—For each fiscal year, the Secretary of Defense shall reconcile (1) the estimate of overseas presence of the Secretary of Defense under subsection (b) for that fiscal year, with (2) the determination of the Secretary of State under section 604(e)(1) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note) of the total overseas presence of the Department of Defense for that fiscal year.

(b) ANNUAL ESTIMATE OF OVERSEAS PRESENCE.—Not later than February 1 of each year, the Secretary of Defense shall submit to the congressional defense committees an estimate of the total number of Department of Defense overseas personnel subject to chief of mission authority pursuant to section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) during the fiscal year that begins on October 1 of that year.

SEC. 345. PRIORITIZATION OF FUNDS WITHIN NAVY MISSION OPERATIONS, SHIP MAINTENANCE, COMBAT SUPPORT FORCES, AND WEAPONS SYSTEM SUPPORT.

(a) IN GENERAL.—The Secretary of the Navy shall take such steps as necessary through the planning, programming, budgeting, and execution systems of the Department of the Navy to

ensure that financial resources are provided for each fiscal year as necessary to enable the Navy to fund the following requirements of the Navy for that fiscal year:

(1) 100 percent of the requirements for steaming days per quarter for deployed ship operations.

(2) 100 percent of the requirements for steaming days per quarter for non-deployed ship operations.

(3) 100 percent of the projected ship and air depot maintenance.

(b) LIMITATION OF FUNDS FOR NAVY EXPEDITIONARY COMBAT COMMAND.—Of the funds appropriated for the Department of Navy for any fiscal year after fiscal year 2006, no operation and maintenance funds may be expended for the Navy Expeditionary Combat Command until the funding priorities in subsection (a) are met for that fiscal year.

(c) ANNUAL REPORT.—The Secretary of Navy shall submit to the congressional defense committees an annual report, to be submitted each year with the annual operation and maintenance justification of estimates material for the next fiscal year, that certifies that the requirements in subsection (a) are satisfied for the fiscal year for which that material is submitted.

SEC. 346. PRIORITIZATION OF FUNDS WITHIN ARMY RECONSTITUTION AND TRANSFORMATION.

(a) IN GENERAL.—The Secretary of the Army shall take such steps as necessary through the planning, programming, budgeting, and execution systems of the Department of the Army to ensure that financial resources are provided for each fiscal year as necessary to enable the Army to meet its requirements in that fiscal year for each of the following:

(1) The repair, recapitalization, and replacement of equipment used in the Global War on Terrorism, based on implementation of requirements based on a cost estimate for such purposes of at least $72,300,000,000 over the period of the five fiscal years beginning with fiscal year 2008.

(2) The fulfillment of equipment requirements of units transforming to modularity in accordance with the Modular Force Initiative report submitted to Congress in March 2006, based on implementation of requirements based on a cost estimate for such purposes of $47,600,000,000 over the period of the five fiscal years beginning with fiscal year 2008.

(3) The reconstitution of equipment and materiel in prepositioned stocks by 2012 in accordance with requirements under the Army Prepositioned Stocks Strategy 2012 or a subsequent strategy implemented under the guidelines in section 2229 of title 10, United States Code.

(b) ANNUAL REPORT.—The Secretary of the Army shall submit to the congressional defense committees an annual report, until the requirements of subsection (a) have been met, setting forth the progress toward meeting those requirements. Any information required to be included in the report concerning funding priorities under paragraph (1) or (2) of subsection (a) shall be itemized by active duty component and reserve component. The report for any year shall be submitted at the time the budget of the President for the next fiscal year is submitted to Congress. Each such report shall include the following:

(1) A complete itemization of the requirements for the funding priorities in subsection (a), including an itemization for all types of modular brigades for both active and reserve components.

(2) A list of any shortfalls that exist between available funding, equipment, supplies, and industrial capacity and required funding, equipment, supplies, and industrial capacity in accordance with the funding priorities in subsection (a).

(3) A list of the requirements for the funding priorities in subsection (a) that the Army has included in the budget for that fiscal year, including a detailed listing of the type, quantity, and cost of the equipment the Army plans to repair, recapitalize, or procure, set forth by appropriations account and Army component.

(4) An assessment of the progress made during that fiscal year toward meeting the overall requirements of the funding priorities in subsection (a).

(5) A description of how the Army defines costs associated with modularity versus the costs associated with modernizing equipment platforms and repairing, recapitalizing, and replacing equipment used during the global war on terrorism.

(6) The results of Army assessments of modular force capabilities, including lessons learned from existing modular units and any modifications that have been made to modularity.

(7) The assessment of each of the Chief of the National Guard Bureau and the Chief of the Army Reserve of each of the items described in paragraphs (1) through (6).

(c) LIMITATION ON FUNDS FOR FUTURE COMBAT SYSTEMS.—Of the funds appropriated for the Army for any fiscal year after fiscal year 2007, not more than $2,850,000,000 may be expended for the Future Combat Systems until the funding priorities in subsection (a) are met for that fiscal year.

(d) USE OF EXCESS FUNDS FOR FUTURE COMBAT SYSTEMS.—Any funds appropriated for the Future Combat Systems for any fiscal year not expended in accordance with subsection (c) shall be used for programs specified in subsection (a).

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.
Sec. 402. Revision in permanent active duty end strength minimum levels.
Sec. 403. Additional authority for increases of Army and Marine Corps active duty end strengths for fiscal years 2008 and 2009.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.
Sec. 412. End strengths for Reserves on active duty in support of the reserve components.
Sec. 413. End strengths for military technicians (dual status).
Sec. 414. Fiscal year 2007 limitation on number of non-dual status technicians.
Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.
Sec. 422. Armed Forces Retirement Home.

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

(a) IN GENERAL.—The Armed Forces are authorized strengths for active duty personnel as of September 30, 2007, as follows:

(1) The Army, 512,400.

(2) The Navy, 340,700.

(3) The Marine Corps, 180,000.

(4) The Air Force, 334,200.

(b) LIMITATION.—

(1) ARMY.—The authorized strength for the Army provided in paragraph (1) of subsection (a) for active duty personnel for fiscal year 2007 is subject to the condition that costs of active duty personnel of the Army for that fiscal year in excess of 482,400 shall be paid out of funds authorized to be appropriated for that fiscal year for a contingent emergency reserve fund or as an emergency supplemental appropriation.

(2) MARINE CORPS.—The authorized strength for the Marine Corps provided in paragraph (3) of subsection (a) for active duty personnel for fiscal year 2007 is subject to the condition that costs of active duty personnel of the Marine Corps for that fiscal year in excess of 175,000 shall be paid out of funds authorized to be appropriated for that fiscal year for a contingent emergency reserve fund or as an emergency supplemental appropriation.

SEC. 402. REVISION IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.

Section 691(b) of title 10, United States Code, is amended by striking paragraphs (1) through (4) and inserting the following:

''(1) For the Army, 504,400.

''(2) For the Navy, 340,700.

''(3) For the Marine Corps, 180,000.

''(4) For the Air Force, 334,200.''.

SEC. 403. ADDITIONAL AUTHORITY FOR INCREASES OF ARMY AND MARINE CORPS ACTIVE DUTY END STRENGTHS FOR FISCAL YEARS 2008 AND 2009.

Effective October 1, 2007, the text of section 403 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1863) is amended to read as follows:

''(a) AUTHORITY.—

''(1) ARMY.—For each of fiscal years 2008 and 2009, the Secretary of Defense may, as the Secretary determines necessary for the purposes specified in paragraph (3), establish the active-duty end strength for the Army at a number greater than the number otherwise authorized by law up to the number equal to the fiscal-year 2007 baseline plus 20,000.

''(2) MARINE CORPS.—For each of fiscal years 2008 and 2009, the Secretary of Defense may, as the Secretary determines necessary for the purposes specified in paragraph (3), establish the active-duty end strength for the Marine Corps at a number greater than the number otherwise authorized by law up to the number equal to the fiscal-year 2007 baseline plus 4,000.

''(3) PURPOSE OF INCREASES.—The purposes for which increases may be made in Army and Marine Corps active duty end strengths under paragraphs (1) and (2) are—

''(A) to support operational missions; and

''(B) to achieve transformational reorganization objectives, including objectives for increased numbers of combat brigades and battalions, increased unit manning, force stabilization and shaping, and rebalancing of the active and reserve component forces.

''(4) FISCAL-YEAR 2007 BASELINE.—In this subsection, the term 'fiscal-year 2007 baseline', with respect to the Army and Marine Corps, means the active-duty end strength authorized for those services in section 401 of the National Defense Authorization Act for Fiscal Year 2007.

''(5) ACTIVE-DUTY END STRENGTH.—In this subsection, the term 'active-duty end strength' means the strength for active-duty personnel of one of the Armed Forces as of the last day of a fiscal year.

''(b) RELATIONSHIP TO PRESIDENTIAL WAIVER AUTHORITY.—Nothing in this section shall be construed to limit the President's authority under section 123a of title 10, United States Code, to waive any statutory end strength in a time of war or national emergency.

''(c) RELATIONSHIP TO OTHER VARIANCE AUTHORITY.—The authority under subsection (a) is in addition to the authority to vary authorized end strengths that is provided in subsections (e) and (f) of section 115 of title 10, United States Code.

''(d) BUDGET TREATMENT.—

''(1) FISCAL YEAR 2008 BUDGET.—The budget for the Department of Defense for fiscal year 2008 as submitted to Congress shall comply, with respect to funding, with subsections (c) and (d) of section 691 of title 10, United States Code.

''(2) OTHER INCREASES.—If the Secretary of Defense plans to increase the Army or Marine Corps active duty end strength for a fiscal year under subsection (a), then the budget for the Department of Defense for that fiscal year as submitted to Congress shall include the amounts necessary for funding that active duty end strength in excess of the fiscal year 2007 active duty end strength authorized for that service under section 401 of the National Defense Authorization Act for Fiscal Year 2007.''.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2007, as follows:

(1) The Army National Guard of the United States, 350,000.

(2) The Army Reserve, 200,000.

(3) The Navy Reserve, 71,300.

(4) The Marine Corps Reserve, 39,600.

(5) The Air National Guard of the United States, 107,000.

(6) The Air Force Reserve, 74,900.

(7) The Coast Guard Reserve, 10,000.

(b) ADJUSTMENTS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

Whenever such units or such individual members are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVE COMPONENTS.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2007, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 28,165.

(2) The Army Reserve, 15,416.

(3) The Navy Reserve, 12,564.

(4) The Marine Corps Reserve, 2,261.

(5) The Air National Guard of the United States, 13,291.

(6) The Air Force Reserve, 2,707.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2007 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army Reserve, 7,912.

(2) For the Army National Guard of the United States, 27,615.

(3) For the Air Force Reserve, 10,124.

(4) For the Air National Guard of the United States, 23,255.

SEC. 414. FISCAL YEAR 2007 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.

(a) LIMITATIONS.—

(1) NATIONAL GUARD.—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2007, may not exceed the following:

(A) For the Army National Guard of the United States, 1,600

(B) For the Air National Guard of the United States, 350.

(2) ARMY RESERVE.—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2007, may not exceed 595.

(3) AIR FORCE RESERVE.—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2007, may not exceed 90.

(b) NON-DUAL STATUS TECHNICIANS DEFINED.—In this section, the term ''non-dual status technician'' has the meaning given that term in section 10217(a) of title 10, United States Code.

SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2007, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

(1) The Army National Guard of the United States, 17,000.

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

(4) The Marine Corps Reserve, 3,000.

(5) The Air National Guard of the United States, 16,000.

(6) The Air Force Reserve, 14,000.

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

There is hereby authorized to be appropriated to the Department of Defense for military personnel for fiscal year 2007 a total of $109,820,468,000. The authorization in the preceding sentence supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2007.

SEC. 422. ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2007 from the Armed Forces Retirement Home Trust Fund the sum of $54,846,000 for the operation of the Armed Forces Retirement Home.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

Sec. 501. Authorized strength of Navy Reserve flag officers.
Sec. 502. Standardization of grade of senior dental officer of the Air Force with that of senior dental officer of the Army.
Sec. 503. Management of chief warrant officers.
Sec. 504. Reduction in time-in-grade requirement for promotion to captain in the Army, Air Force, and Marine Corps and lieutenant in the Navy.
Sec. 505. Military status of officers serving in certain Intelligence Community positions.

Subtitle B—Reserve Component Management

Sec. 511. Revisions to reserve call-up authority.
Sec. 512. Military retirement credit for certain service by National Guard members performed while in a State duty status immediately after the terrorist attacks of September 11, 2001.
Sec. 513. Report on private-sector promotion and constructive termination of members of the reserve components called or ordered to active service.

Subtitle C—Education and Training

Sec. 521. Authority to permit members who participate in the guaranteed reserve forces duty scholarship program to participate in the health professions scholarship program and serve on active duty.
Sec. 522. Junior Reserve Officers' Training Corps instruction eligibility expansion.
Sec. 523. Authority for United States Military Academy and United States Air Force Academy permanent military professors to assume command positions while on periods of sabbatical.
Sec. 524. Expansion of service academy exchange programs with foreign military academies.
Sec. 525. Review of legal status of Junior ROTC program.

Subtitle D—General Service Authorities

Sec. 531. Test of utility of test preparation guides and education programs in enhancing recruit candidate performance on the Armed Services Vocational Aptitude Battery (ASVAB) and Armed Forces Qualification Test (AFQT).
Sec. 532. Nondisclosure of selection board proceedings.
Sec. 533. Report on extent of provision of timely notice of long-term deployments.

Subtitle E—Authorities Relating to Guard and Reserve Duty

Sec. 541. Title 10 definition of Active Guard and Reserve duty.
Sec. 542. Authority for Active Guard and Reserve duties to include support of operational missions assigned to the reserve components and instruction and training of active-duty personnel.
Sec. 543. Governor's authority to order members to Active Guard and Reserve duty.
Sec. 544. National Guard officers authority to command.
Sec. 545. Expansion of operations of civil support teams.

Subtitle F—Decorations and Awards

Sec. 551. Authority for presentation of Medal of Honor Flag to living Medal of Honor recipients and to living primary next-of-kin of deceased Medal of Honor recipients.
Sec. 552. Cold War Victory Medal.
Sec. 553. Posthumous award of Purple Heart for prisoners of war who die in or due to captivity.
Sec. 554. Advancement on the retired list of certain decorated retired Navy and Marine Corps officers.
Sec. 555. Report on Department of Defense process for awarding decorations.

Subtitle G—Matters Relating to Casualties

Sec. 561. Criteria for removal of member from temporary disability retired list.
Sec. 562. Department of Defense computer/electronic accommodations program for severely wounded members.
Sec. 563. Transportation of remains of casualties dying in a theater of combat operations.
Sec. 564. Annual budget display of funds for POW/MIA activities of Department of Defense.

Subtitle H—Assistance to Local Educational Agencies for Defense Dependents Education

Sec. 571. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.
Sec. 572. Enrollment in defense dependents' education system of dependents of foreign military members assigned to Supreme Headquarters Allied Powers, Europe.

Subtitle I—Postal Benefits

Sec. 575. Postal benefits program for members of the Armed Forces.
Sec. 576. Funding.
Sec. 577. Duration.

Subtitle J—Other Matters

Sec. 581. Reduction in Department of Defense accrual contributions to Department of Defense Military Retirement Fund.
Sec. 582. Dental Corps of the Bureau of Medicine and Surgery.
Sec. 583. Permanent authority for presentation of recognition items for recruitment and retention purposes.
Sec. 584. Report on feasibility of establishment of Military Entrance Processing Command station on Guam.
Sec. 585. Persons authorized to administer enlistment and appointment oaths.
Sec. 586. Repeal of requirement for periodic Department of Defense Inspector General assessments of voting assistance compliance at military installations.
Sec. 587. Physical evaluation boards.
Sec. 588. Department of Labor transitional assistance program.
Sec. 589. Revision in Government contributions to Medicare-Eligible Retiree Health Care Fund.
Sec. 590. Military chaplains.
Sec. 591. Report on personnel requirements for airborne assets identified as Low-Density, High-Demand Airborne Assets.
Sec. 592. Entrepreneurial Service Members Empowerment Task Force.
Sec. 593. Comptroller General report on military conscientious objectors.
Sec. 594. Commission on the National Guard and Reserves.

Subtitle A—Officer Personnel Policy

SEC. 501. AUTHORIZED STRENGTH OF NAVY RESERVE FLAG OFFICERS.

(a) SIMPLIFICATION OF COUNTING OF NAVY RESERVE FLAG OFFICERS.—Subsection (c) of section 12004 of title 10, United States Code, is amended to read as follows:

''(c) The authorized strength of the Navy under subsection (a) is exclusive of officers counted under section 526 of this title.''.

(b) CONFORMING AMENDMENT.—Subsection (d) of such section is amended by striking ''of those'' and inserting ''of officers''.

SEC. 502. STANDARDIZATION OF GRADE OF SENIOR DENTAL OFFICER OF THE AIR FORCE WITH THAT OF SENIOR DENTAL OFFICER OF THE ARMY.

(a) AIR FORCE ASSISTANT SURGEON GENERAL FOR DENTAL SERVICES.—Section 8081 of title 10, United States Code, is amended by striking ''brigadier general'' in the second sentence and inserting ''major general''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the occurrence of the next vacancy in the position of Assistant Surgeon General for Dental Services in the Air Force that occurs after the date of the enactment of this Act or, if earlier, on the date of the appointment to the grade of major general of the officer who is the incumbent in that position on the date of the enactment of the Act.

SEC. 503. MANAGEMENT OF CHIEF WARRANT OFFICERS.

(a) RETENTION OF CHIEF WARRANT OFFICERS, W-4, WHO HAVE TWICE FAILED OF SELECTION FOR PROMOTION.—Section 580(e)(1) of title 10, United States Code, is amended by striking ''continued on active duty if'' and all that follows and inserting ''continued on active duty if—

''(A) in the case of a warrant officer in the grade of chief warrant officer, W–2, or chief warrant officer, W–3, the warrant officer is selected for continuation on active duty by a selection board convened under section 573(c) of this title; and

''(B) in the case of a warrant officer in the grade of chief warrant officer, W–4, the warrant officer is selected for continuation on active duty by the Secretary concerned under such procedures as the Secretary may prescribe.''.

(b) MANDATORY RETIREMENT FOR LENGTH OF SERVICE.—Section 1305(a) of such title is amended—

(1) by striking ''(1) Except as'' and all the follows through ''W–5)'' and inserting ''A regular warrant officer'';

(2) by inserting ''as a warrant officer'' after ''years of active service'';

(3) by inserting ''the date on which'' after ''60 days after''; and

(4) by striking paragraph (2).

SEC. 504. REDUCTION IN TIME-IN-GRADE REQUIREMENT FOR PROMOTION TO CAPTAIN IN THE ARMY, AIR FORCE, AND MARINE CORPS AND LIEUTENANT IN THE NAVY.

Section 619(a)(1) of title 10, United States Code, is amended by striking ''he has completed'' in the matter preceding subparagraph (A) and all that follows through the period at the end of subparagraph (B) and inserting ''the officer has completed 18 months of service in the grade in which the officer holds a permanent appointment''.

SEC. 505. MILITARY STATUS OF OFFICERS SERVING IN CERTAIN INTELLIGENCE COMMUNITY POSITIONS.

(a) CLARIFICATION OF MILITARY STATUS.—Section 528 of title 10, United States Code, is amended—

(1) by striking subsections (a) and (b) and inserting the following:

''(a) MILITARY STATUS.—An officer of the armed forces, while serving in a position covered by this section—

''(1) shall not be subject to supervision or control by the Secretary of Defense or any other officer or employee of the Department of Defense, except as directed by the Secretary of Defense concerning reassignment from such position; and

''(2) may not exercise, by reason of the officer's status as an officer, any supervision or control with respect to any of the military or civilian personnel of the Department of Defense except as otherwise authorized by law.

''(b) DIRECTOR AND DEPUTY DIRECTOR OF CIA.—When the position of Director or Deputy Director of the Central Intelligence Agency is held by an officer of the armed forces, the officer serving in that position, while so serving, shall be excluded from the limitations in sections 525 and 526 of this title. However, if both such positions are held by an officer of the armed forces, only one such officer may be excluded from those limitation while so serving.''; and

(2) by adding at the end the following new subsections:

''(e) EFFECT OF APPOINTMENT.—Except as provided in subsection (a), the appointment or assignment of an officer of the armed forces to a position covered by this section shall not affect—

''(1) the status, position, rank, or grade of such officer in the armed forces; or

''(2) any emolument, perquisite, right, privilege, or benefit incident to or arising out of such status, position, rank, or grade.

''(f) MILITARY PAY AND ALLOWANCES.—An officer of the armed forces on active duty who is appointed or assigned to a position covered by this section shall, while serving in such position and while remaining on active duty, continue to receive military pay and allowances and shall not receive the pay prescribed for such position. Funds from which such military pay and allowances are paid to such officer while so serving shall be reimbursed from funds available to the Director of the Central Intelligence Agency (for an officer serving in a position within the Central Intelligence Agency) or from funds available to the Director of National Intelligence (for an officer serving in a position within the Office of the Director of National Intelligence).

''(g) COVERED POSITIONS.—The positions covered by this section are the positions specified in subsections (b) and (c) and the positions designated under subsection (d).''.

(b) CLERICAL AMENDMENTS.—

(1) The heading of such section is amended to read as follows:

''§ 528. Officers serving in certain intelligence positions: military status; exclusion from distribution and strength limitations; pay and allowances''.

(2) The table of sections at the beginning of chapter 32 of such title is amended to read as follows:

''528. Officers serving in certain intelligence positions: military status; exclusion from distribution and strength limitations; pay and allowances.''.

Subtitle B—Reserve Component Management

SEC. 511. REVISIONS TO RESERVE CALL-UP AUTHORITY.

(a) MAXIMUM NUMBER OF DAYS.—Subsection (a) of section 12304 of title 10, United States Code, is amended by striking ''270 days'' and inserting ''365.''

(b) SUPPORT FOR DISASTERS.—Such section is further amended—

(1) in subsection (b)—

(A) by striking ''or'' at the end of paragraph (1);

(B) by striking the period at the end of paragraph (2) and inserting ''; or''; and

(C) by adding at the end the following new paragraph:

''(3) a serious natural or manmade disaster, accident, or catastrophe that occurs in the United States, its territories and possessions, or Puerto Rico.''; and

(2) in subsection (c)(1)—

(A) by striking ''title or,'' and inserting ''title,''; and

(B) by striking '', to provide'' and all that follows through the end and inserting a period.

(c) FAIR TREATMENT.—Such section is further amended—

(1) by redesignating subsection (i) as subsection (j); and

(2) by inserting after subsection (h) the following new subsection (i):

''(i) CONSIDERATIONS FOR INVOLUNTARY ORDER TO ACTIVE DUTY.—(1) In determining which members of the Selected Reserve and Individual Ready Reserve will be ordered to duty without their consent under this section, appropriate consideration shall be given to—

''(A) the length and nature of previous service, to assure such sharing of exposure to hazards as the national security and military requirements will reasonably allow;

''(B) family responsibilities; and

''(C) employment necessary to maintain the national health, safety, or interest.

''(2) The Secretary of Defense shall prescribe such policies and procedures as the Secretary considers necessary to carry out this subsection.''.

SEC. 512. MILITARY RETIREMENT CREDIT FOR CERTAIN SERVICE BY NATIONAL GUARD MEMBERS PERFORMED WHILE IN A STATE DUTY STATUS IMMEDIATELY AFTER THE TERRORIST ATTACKS OF SEPTEMBER 11, 2001.

Subsection (c) of section 514 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3232) is amended by adding at the end the following new paragraph:

''(3) In the State of New Jersey: Bergen, Hudson, Union, and Middlesex.''.

SEC. 513. REPORT ON PRIVATE-SECTOR PROMOTION AND CONSTRUCTIVE TERMINATION OF MEMBERS OF THE RESERVE COMPONENTS CALLED OR ORDERED TO ACTIVE SERVICE.

(a) REPORT REQUIRED.—Not later than March 1, 2007, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the

House of Representatives a report on the promotion and constructive termination by private-sector employers of members of the reserve components called or ordered to active service.

(b) COLLECTION OF INFORMATION.—The Secretary of Defense shall base the report required under subsection (a) on information submitted voluntarily by members of the reserve components.

(c) CONSTRUCTIVE TERMINATION.—In this section, the term ''constructive termination'' means the voluntary resignation of an employee because of working conditions the employee finds unbearable.

Subtitle C—Education and Training

SEC. 521. AUTHORITY TO PERMIT MEMBERS WHO PARTICIPATE IN THE GUARANTEED RESERVE FORCES DUTY SCHOLARSHIP PROGRAM TO PARTICIPATE IN THE HEALTH PROFESSIONS SCHOLARSHIP PROGRAM AND SERVE ON ACTIVE DUTY.

Paragraph (3) of section 2107a(b) of title 10, United States Code, is amended—

(1) by inserting ''or a cadet or former cadet under this section who signs an agreement under section 2122 of this title,'' after ''military junior college,''; and

(2) by inserting '', or former cadet,'' after ''consent of the cadet'' and after ''submitted by the cadet''.

SEC. 522. JUNIOR RESERVE OFFICERS' TRAINING CORPS INSTRUCTION ELIGIBILITY EXPANSION.

Section 2031 of title 10, United States Code, is amended—

(1) in subsection (d)(1), by inserting ''who are receiving retired or retainer pay,'' after ''Fleet Marine Corps Reserve,''; and

(2) by adding at the end the following new subsection (e):

''(e) Instead of, or in addition to, the detailing of active-duty officers and noncommissioned officers under subsection (c)(1), and the employment of retired officers and noncommissioned officers and members of the Fleet Reserve or Fleet Marine Corps Reserve under subsection (d), the Secretary of the military department concerned may authorize qualified institutions to employ as administrators and instructors in the program, retired officers and noncommissioned officers who qualify for retired pay for nonregular service under the provisions of chapter 1223 of this title but for being under the age specified in section 12731(a)(1) of this title for eligibility for such retired pay, whose qualifications are approved by the Secretary and the institution concerned, and who request such employment, subject to the following:

''(1) The compensation package for officers and noncommissioned officers employed under this subsection shall not be coupled with either active duty pay or retired pay, but instead shall be at a rate contracted individually and determined by the Secretary of the military department concerned. The Secretary may pay the institution an amount the Secretary determined to be appropriate, but the amount may not be more than the amount that would be paid on behalf of an equivalent retiree or member of the Fleet Reserve or Fleet Marine Corps Reserve under the provisions of subsection (d)(1). The Secretary may continue to pay individuals employed under this subsection pre-determined compensation packages, even after they reach the age of 60. Payments by the Secretary concerned under this paragraph shall be made from funds appropriated for that purpose.

''(2) Such a retired member is not, while so employed, considered to be on active duty or inactive duty training for any purpose.''.

SEC. 523. AUTHORITY FOR UNITED STATES MILITARY ACADEMY AND UNITED STATES AIR FORCE ACADEMY PERMANENT MILITARY PROFESSORS TO ASSUME COMMAND POSITIONS WHILE ON PERIODS OF SABBATICAL.

(a) UNITED STATES MILITARY ACADEMY.—Section 4334(d) of title 10, United States Code, is amended—

(1) by striking ''permanent professors and the'';

(2) by striking ''exercise'' and inserting ''exercises''; and

(3) by adding at the end the following new sentence: ''The permanent professors exercise command only in the academic department of the Academy and, at the discretion of the Secretary of the Army, within Army units to which they are assigned.''.

(b) UNITED STATES AIR FORCE ACADEMY.—Section 9334(b) of such title is amended—

(1) by striking ''permanent professors and the''; and

(2) by striking ''exercise'' and inserting ''exercises''; and

(3) by adding at the end the following new sentence: ''The permanent professors exercise command only in the academic department of the Academy and, at the discretion of the Secretary of the Air Force, within Air Force units to which they are assigned.''.

SEC. 524. EXPANSION OF SERVICE ACADEMY EXCHANGE PROGRAMS WITH FOREIGN MILITARY ACADEMIES.

(a) UNITED STATES MILITARY ACADEMY.—

(1) NUMBER OF PARTICIPANTS IN EXCHANGE PROGRAM.—Subsection (b) of section 4345 of title 10, United States Code, is amended by striking ''24'' and inserting ''100''.

(2) COSTS AND EXPENSES.—Subsection (c) of such section is amended—

(A) by striking ''for the Academy'' in paragraph (3) and all that follows in that paragraph and inserting ''for the Academy and such additional funds as may be available to the Academy from a source other than appropriated funds to support cultural immersion, regional awareness, or foreign language training activities in connection with the exchange program.''; and

(B) by adding at the end the following new paragraph:

''(4) Expenditures in support of the exchange program from funds appropriated for the Academy may not exceed $1,000,000 during any fiscal year.''.

(b) UNITED STATES NAVAL ACADEMY.—

(1) NUMBER OF PARTICIPANTS IN EXCHANGE PROGRAM.—Subsection (b) of section 6957a of title 10, United States Code, is amended by striking ''24'' and inserting ''100''.

(2) COSTS AND EXPENSES.—Subsection (c) of such section is amended—

(A) by striking ''for the Academy'' in paragraph (3) and all that follows in that paragraph and inserting ''for the Academy and such additional funds as may be available to the Academy from a source other than appropriated funds to support cultural immersion, regional awareness, or foreign language training activities in connection with the exchange program.''; and

(B) by adding at the end the following new paragraph:

''(4) Expenditures in support of the exchange program from funds appropriated for the Naval Academy may not exceed $1,000,000 during any fiscal year.''.

(c) UNITED STATES AIR FORCE ACADEMY.—

(1) NUMBER OF PARTICIPANTS IN EXCHANGE PROGRAM.—Subsection (b) of section 9345 of title 10, United States Code, is amended by striking ''24'' and inserting ''100''.

(2) COSTS AND EXPENSES.—Subsection (c) of such section is amended—

(A) by striking ''for the Academy'' in paragraph (3) and all that follows in that paragraph and inserting ''for the Academy and such additional funds as may be available to the Academy from a source other than appropriated funds to support cultural immersion, regional awareness, or foreign language training activities in connection with the exchange program.''; and

(B) by adding at the end the following new paragraph:

''(4) Expenditures in support of the exchange program from funds appropriated for the Academy may not exceed $1,000,000 during any fiscal year.''.

(d) EFFECTIVE DATES.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act. The amendments made by subsections (b) and (c) shall take effect on October 1, 2008.

SEC. 525. REVIEW OF LEGAL STATUS OF JUNIOR ROTC PROGRAM.

(a) REVIEW.—The Secretary of Defense shall conduct a review of the 1976 legal opinion issued by the General Counsel of the Department of Defense regarding instruction of non-host unit students participating in Junior Reserve Officers' Training Corps programs. The review shall consider whether changes to law after the issuance of that opinion allow in certain circumstances for the arrangement for assignment of instructors that provides for the travel of an instructor from one educational institution to another once during the regular school day for the purposes of the Junior Reserve Officers' Training Corps program as an authorized arrangement that enhances administrative efficiency in the management of the program. If the Secretary, as a result of the review, determines that such authority is not available, the Secretary should also consider whether such authority should be available and whether there should be authority to waive the restrictions under certain circumstances.

(b) REPORT.—The Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report containing the results of the review not later than 180 days after the date of the enactment of this Act.

(c) INTERIM AUTHORITY.—A current institution that has more than 70 students and is providing support to another educational institutional with more than 70 students and has been providing for the assignment of instructors from one school to the other may continue to provide such support until 180 days following receipt of the report under subsection (b).

Subtitle D—General Service Authorities

SEC. 531. TEST OF UTILITY OF TEST PREPARATION GUIDES AND EDUCATION PROGRAMS IN ENHANCING RECRUIT CANDIDATE PERFORMANCE ON THE ARMED SERVICES VOCATIONAL APTITUDE BATTERY (ASVAB) AND ARMED FORCES QUALIFICATION TEST (AFQT).

(a) REQUIREMENT FOR TEST.—The Secretary of Defense shall conduct a test of the utility of commercially available test preparation guides and education programs designed to assist recruit candidates achieve scores on military recruit qualification testing that better reflect the full potential of those recruit candidates in terms of aptitude and mental category. The test shall be conducted through the Secretaries of the Army, Navy and Air Force.

(b) ASSESSMENT OF COMMERCIALLY AVAILABLE GUIDES AND PROGRAMS.—The test shall assess commercially available test preparation guides and education programs designed to enhance test performance. The test preparation guides assessed shall test both written formats and self-paced computer-assisted programs. Education programs assessed may test both self-study textbook and computer-assisted courses and instructor-led courses.

(c) OBJECTIVES.—The objectives of the test are to determine the following:

(1) The degree to which test preparation assistance degrades test reliability and accuracy.

(2) The degree to which test preparation assistance allows more accurate testing of skill aptitudes and mental capability.

(3) The degree to which test preparation assistance allows individuals to achieve higher scores without sacrificing reliability and accuracy.

(4) What role is recommended for test preparation assistance in military recruiting.

(d) CONTROL GROUP.—As part of the test, the Secretary shall identify a population of recruit candidates who will not receive test preparation

assistance and will serve as a control group for the test. Data from recruit candidates participating in the test and data from recruit candidates in the control group shall be compared in terms of both (1) test performance, and (2) subsequent duty performance in training and unit settings following entry on active duty.

(e) NUMBER OF PARTICIPANTS.—The Secretary shall provide test preparation assistance to a minimum of 2,000 recruit candidates and shall identify an equal number to be established as the control group population.

(f) DURATION OF TEST.—The Secretary shall begin the test not later than nine months after the date of the enactment of this Act. The test shall identify participants over a one-year period from the start of the test and shall assess duty performance for each participant for 18 months following entry on active duty. The last participant shall be identified, but other participants may not be identified.

(g) REPORT ON FINDINGS.—Not later than six months after completion of the duty performance assessment of the last identified participant in the test, the Secretary of Defense shall submit to the Committee on Armed Services in the Senate and the Committee on Armed Services of the House of Representatives a report providing the findings of the Secretary with respect to each of the objectives specified in subsection (c) and the Secretary's recommendations.

SEC. 532. NONDISCLOSURE OF SELECTION BOARD PROCEEDINGS.

(a) ACTIVE-DUTY SELECTION BOARD PROCEEDINGS.—

(1) EXTENSION TO ALL ACTIVE-DUTY BOARDS.—Chapter 36 of title 10, United States Code, is amended by inserting after section 613 the following new section:

''§ 613a. Nondisclosure of board proceedings

''(a) NONDISCLOSURE.—The proceedings of a selection board convened under section 611 this title may not be disclosed to any person not a member of the board.

''(b) PROHIBITED USES OF BOARD RECORDS.—The discussions and deliberations of such a selection board and any written or documentary record of such discussions and deliberations—

''(1) are immune from legal process;

''(2) may not be admitted as evidence; and

''(3) may not be used for any purpose in any action, suit, or judicial or administrative proceeding without the consent of the Secretary of the military department concerned.

''(c) APPLICABILITY.—The section shall apply with respect to the proceedings of all selection boards convened under section 611 of this title, including selection boards convened before the date of the enactment of this section.''.

(2) CONFORMING AMENDMENT.—Section 618 of such title is amended by striking subsection (f).

(b) RESERVE SELECTION BOARD PROCEEDINGS.—Section 14104 of such title is amended to read as follows:

''§ 14104. Nondisclosure of board proceedings

''(a) NONDISCLOSURE.—The proceedings of a selection board convened under section 14101of this title may not be disclosed to any person not a member of the board.

''(b) PROHIBITED USES OF BOARD RECORDS.—The discussions and deliberations of such a selection board and any written or documentary record of such discussions and deliberations—

''(1) are immune from legal process;

''(2) may not be admitted as evidence; and

''(3) may not be used for any purpose in any action, suit, or judicial or administrative proceeding without the consent of the Secretary of the military department concerned.

''(c) APPLICABILITY.—The section shall apply with respect to the proceedings of all selection boards convened under section 14101 of this title, including selection boards convened before the date of the enactment of this section.''.

(c) CLERICAL AMENDMENTS.—

(1) The table of sections at the beginning of subchapter I of chapter 36 of such title is amended by inserting after the item relating to section 613 the following new item:

''14104. Nondisclosure of board proceedings.''.

(2) The item relating to section 14104 in the table of sections at the beginning of chapter 1403 of such title is amended to read as follows:

''14104. Nondisclosure of board proceedings.''.

SEC. 533. REPORT ON EXTENT OF PROVISION OF TIMELY NOTICE OF LONG-TERM DEPLOYMENTS.

Not later than March 1, 2007, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the number of members of the Armed Forces (shown by service and within each service by reserve component and active component) who, since September 11, 2001, have not received at least 30 days notice (in the form of an official order) before a deployment that will last 180 days or more. With respect to members of the reserve components, the report shall describe the degree of compliance (or noncompliance) with Department of Defense policy concerning the amount of notice to be provided before long-term mobilizations or deployments.

Subtitle E—Authorities Relating to Guard and Reserve Duty

SEC. 541. TITLE 10 DEFINITION OF ACTIVE GUARD AND RESERVE DUTY.

Section 101 of title 10, United States Code, is amended—

(1) by adding at the end of subsection (b) the following new paragraph:

''(16) The term 'Active Guard and Reserve' means a member of a reserve component who is on active duty pursuant to section 12301(d) of this title or, if a member of the Army National Guard or Air National Guard, is on full-time National Guard duty pursuant to section 502(f) of title 32, and who is performing Active Guard and Reserve duty.''; and

(2) in paragraph (6)(A) of subsection (d)—

(A) by striking ''or full-time National Guard duty'' after ''means active duty''; and

(B) by striking '', pursuant to an order to active duty or full-time National Guard duty'' and inserting ''pursuant to an order to full-time National Guard duty,''.

SEC. 542. AUTHORITY FOR ACTIVE GUARD AND RESERVE DUTIES TO INCLUDE SUPPORT OF OPERATIONAL MISSIONS ASSIGNED TO THE RESERVE COMPONENTS AND INSTRUCTION AND TRAINING OF ACTIVE-DUTY PERSONNEL.

(a) AGR DUTY UNDER TITLE 10.—Subsections (a) and (b) of section 12310 of title 10, United States Code, are amended to read as follows:

''(a) AUTHORITY.—(1) The Secretary concerned may order a member of a reserve component under the Secretary's jurisdiction to active duty pursuant to section 12301(d) of this title to perform Active Guard and Reserve duty organizing, administering, recruiting, instructing, or training the reserve components.

''(2) A Reserve ordered to active duty under paragraph (1) shall be ordered in the Reserve's reserve grade. While so serving, the Reserve continues to be eligible for promotion as a Reserve, if otherwise qualified.

''(b) DUTIES.—A Reserve on active duty under subsection (a) may perform the following duties in addition to (and not in lieu of) the Reserve's primary Active Guard and Reserve duties described in subsection (a)(1):

''(1) Supporting operations or missions assigned in whole or in part to the reserve components.

''(2) Supporting operations or missions performed or to be performed by—

''(A) a unit composed of elements from more than one component of the same armed force; or

''(B) a joint forces unit that includes—

''(i) one or more reserve component units; or

''(ii) a member of a reserve component whose reserve component assignment is in a position in an element of the joint forces unit.

''(3) Advising the Secretary of Defense, the Secretaries of the military departments, the Joint Chiefs of Staff, and the commanders of the unified combatant command regarding reserve component matters.

''(4) Instructing or training in the United States or the Commonwealth of Puerto Rico or possessions of the United States of—

''(A) active-duty members of the armed forces;

''(B) members of foreign military forces (under the same authorities and restrictions applicable to active-duty members providing such instruction or training);

''(C) Department of Defense contractor personnel; or

''(D) Department of Defense civilian employees.''.

(b) MILITARY TECHNICIANS UNDER TITLE 10.—Section 10216(a) of such title is amended—

(1) in paragraph (1)(C), by striking ''administration and'' and inserting ''organizing, administering, instructing, or''; and

(2) by adding at the end the following new paragraph:

''(3) A military technician (dual status) who is employed under section 3101 of title 5 may perform the following duties in addition to (and not in lieu of) those primary duties described in paragraph (1):

''(A) Supporting operations or missions assigned in whole or in part to the technician's unit;

''(B) Supporting operations or missions performed or to be performed by—

''(i) a unit composed of elements from more than one component of the technician's armed force; or

''(ii) a joint forces unit that includes—

''(I) one or more units of the technician's component; or

''(II) a member of the technician's component whose reserve component assignment is in a position in an element of the joint forces unit.

''(C) Instructing or training in the United States or the Commonwealth of Puerto Rico or possessions of the United States of—

''(i) active-duty members of the armed forces;

''(ii) members of foreign military forces (under the same authorities and restrictions applicable to active-duty members providing such instruction or training);

''(iii) Department of Defense contractor personnel; or

''(iv) Department of Defense civilian employees.''.

(c) NATIONAL GUARD TITLE 32 TRAINING DUTY.—Section 502(f) of title 32, United States Code, title is amended—

(1) by inserting ''(1)'' before ''Under regulations'';

(2) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(3) by striking the last sentence and inserting the following:

''(2) The training or duty ordered to be performed under paragraph (1) may include the following:

''(A) Support of operations or missions undertaken by the member's unit at the request of the President or Secretary of Defense.

''(B) Support of training operations and training missions assigned in whole or in part to the National Guard by the Secretary concerned, but only to the extent that such training missions and training operations—

''(i) are performed in the territorial limits of the United States, its territories and possessions, the District of Columbia, and the Commonwealth of Puerto Rico; and

''(ii) are only to instruct active duty military, foreign military (under the same authorities and restrictions applicable to active duty troops), Department of Defense contractor personnel, or Department of Defense civilian employees.

''(3) Duty without pay shall be considered for all purposes as if it were duty with pay.''.

(d) NATIONAL GUARD TECHNICIANS UNDER TITLE 32.—Section 709(a) of title 32, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''administration and'' and inserting ''organizing, administering, instructing, or''; and

(B) by striking ''and'' at the end of such paragraph;

(2) by striking the period at the end of paragraph (2) and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(3) the performance of the following duties in addition to (and not in lieu of) those duties described by paragraphs (1) and (2):

''(A) Support of operations or missions undertaken by the technician's unit at the request of the President or the Secretary of Defense.

''(B) Support of Federal training operations or Federal training missions assigned in whole or in part to the technician's unit.

''(C) Instructing or training in the United States or the Commonwealth of Puerto Rico or possessions of the United States of—

''(i) active-duty members of the armed forces;

''(ii) members of foreign military forces (under the same authorities and restrictions applicable to active-duty members providing such instruction or training);

''(iii) Department of Defense contractor personnel; or

''(iv) Department of Defense civilian employees.''.

(e) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''328. Active Guard and Reserve duty: Governor's authority.''.

SEC. 543. GOVERNOR'S AUTHORITY TO ORDER MEMBERS TO ACTIVE GUARD AND RESERVE DUTY.

(a) IN GENERAL.—Chapter 3 of title 32, United States Code, is amended by adding at the end the following new section:

''§ 328. Active Guard and Reserve duty: Governor's authority

''(a) AUTHORITY.—The Governor of a State or the Commonwealth of Puerto Rico, Guam, or the Virgin Islands, or the commanding general of the District of Columbia National Guard, as the case may be, with the consent of the Secretary concerned, may order a member of the National Guard to perform Active Guard and Reserve duty, as defined by section 101(d)(6) of title 10, pursuant to section 502(f) of this title.

''(b) DUTIES.—A member of the National Guard performing duty under subsection (a) may perform the following duties in addition to (and not in lieu of) that member's primary Active Guard and Reserve duties of organizing, administering, recruiting, instructing, and training the reserve components:

''(1) Support of operations or missions undertaken by the member's unit at the request of the President or the Secretary of Defense.

''(2) Support of training operations and training missions assigned in whole or in part by the Secretary concerned to the National Guard, but only to the extent that such training operation and training missions—

''(A) are performed in the territorial limits of the United States, its territories and possessions, and the Commonwealth of Puerto Rico; and

''(B) are only to instruct—

''(i) active-duty members of the armed forces;

''(ii) members of foreign military forces (under the same authorities and restrictions applicable to active-duty members providing such instruction or training);

''(iii) Department of Defense contractor personnel; or

''(iv) Department of Defense civilian employees.''.

SEC. 544. NATIONAL GUARD OFFICERS AUTHORITY TO COMMAND.

Section 325 of title 32, United States Code, is amended—

(1) in subsection (a)(2), by striking ''in command of a National Guard unit'';

(2) by redesignating subsection (b) as subsection (c); and

(3) by inserting after subsection (a) the following new subsection (b):

''(b) ADVANCE AUTHORIZATION AND CONSENT.—The President and Governor of the State or Commonwealth of Puerto Rico, Guam, or the Virgin Islands, or the commanding general of the District of Columbia National Guard, as the case may be, respectively, may give the authorization and consent required by subsection (a)(2), in advance, for the purpose of establishing the succession of command of a unit.''; and

(4) by adding at the end the following new subsection:

''(d) NATIONAL GUARD DUTIES.—An officer who is not relieved from duty in the National Guard while serving on active duty pursuant to subsection (a)(2) may perform any duty authorized to be performed by the laws of that officer's State or the laws of the Commonwealth of Puerto Rico, Guam, the Virgin Islands, or the District of Columbia, as the case may be, to be performed by the National Guard without regard to the limitations imposed by section 1385 of title 18.''.

SEC. 545. EXPANSION OF OPERATIONS OF CIVIL SUPPORT TEAMS.

(a) IN GENERAL.—Section 12310(c) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''involving—'' and inserting ''involving any of the following:''; and

(B) by striking subparagraphs (A) and (B) and inserting the following:

''(A) The use or threatened use of a weapon of mass destruction (as defined in section 12304(i)(2) of this title) in the United States.

''(B) A terrorist attack or threatened terrorist attack in the United States that results, or could result, in catastrophic loss of life or property.

''(C) The intentional or unintentional release of nuclear, biological, radiological, or toxic or poisonous chemical materials in the United States that results, or could result, in catastrophic loss of life or property.

''(D) A natural or manmade disaster in the United States that results in, or could result in, catastrophic loss of life or property.'';

(2) by amending paragraph (3) to read as follows:

''(3) A Reserve may perform duty described in paragraph (1) only while assigned to a reserve component weapons of mass destruction civil support team.''; and

(3) by adding at the end the following new paragraph:

''(7) In this subsection, the term 'United States' includes the Commonwealth of Puerto Rico, Guam, and the Virgin Islands.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Such section is further amended—

(1) by striking the subsection heading and inserting ''OPERATIONS RELATING TO DEFENSE AGAINST WEAPONS OF MASS DESTRUCTION AND TERRORIST ATTACKS.—'';

(2) in paragraph (5), by striking ''rapid assessment element team'' and inserting ''weapons of mass destruction civil support team''; and

(3) in paragraph (6)—

(A) in the matter preceding subparagraph (A), by striking ''paragraph (3)'' and inserting ''paragraphs (1) and (3)''; and

(B) in subparagraph (B), by striking ''paragraph (3)(B)'' and inserting ''paragraph (3)''.

Subtitle F—Decorations and Awards

SEC. 551. AUTHORITY FOR PRESENTATION OF MEDAL OF HONOR FLAG TO LIVING MEDAL OF HONOR RECIPIENTS AND TO LIVING PRIMARY NEXT-OF-KIN OF DECEASED MEDAL OF HONOR RECIPIENTS.

(a) ARMY.—Section 3755 of title 10, United States Code, is amended—

(1) by striking ''after October 23, 2002''; and

(2) by adding at the end the following new sentence: ''In the case of a posthumous presentation of the medal, the flag shall be presented to the person to whom the medal is presented''.

(b) NAVY.—Section 6257 of such title is amended—

(1) by striking ''after October 23, 2002''; and

(2) by adding at the end the following new sentence: ''In the case of a posthumous presentation of the medal, the flag shall be presented to the person to whom the medal is presented''.

(c) AIR FORCE.—Section 8755 of such title is amended—

(1) by striking ''after October 23, 2002''; and

(2) by adding at the end the following new sentence: ''In the case of a posthumous presentation of the medal, the flag shall be presented to the person to whom the medal is presented''.

(d) COAST GUARD.—Section 505 of title 14, United States Code, is amended—

(1) by striking ''after October 23, 2002''; and

(2) by adding at the end the following new sentence: ''In the case of a posthumous presentation of the medal, the flag shall be presented to the person to whom the medal is presented''.

(e) PRESENTATION OF FLAG FOR PRIOR RECIPIENTS OF MEDAL OF HONOR.—

(1) LIVING RECIPIENTS.—The President shall provide for the presentation of the Medal of Honor Flag as expeditiously as possible after the date of the enactment of this Act to each living recipient of the Medal of Honor who was awarded the Medal of Honor before that date.

(2) SURVIVORS OF DECEASED RECIPIENTS.—The President shall provide for posthumous presentation of the Medal of Honor Flag, upon written application therefor, to the primary next of kin of any recipient of the Medal of Honor who was awarded the Medal of Honor before the date of the enactment of this Act and who is deceased as of such date (or who dies after such date and before the presentation required by paragraph (1)). For purposes of this paragraph, the primary next-of-kin is the person who would be entitled to receive the award of the Medal of Honor for such deceased individual if the award were being made posthumously at the time of the presentation of the Medal of Honor Flag.

(3) MEDAL OF HONOR FLAG.—In this subsection, the term ''Medal of Honor Flag'' means the flag designated under section 903 of title 36, United States Code.

SEC. 552. COLD WAR VICTORY MEDAL.

(a) AUTHORITY.—Chapter 57 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1135. Cold War Victory Medal

''(a) MEDAL AUTHORIZED.—The Secretary concerned shall issue a service medal, to be known as the 'Cold War Victory Medal', to persons eligible to receive the medal under subsection (b). The Cold War Victory Medal shall be of an appropriate design approved by the Secretary of Defense, with ribbons, lapel pins, and other appurtenances.

''(b) ELIGIBLE PERSONS.—The following persons are eligible to receive the Cold War Victory Medal:

''(1) A person who—

''(A) performed active duty or inactive duty training as an enlisted member during the Cold War;

''(B) completed the person's initial term of enlistment or, if discharged before completion of such initial term of enlistment, was honorably discharged after completion of not less than 180 days of service on active duty; and

''(C) has not received a discharge less favorable than an honorable discharge or a release from active duty with a characterization of service less favorable than honorable.

''(2) A person who—

''(A) performed active duty or inactive duty training as a commissioned officer or warrant officer during the Cold War;

''(B) completed the person's initial service obligation as an officer or, if discharged or separated before completion of such initial service obligation, was honorably discharged after completion of not less than 180 days of service on active duty; and

''(C) has not been released from active duty with a characterization of service less favorable than honorable and has not received a discharge or separation less favorable than an honorable discharge.

''(c) ONE AWARD AUTHORIZED.—Not more than one Cold War Victory Medal may be issued to any person.

''(d) ISSUANCE TO REPRESENTATIVE OF DECEASED.—If a person described in subsection (b) dies before being issued the Cold War Victory Medal, the medal shall be issued to the person's representative, as designated by the Secretary concerned.

''(e) REPLACEMENT.—Under regulations prescribed by the Secretary concerned, a Cold War Victory Medal that is lost, destroyed, or rendered unfit for use without fault or neglect on the part of the person to whom it was issued may be replaced without charge.

''(f) APPLICATION FOR MEDAL.—The Cold War Victory Medal shall be issued upon receipt by the Secretary concerned of an application for such medal, submitted in accordance with such regulations as the Secretary prescribes.

''(g) UNIFORM REGULATIONS.—The Secretary of Defense shall ensure that regulations prescribed by the Secretaries of the military departments under this section are uniform so far as is practicable.

''(h) DEFINITION.—In this section, the term 'Cold War' means the period beginning on September 2, 1945, and ending at the end of December 26, 1991.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1135. Cold War Victory Medal.''.

SEC. 553. POSTHUMOUS AWARD OF PURPLE HEART FOR PRISONERS OF WAR WHO DIE IN OR DUE TO CAPTIVITY.

(a) DECEASED POWS NOT OTHERWISE ELIGIBLE FOR PURPLE HEART.—Chapter 57 of title 10, United States Code, is amended by adding after section 1135, as added by section 552(a), the following new section:

''§ 1136. Purple Heart: posthumous award for prisoners of war or former prisoners of war dying in or due to captivity

''(a) For purposes of the award of the Purple Heart, the Secretary concerned shall treat a death described in subsection (b) in the same manner as the death of a member of the armed forces in action as the result of an act of an enemy of the United States.

''(b) A death described in this subsection is either of the following:

''(1) The death of a member of the armed forces who dies in captivity under circumstances establishing eligibility for the prisoner-of-war medal under section 1128 of this title but under circumstances not otherwise establishing eligibility for the Purple Heart.

''(2) The death of a member or former member of the armed forces who following captivity as a prisoner of war is issued the prisoner-of-war medal under section 1128 of this title and who dies due to a disease or disability that was incurred during that captivity, unless the member or former member received a Purple Heart due to the injury or conditions resulting in that disease or disability.

''(c) The Secretary of Defense shall prescribe regulations for determining eligibility for the Purple Heart under this section. Such regulations shall include criteria for the determination under paragraph (2) of subsection (b) of whether a death is due to a disease or disability incurred while a prisoner of war.

''(d) This section applies to any member of the armed forces who is held as a prisoner of war after December 7, 1941. ''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 1135, as added by section 552(b), the following new item:

''1136. Purple Heart: posthumous award for prisoners of war or former prisoners of war dying in or due to captivity.''.

(c) RETROACTIVE AWARDS.—In the case of a member or former member of the Armed Forces covered by section 1135 of title 10, United States Code, whose death is before the date of the enactment of this Act, the Secretary concerned shall award the Purple Heart under that section upon receipt of an application that is made to the Secretary in such manner, and containing such information, as the Secretary requires.

SEC. 554. ADVANCEMENT ON THE RETIRED LIST OF CERTAIN DECORATED RETIRED NAVY AND MARINE CORPS OFFICERS.

(a) ADVANCEMENT ON RETIRED LIST.—The Secretary of the Navy shall, upon receipt of a qualifying application, advance on the retired list of the Navy or Marine Corps, as applicable, any retired officer of the Navy or Marine Corps described in subsection (b). Each such officer shall be advanced to the next higher grade above the officer's retired grade as of the day before the date of the enactment of this Act.

(b) COVERED OFFICERS.—Subsection (a) applies to any retired officer of the Navy or Marine Corps—

(1) who was eligible to retire before November 1, 1959, but who retired on or after that date; and

(2) who, under the provisions of law in effect before November 1, 1959, would have been eligible, by reason of having been specifically commended for performance of duty in actual combat, to have been retired in the next higher grade if the officer had retired before that date.

(c) QUALIFYING APPLICATION.—A qualifying application is an application from an officer described in subsection (b) or, in the case of a deceased officer, the surviving spouse or another immediate family member (as determined by the Secretary) of the officer, that—

(1) requests advancement on the retired list under this section; and

(2) provides such information as the Secretary may require.

(d) EFFECT OF ADVANCEMENT ON RETIRED LIST.—The advancement of an officer on the retired list pursuant to subsection (a) shall not affect—

(1) in the case of a retired office who is living as of the date of the enactment of this Act, the retired pay or other benefits of the officer or the grade in which the officer could be ordered or recalled to active duty; and

(2) any benefit to which any other person is or may become entitled based upon the officer's service.

SEC. 555. REPORT ON DEPARTMENT OF DEFENSE PROCESS FOR AWARDING DECORATIONS.

(a) REVIEW.— The Secretary of Defense shall conduct a review of the policy, procedures, and processes of the military departments for awarding decorations to members of the Armed Forces.

(b) TIME PERIODS.—As part of the review, the Secretary shall determine how long the award process takes—

(1) from the time a recommendation for the award of a decoration is submitted until the time the award of the decoration is approved; and

(2) from the time award of a decoration is approved until the time when the decoration is presented to the recipient.

(c) RESERVE COMPONENTS.—In conducting the review, the Secretary shall ensure that the timeliness of the awards process for members of the reserve components is the same or similar as that for members of the active components.

(d) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report containing the Secretary's findings as a result of the review under subsection (a), together with a plan for implementing whatever changes are determined to be appropriate to the process for awarding decorations in order to ensure that decorations are awarded in a timely manner, to the extent practicable.

Subtitle G—Matters Relating to Casualties

SEC. 561. CRITERIA FOR REMOVAL OF MEMBER FROM TEMPORARY DISABILITY RETIRED LIST.

(a) CRITERIA.—Section 1210(e) of title 10, United States Code, is amended by inserting ''of a permanent nature and stable and is'' after ''physical disability''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to any case received for consideration by a physical evaluation board after the date of the enactment of this Act.

SEC. 562. DEPARTMENT OF DEFENSE COMPUTER/ELECTRONIC ACCOMMODATIONS PROGRAM FOR SEVERELY WOUNDED MEMBERS.

(a) IN GENERAL.—Chapter 58 of title 10, United States Code, is amended by inserting after section 1150 the following new section:

''§ 1151. Severely wounded members: assistive technology and services

''(a) AUTHORITY.—The Secretary of Defense may provide assistive technology, assistive technology devices, and assistive technology services, as those terms are defined in section 3 of the Assistive Technology Act of 1998 (29 U.S.C. 3002), to a member of the armed forces who has sustained a severe or debilitating illness or injury while serving in support of a contingency operation.

''(b) DURATION AND PROVISION OF TECHNOLOGY AND SERVICES.—The Secretary may provide technology and services authorized by subsection (a) for an indefinite period, without regard to whether the person assisted continues to be a member of the armed forces.

''(c) AUTHORITY TO ALLOW RETENTION OF DEVICES, ETC.—Upon the separation from active service of a member who has been provided assistance as specified in subsection (a), the Secretary may allow the member to retain any assistive technology, device, or service provided to the member before the member's separation.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1150 the following new item:

''1151. Severely wounded members: assistive technology and services.''.

SEC. 563. TRANSPORTATION OF REMAINS OF CASUALTIES DYING IN A THEATER OF COMBAT OPERATIONS.

(a) IN GENERAL.—The Secretary concerned shall provide transportation of the remains of a member of the Armed Forces who dies in a combat theater of operations and whose remains are returned to the United States through the mortuary facility at Dover Air Force Base, Delaware, in accordance with section 1482(a)(8) of title 10, United States Code, and this section.

(b) ESCORT.—The Secretary concerned shall ensure that such remains are escorted under that section at all times by at least one person, who shall be a member of the Armed Forces of appropriate grade.

(c) AIR TRANSPORTATION FROM DOVER AFB.—

(1) USE OF MILITARY AIRCRAFT.—If transportation of remains described in subsection (a) from Dover Air Force Base to the escorted remains destination includes transportation by aircraft, such transportation by aircraft (unless otherwise directed by the next-of-kin) shall be made by military aircraft or military-contracted aircraft to the military airfield that is closest to the escorted remains destination. In the case of any such flight, the exclusive mission of the flight shall be the transportation of those remains.

(2) ESCORTED REMAINS DESTINATION.—In this subsection, the term ''escorted remains destination'' means the place to which remains are to

be transported pursuant to section 1482(a)(8) of title 10, United States Code.

(d) HONOR GUARD ESCORT.—In a case of the transportation of remains covered by subsection (a), there shall be a military escort (in addition to the escort under subsection (b)) that either travels with the remains from Dover Air Force Base or meets the remains at the place to which transportation by air (or by rail or motor vehicle, if applicable) is made. Such escort shall be of sufficient number to transfer the casket containing the remains from the aircraft (or other means of transportation to that place) to a hearse for local transportation. Such escort shall remain with the remains until the remains are delivered to the next-of-kin. Such escort shall consist of members of the Armed Forces on active duty or in the Ready Reserve.

SEC. 564. ANNUAL BUDGET DISPLAY OF FUNDS FOR POW/MIA ACTIVITIES OF DEPARTMENT OF DEFENSE.

(a) CONSOLIDATED BUDGET JUSTIFICATION.—Chapter 9 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 234. POW/MIA activities: display of budget information

''(a) SUBMISSION WITH ANNUAL BUDGET JUSTIFICATION DOCUMENTS.—The Secretary of Defense shall submit to Congress, as a part of the defense budget materials for a fiscal year, a consolidated budget justification display, in classified and unclassified form, that covers all programs and activities of Department of Defense POW/MIA accounting and recovery organizations.

''(b) REQUIREMENTS FOR BUDGET DISPLAY.—The budget display under subsection (a) for a fiscal year shall include the following for each such organization:

''(1) The amount, by appropriation and functional area, originally requested by that organization for that fiscal year, with the supporting narrative describing the rationale for the requested funding level.

''(2) A summary of actual or estimated expenditures by that organization for the fiscal year during which the budget is submitted and for the fiscal year preceding that year.

''(3) The amount in the budget for that organization.

''(4) A detailed explanation of any inconsistencies between the amount originally requested by the organization (shown pursuant to paragraph (1)) and the amount in the budget for that organization (shown pursuant to paragraph (3)).

''(5) The budget estimate for that organization for the next five fiscal years after the fiscal year for which the budget is submitted.

''(c) DEPARTMENT OF DEFENSE POW/MIA ACCOUNTING AND RECOVERY ORGANIZATIONS.—In this section, the term 'Department of Defense POW/MIA accounting and recovery organization' means any of the following (and any successor organization):

''(1) The Defense Prisoner of War/Missing Personnel Office (DPMO).

''(2) The Joint POW/MIA Accounting Command (JPAC).

''(3) The Armed Forces DNA Identification Laboratory (AFDIL).

''(4) The Life Sciences Equipment Laboratory (LSEL) of the Air Force.

''(5) Any other element of the Department of Defense the mission of which (as designated by the Secretary of Defense) involves the accounting for and recovery of members of the armed forces who are missing in action or prisoners of war or who are unaccounted for.

''(d) OTHER DEFINITIONS.—In this section:

''(1) The term 'budget', with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31.

''(2) The term 'defense budget materials', with respect to a fiscal year, means the materials submitted to Congress by the Secretary of Defense in support of the budget for that fiscal year.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''234. POW/MIA activities: display of budget information.''.

Subtitle H—Assistance to Local Educational Agencies for Defense Dependents Education

SEC. 571. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated pursuant to section 301(5) for operation and maintenance for Defense-wide activities, $50,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3271; 20 U.S.C. 7703b).

(b) ASSISTANCE TO SCHOOLS WITH ENROLLMENT CHANGES DUE TO BASE CLOSURES, FORCE STRUCTURE CHANGES, OR FORCE RELOCATIONS.—Of the amount authorized to be appropriated pursuant to section 301(5) for operation and maintenance for Defense-wide activities, $15,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (b) of such section 572.

(c) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term ''local educational agency'' has the meaning given that term in section 8013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 572. ENROLLMENT IN DEFENSE DEPENDENTS' EDUCATION SYSTEM OF DEPENDENTS OF FOREIGN MILITARY MEMBERS ASSIGNED TO SUPREME HEADQUARTERS ALLIED POWERS, EUROPE.

Section 1404A of the Defense Dependents' Education Act of 1978 (20 U.S.C. 923a) is amended—

(1) in subsection (a)—

(A) by striking ''of the children'' and inserting ''of—

''(1) the children'';

(B) by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(2) the children of a foreign military member assigned to the Supreme Headquarters Allied Powers, Europe, but only in a school of the defense dependents' education system in Mons, Belgium.''; and

(2) by adding at the end the following new subsection:

''(c) SPECIAL RULES REGARDING ENROLLMENT OF DEPENDENTS OF FOREIGN MILITARY MEMBERS ASSIGNED TO SUPREME HEADQUARTERS ALLIED POWERS, EUROPE.—(1) In the regulations required by subsection (a), the Secretary shall prescribe a methodology based on the estimated total number of dependents of sponsors under section 1414(2) enrolled in schools of the defense dependents' education system in Mons, Belgium, to determine the number of children described in paragraph (2) of subsection (a) who will be authorized to enroll under such subsection.

''(2) If the number of children described in paragraph (2) of subsection (a) who seek enrollment in schools of the defense dependents' education system in Mons, Belgium, exceeds the number authorized by the Secretary under paragraph (1), the Secretary may enroll the additional children on a space-available, tuition-free basis notwithstanding section 1404(d)(2).''.

Subtitle I—Postal Benefits

SEC. 575. POSTAL BENEFITS PROGRAM FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the United States Postal Service, shall provide for a program under which postal benefits shall be provided to qualified individuals in accordance with this subtitle.

(b) QUALIFIED INDIVIDUAL.—For purposes of this subtitle, the term ''qualified individual'' means an individual—

(1) who is a member of the Armed Forces on active duty (as defined in section 101 of title 10, United States Code); and

(2) who is—

(A) serving in Iraq or Afghanistan; or

(B) hospitalized at a facility under the jurisdiction of the Armed Forces as a result of a disease or injury incurred as a result of service in Iraq or Afghanistan.

(c) POSTAL BENEFITS DESCRIBED.—

(1) IN GENERAL.—The postal benefits provided under this subtitle shall consist of such coupons or other similar evidence of credit (whether in printed, electronic, or other format, and hereinafter in this subtitle referred to as ''vouchers'') as the Secretary of Defense (in consultation with the Postal Service) shall determine, entitling the bearer or user to make qualified mailings free of postage.

(2) QUALIFIED MAILING.—For purposes of this subtitle, the term ''qualified mailing'' means the mailing of any mail matter which—

(A) is described in subparagraph (A), (B), (C), or (D) of paragraph (3);

(B) is sent from within an area served by a United States post office; and

(C) is addressed to a qualified individual.

(3) MAIL MATTER DESCRIBED.—The mail matter described in this paragraph is—

(A) any letter mail not exceeding 13 ounces in weight and having the character of personal correspondence;

(B) any sound- or video-recorded communications not exceeding 15 pounds in weight and having the character of personal correspondence;

(C) any ground parcel not exceeding 15 pounds in weight; and

(D) any bound printed matter not exceeding 15 pounds in weight.

(4) LIMITATIONS.—

(A) NUMBER.—An individual shall be eligible for one voucher for each month in which such individual is a qualified individual.

(B) USE.—Any such voucher may not be used—

(i) for more than a single qualified mailing; or

(ii) after the earlier of—

(I) the expiration date of such voucher, as designated by the Secretary of Defense; or

(II) the last day of the one-year period referred to in section 577.

(5) COORDINATION RULE.—Postal benefits under this subtitle shall be in addition to, and not in lieu of, any reduced rates of postage or other similar benefits which might otherwise be available by or under law, including any rates of postage resulting from the application of section 3401(b) of title 39, United States Code.

(d) REGULATIONS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense (in consultation with the Postal Service) shall prescribe any regulations necessary to carry out this subtitle, including—

(1) procedures by which vouchers will be provided or made available (including measures to allow vouchers to reach, in a timely manner, the persons selected by qualified individuals to use the vouchers); and

(2) procedures to ensure that the number of vouchers provided or made available with respect to any qualified individual complies with subsection (c)(4)(A).

SEC. 576. FUNDING.

(a) IN GENERAL.—Funding for the expenses incurred by the Department of Defense for any

fiscal year in providing postal benefits under this subtitle shall be paid out of funds authorized to be appropriated for that fiscal year for a contingent emergency reserve fund or as an emergency supplemental appropriations.

(b) TRANSFERS TO POSTAL SERVICE.—

(1) BASED ON ESTIMATES.—The Secretary of Defense shall transfer to the Postal Service, out of any amount so appropriated and in advance of each calendar quarter during which postal benefits under this subtitle may be used, an amount equal to the amount of postal benefits that the Secretary of Defense estimates will be used during such quarter, reduced or increased (as the case may be) by any amounts by which the Secretary finds that a determination under this subtitle for a prior quarter was greater than or less than the amount finally determined for such quarter.

(2) BASED ON FINAL DETERMINATION.—A final determination of the amount necessary to correct any previous determination under this section, and any transfer of amounts between the Postal Service and the Department of Defense based on that final determination, shall be made not later than six months after the end of the one-year period referred to in section 577.

(c) CONSULTATION REQUIRED.—All estimates and determinations under this section of the amount of postal benefits under this subtitle used in any period shall be made by the Secretary of Defense in consultation with the Postal Service.

SEC. 577. DURATION.

The postal benefits under this subtitle shall apply with respect to mail matter sent during the one-year period beginning on the date on which the regulations under section 575(d) take effect.

Subtitle J—Other Matters

SEC. 581. REDUCTION IN DEPARTMENT OF DEFENSE ACCRUAL CONTRIBUTIONS TO DEPARTMENT OF DEFENSE MILITARY RETIREMENT FUND.

(a) DETERMINATION OF CONTRIBUTIONS TO THE FUND.—

(1) CALCULATION OF ANNUAL DEPARTMENT OF DEFENSE CONTRIBUTION.—Subsection (b)(1) of section 1465 of title 10, United States Code, is amended—

(A) in subparagraph (A)(ii), by striking ''to members of '' and all that follows and inserting ''for active duty (other than the Coast Guard) and for full-time National Guard duty (other than full-time National Guard duty for training only), but excluding any duty that would be excluded for active-duty end strength purposes by section 115(i) of this title.''; and

(B) in subparagraph (B)(ii)—

(i) by striking ''Ready Reserve'' and inserting ''Selected Reserve''; and

(ii) by striking ''Coast Guard and other than members on full-time National Guard duty other than for training) who are'' and inserting ''Coast Guard) for service''.

(2) QUADRENNIAL ACTUARIAL VALUATION.—Subsection (c)(1) of such section is amended —

(A) in subparagraph (A), by striking ''for members of the armed forces'' and all that follows through ''for training only)'' and inserting ''for active duty (other than the Coast Guard) and for full-time National Guard duty (other than full-time National Guard duty for training only), but excluding any duty that would be excluded for active-duty end strength purposes by section 115(i) of this title''; and

(B) in subparagraph (B)—

(i) by striking ''Ready Reserve'' and inserting ''Selected Reserve''; and

(ii) by striking ''Coast Guard and other than members on full-time National Guard duty other than for training) who are'' and inserting ''Coast Guard) for service''.

(b) PAYMENTS INTO THE FUND.—Section 1466(a) of such title is amended—

(1) in paragraph (1)(B), by striking ''by members'' and all that follows and inserting ''for active duty (other than the Coast Guard) and for full-time National Guard duty (other than full-time National Guard duty for training only), but excluding any duty that would be excluded for active-duty end strength purposes by section 115(i) of this title''; and

(2) in paragraph (2)(B)—

(A) by striking ''Ready'' and inserting ''Selected''; and

(B) by striking ''Coast Guard and other than members on full-time National Guard duty other than for training) who are'' and inserting ''Coast Guard) for service''.

SEC. 582. DENTAL CORPS OF THE BUREAU OF MEDICINE AND SURGERY.

(a) DELETION OF REFERENCES TO DENTAL DIVISION.—Section 5138 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking the first sentence; and

(B) by striking ''Dental Division'' and inserting ''Dental Corps'' in the second sentence;

(2) in subsection (b), by striking ''Dental Division'' and inserting ''Dental Corps'';

(3) in subsection (c)—

(A) by striking ''so'' in the first sentence;

(B) by striking '', that all such'' in the first sentence and all that follows through ''Dental Division''; and

(C) by striking the second sentence.; and

(b) FUNCTIONS OF CHIEF OF DENTAL CORPS.—Subsection (d) of such section is amended to read as follows:

''(d) The Chief of the Dental Corps shall serve as the advisor to the Surgeon General on all matters relating directly to dentistry, including professional standards and policies for dental practice.''.

(c) CLERICAL AMENDMENTS.—

(1) The heading of such section is amended to read as follows:

''§ 5138. Bureau of Medicine and Surgery: Dental Corps; Chief''.

(2) The item relating to section 5138 in the table of sections at the beginning of chapter 513 of such title is amended to read as follows:

''5138. Bureau of Medicine and Surgery: Dental Corps; Chief.''.

SEC. 583. PERMANENT AUTHORITY FOR PRESENTATION OF RECOGNITION ITEMS FOR RECRUITMENT AND RETENTION PURPOSES.

Section 2261 of title 10, United States Code, is amended by striking subsection (d).

SEC. 584. REPORT ON FEASIBILITY OF ESTABLISHMENT OF MILITARY ENTRANCE PROCESSING COMMAND STATION ON GUAM.

(a) REVIEW.—The Secretary of Defense shall review the feasibility and cost effectiveness of establishing on Guam a station of the Military Entrance Processing Command to process new recruits for the Armed Forces who are drawn from the western Pacific region. For the purposes of the review, the cost effectiveness of establishing such a facility on Guam shall be measured, in part, against the system in effect in early 2006 of using Hawaii and other locations for the processing of new recruits from Guam and other locations in the western Pacific region.

(b) REPORT.—Not later than June 1, 2007, the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report providing the results of the study under subsection (a).

SEC. 585. PERSONS AUTHORIZED TO ADMINISTER ENLISTMENT AND APPOINTMENT OATHS.

(a) ENLISTMENT OATH.—Section 502 of title 10, United States Code, is amended—

(1) by inserting ''(a) ENLISTMENT OATH.—'' before ''Each person enlisting'';

(2) by striking the last sentence; and

(3) by adding at the end the following:

''(b) WHO MAY ADMINISTER.—The oath may be taken before the President, the Vice-President, the Secretary of Defense, any commissioned officer, or any other person designated under regulations prescribed by the Secretary of Defense.''.

(b) OATHS GENERALLY.—Section 1031 of such title is amended by striking ''Any commissioned officer of any component of an armed force, whether or not on active duty, may administer any oath'' and inserting ''The President, the Vice-President, the Secretary of Defense, any commissioned officer, and any other person designated under regulations prescribed by the Secretary of Defense may administer any oath''.

SEC. 586. REPEAL OF REQUIREMENT FOR PERIODIC DEPARTMENT OF DEFENSE INSPECTOR GENERAL ASSESSMENTS OF VOTING ASSISTANCE COMPLIANCE AT MILITARY INSTALLATIONS.

(a) REPEAL OF DUPLICATIVE ASSESSMENT REQUIREMENT.—Section 1566 of title 10, United States Code, is amended by striking subsection (d).

(b) REPEAL OF EXPIRED PROVISION.—Subsection (g)(2) of such section is amended by striking the last sentence.

SEC. 587. PHYSICAL EVALUATION BOARDS.

(a) IN GENERAL.—

(1) PROCEDURAL REQUIREMENTS.—Chapter 61 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1222. Physical evaluation boards

''(a) RESPONSE TO APPLICATIONS AND APPEALS.—The Secretary of each military department shall ensure, in the case of any member of the armed forces appearing before a physical evaluation board under that Secretary's supervision, that documents announcing a decision of the board in the case convey the findings and conclusions of the board in an orderly and itemized fashion with specific attention to each issue presented by the member in regard to that member's case. The requirement under the preceding sentence applies to a case both during initial consideration and upon subsequent consideration due to appeal by the member or other circumstance.

''(b) LIAISON OFFICER (PEBLO) REQUIREMENTS AND TRAINING.—(1) The Secretary of Defense shall prescribe regulations establishing —

''(A) a requirement for the Secretary of each military department to make available to members of the armed forces appearing before physical evaluation boards operated by that Secretary employees, designated as physical evaluation board liaison officers, to provide advice, counsel, and general information to such members on the operation of physical evaluation boards operated by that Secretary; and

''(B) standards and guidelines concerning the training of such physical evaluation board liaison officers.

''(2) The Secretary shall assess compliance by the Secretary of each military department with physical evaluation board liaison officer requirements and training standards and guidelines at least once every three years.

''(c) STANDARDIZED STAFF TRAINING AND OPERATIONS.—(1) The Secretary of Defense shall prescribe regulations on standards and guidelines concerning the physical evaluation board operated by each of the Secretaries of the military departments with regard to—

''(A) assignment and training of staff;

''(B) operating procedures; and

''(C) consistency and timeliness of board decisions.

''(2) The Secretary shall assess compliance with standards and guidelines prescribed under paragraph (1) by each physical evaluation board at least once every three years.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1222. Physical evaluation boards.''.

(b) EFFECTIVE DATE.—Section 1222 of title 10, United States Code, as added by subsection (a), shall apply with respect to decisions rendered

on cases commenced more than 120 days after the date of the enactment of this Act.

SEC. 588. DEPARTMENT OF LABOR TRANSITIONAL ASSISTANCE PROGRAM.

(a) REQUIRED PARTICIPATION FOR CERTAIN MEMBERS.—Subsection (c) of section 1144 of title 10, United States Code, is amended to read as follows:

''(c) PARTICIPATION.—(1) Except as provided in paragraph (2), the Secretary of Defense shall require participation by members of the armed forces eligible for assistance under the program carried out under this section.

''(2) The Secretary of Defense need not require, but shall encourage and otherwise promote, participation in the program by the following members described in paragraph (1):

''(A) A member who has previously participated in the program.

''(B) A member who, upon discharge or release from active duty, is returning to—

''(i) a position of employment; or

''(ii) pursuit of an academic degree or other educational or occupational training objective that the members was pursuing when called or ordered to such active duty.

''(3) Members of the armed forces eligible for assistance under this section include—

''(A) members of the reserve components being separated from service on active duty for a period of more than 30 days; and

''(B) members of the National Guard being separated from full-time National Guard duty.

''(4) The Secretary concerned shall ensure that commanders of members who are required to be provided assistance under this section authorize the members to be provided such assistance during duty time.''.

(b) REQUIRED UPDATING OF MATERIALS.—Such section is further amended by adding at the end the following new subsection:

''(e) UPDATING OF MATERIALS.—The Secretary concerned shall, on a continuing basis, update the content of the materials used by the National Veterans Training Institute of the Department of Labor and the Secretary's other materials that provide direct training support to personnel who carry out the program established in this section.''.

SEC. 589. REVISION IN GOVERNMENT CONTRIBUTIONS TO MEDICARE-ELIGIBLE RETIREE HEALTH CARE FUND.

(a) MEDICARE ELIGIBLE RETIREE HEALTH CARE FUND.—Section 1111 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''of the Department of Defense'';

(2) in subsection (b), by adding at the end of the following new paragraph:

''(5) The term 'members of the uniformed services on active duty' does not include a cadet at the United States Military Academy, the United States Air Force Academy, or the Coast Guard Academy or a midshipman at the United States Naval Academy.''; and

(3) in the last sentence of subsection (c)—

(A) by striking ''Secretary of Defense'' and inserting ''Secretary of the Treasury''; and

(B) by striking ''section 1116(a)'' and inserting ''section 1116 of this title''.

(b) DETERMINATION OF CONTRIBUTIONS TO THE FUND.—Section 1115 of such title is amended—

(1) in the last sentence of subsection (a)—

(A) by inserting ''by the Secretary of the Treasury'' after ''Contributions to the Fund''; and

(B) by striking ''section 1116(c)'' and inserting ''section 1116(a)(1)''.

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking the first sentence and inserting the following: ''The Secretary of the Treasury, based on data provided by the Secretary of Defense, shall determine, before the beginning of each fiscal year, the amount that the Secretary of the Treasury shall contribute to the Fund during that fiscal year under section 1116(a)(2) of this title.'';

(B) in paragraph (1)(B), by inserting before the period at the end the following: '', but excluding any member who would be excluded for active-duty end strength purposes by section 115(I) of this title''; and

(C) in paragraph (2)(B)—

(I) by striking ''Ready Reserve'' and inserting ''Selected Reserve''; and

(ii) by striking ''(other than members on full-time National Guard duty other than for training)''; and

(3) in subsection (c)—

(A) in paragraph (1)(A), by inserting before the semicolon the following: '', but excluding any member who would be excluded for active-duty end strength purposes by section 115(I) of this title'';

(B) in paragraph (1)(B)—

(I) by striking ''Ready Reserve'' and inserting ''Selected Reserve''; and

(ii) by striking ''(other than members on full-time National Guard duty other than for training)''; and

(C) in paragraph (5), by inserting after ''(5)'' the following new sentence: ''The Secretary of Defense, before the beginning of each fiscal year, shall promptly provide data to the Secretary of the Treasury regarding the actuarial valuations conducted under this subsection that would affect the contributions of the Secretary of the Treasury to the Fund for that fiscal year.''.

(c) PAYMENTS INTO THE FUND.—Section 1116 of such title is amended—

(1) in the matter in subsection (a) preceding paragraph (1)—

(A) by striking ''after September 30, 2005''; and

(B) by striking ''Treasury—'' and inserting ''Treasury the following:'';

(2) by redesignating paragraph (2) of subsection (a) as paragraph (3);

(3) by striking paragraph (1) of subsection (a) and inserting the following:

''(1) The amount determined to be required as the contribution to the Fund under subsection (a) of section 1115 of this title.

''(2) The amount determined to be required as the contribution to the Fund under subsection (b) of section 1115 of this title.'';

(4) in paragraph (3) of subsection (a) (as redesignated by paragraph (2)), by capitalizing the first letter of the first word;

(5) by transferring paragraphs (3), (4), and (5) of subsection (b) to the end of subsection (a) and redesignating those paragraphs as paragraphs (4), (5), and (6), respectively; and

(6) by striking subsection (b) (as amended by paragraph (5)) and subsections (c) and (d) and inserting the following new subsection (b):

''(b) No funds authorized or appropriated to the Department of Defense may be used to fund, or otherwise provide for, the payments required by this section.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect with respect to payments under chapter 56 of title 10, United States Code, beginning with fiscal year 2008.

SEC. 590. MILITARY CHAPLAINS.

(a) UNITED STATES ARMY.—Section 3547 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) Each chaplain shall have the prerogative to pray according to the dictates of the chaplain's own conscience, except as must be limited by military necessity, with any such limitation being imposed in the least restrictive manner feasible.''.

(b) UNITED STATES MILITARY ACADEMY.—Section 4337 of such title is amended—

(1) by inserting ''(a)'' before ''There''; and

(2) by adding at the end the following new subsection:

''(b) The Chaplain shall have the prerogative to pray according to the dictates of the Chaplain's conscience, except as must be limited by military necessity, with any such limitation being imposed in the least restrictive manner feasible.''.

(c) UNITED STATES NAVY AND MARINE CORPS.—Section 6031 of such title is amended by adding at the end the following new subsection:

''(d) Each chaplain shall have the prerogative to pray according to the dictates of the chaplain's own conscience, except as must be limited by military necessity, with any such limitation being imposed in the least restrictive manner feasible.''.

(d) UNITED STATES AIR FORCE.—Section 8547 of such title is amended by adding at the end the following new subsection:

''(c) Each chaplain shall have the prerogative to pray according to the dictates of the chaplain's own conscience, except as must be limited by military necessity, with any such limitation being imposed in the least restrictive manner feasible.''.

(e) UNITED STATES AIR FORCE ACADEMY.—Section 9337 of such title is amended—

(1) by inserting ''(a)'' before ''There''; and

(2) by adding at the end the following new subsection:

''(b) The Chaplain shall have the prerogative to pray according to the dictates of the Chaplain's conscience, except as must be limited by military necessity, with any such limitation being imposed in the least restrictive manner feasible.''.

SEC. 591. REPORT ON PERSONNEL REQUIREMENTS FOR AIRBORNE ASSETS IDENTIFIED AS LOW-DENSITY, HIGH-DEMAND AIRBORNE ASSETS.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on personnel requirements for airborne assets identified as Low-Density, High-Demand Airborne Assets based on combatant commander requirements to conduct and sustain operations for the global war on terrorism.

(b) MATTER TO BE INCLUDED.—The report shall include the following for each airborne asset identified as a Low-Density, High-Demand Airborne Asset:

(1) The numbers of operations and maintenance crews to meet tasking contemplated to conduct operations for the global war on terrorism.

(2) The current numbers of operations and maintenance crews.

(3) If applicable, shortages of operations and maintenance crews.

(4) Whether such shortages are addressed in the future-years defense program.

(5) Whether end-strength increases are required to meet any such shortages.

(6) Costs of personnel needed to address shortfalls.

(7) If applicable, the number and types of equipment needed to address training shortfalls.

SEC. 592. ENTREPRENEURIAL SERVICE MEMBERS EMPOWERMENT TASK FORCE.

(a) ESTABLISHMENT.—The Secretary of Defense, in coordination with the Administrator of the Small Business Administration, shall establish a task force to provide timely input to the Secretary and the Administrator with respect to—

(1) measures that would improve the programs and activities of the Department and the Administration that are designed to address the economic concerns, as well as the business challenges and opportunities, of entrepreneurial service members; and

(2) measures that would improve the coordination of the programs and activities relating to entrepreneurial service members conducted by—

(A) the National Committee for Employer Support of the National Guard and Reserve;

(B) Veterans Business Outreach Centers;

(C) Federal procurement entities; and

(D) any other elements within, or affiliates of, the Department of Defense or the Small Business Administration.

(b) PLAN.—The task force shall develop within 90 days after its first meeting, and revise as appropriate thereafter, a plan for carrying out the duty under subsection (a).

(c) CONSULTATION.—In carrying out the duty under subsection (a), the task force shall consult with appropriate Federal, State, and local agencies and appropriate elements of the private sector, including academic institutions and industry representatives.

(d) COMPOSITION.—

(1) CO-CHAIRS.—The task force shall have two co-chairs, one an officer or employee of the Department of Defense assigned by the Secretary, and one an officer or employee of the Small Business Administration assigned by the Administrator. The initial assignments shall be made within 60 days after the date of the enactment of this Act.

(2) OTHER MEMBERS.—The Secretary, in coordination with the Administrator, shall appoint the remaining task force members, numbering not less than 8 and not more than 15. The selections shall be made within 120 days after the date of the enactment of this Act. The Secretary, in coordination with the Administrator, shall ensure that the task force includes individuals from both public service and the private sector, and that each of the following groups is represented on the task force:

(A) Entrepreneurial service members who are owners of small businesses.

(B) Small businesses that employ entrepreneurial service members as essential employees.

(C) Associations that further the interests of small businesses, members of the reserve components of the Armed Forces, or both.

(D) Any other entities that the Secretary, in coordination with the Administrator, considers appropriate.

(3) COMPENSATION.—An individual serving as a member of the task force shall not receive compensation by reason of that service.

(e) MEETINGS.—

(1) FREQUENCY.—The task force shall meet not less frequently than twice per year. The initial meeting shall be held within 150 days after the date of the enactment of this Act.

(2) QUORUM.—A majority of the members of the task force shall constitute a quorum.

(f) REPORTS.—The task force shall provide to the Secretary and the Administrator not only the minutes of each meeting, but also a report of its findings and recommendations, should there be any, within 90 days of each meeting. Not later than 60 days after the receipt of such a report—

(1) the Secretary shall submit a copy of the report to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate; and

(2) the Administrator shall submit a copy of the report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate.

(g) DETAIL OF CERTAIN FEDERAL EMPLOYEES.—The Secretary may detail an officer or employee of the Department of Defense, and the Administrator may detail an officer or employee of the Small Business Administration, to the task force without additional reimbursement and without interruption or loss of civil status or privilege.

(h) EXPENSES.—The Department of Defense and the Small Business Administration shall share equally in the cost of supporting the task force.

(i) DEFINITION.—In this section, the term ''entrepreneurial service member'' means an individual who is both—

(1) an actual or prospective owner of, or an essential employee of, a small business; and

(2) a member of a reserve component of the Armed Forces.

(j) TERMINATION.—The task force shall terminate September 30, 2009.

SEC. 593. COMPTROLLER GENERAL REPORT ON MILITARY CONSCIENTIOUS OBJECTORS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report concerning the frequency and consequences of members of the Armed Forces claiming status as a military conscientious objector between January 1, 1989, and December 31, 2006.

(b) CONTENT OF REPORT.—The report shall specifically address the following:

(1) The number of all applications for status as a military conscientious objector, even if the application was not acted on or other discharge given, broken down by military branch, including the Coast Guard, and regular and reserve components.

(2) Number of discharges or reassignments given.

(3) The process used to consider applications, including average time frame and any reassignment to non-combatant duties while claim pending.

(4) Reasons for approval or disapproval of applications.

(5) Any difference in benefits upon discharge as a military conscientious objector compared to other discharges.

(6) The effect of stop loss provisions in First Gulf War and currently, cancellation of orders to combat or rear attachment duty while claim pending.

(7) Pre-war statistical comparisons.

SEC. 594. COMMISSION ON THE NATIONAL GUARD AND RESERVES.

(a) SIX-MONTH EXTENSION OF COMMISSION.—Subsection (f)(2) of section 513 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1882) is amended by striking ''one year'' and inserting ''18 months''.

(b) ADDITIONAL MATTERS TO BE REVIEWED BY COMMISSION.—The Commission on the National Guard and Reserves shall include among the matters it studies (in addition to the matters specified in subsection (c) of such section 513) the following:

(1) PROVISIONS OF H.R. 5200, 109TH CONGRESS.—The advisability and feasibility of implementing the provisions of H.R. 5200 of the 109th Congress, as introduced in the House of Representatives on April 26, 2006.

(2) CHIEF OF NATIONAL GUARD BUREAU.—As an alternative to implementation of the provisions of the bill specified in paragraph (1) that provide for the Chief of the National Guard Bureau to be a member of the Joint Chiefs of Staff and to hold the grade of general, the advisability and feasibility of providing for the Chief of the National Guard Bureau to hold the grade of general in the performance of the current duties of that office.

(3) NATIONAL GUARD EQUIPMENT AND FUNDING REQUIREMENTS.—The adequacy of the Department of Defense processes for defining the equipment and funding necessary for the National Guard to conduct both its responsibilities under title 10, United States Code, and its responsibilities under title 32, United States Code, including homeland defense and related homeland missions, including as part of such study—

(A) consideration of the extent to which those processes should be developed taking into consideration the views of the Chief of the National Guard Bureau, as well as the views of the 54 Adjutant Generals and the views of the Chiefs of the Army National Guard and the Air Guard; and

(B) whether there should be an improved means by which National Guard equipment requirements are validated by the Joint Chiefs of Staff and are considered for funding by the Secretaries of the Army and Air Force.

(c) PRIORITY REVIEW AND REPORT.—

(1) PRIORITY REVIEW.—The Commission on the National Guard and Reserves shall carry out its study of the matters specified in paragraphs (1) and (2) of subsection (b) on a priority basis, with a higher priority for matters under those paragraphs relating to the grade and functions of the Chief of the National Guard Bureau.

(2) REPORT.—In addition to the reports required under subsection (f) of section 513 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 1882), the Commission shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives an interim report, not later than March 1, 2007, specifically on the matters covered by paragraph (1). In such report, the Commission shall set forth its findings and any recommendations it considers appropriate with respect to those matters.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Increase in basic pay for fiscal year 2007.
Sec. 602. Targeted increase in basic pay rates.
Sec. 603. Conforming change in general and flag officer pay cap to reflect increase in pay cap for Senior Executive Service personnel.
Sec. 604. Availability of second basic allowance for housing for certain reserve component or retired members serving in support of contingency operations.
Sec. 605. Extension of temporary continuation of housing allowance for dependents of members dying on active duty to spouses who are also members.
Sec. 606. Clarification of effective date of prohibition on compensation for correspondence courses.
Sec. 607. Payment of full premium for coverage under Servicemembers' Group Life Insurance program during service in Operation Enduring Freedom or Operation Iraqi Freedom.

Subtitle B—Bonuses and Special and Incentive Pays

Sec. 611. Extension of certain bonus and special pay authorities for reserve forces.
Sec. 612. Extension of bonus and special pay authorities for health care professionals.
Sec. 613. Extension of special pay and bonus authorities for nuclear officers.
Sec. 614. Extension of other bonus, special pay, and separation pay authorities.
Sec. 615. Expansion of eligibility of dental officers for additional special pay.
Sec. 616. Increase in maximum annual rate of special pay for Selected Reserve health care professionals in critically short wartime specialties.
Sec. 617. Authority to provide lump sum payment of nuclear officer incentive pay.
Sec. 618. Increase in maximum amount of nuclear career accession bonus.
Sec. 619. Increase in maximum amount of incentive bonus for transfer between armed forces.
Sec. 620. Clarification regarding members of the Army eligible for bonus for referring other persons for enlistment in the Army.
Sec. 621. Pilot program for recruitment bonus for critical health care specialties.
Sec. 622. Enhancement of temporary program of voluntary separation pay and benefits.
Sec. 623. Additional authorities and incentives to encourage retired members and reserve component members to volunteer to serve on active duty in high-demand, low-density assignments.

Subtitle C—Travel and Transportation Allowances

Sec. 631. Authority to pay costs associated with delivery of motor vehicle to storage location selected by member and subsequent removal of vehicle.

Sec. 632. Transportation of additional motor vehicle of members on change of permanent station to or from nonforeign areas outside the continental United States.

Sec. 633. Travel and transportation allowances for transportation of family members incident to illness or injury of members.

Subtitle D—Retired Pay and Survivor Benefits

Sec. 641. Military Survivor Benefit Plan beneficiaries under insurable interest coverage.

Sec. 642. Retroactive payment of additional death gratuity for certain members not previously covered.

Sec. 643. Equity in computation of disability retired pay for reserve component members wounded in action.

Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits

Sec. 651. Treatment of price surcharges of tobacco products and certain other merchandise sold at commissary stores.

Sec. 652. Limitation on use of Department of Defense lease authority to undermine commissaries and exchanges and other morale, welfare, and recreation programs and nonappropriated fund instrumentalities.

Sec. 653. Use of nonappropriated funds to supplement or replace appropriated funds for construction of facilities of exchange stores system and other nonappropriated fund instrumentalities, military lodging facilities, and community facilities.

Sec. 654. Report on cost effectiveness of purchasing commercial insurance for commissary and exchange facilities and facilities of other morale, welfare, and recreation programs and nonappropriated fund instrumentalities.

Subtitle F—Other Matters

Sec. 661. Repeal of annual reporting requirement regarding effects of recruitment and retention initiatives.

Sec. 662. Pilot project regarding providing golf carts accessible for disabled persons at military golf courses.

Sec. 663. Enhanced authority to remit or cancel indebtedness of members of the Armed Forces incurred on active duty.

Subtitle A—Pay and Allowances

SEC. 601. INCREASE IN BASIC PAY FOR FISCAL YEAR 2007.

(a) WAIVER OF SECTION 1009 ADJUSTMENT.—The adjustment to become effective during fiscal year 2007 required by section 1009 of title 37, United States Code, in the rates of monthly basic pay authorized members of the uniformed services shall not be made.

(b) INCREASE IN BASIC PAY.—Effective on January 1, 2007, the rates of monthly basic pay for members of the uniformed services are increased by 2.7 percent.

SEC. 602. TARGETED INCREASE IN BASIC PAY RATES.

Effective on April 1, 2007, the rates of monthly basic pay for members of the uniformed services within each pay grade are as follows:

COMMISSIONED OFFICERS[1]

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
O–10[2]	$0.00	$0.00	$0.00	$0.00	$0.00
O–9	0.00	0.00	0.00	0.00	0.00
O–8	8,494.20	8,772.60	8,957.10	9,008.70	9,239.10
O–7	7,058.40	7,386.00	7,538.10	7,658.40	7,876.80
O–6	5,231.40	5,747.40	6,124.50	6,124.50	6,147.60
O–5	4,361.10	4,912.80	5,253.00	5,316.90	5,529.00
O–4	3,762.90	4,356.00	4,646.40	4,711.50	4,981.20
O–3[3]	3,308.40	3,750.60	4,048.20	4,413.60	4,624.50
O–2[3]	2,858.10	3,255.60	3,749.70	3,876.30	3,956.10
O–1[3]	2,481.30	2,582.40	3,121.80	3,121.80	3,121.80
	Over 8	Over 10	Over 12	Over 14	Over 16
O–10[2]	$0.00	$0.00	$0.00	$0.00	$0.00
O–9	0.00	0.00	0.00	0.00	0.00
O–8	9,624.00	9,713.40	10,079.10	10,183.80	10,498.80
O–7	8,092.20	8,341.80	8,590.80	8,840.40	9,624.00
O–6	6,411.30	6,446.10	6,446.10	6,812.40	7,460.10
O–5	5,656.20	5,935.20	6,140.10	6,404.40	6,809.70
O–4	5,270.40	5,630.10	5,911.20	6,105.90	6,217.80
O–3[3]	4,856.70	5,007.00	5,253.90	5,382.30	5,382.30
O–2[3]	3,956.10	3,956.10	3,956.10	3,956.10	3,956.10
O–1[3]	3,121.80	3,121.80	3,121.80	3,121.80	3,121.80
	Over 18	Over 20	Over 22	Over 24	Over 26
O–10[2]	$0.00	$13,725.90	$13,793.10	$14,079.90	$14,579.70
O–9	0.00	12,005.10	12,177.60	12,427.80	12,863.70
O–8	10,954.20	11,374.50	11,655.00	11,655.00	11,655.00
O–7	10,286.10	10,286.10	10,286.10	10,286.10	10,338.30
O–6	7,840.20	8,220.00	8,436.30	8,655.00	9,080.10
O–5	7,002.30	7,192.80	7,409.10	7,409.10	7,409.10
O–4	6,282.90	6,282.90	6,282.90	6,282.90	6,282.90
O–3[3]	5,382.30	5,382.30	5,382.30	5,382.30	5,382.30
O–2[3]	3,956.10	3,956.10	3,956.10	3,956.10	3,956.10
O–1[3]	3,121.80	3,121.80	3,121.80	3,121.80	3,121.80

[1] Notwithstanding the basic pay rates specified in this table, the actual rate of basic pay for commissioned oficers in pay grades 0–7 through 0–10 may not exceed the rate of pay for level II of the Executive Schedule and the actual rate of basic pay for all other officers may not exceed the rate of pay for level V of the Executive Schedule.

[2] Subject to the preceding footnote, while serving as Chairman or Vice Chairman of the Joint Chiefs of Staff, Chief of Staff of the Army, Chief of Naval Operations, Chief of Staff of the Air Force, Commandant of the Marine Corps, Commandant of the Coast Guard, or commander of a unified or specified combatant command (as defined in section 161(c) of title 10, United States Code, basic pay for this grade is $16,037.40, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

[3] This table does not apply to commissioned officers in pay grade O–1, O–2, or O–3 who have been credited with over 4 years of active duty service as an enlisted member or warrant officer.

COMMISSIONED OFFICERS WITH OVER 4 YEARS OF ACTIVE DUTY SERVICE AS AN ENLISTED MEMBER OR WARRANT OFFICER

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
O–3E	$0.00	$0.00	$0.00	$4,413.60	$4,624.50
O–2E	0.00	0.00	0.00	3,876.30	3,956.10
O–1E	0.00	0.00	0.00	3,121.80	3,333.90

COMMISSIONED OFFICERS WITH OVER 4 YEARS OF ACTIVE DUTY SERVICE AS AN ENLISTED MEMBER OR WARRANT OFFICER—Continued

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
	Over 8	Over 10	Over 12	Over 14	Over 16
0–3E	$4,856.70	$5,007.00	$5,253.90	$5,462.10	$5,581.20
0–2E	4,082.10	4,294.20	4,458.90.	4,581.00	4,581.00
0–1E	3,456.90	3,582.90	3,706.80	3,876.30	3,876.30
	Over 18	Over 20	Over 22	Over 24	Over 26
0–3E	$5,743.80	$5,743.80	$5,743.80	$5,743.80	$5,743.80
0–2E	4,581.00	4,581.00	4,581.00	4,581.00	4,581.00
0–1E	3,876.30	3,876.30	3,876.30	3,876.30	3,876.30

WARRANT OFFICERS[1]

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
W–5	$0.00	$0.00	$0.00	$0.00	$0.00
W–4	3,418.80	3,677.70	3,783.60	3,887.40	4,066.20
W–3	3,122.10	3,252.30	3,385.50	3,429.60	3,569.40
W–2	2,762.70	3023.40	3,104.40	3,159.90	3,338.70
W–1	2,425.20	2,685.00	2,756.40	2,904.30	3,080.10
	Over 8	Over 10	Over 12	Over 14	Over 16
W–5	$0.00	$0.00	$0.00	$0.00	$0.00
W–4	4,242.90	4,422.30	4,691.40	4,927.80	5152.80
W–3	3,843.90	4,130.10	4,265.40	4,421.40	4,582.20
W–2	3,616.80	3,754.80	3,890.70	4,056.60	4,186.20
W–1	3,337.80	3,458.40	3,627.00	3,792.90	3,922.80
	Over 18	Over 20	Over 22	Over 24	Over 26
W–5	$0.00	$6,078.30	$6,386.10	$6,615.60	$6,869.70
W–4	5,336.40	5,516.10	5,779.50	5,995.80	6,242.70
W–3	4,870.50	5,065.80	5,181.90	5,306.40	5,475.30
W–2	4,303.80	4,444.20	4,536.90	4,611.30	4,611.30
W–1	4,042.80	4,188.90	4,188.90	4,188.90	4,188.90

[1] Notwithstanding the basic pay rates specified in this table, the actual rate of basic pay for warrant officers may not exceed the rate of pay for level V of the Executive Schedule.

ENLISTED MEMBERS[1]

Years of service computed under section 205 of title 37, United States Code

Pay Grade	2 or less	Over 2	Over 3	Over 4	Over 6
E–9[2]	$0.00	$0.00	$0.00	$0.00	$0.00
E–8	0.00	0.00	0.00	0.00	0.00
E–7	2,350.50	2,565.60	2,663.70	2,794.20	2,895.60
E–6	2,033.10	2,236.80	2,335.80	2,431.50	2,531.70
E–5	1,863.00	1,987.50	2,083.50	2,181.90	2,335.20
E–4	1,707.90	1,795.20	1,892.40	1,988.10	2,073.00
E–3	1,541.70	1,638.90	1,737.60	1,737.60	1,737.60
E–2	1,465.80	1,465.80	1,465.80	1,465.80	1,465.80
E–1[3]	1,308.00	1,308.00	1,308.00	1,308.00	1,308.00
	Over 8	Over 10	Over 12	Over 14	Over 16
E–9[2]	$0.00	$4,130.70	$4,224.30	$4,342.50	$4,481.40
E–8	3,381.30	3,531.00	3,623.70	3,734.40	3,854.70
E–7	3,070.20	3,168.30	3,326.70	3,471.00	3,569.70
E–6	2,757.60	2,845.20	3,000.00	3,051.90	3,089.70
E–5	2,483.70	2,613.90	2,630.10	2,630.10	2,630.10
E–4	2,073.00	2,073.00	2,073.00	2,073.00	2,073.00
E–3	1,737.60	1,737.60	1,737.60	1,737.60	1,737.60
E–2	1,465.80	1,465.80	1,465.80	1,465.80	1,465.80
E–1[3]	1,308.00	1,308.00	1,308.00	1,308.00	1,308.00
	Over 18	Over 20	Over 22	Over 24	Over 26
E–9[2]	$4,620.90	$4,845.30	$5,034.60	$5,234.70	$5,539.50
E–8	4,071.60	4,181.40	4,368.60	4,472.40	4,727.70
E–7	3,674.40	3,715.50	3,852.00	3,944.40	4,224.60
E–6	3,133.50	3,133.50	3,133.50	3,133.50	3,133.50
E–5	2,630.10	2,630.10	2,630.10	2,630.10	2,630.10
E–4	2,073.00	2,073.00	2,073.00	2,073.00	2,073.00
E–3	1,737.60	1,737.60	1,737.60	1,737.60	1,737.60
E–2	1,465.80	1,465.80	1,465.80	1,465.80	1,465.80
E–1[3]	1,308.00	1,308.00	1,308.00	1,308.00	1,308.00

[1] Notwithstanding the pay rates specified in this table, the actual basic pay for enlisted members may not exceed the rate of pay for level V of the Executive Schedule.

[2] Subject to the preceding footnote, the rate of basic pay for an enlisted member in this grade while serving as Sergeant Major of the Army, Master Chief Petty Officer of the Navy, Chief Master Sergeant of the Air Force, Sergeant Major of the Marine Corps, Master Chief Petty Officer of the Coast Guard, or Senior Enlisted Advisor to the Chairman of the Joint Chiefs of Statff is $6,675.00, regardless of cumulative years of service computed under section 205 of title 37, United States Code.

[3] In the case of members in pay grade E–1 who have served less than 4 months on active duty, the rate of basic pay is $1,209.90.

SEC. 603. CONFORMING CHANGE IN GENERAL AND FLAG OFFICER PAY CAP TO REFLECT INCREASE IN PAY CAP FOR SENIOR EXECUTIVE SERVICE PERSONNEL.

(a) INCREASE.—Section 203(a)(2) of title 37, United States Code, is amended by striking ''level III of the Executive Schedule'' and inserting ''level II of the Executive Schedule''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2006.

SEC. 604. AVAILABILITY OF SECOND BASIC ALLOWANCE FOR HOUSING FOR CERTAIN RESERVE COMPONENT OR RETIRED MEMBERS SERVING IN SUPPORT OF CONTINGENCY OPERATIONS.

Section 403(g) of title 37, United States Code, is amended—

(1) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively;

(2) by inserting after paragraph (1) the following new paragraph (2):

''(2) The Secretary concerned may provide a basic allowance for housing to a member described in paragraph (1) at a monthly rate equal to the rate of the basic allowance for housing established under subsection (b) or the overseas basic allowance for housing established under subsection (c), whichever applies to the location at which the member is serving, for members in the same grade at that location without dependents. The member may receive both a basic allowance for housing under paragraph (1) and under this paragraph for the same month, but may not receive the portion of the allowance authorized under section 404 of this title, if any, for lodging expenses if a basic allowance for housing is provided under this paragraph.''; and

(3) in paragraph (3), as so redesignated, by striking ''Paragraph (1)'' and inserting ''Paragraphs (1) and (2)''.

SEC. 605. EXTENSION OF TEMPORARY CONTINUATION OF HOUSING ALLOWANCE FOR DEPENDENTS OF MEMBERS DYING ON ACTIVE DUTY TO SPOUSES WHO ARE ALSO MEMBERS.

(a) EXTENSION.—Section 403(l) of title 37, United States Code, is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following new paragraph:

''(3) An allowance may be paid under paragraph (2) to the spouse of the deceased member even though the spouse is also a member of the uniformed services. The allowance paid under such paragraph is in addition to any other pay and allowances to which the spouse is entitled as a member.''.

(b) EFFECTIVE DATE.—

(1) GENERAL RULE.—The amendments made by subsection (a) shall take effect on October 1, 2006.

(2) TRANSITIONAL RULE.—After October 1, 2006, the Secretary of Defense, and the Secretary of Homeland Security in the case of the Coast Guard, may pay the allowance authorized by section 403(l)(2) of title 37, United States Code, to a member of the uniformed services who is the spouse of a member who died on active duty during the one-year period ending on that date, except that the payment of the allowance must terminate within 365 days after the date of the member's death.

SEC. 606. CLARIFICATION OF EFFECTIVE DATE OF PROHIBITION ON COMPENSATION FOR CORRESPONDENCE COURSES.

Section 206(d) of title 37, United States Code, is amended by adding at the end the following new paragraph:

''(3) The prohibition in paragraph (1), including the prohibition as it relates to a member of the National Guard while not in Federal service, applies to—

''(A) any work or study performed on or after September 7, 1962, unless that work or study is specifically covered by the exception in paragraph (2); and

''(B) any claim based on that work or study arising after that date.''.

SEC. 607. PAYMENT OF FULL PREMIUM FOR COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE PROGRAM DURING SERVICE IN OPERATION ENDURING FREEDOM OR OPERATION IRAQI FREEDOM.

(a) ENHANCED ALLOWANCE TO COVER SGLI DEDUCTIONS.—Subsection (a)(1) of section 437 of title 37, United States Code, is amended by striking ''for the first $150,000'' and all that follows through ''of such title'' and inserting ''for the amount of Servicemembers' Group Life Insurance coverage held by the member under section 1967 of such title''.

(b) CONFORMING AMENDMENTS.—Such section is further amended—

(1) in subsection (a)—

(A) by striking ''(1)'' before ''in the case of''; and

(B) by striking paragraph (2);

(2) by striking subsection (b); and

(3) by redesignating subsection (c) as subsection (b) and in paragraph (2) of that subsection by striking ''coverage amount specified in subsection (a)(1) or in effect pursuant to subsection (b),'' and inserting ''maximum coverage amount available for such insurance,''.

(c) CLERICAL AMENDMENTS.—The heading for such section, and the item relating to such section in the table of sections at the beginning of chapter 7 of such title, are each amended by striking the fourth and fifth words.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first month beginning on or after the date of the enactment of this Act and shall apply with respect to service by members of the Armed Forces in the theater of operations for Operation Enduring Freedom or Operation Iraqi Freedom for months beginning on or after that date.

(e) FUNDING SOURCE.—Of the amounts authorized to be appropriated to the Department of Defense for military personnel accounts as emergency supplemental appropriations for fiscal years 2006 and 2007 to provide funds for additional costs due to Operation Iraqi Freedom and Operation Enduring Freedom, $31,000,000 shall be available to cover the additional costs incurred to implement the amendments made by this section.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

(a) SELECTED RESERVE REENLISTMENT BONUS.—Section 308b(g) of title 37, United States Code, is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

(b) SELECTED RESERVE AFFILIATION OR ENLISTMENT BONUS.—Section 308c(i) of such title is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

(c) SPECIAL PAY FOR ENLISTED MEMBERS ASSIGNED TO CERTAIN HIGH PRIORITY UNITS.—Section 308d(c) of such title is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

(d) READY RESERVE ENLISTMENT BONUS FOR PERSONS WITHOUT PRIOR SERVICE.—Section 308g(h)(2) of such title is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

(e) READY RESERVE ENLISTMENT AND REENLISTMENT BONUS FOR PERSONS WITH PRIOR SERVICE.—Section 308h(e) of such title is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

(f) SELECTED RESERVE ENLISTMENT BONUS FOR PERSONS WITH PRIOR SERVICE.—Section 308i(f) of such title is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

SEC. 612. EXTENSION OF BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) NURSE OFFICER CANDIDATE ACCESSION PROGRAM.—Section 2130a(a)(1) of title 10, United States Code, is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

(b) REPAYMENT OF EDUCATION LOANS FOR CERTAIN HEALTH PROFESSIONALS WHO SERVE IN THE SELECTED RESERVE.—Section 16302(d) of such title is amended by striking ''January 1, 2007'' and inserting ''January 1, 2008''.

(c) ACCESSION BONUS FOR REGISTERED NURSES.—Section 302d(a)(1) of title 37, United States Code, is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

(d) INCENTIVE SPECIAL PAY FOR NURSE ANESTHETISTS.—Section 302e(a)(1) of such title is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

(e) SPECIAL PAY FOR SELECTED RESERVE HEALTH PROFESSIONALS IN CRITICALLY SHORT WARTIME SPECIALTIES.—Section 302g(e) of such title is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

(f) ACCESSION BONUS FOR DENTAL OFFICERS.—Section 302h(a)(1) of such title is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

(g) ACCESSION BONUS FOR PHARMACY OFFICERS.—Section 302j(a) of such title is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

SEC. 613. EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

(a) SPECIAL PAY FOR NUCLEAR-QUALIFIED OFFICERS EXTENDING PERIOD OF ACTIVE SERVICE.—Section 312(e) of title 37, United States Code, is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

(b) NUCLEAR CAREER ACCESSION BONUS.—Section 312b(c) of such title is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

(c) NUCLEAR CAREER ANNUAL INCENTIVE BONUS.—Section 312c(d) of such title is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

SEC. 614. EXTENSION OF OTHER BONUS, SPECIAL PAY, AND SEPARATION PAY AUTHORITIES.

(a) AVIATION OFFICER RETENTION BONUS.—Section 301b(a) of title 37, United States Code, is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

(b) ASSIGNMENT INCENTIVE PAY.—Section 307a(g) of such title is amended by striking ''December 31, 2007'' and inserting ''December 31, 2008''.

(c) REENLISTMENT BONUS FOR ACTIVE MEMBERS.—Section 308(g) of such title is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

(d) ENLISTMENT BONUS FOR ACTIVE MEMBERS.—Section 309(e) of such title is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

(e) RETENTION BONUS FOR MEMBERS WITH CRITICAL MILITARY SKILLS.—Section 323(i) of such title is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

(f) ACCESSION BONUS FOR NEW OFFICERS IN CRITICAL SKILLS.—Section 324(g) of such title is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

(g) MILITARY OCCUPATIONAL SPECIALTY CONVERSION INCENTIVE BONUS.—Section 326(g) of such title is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

(h) TRANSFER BETWEEN ARMED FORCES INCENTIVE BONUS.—Section 327(h) of such title is amended by striking ''December 31, 2006'' and inserting ''December 31, 2007''.

SEC. 615. EXPANSION OF ELIGIBILITY OF DENTAL OFFICERS FOR ADDITIONAL SPECIAL PAY.

(a) REPEAL OF INTERNSHIP AND RESIDENCY EXCEPTION.—Section 302b(a)(4) of title 37, United

States Code, is amended by striking the first sentence and inserting the following new sentence: ''An officer who is entitled to variable special pay under paragraph (2) or (3) is also entitled to additional special pay for any 12-month period during which an agreement executed under subsection (b) is in effect with respect to the officer.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2006.

SEC. 616. INCREASE IN MAXIMUM ANNUAL RATE OF SPECIAL PAY FOR SELECTED RESERVE HEALTH CARE PROFESSIONALS IN CRITICALLY SHORT WARTIME SPECIALTIES.

(a) INCREASE.—Section 302g(a) of title 37, United States Code, is amended by striking ''$10,000'' and inserting ''$25,000''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on October 1, 2006.

SEC. 617. AUTHORITY TO PROVIDE LUMP SUM PAYMENT OF NUCLEAR OFFICER INCENTIVE PAY.

(a) LUMP SUM PAYMENT OPTION.—Subsection (a) of section 312 of title 37, United States Code, is amended in the matter after paragraph (3)—

(1) by striking ''in equal annual installments'' and inserting ''in a single lump-sum or in annual installments of equal or different amounts''; and

(2) by striking ''with the number of installments being equal to the number of years covered by the contract plus one'' and inserting ''and, if the special pay will be paid in annual installments, the number of installments may not exceed the number of years covered by the agreement plus one''.

(b) CLERICAL AND CONFORMING AMENDMENTS.—Such section is further amended—

(1) by redesignating subsections (b) through (e) as subsections (c) through (f), respectively;

(2) in subsection (a)—

(A) by striking ''an officer'' in the matter before paragraph (1) and inserting ''the Secretary may pay special pay under subsection (b) to an officer'';

(B) by striking the semicolon at the end of paragraph (3) and inserting a period;

(C) by striking ''may, upon'' and all that follows through ''The Secretary of the Navy shall'' and inserting the following:

''(b) PAYMENT AMOUNT; PAYMENT OPTIONS.—(1) The total amount paid to an officer under an agreement under subsection (a) or (e)(1) may not exceed $30,000 for each year of the active-service agreement. Amounts paid under the agreement are in addition to all other compensation to which the officer is entitled.

''(2) The Secretary shall'';

(D) by striking ''Upon acceptance of the agreement by the Secretary or his designee'' and inserting the following:

''(3) Upon acceptance of an agreement under subsection (a) or (e)(1) by the Secretary '';

(E) by striking ''The Secretary (or his designee)'' and inserting the following:

''(4) The Secretary'';

(3) in subsection (c), as redesignated by paragraph (1), by striking ''subsection (a) or subsection (d)(1)'' and inserting ''subsection (b) or (e)(1)''; and

(4) in the first sentence of subsection (e)(1), as redesignated by paragraph (1)—

(A) by striking ''such subsection'' and inserting ''subsection (b)''; and

(B) by striking ''that subsection'' and inserting ''this subsection''.

(c) STYLISTIC AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting ''SPECIAL PAY AUTHORIZED; ELIGIBILITY.—'' after ''(a)'';

(2) in subsection (c), as redesignated by subsection (b)(1), by inserting ''REPAYMENT.—'' after ''(c)'';

(3) in subsection (d), as redesignated by subsection (b)(1), by inserting ''RELATION TO SERVICE OBLIGATION.—'' after ''(d)'';

(4) in subsection (e), as redesignated by subsection (b)(1), by inserting ''NEW AGREEMENT.—'' after ''(e)''; and

(5) in subsection (f), as redesignated by subsection (b)(1), by inserting ''DURATION OF AUTHORITY.—'' after ''(f)''.

SEC. 618. INCREASE IN MAXIMUM AMOUNT OF NUCLEAR CAREER ACCESSION BONUS.

(a) INCREASE.—Section 312b(a)(1) of title 37, United States Code, is amended by striking ''$20,000'' and inserting ''$30,000''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2006.

SEC. 619. INCREASE IN MAXIMUM AMOUNT OF INCENTIVE BONUS FOR TRANSFER BETWEEN ARMED FORCES.

(a) INCREASE.—Section 327(d)(1) of title 37, United States Code, is amended by striking ''$2,500'' and inserting ''$10,000''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on October 1, 2006.

SEC. 620. CLARIFICATION REGARDING MEMBERS OF THE ARMY ELIGIBLE FOR BONUS FOR REFERRING OTHER PERSONS FOR ENLISTMENT IN THE ARMY.

Section 645(a) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3310) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(1) IN GENERAL.—The Secretary'';

(2) by striking '', whether in the regular component of the Army or in the Army National Guard or Army Reserve,'' and inserting ''described in paragraph (2)''; and

(3) by adding at the end the following new paragraph:

''(2) MEMBERS ELIGIBLE FOR BONUS.—Subject to subsection (c), the following members of the Army are eligible for a referral bonus under this section:

''(A) A member in the regular component of the Army.

''(B) A member of the Army National Guard.

''(C) A member of the Army Reserve.

''(D) A member of the Army in a retired status, including a member under 60 years of age who, but for age, would be eligible for retired pay.''.

SEC. 621. PILOT PROGRAM FOR RECRUITMENT BONUS FOR CRITICAL HEALTH CARE SPECIALTIES.

(a) PILOT PROGRAM.—Section 2121 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e)(1) The Secretary of Defense may carry out a pilot program for payment of a recruitment incentive bonus to increase participation in the program. The Secretary shall prescribe regulations specifying the amount and terms of the bonus. The bonus shall be used to improve recruitment for critical health care specialties. A bonus under the pilot program shall be in addition to the stipend under subsection (d).

''(2) The amount prescribed under paragraph (1) for the bonus under the pilot program shall be determined by the Secretary.

''(3) The scope of the pilot program shall be limited to no more than 100 total participants in no more than five critical medical specialties. The program shall last no more than two years, beginning on the earlier of the date the first participant is selected or January 1, 2010. ''.

(b) REPORTS.—The Secretary of Defense shall prepare a mid-term report and a final report on the findings and recommendations resulting from the pilot program. The Secretary shall submit those reports to the Committees on Armed Services of the Senate and the House of Representatives.

SEC. 622. ENHANCEMENT OF TEMPORARY PROGRAM OF VOLUNTARY SEPARATION PAY AND BENEFITS.

(a) ONE-YEAR EXTENSION OF AUTHORITY.—Section 1175a(k)(1) of title 10, United States Code, is amended by striking ''December 31, 2008,'' and inserting ''December 31, 2009''.

(b) EXPANSION OF ELIGIBLE MEMBERS.—Section 643 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3306) is amended by striking subsection (b).

SEC. 623. ADDITIONAL AUTHORITIES AND INCENTIVES TO ENCOURAGE RETIRED MEMBERS AND RESERVE COMPONENT MEMBERS TO VOLUNTEER TO SERVE ON ACTIVE DUTY IN HIGH-DEMAND, LOW-DENSITY ASSIGNMENTS.

(a) AUTHORITY TO OFFER INCENTIVE BONUS.—Chapter 5 of title 37, United States Code, is amended by adding at the end the following new section:

''§ 329. Incentive bonus: retired members and reserve component members volunteering for high-demand, low-density assignments

''(a) INCENTIVE BONUS AUTHORIZED.—The Secretary of Defense may pay a bonus under this section to a retired member or former member of the Army, Navy, Air Force, or Marine Corps or to a member of a reserve component of the Army, Navy, Air Force, or Marine Corps (who is not otherwise serving on active duty) who executes a written agreement to serve on active duty for a period specified in the agreement in an assignment intended to alleviate a high-demand, low-density military capability or in any other specialty designated by the Secretary as critical to meet wartime or peacetime requirements.

''(b) MAXIMUM AMOUNT OF BONUS.—A bonus under subsection (a) and any incentive developed under subsection (d) may not exceed $50,000.

''(c) METHODS OF PAYMENT.—At the election of the Secretary, a bonus under subsection (a) and any incentive developed under subsection (d) shall be paid or provided—

''(1) when the member commences service on active duty; or

''(2) in annual installments in such amounts as may be determined by the Secretary.

''(d) DEVELOPMENT OF ADDITIONAL INCENTIVES.—(1) The Secretary may develop and provide to members referred to in subsection (a) additional incentives to encourage such members to return to active duty in assignments intended to alleviate a high-demand, low-density military capability or in others specialties designated by the Secretary as critical to meet wartime or peacetime requirements.

''(2) The provision of any incentive developed under this subsection shall be subject to an agreement, as required for bonuses under subsection (a).

''(3) Not later than 30 days before first offering any incentive developed under this subsection, the Secretary shall submit to the congressional defense committees a report that contains a description of that incentive and an explanation why a bonus under subsection (a) or other pay and allowances are not sufficient to alleviate the high-demand, low-density military capability or otherwise fill critical military specialties.

''(e) RELATIONSHIP TO OTHER PAY AND ALLOWANCES.—A bonus or other incentive paid or provided to a member under this section is in addition to any other pay and allowances to which the member is entitled.

''(f) REPAYMENT.—A member who does not complete the period of active duty specified in the agreement executed under subsection (a) or (d) shall be subject to the repayment provisions of section 303a(e) of this title.

''(g) HIGH-DEMAND, LOW-DENSITY ASSIGNMENT DEFINED.—In this section, the term 'high-demand, low-density military capability' means a combat, combat support or service support capability, unit, system, or occupational specialty that the Secretary determines has funding, equipment, or personnel levels that are substantially below the levels required to fully meet or sustain actual or expected operational requirements set by regional commanders.

''(h) REGULATIONS.—The Secretary of Defense may prescribe such regulations as the Secretary considers necessary to carry out this section.

''(i) TERMINATION OF AUTHORITY.—No agreement under subsection (a) or (d) may be entered into after December 31, 2010.''.

(b) TEMPORARY AUTHORITY TO ORDER RETIRED MEMBERS TO ACTIVE DUTY IN HIGH-DEMAND, LOW-DENSITY ASSIGNMENTS.—Section 688a of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking the first sentence and inserting the following new sentence: ''The Secretary of a military department may order to active duty a retired member who agrees to serve on active duty in an assignment intended to alleviate a high-demand, low-density military capability or in any other specialty designated by the Secretary as critical to meet wartime or peacetime requirements.''; and

(B) in the second sentence, by striking ''officer'' both places it appears and inserting ''member'';

(2) in subsection (b), by striking ''an officer'' and inserting ''a member'';

(3) in subsection (c), by striking ''500 officers'' and inserting ''1,000 members'';

(4) in subsection (d), by striking ''officer'' and inserting ''member'';

(5) in subsection (e), by striking ''Officers'' and inserting ''Retired members'';

(6) in subsection (f)—

(A) by striking ''An officer'' and inserting ''A retired member''; and

(B) by striking ''September 30, 2008'' and inserting ''December 31, 2010''; and

(7) by adding at the end the following new subsection:

''(g) HIGH-DEMAND, LOW-DENSITY ASSIGNMENT DEFINED.—In this section, the term 'high-demand, low-density military capability' means a combat, combat support or service support capability, unit, system, or occupational specialty that the Secretary of Defense determines has funding, equipment, or personnel levels that are substantially below the levels required to fully meet or sustain actual or expected operational requirements set by regional commanders.''.

(c) CLERICAL AMENDMENTS.—

(1) TITLE 37.—The table of sections at the beginning of chapter 5 of title 37, United States Code, is amended by adding at the end the following new item:

''329. Incentive bonus: retired members and reserve component members volunteering for high-demand, low-density assignments.''.

(2) TITLE 10.—(A) The heading of section 688a of title 10, United States Code, is amended to read as follows:

''§ 688a. Retired members: temporary authority to order to active duty in high-demand, low-density assignments''.

(B) The table of sections at the beginning of chapter 39 of such title is amended by striking the item relating to section 688a and inserting the following new item:

''688a. Retired members: temporary authority to order to active duty in high-demand, low-density assignments.''.

(d) EFFECTIVE DATE.—No agreement may be entered into under section 329 of title 37, United States Code, as added by subsection (a), before October 1, 2006.

(e) LIMITATION ON FISCAL YEAR 2007 OBLIGATIONS.—During fiscal year 2007, obligations incurred under section 329 of title 37, United States Code, as added by subsection (a), to provide bonuses or other incentives to retired members and former members of the Army, Navy, Air Force, or Marine Corps or to members of the reserve components of the Army, Navy, Air Force, and Marine Corps may not exceed $5,000,000.

Subtitle C—Travel and Transportation Allowances

SEC. 631. AUTHORITY TO PAY COSTS ASSOCIATED WITH DELIVERY OF MOTOR VEHICLE TO STORAGE LOCATION SELECTED BY MEMBER AND SUBSEQUENT REMOVAL OF VEHICLE.

Subsection (b) of section 2634 of title 10, United States Code, is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following new paragraph:

''(4) If a member elects to have a motor vehicle described in subsection (a) stored at a location other than a storage location approved by the Secretary concerned, the delivery and removal costs described in paragraph (3) are the only costs that may be paid by the Secretary. The delivery or removal costs paid by the Secretary under this paragraph may not exceed the total cost that would have been incurred by the United States had the storage location approved by the Secretary been used to store the motor vehicle. The United States is not responsible for any costs associated with the actual storage of the motor vehicle at the unapproved location.''.

SEC. 632. TRANSPORTATION OF ADDITIONAL MOTOR VEHICLE OF MEMBERS ON CHANGE OF PERMANENT STATION TO OR FROM NONFOREIGN AREAS OUTSIDE THE CONTINENTAL UNITED STATES.

(a) AUTHORITY TO TRANSPORT ADDITIONAL MOTOR VEHICLE.—Subsection (a) of section 2634 of title 10, United States Code, is amended—

(1) by striking the sentence following paragraph (4);

(2) by redesignating paragraphs (1), (2), (3), and (4) as subparagraphs (A), (B), (C), and (D), respectively;

(3) by inserting ''(1)'' after ''(a)''; and

(4) by adding at the end the following new paragraph:

''(2) One additional motor vehicle of a member (or a dependent of the member) may be transported as provided in paragraph (1) if—

''(A) the member is ordered to make a change of permanent station to or from a nonforeign area outside the continental United States and the member has at least one dependent of driving age who will use the motor vehicle; or

''(B) the Secretary concerned determines that a replacement for the motor vehicle transported under paragraph (1) is necessary for reasons beyond the control of the member and is in the interest of the United States and the Secretary approves the transportation in advance.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Such subsection is further amended—

(1) by striking ''his dependents'' and inserting ''a dependent of the member'';

(2) by striking ''him'' and inserting ''the member'';

(3) by striking ''his)'' and inserting ''the member)'';

(4) by striking ''his new'' and inserting ''the member's new''; and

(5) in paragraph (1)(C), as redesignated by subsection (a), by striking ''clauses (1) and (2)'' and inserting ''subparagraphs (A) and (B)''.

(c) EFFECTIVE DATE.—Paragraph (2)(A) of subsection (a) of section 2634 of title 10, United States Code, as added by subsection (a)(4), shall apply with respect to orders issued on or after the date of the enactment of this Act for members of the Armed Forces to make a change of permanent station to or from nonforeign areas outside the continental United States.

SEC. 633. TRAVEL AND TRANSPORTATION ALLOWANCES FOR TRANSPORTATION OF FAMILY MEMBERS INCIDENT TO ILLNESS OR INJURY OF MEMBERS.

Section 411h(b)(1) of title 37, United States Code, is amended—

(1) by striking ''and'' at the end of subparagraph (C);

(2) by striking the period at the end of subparagraph (D) and inserting ''; and''; and

(3) by adding at the end the following new subparagraph:

''(E) a person related to the member as described in subparagraph (A), (B), (C), or (D) who is also a member of the uniformed services.''.

Subtitle D—Retired Pay and Survivor Benefits

SEC. 641. MILITARY SURVIVOR BENEFIT PLAN BENEFICIARIES UNDER INSURABLE INTEREST COVERAGE.

(a) AUTHORITY TO ELECT NEW BENEFICIARY.—Section 1448(b)(1) of title 10, United States Code, is amended—

(1) by inserting ''or under subparagraph (G) of this paragraph'' in the second sentence of subparagraph (E) before the period at the end; and

(2) by adding at the end the following new subparagraph:

''(G) ELECTION OF NEW BENEFICIARY UPON DEATH OF PREVIOUS BENEFICIARY.—

''(i) AUTHORITY FOR ELECTION.—If the reason for discontinuation in the Plan is the death of the beneficiary, the participant in the Plan may elect a new beneficiary. Any such beneficiary must be a natural person with an insurable interest in the participant. Such an election may be made only during the 180-day period beginning on the date of the death of the previous beneficiary.

''(ii) PROCEDURES.—Such an election shall be in writing, signed by the participant, and made in such form and manner as the Secretary concerned may prescribe. Such an election shall be effective the first day of the first month following the month in which the election is received by the Secretary.

''(iii) VITIATION OF ELECTION BY PARTICIPANT WHO DIES WITHIN TWO YEARS OF ELECTION.—If a person providing an annuity under a election under clause (i) dies before the end of the two-year period beginning on the effective date of the election—

''(I) the election is vitiated; and

''(II) the amount by which the person's retired pay was reduced under section 1452 of this title that is attributable to the election shall be paid in a lump sum to the person who would have been the deceased person's beneficiary under the vitiated election if the deceased person had died after the end of such two-year period.''.

(b) CHANGE IN PREMIUM FOR COVERAGE OF NEW BENEFICIARY.—Section 1452(c) of such title is amended by adding at the end the following new paragraph:

''(5) RULE FOR DESIGNATION OF NEW INSURABLE INTEREST BENEFICIARY FOLLOWING DEATH OF ORIGINAL BENEFICIARY.—The Secretary of Defense shall prescribe in regulations premiums which a participant making an election under section 1448(b)(1)(G) of this title shall be required to pay for participating in the Plan pursuant to that election. The total amount of the premiums to be paid by a participant under the regulations shall be equal to the sum of the following:

''(A) The total additional amount by which the retired pay of the participant would have been reduced before the effective date of the election if the original beneficiary (i) had not died and had been covered under the Plan through the date of the election, and (ii) had been the same number of years younger than the participant (if any) as the new beneficiary designated under the election.

''(B) Interest on the amounts by which the retired pay of the participant would have been so reduced, computed from the dates on which the retired pay would have been so reduced at such rate or rates and according to such methodology as the Secretary of Defense determines reasonable.

''(C) Any additional amount that the Secretary determines necessary to protect the actuarial soundness of the Department of Defense Military Retirement Fund against any increased risk for the fund that is associated with the election.''.

(c) TRANSITION.—

(1) TRANSITION PERIOD.—In the case of a participant in the Survivor Benefit Plan who made a covered insurable-interest election (as defined in paragraph (2)) and whose designated beneficiary under that election dies before the date of the enactment of this Act or during the 18-month period beginning on such date, the time period applicable for purposes of the limitation in the third sentence of subparagraph (G)(i) of section 1448(b)(1) of title 10, United States Code, as added by subsection (a), shall be the two-year period beginning on the date of the enactment of this Act (rather than the 180-day period specified in that sentence).

(2) COVERED INSURABLE-INTEREST ELECTIONS.—For purposes of paragraph (1), a covered insurable-interest election is an election under section 1448(b)(1) of title 10, United States Code, made before the date of the enactment of this Act, or during the 18-month period beginning on such date, by a participant in the Survivor Benefit Plan to provide an annuity under that plan to a natural person with an insurable interest in that person.

(3) SURVIVOR BENEFIT PLAN.—For purposes of this subsection, the term ''Survivor Benefit Plan'' means the program under subchapter II of chapter 73 of title 10, United States Code.

SEC. 642. RETROACTIVE PAYMENT OF ADDITIONAL DEATH GRATUITY FOR CERTAIN MEMBERS NOT PREVIOUSLY COVERED.

(a) SPECIFICATION OF ADDITIONAL MEMBERS COVERED.—Section 1478(d)(2) of title 10, United States Code, is amended by striking ''May 11, 2005'' and inserting ''August 31, 2005''.

(b) FUNDING.—Amounts for payments under section 1478(d) of title 10, United States Code, as amended by subsection (a), with respect to deaths during the period beginning on May 12, 2005, and ending on August 31, 2005, may be derived from appropriations available to for the Department of Defense for fiscal year 2006 or fiscal year 2007.

SEC. 643. EQUITY IN COMPUTATION OF DISABILITY RETIRED PAY FOR RESERVE COMPONENT MEMBERS WOUNDED IN ACTION.

Section 1208(b) of title 10, United States Code, is amended by adding at the end the following new sentence: ''However, in the case of such a member who is retired under this chapter, or whose name is placed on the temporary disability retired list under this chapter, because of a disability incurred after the date of the enactment of this sentence for which the member is awarded the Purple Heart, the member shall be credited, for the purposes of this chapter, with the number of years of service that would be counted if computing the member's years of service under section 12732 of this title.''.

Subtitle E—Commissary and Nonappropriated Fund Instrumentality Benefits

SEC. 651. TREATMENT OF PRICE SURCHARGES OF TOBACCO PRODUCTS AND CERTAIN OTHER MERCHANDISE SOLD AT COMMISSARY STORES.

(a) MERCHANDISE PROCURED FROM EXCHANGES.—Subsection (c)(3) of section 2484 of title 10, United States Code, is amended—

(1) by inserting ''(A)'' after ''(3)'';

(2) by striking ''Subsections'' and inserting ''Except as provided in subparagraph (B), subsections''; and

(3) by adding at the end the following new subparagraph:

''(B) When a military exchange is the vendor of tobacco products or other merchandise authorized for sale in a commissary store under paragraph (1), any revenue above the cost of procuring the merchandise shall be allocated as if the revenue were a uniform sales price surcharge described in subsection (d).''.

(b) MERCHANDISE TREATED AS NONCOMMISSARY STORE INVENTORY.—Subsection (g) of such section is amended—

(1) by inserting ''(1)'' before ''Notwithstanding'';

(2) by striking ''Subsections'' and inserting ''Except as provided in paragraph (2), subsections''; and

(3) by adding at the end the following new paragraph:

''(2) When tobacco products are authorized for sale in a commissary store as noncommissary store inventory, any revenue above the cost of procuring the tobacco products shall be allocated as if the revenue were a uniform sales price surcharge described in subsection (d).''.

SEC. 652. LIMITATION ON USE OF DEPARTMENT OF DEFENSE LEASE AUTHORITY TO UNDERMINE COMMISSARIES AND EXCHANGES AND OTHER MORALE, WELFARE, AND RECREATION PROGRAMS AND NONAPPROPRIATED FUND INSTRUMENTALITIES.

Section 2667(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) Except in the case of a lease under this subsection, a lease of real property may not be entered into under this section to fascilitate the establishment or operation of an ancillary supporting facility (as defined in section 2871 of this title) if, as determined by the Secretary concerned, the facility is to be used for providing merchandise or services in direct competition with—

''(A) the Army and Air Force Exchange Service;

''(B) the Navy Exchange Service Command;

''(C) a Marine Corps exchange;

''(D) the Defense Commissary Agency; or

''(E) any nonappropriated fund activity of the Department of Defense for the morale, welfare, and recreation of members of the armed forces.''.

SEC. 653. USE OF NONAPPROPRIATED FUNDS TO SUPPLEMENT OR REPLACE APPROPRIATED FUNDS FOR CONSTRUCTION OF FACILITIES OF EXCHANGE STORES SYSTEM AND OTHER NONAPPROPRIATED FUND INSTRUMENTALITIES, MILITARY LODGING FACILITIES, AND COMMUNITY FACILITIES.

(a) IN GENERAL.—Subchapter III of chapter 147 of title 10, United States Code, is amended by inserting after section 2491c the following new section:

''§2491d. Use of nonappropriated funds to supplement or replace appropriated funds for construction of facilities of exchange stores system and other nonappropriated fund instrumentalities, military lodging facilities, and community facilities

''(a) USE OF NONAPPROPRIATED FUNDS.—The Secretary of Defense may authorize the use of nonappropriated funds in lieu of or to supplement funds appropriated to the Department of Defense for the construction of the following:

''(1) Facilities of the exchange stores system and other revenue-generating facilities operated by nonappropriated fund instrumentalities of the Department of Defense for the morale, welfare, and recreation of members of the armed forces.

''(2) Facilities of other nonappropriated fund instrumentalities of the Department of Defense for the morale, welfare, and recreation of members of the armed forces.

''(3) Military lodging facilities used to provide temporary lodging to authorized members of the armed forces, including temporary duty lodging, permanent change of station lodging, recreational lodging, and military treatment facility lodging.

''(4) Community facilities intended to supplement mission activities, such as military museums and service academy extra-curricular activities, or to facilitate private organizations or enterprises, such as financial services, memorials, and thrift shop facilities, on military installations.

''(b) USE CRITERIA.—The Secretary of Defense may prescribe by regulation the criteria under which nonappropriated funds may be used under subsection (a).

''(c) CONGRESSIONAL NOTIFICATION.—When a decision is made to use nonappropriated funds under subsection (a), the Secretary of Defense shall submit a report to the congressional defense committees containing the reasons for using nonappropriated funds in lieu of or to supplement appropriated funds and the amount of nonappropriated funds to be used. The nonappropriated funds may be used only after the end of the 21-day period beginning on the date the report is received by such committees or, if earlier, the end of the 14-day period beginning on the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 2491c the end the following new item:

''2491d. Use of nonappropriated funds to supplement or replace appropriated funds for construction of facilities of exchange stores system and other nonappropriated fund instrumentalities, military lodging facilities, and community facilities.''.

SEC. 654. REPORT ON COST EFFECTIVENESS OF PURCHASING COMMERCIAL INSURANCE FOR COMMISSARY AND EXCHANGE FACILITIES AND FACILITIES OF OTHER MORALE, WELFARE, AND RECREATION PROGRAMS AND NONAPPROPRIATED FUND INSTRUMENTALITIES.

(a) REPORT REQUIRED.—Not later than July 31, 2007, the Secretary of Defense shall submit to Congress a report evaluating the cost effectiveness of the Defense Commissary Agency and the nonappropriated fund activities specified in subsection (b) purchasing commercial insurance to protect financial interests in facilities operated by the Defense Commissary Agency or those nonappropriated fund activities.

(b) COVERED NONAPPROPRIATED FUND ACTIVITIES.—The report shall apply with respect to—

(1) the Army and Air Force Exchange Service;

(2) the Navy Exchange Service Command;

(3) a Marine Corps exchange; and

(4) any nonappropriated fund activity of the Department of Defense for the morale, welfare, and recreation of members of the armed forces.

Subtitle F—Other Matters

SEC. 661. REPEAL OF ANNUAL REPORTING REQUIREMENT REGARDING EFFECTS OF RECRUITMENT AND RETENTION INITIATIVES.

(a) REPEAL.—Section 1015 of title 37, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 19 of title 37, United States Code, is amended by striking the item relating to section 1015.

SEC. 662. PILOT PROJECT REGARDING PROVIDING GOLF CARTS ACCESSIBLE FOR DISABLED PERSONS AT MILITARY GOLF COURSES.

(a) PILOT PROJECT REQUIRED.—The Secretary of Defense shall conduct a pilot project at not less than three military golf courses to evaluate the cost effectiveness and utility of making available at military golf courses golf carts that are accessible for disabled persons authorized to use such courses and the demand among disabled persons authorized to use such courses for accessible golf carts. The Secretary shall provide at least two accessible golf carts at each pilot project location.

(b) PILOT PROJECT LOCATIONS.—The military golf courses selected to participate in the pilot project shall be geographically dispersed, except that one of the military golf courses shall be in the Washington metropolitan area.

(c) DURATION.—The Secretary shall conduct the pilot project for a minimum of one year.

(d) REPORT REQUIRED.—Not later than 180 days after the conclusion of the pilot project, the Secretary shall submit a report to Congress

containing the results of the project and such recommendations as the Secretary considers appropriate regarding providing golf carts accessible to disabled persons.

SEC. 663. ENHANCED AUTHORITY TO REMIT OR CANCEL INDEBTEDNESS OF MEMBERS OF THE ARMED FORCES INCURRED ON ACTIVE DUTY.

(a) PERIOD OF EXERCISE OF SERVICE SECRETARY AUTHORITY AFTER SEPARATION FROM ACTIVE DUTY.—Sections 4837(b), 6161(b), and 9837(b) of title 10, United States Code, are each amended by striking ''one-year period'' each place it appears and inserting ''five-year period''.

(b) TWO-YEAR EXTENSION OF ENHANCED AUTHORITY.—Subsections (a)(3), (b)(3), and (c)(3) of section 683 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3322) are amended by striking ''December 31, 2007'' in the first sentence and inserting ''December 31, 2009''.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE Program Improvements

Sec. 701. TRICARE coverage for forensic examination following sexual assault or domestic violence.
Sec. 702. Authorization of anesthesia and other costs for dental care for children and certain other patients.
Sec. 703. Improvements to descriptions of cancer screening.
Sec. 704. Prohibition on increases in certain health care costs for members of the uniformed services.
Sec. 705. Services of mental health counselors.
Sec. 706. Demonstration project on coverage of selected over-the-counter medications under the pharmacy benefit program.
Sec. 707. Requirement to reimburse certain travel expenses of certain beneficiaries covered by TRICARE for life.
Sec. 708. Inflation adjustment of differential payments to children's hospitals participating in TRICARE program.
Sec. 709. Expanded eligibility of Selected Reserve members under TRICARE program.
Sec. 710. Extension to TRICARE of medicare prohibition of financial incentives not to enroll in group health plan.

Subtitle B—Studies and Reports

Sec. 711. Department of Defense task force on the future of military health care.
Sec. 712. Study and plan relating to chiropractic health care services.
Sec. 713. Comptroller General study and report on Defense Health Program.
Sec. 714. Transfer of custody of the Air Force Health Study assets to Medical Follow-up Agency.
Sec. 715. Study on allowing dependents of activated members of Reserve Components to retain civilian health care coverage.

Subtitle C—Other Matters

Sec. 721. Costs of incentive payments to employees for TRICARE enrollment made unallowable for contractors.
Sec. 722. Requirement for military medical personnel to be trained in preservation of remains.

Subtitle D—Pharmacy Benefits Program Improvements

Sec. 731. TRICARE pharmacy program cost-share requirements.

Subtitle A—TRICARE Program Improvements

SEC. 701. TRICARE COVERAGE FOR FORENSIC EXAMINATION FOLLOWING SEXUAL ASSAULT OR DOMESTIC VIOLENCE.

Section 1079(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(17) Forensic examinations following a sexual assault or domestic violence may be provided.''.

SEC. 702. AUTHORIZATION OF ANESTHESIA AND OTHER COSTS FOR DENTAL CARE FOR CHILDREN AND CERTAIN OTHER PATIENTS.

Section 1079(a)(1) of title 10, United States Code, is amended to read as follows:

''(1) With respect to dental care—

''(A) except as provided in subparagraph (B), only that care required as a necessary adjunct to medical or surgical treatment may be provided; and

''(B) in connection with dental treatment for patients with developmental, mental, or physical disabilities or for pediatric patients age 5 or under, only institutional and anesthesia services may be provided.''.

SEC. 703. IMPROVEMENTS TO DESCRIPTIONS OF CANCER SCREENING.

(a) TERMS RELATED TO PRIMARY AND PREVENTIVE HEALTH CARE SERVICES FOR WOMEN.—Section 1074d(b) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''Papanicolaou tests (pap smear)'' and inserting ''Cervical cancer screening''; and

(2) in paragraph (2), by striking ''Breast examinations and mammography'' and inserting ''Breast cancer screening''.

(b) TERMS RELATED TO CONTRACTS FOR MEDICAL CARE FOR SPOUSES AND CHILDREN.—Section 1079(a)(2) of such title is amended—

(1) in the matter preceding subparagraph (A), by striking ''the schedule of pap smears and mammograms'' and inserting ''the schedule and method of breast and cervical cancer screenings''; and

(2) in subparagraph (B), by striking ''pap smears and mammograms or'' and inserting ''cervical, breast,''.

SEC. 704. PROHIBITION ON INCREASES IN CERTAIN HEALTH CARE COSTS FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) PROHIBITION ON INCREASE IN CHARGES UNDER CONTRACTS FOR MEDICAL CARE.—Section 1097(e) of title 10, United States Code, is amended by adding at the end the following: ''A premium, deductible, copayment, or other charge prescribed by the Secretary under this subsection may not be increased during the period beginning on April 1, 2006, and ending on December 31, 2007.''.

(b) PROHIBITION ON INCREASE IN CHARGES FOR INPATIENT CARE.—Section 1086(b)(3) of title 10, United States Code, is amended by inserting after ''charges for inpatient care'' the following: '', except that in no case may the charges for inpatient care for a patient exceed $535 per day during the period beginning on April 1, 2006, and ending on December 31, 2007.''.

(c) PROHIBITION ON INCREASE IN PREMIUMS UNDER TRICARE COVERAGE FOR CERTAIN MEMBERS IN THE SELECTED RESERVE.—Section 1076d(d)(3) of title 10, United States Code, is amended by adding at the end the following: ''During the period beginning on April 1, 2006, and ending on December 31, 2007, the monthly amount of the premium may not be increased above the amount in effect for the month of March 2006.''.

(d) PROHIBITION ON INCREASE IN PREMIUMS UNDER TRICARE COVERAGE FOR MEMBERS OF THE READY RESERVE.—Section 1076b(e)(3) of title 10, United States Code, is amended by adding at the end the following: ''During the period beginning on April 1, 2006, and ending on December 31, 2007, the monthly amount of a premium under paragraph (2) may not be increased above the amount in effect for the first month health care is provided under this section as amended by Public Law 109–163.''.

SEC. 705. SERVICES OF MENTAL HEALTH COUNSELORS.

(a) REIMBURSEMENT OF MENTAL HEALTH COUNSELORS UNDER TRICARE.—

(1) REIMBURSEMENT UNDER TRICARE.—Section 1079(a)(8) of title 10, United States Code, is amended—

(A) by inserting ''or licensed or certified mental health counselors'' after ''certified marriage and family therapists'' both places it appears; and

(B) by inserting ''or licensed or certified mental health counselors'' after ''that the therapists.''

(2) AUTHORITY TO ASSESS MEDICAL OR PSYCHOLOGICAL NECESSITY OF SERVICE OR SUPPLY.—Section 1079(a)(13) of such title is amended by inserting '', licensed or certified mental health counselor, '' after ''certified marriage and family therapist''.

(b) SERVICES OF MENTAL HEALTH COUNSELORS.—

(1) AUTHORITY TO ENTER INTO PERSONAL SERVICES CONTRACTS.—Section 704(c)(2) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat. 2799; 10 U.S.C. 1091 note) is amended by inserting ''mental health counselors,'' after ''psychologists,''.

(2) APPLICABILITY OF LICENSURE REQUIREMENT FOR HEALTH-CARE PROFESSIONALS.—Section 1094 (e)(2) of title 10, United States Code, is amended by inserting ''mental health counselor,'' after ''psychologist,''.

SEC. 706. DEMONSTRATION PROJECT ON COVERAGE OF SELECTED OVER-THE-COUNTER MEDICATIONS UNDER THE PHARMACY BENEFIT PROGRAM.

(a) REQUIREMENT TO CONDUCT DEMONSTRATION.—The Secretary of Defense shall conduct a demonstration project under section 1092 of title 10, United States Code, to allow particular over-the-counter medications to be included on the uniform formulary under section 1074g of such title.

(b) ELEMENTS OF DEMONSTRATION PROJECT.—

(1) INCLUSION OF CERTAIN OVER-THE-COUNTER MEDICATIONS.—As part of the demonstration project, the Secretary shall modify uniform formulary specifications under section 1074g(a)(2) of such title to include on the uniform formulary any pharmaceutical agent that does not require a prescription (commonly referred to as an over-the-counter medication) if the Pharmacy and Therapeutics Committee finds that the over-the-counter medication is a clinically effective and cost-effective alternative to a pharmaceutical agent that requires a prescription. If the Pharmacy and Therapeutics Committee makes such a finding, the over-the-counter medication shall be considered to be in the same therapeutic class of pharmaceutical agents that the agent requiring a prescription is in, and to the same extent as any agent in the class that requires a prescription. Such an over-the-counter medication shall be made available to a beneficiary through the demonstration program only if the medication is in place of a pharmaceutical agent requiring a prescription and the beneficiary has a prescription for that pharmaceutical agent.

(2) CONDUCT THROUGH MILITARY FACILITIES, RETAIL PHARMACIES, OR MAIL ORDER PROGRAM.—The Secretary shall conduct the demonstration project through at least two of the means described in subparagraph (E) of section 1074g(a)(2) through which over-the-counter medications are provided and may conduct the demonstration project throughout the entire pharmacy benefits program or at a limited number of sites. If the project is conducted at a limited number of sites, the number of sites shall be not less than five in each TRICARE region for each of the two means described in such subparagraph (E).

(3) PERIOD OF DEMONSTRATION.—The Secretary shall provide for conducting the demonstration project for a period of time necessary to evaluate the feasibility and cost effectiveness of the demonstration. Such period shall be at least as long as the period covered by pharmacy contracts in existence on the date of the enactment of this Act (including any extensions of

the contracts), or five years, whichever is shorter.

(4) IMPLEMENTATION DEADLINE.— Implementation of the demonstration project shall begin not later than May 1, 2007.

(c) REPORT.—Not later than 60 days before the end of the demonstration project, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the demonstration project. The report shall contain an evaluation by the Secretary of the costs and benefits of the project, and recommendations on whether permanent authority should be provided to cover over-the-counter medications under the pharmacy benefits program.

(d) CONTINUATION OF DEMONSTRATION PROJECT.—If the Secretary recommends in the report under subsection (c) that permanent authority should be provided, the Secretary may continue the demonstration project for up to one year after submitting the report.

SEC. 707. REQUIREMENT TO REIMBURSE CERTAIN TRAVEL EXPENSES OF CERTAIN BENEFICIARIES COVERED BY TRICARE FOR LIFE.

(a) REQUIREMENT.—Section 1074i of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) TRICARE FOR LIFE BENEFICIARIES.—

''(1) An eligible TRICARE for Life beneficiary shall be provided reimbursement for travel expenses to a military medical treatment facility if—

''(A) the purpose of the travel is for a follow-up appointment for medical treatment of a condition of the beneficiary; and

''(B) the initial appointment for medical treatment of the condition was at the same facility.

''(2) Reimbursement under this subsection shall, as nearly as practicable, be under the same terms and conditions, and shall be at the same rate, as apply to beneficiary travel reimbursement provided under subsection (a), except that reimbursement shall be provided—

''(A) for no more than 3 follow-up appointments; and

''(B) only if adequate follow-up medical treatment, as determined under the TRICARE program, cannot be obtained within 100 miles of the residence of the beneficiary.

''(3) In this subsection, the term 'eligible TRICARE for Life beneficiary' means a person—

''(A) who is eligible for health benefits under section 1086 of this title by reason of subsection (d)(2)(A) of that section;

''(B) who attained age 65 after an initial appointment for medical treatment at a military medical treatment facility; and

''(C) who resides more than 100 miles from the military medical treatment facility and was referred to such facility for treatment by a specialty care provider.''.

(b) EFFECTIVE DATE.—Subsection (c) of section 1074i of title 10, United States Code, as added by subsection (a), shall apply with respect to beneficiaries who attain age 65 after the date of the enactment of this Act.

SEC. 708. INFLATION ADJUSTMENT OF DIFFERENTIAL PAYMENTS TO CHILDREN'S HOSPITALS PARTICIPATING IN TRICARE PROGRAM.

(a) ANNUAL INFLATION ADJUSTMENT.—Beginning in fiscal year 2007, the Secretary of Defense shall annually adjust for inflation the TRICARE children's hospital differential payment rate. The adjustment for a fiscal year shall be the same as the applicable percentage increase defined under section 1886(d)(3)(B)(i) of the Social Security Act (42 U.S.C. 1395ww(d)(3)(B)(i)) for that fiscal year for hospitals located in large urban areas.

(b) TRICARE CHILDREN'S HOSPITAL DIFFERENTIAL PAYMENT RATE.—In this section, the term ''TRICARE children's hospital differential payment rate'' means the differential payment rate by the Department of Defense to children's hospitals for health care services for dependent children of members of the uniformed services under the TRICARE program.

SEC. 709. EXPANDED ELIGIBILITY OF SELECTED RESERVE MEMBERS UNDER TRICARE PROGRAM.

(a) GENERAL ELIGIBILITY.—Subsection (a) of section 1076d of title 10, United States Code, is amended—

(1) by striking ''(a) ELIGIBILITY.—A member'' and inserting ''(a) ELIGIBILITY.—(1) Except as provided in paragraph (2), a member'';

(2) by striking ''after the member completes'' and all that follows through ''one or more whole years following such date''; and

(3) by adding at the end the following new paragraph:

''(2) Paragraph (1) does not apply to a member who is enrolled, or is eligible to enroll, in a health benefits plan under chapter 89 of title 5.''.

(b) CONDITION FOR TERMINATION OF ELIGIBILITY.—Subsection (b) of such section is amended—

(1) by striking ''(b) PERIOD OF COVERAGE.—(1) TRICARE Standard'' and all that follows through ''(4) Eligibility'' and inserting ''(b) TERMINATION OF ELIGIBILITY UPON TERMINATION OF SERVICE.—Eligibility''; and

(2) by striking paragraph (5).

(c) CONFORMING AMENDMENTS.—

(1) Such section is further amended—

(A) by striking subsection (e);

(B) by redesignating subsection (g) as subsection (e) and transferring such subsection within such section so as to appear following subsection (d); and

(C) by striking paragraph (3) of subsection (f).

(2) The heading for such section is amended to read as follows:

''§ 1076d. TRICARE program: TRICARE standard coverage for members of the Selected Reserve''.

(d) REPEAL OF OBSOLETE PROVISION.—Section 1076b of title 10, United States Code, is repealed.

(e) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 55 of title 10, United States Code, is amended—

(1) by striking the item relating to section 1076b; and

(2) by striking the item relating to section 1076d and inserting the following:

''1076d. TRICARE program: TRICARE Standard coverage for members of the Selected Reserve.''.

(f) SAVINGS PROVISION.—Enrollments in TRICARE Standard that are in effect on the day before the date of the enactment of this Act under section 1076d of title 10, United States Code, as in effect on such day, shall be continued until terminated after such day under such section 1076d as amended by this section.

(g) EFFECTIVE DATE.—The Secretary of Defense shall ensure that health care under TRICARE Standard is provided under section 1076d of title 10, United States Code, as amended by this section, beginning not later than October 1, 2007.

SEC. 710. EXTENSION TO TRICARE OF MEDICARE PROHIBITION OF FINANCIAL INCENTIVES NOT TO ENROLL IN GROUP HEALTH PLAN.

(a) IN GENERAL.—Section 1097b of title 10, United States Code, is amended by redesignating subsection (c) as subsection (d) and by adding the following after subsection (b):

''(c) PROHIBITION OF FINANCIAL INCENTIVES NOT TO ENROLL IN A GROUP HEALTH PLAN.—(1) Except as provided in this subsection, the provisions of section 1862(b)(3)(C) of the Social Security Act shall apply with respect to financial or other incentives for an individual eligible for benefits under section 1086 of this title not to enroll (or to terminate enrollment) under a health plan which would (in the case of such enrollment) be a primary plan under sections 1079(j)(1) and 1086(g) of this title in the same manner as such section 1862(b)(3)(C) applies to financial or other incentives for an individual entitled to benefits under title XVIII of the Social Security Act not to enroll (or to terminate enrollment) under a group health plan or a large group health plan which would (in the case of enrollment) be a primary plan (as defined in section 1862(b)(2)(A) of such Act).

''(2)(A) The Secretary of Defense may by regulation adopt such exceptions to the prohibition referenced and applied under paragraph (1) as the Secretary deems appropriate and such paragraph (1) shall be implemented taking into account the adoption of such exceptions.

''(B) The Secretary of Defense and the Secretary of Health and Human Services are authorized to enter into agreements for carrying out this subsection. Any such agreement shall provide that any expenses incurred by the Secretary of Health and Human Services pertaining to carrying out this subsection shall be reimbursed by the Secretary of Defense.

''(C) Authorities of the Inspector General of the Department of Defense shall be available for oversight and investigations of responsibilities of employers and other entities under this subsection.

''(D) Information obtained under section 1095(k) of this title may be used in carrying out this subsection in the same manner as information obtained under section 1862(b)(5) may be used in carrying out section 1862(b).

''(E) Any amounts collected in carrying out paragraph (1) shall be handled in accordance with section 1079a of this title.

''(3) In addition to any penalty applied under the authority of paragraph (1), the Secretary of Defense may by regulation provide that repeated violations by an employer or other entity of the prohibition referenced and applied under paragraph (1) are grounds for exclusion of the employer or other entity from any contract or subcontract to provide goods or services to, or any financial assistance from, the Department of Defense.''.

(b) CONFORMING AMENDMENT.—Section 1095(k)(5) of such title is amended by striking ''and 1086(d)'' and inserting '', 1086(d), and 1097b(c)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect January 1, 2008.

Subtitle B—Studies and Reports

SEC. 711. DEPARTMENT OF DEFENSE TASK FORCE ON THE FUTURE OF MILITARY HEALTH CARE.

(a) REQUIREMENT TO ESTABLISH.—The Secretary of Defense shall establish within the Department of Defense a task force to examine matters relating to the future of military health care.

(b) COMPOSITION.—

(1) MEMBERS.—The task force shall consist of not more than 14 members appointed by the Secretary of Defense from among individuals described in paragraph (2) who have demonstrated expertise in the area of health care programs and costs.

(2) RANGE OF MEMBERS.—The individuals appointed to the task force shall include—

(A) at least one member of each of the Medical Departments of the Army, Navy, and Air Force;

(B) a number of persons from outside the Department of Defense equal to the total number of personnel from within the Department of Defense (whether members of the Armed Forces or civilian personnel) who are appointed to the task force;

(C) persons who have experience in—

(i) health care actuarial forecasting;

(ii) health care program development;

(iii) health care budget management;

(iv) evidence-based medicine;

(v) health care performance measurement;

(vi) health care quality improvement; and

(vii) academic institute research in health care services;

(D) at least one member from the Institute of Medicine;

(E) at least one member from the Defense Business Board; and

(F) at least one representative from a military or veterans service organization who has experience in health care.

(3) INDIVIDUALS APPOINTED OUTSIDE THE DEPARTMENT OF DEFENSE.—

(A) Individuals appointed to the task force from outside the Department of Defense may include officers or employees of other departments or agencies of the Federal Government, officers or employees of State and local governments, or individuals from the private sector.

(B) Individuals appointed to the task force from outside the Department of Defense shall include—

(i) an officer or employee of the Department of Veterans Affairs; and

(ii) an officer or employee of the Department of Health and Human Services.

(4) DEADLINE FOR APPOINTMENT.—All appointments of individuals to the task force shall be made not later than 90 days after the date of the enactment of this Act.

(5) CO-CHAIRS OF TASK FORCE.—There shall be two co-chairs of the task force. One of the co-chairs shall be designated by the Secretary of Defense at the time of appointment from among the Department of Defense personnel appointed to the task force. The other co-chair shall be selected from among the members appointed from outside the Department of Defense by members so appointed.

(c) ASSESSMENT AND RECOMMENDATIONS ON THE FUTURE OF MILITARY HEALTH CARE.—

(1) IN GENERAL.—Not later than 12 months after the date on which all members of the task force have been appointed, the task force shall submit to the Secretary a report containing an assessment of, and recommendations for, sustaining the military health care services being provided to members of the Armed Forces, retirees, and their families.

(2) UTILIZATION OF OTHER EFFORTS.—In preparing the report, the task force shall take into consideration the findings and recommendation included in the Healthcare for Military Retirees Task Group of the Defense Business Board, previous Government Accountability Office reports, studies and reviews by the Assistant Secretary of Defense for Health Affairs, and any other studies or research conducted by organizations regarding improvements to sustain the military health care system.

(3) ELEMENTS.—The assessment and recommendations (including recommendations for legislative or administrative action) shall include measures to improve the following:

(A) Wellness initiatives and disease management programs of the Department of Defense, including health risk tracking and the use of rewards for wellness.

(B) Education programs focused on prevention awareness and patient-initiated health care.

(C) The ability to account for the true and accurate cost of health care in the military health system.

(D) Alternative health care initiatives to manage patient behavior and costs.

(E) The appropriate command and control structure within the Department of Defense and the Armed Forces to manage the military health system.

(F) The adequacy of the military health care procurement system, including methods to streamline existing procurement activities.

(G) The appropriate mix of military and civilian personnel to meet future readiness and high-quality health care service requirements.

(H) The beneficiary and Government cost sharing structure required to sustain the military health benefits over the long term.

(I) Programs focused on managing the health care needs of Medicare-eligible military beneficiaries.

(J) Efficient and cost effective contracts for health care services, including performance-based requirements for health care provider reimbursement.

(c) ADMINISTRATIVE MATTERS.—

(1) COMPENSATION.—Each member of the task force who is a member of the Armed Forces or a civilian officer or employee of the United States shall serve without compensation (other than compensation to which entitled as a member of the Armed Forces or an officer or employee of the United States, as the case may be). Other members of the task force shall be treated for purposes of section 3161 of title 5, United States Code, as having been appointed under subsection (b) of such section.

(2) OVERSIGHT.—The Under Secretary of Defense for Personnel and Readiness shall oversee the activities of the task force.

(3) ADMINISTRATIVE SUPPORT.—The Washington Headquarters Services of the Department of Defense shall provide the task force with personnel, facilities, and other administrative support as necessary for the performance of the duties of the task force.

(4) ACCESS TO FACILITIES.—The Under Secretary of Defense for Personnel and Readiness shall, in coordination with the Secretaries of the military departments, ensure appropriate access by the task force to military installations and facilities for purposes of the discharge of the duties of the task force.

(e) REPORT.—

(1) IN GENERAL.—The task force shall submit to the Secretary of Defense a report on its activities under this section. The report shall include—

(A) a description of the activities of the task force;

(B) the assessment and recommendations required by subsection (c); and

(C) such other matters relating to the activities of the task force that the task force considers appropriate.

(2) TRANSMITTAL TO CONGRESS.—Not later than 90 days after receipt of the report under paragraph (1), the Secretary shall transmit the report to the Committees on Armed Services of the Senate and the House of Representatives. The Secretary may include in the transmittal such comments on the report as the Secretary considers appropriate.

(f) PLAN REQUIRED.—Not later than 6 months after receipt of the report from the task force under subsection (e)(1), the Secretary of Defense shall develop a plan based on the recommendations of the task force and submit the plan to the Committees on Armed Services of the Senate and the House of Representatives.

(g) TERMINATION.—The task force shall terminate 90 days after the date on which the report of the task force is submitted to Congress under subsection (e)(2).

SEC. 712. STUDY AND PLAN RELATING TO CHIROPRACTIC HEALTH CARE SERVICES.

(a) STUDY REQUIRED.—

(1) GROUPS COVERED.—The Secretary of Defense shall conduct a study of providing chiropractic health care services and benefits to the following groups:

(A) All members of the uniformed services on active duty and entitled to care under section 1074(a) of title 10, United States Code.

(B) All members described in subparagraph (A) and their eligible dependents, and all members of reserve components of the uniformed services and their eligible dependents.

(C) All members or former members of the uniformed services who are entitled to retired or retainer pay or equivalent pay and their eligible dependents.

(2) MATTERS EXAMINED.—

(A) For each group listed in subparagraphs (A), (B), and (C) of paragraph (1), the study shall examine the following with respect to chiropractic health care services and benefits:

(i) The cost of providing such services and benefits.

(ii) The feasibility of providing such services and benefits.

(iii) An assessment of the health care benefits of providing such services and benefits.

(iv) An estimate of the potential cost savings of providing such services and benefits in lieu of other medical services.

(v) The identification of existing and planned health care infrastructure, including personnel, equipment, and facilities, to accommodate the provision of chiropractic health care services.

(B) For the members of the group listed in subparagraph (A) of paragraph (1), the study shall examine the effects of providing chiropractic health care services and benefits—

(i) on the readiness of such members; and

(ii) on the acceleration of the return to duty of such members following an identified injury or other malady that can be appropriately treated with chiropractic health care services.

(3) SPACE AVAILABLE COSTS.—The study shall also include a detailed analysis of the projected costs of providing chiropractic health care services on a space available basis in the military treatment facilities currently providing chiropractic care under section 702 of the Floyd D. Spence National Defense Authorization Act of Fiscal Year 2001 (as enacted by Public Law 106–398; 10 U.S.C. 1092 note).

(4) ELIGIBLE DEPENDENTS DEFINED.—In this section, the term ''eligible dependent'' has the meaning given that term in section 1076a(k) of title 10, United States Code.

(b) PLAN REQUIRED.—Not later than March 31, 2007, the Secretary of Defense shall revise the plan required under section 702 of the Floyd D. Spence National Defense Authorization Act of Fiscal Year 2001 (as enacted by Public Law 106–398; 10 U.S.C. 1092 note), including a detailed analysis of the projected costs, to provide chiropractic health care services and benefits as a permanent part of the Defense Health Program (including the TRICARE program) as required under that section.

(c) REPORT REQUIRED.—Not later than March 31, 2007, the Secretary of Defense shall submit a report on the study required under subsection (a), together with the plan required under subsection (b), to the Committees on Armed Services of the Senate and the House of Representatives.

SEC. 713. COMPTROLLER GENERAL STUDY AND REPORT ON DEFENSE HEALTH PROGRAM.

(a) STUDY REQUIRED.—The Comptroller General, in cooperation with the Congressional Budget Office, shall conduct a study of the projected cost savings to the Defense Health Program included in the fiscal year 2007 budget request.

(b) ELEMENTS.—The study required by subsection (a) shall include the following:

(1) An evaluation of the rationale for calculations made by the Department of Defense for the portion of total health care costs paid by beneficiaries in 1995 and in 2005, including issues such as—

(A) the rationale for the Department's stated costs of providing the benefit in 1995 and in 2005;

(B) the basis for the Department's calculations of increases in cost between 1995 and 2005; and

(C) the amounts paid by beneficiaries for health care in 1995 and 2005.

(2) An evaluation of the rationale for calculations and assumptions made by the Department of Defense for the estimated savings associated with the implementation of its cost share increases.

(3) A review of the annual rate of medical inflation of the Department of Defense and how it compares with the annual rates of increase in health care premiums in the Federal Employee Health Benefit Program and other health care programs as well as other health care indexes for the past 5 years.

(4) An assessment of the rationale for the cost share increase amounts made by the Department of Defense.

(c) INDEPENDENT EXPERTS.—To ensure the availability of appropriate expertise in addressing the elements of the study required under this

section, the Comptroller General may use independent experts, such as actuaries, if needed.

(d) REPORT.—The Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the study required by subsection (a) not later than June 1, 2007.

SEC. 714. TRANSFER OF CUSTODY OF THE AIR FORCE HEALTH STUDY ASSETS TO MEDICAL FOLLOW-UP AGENCY.

(a) TRANSFER.—

(1) NOTIFICATION OF PARTICIPANTS.—The Secretary of the Air Force shall notify the participants of the Air Force Health Study that the study as currently constituted is ending as of September 30, 2006. In consultation with the Medical Follow-up Agency (in this section referred to as the ''Agency'') of the Institute of Medicine of the National Academy of Sciences, the Secretary of the Air Force shall request the written consent of the participants to transfer their data and biological specimens to the Agency during fiscal year 2007 and written consent for the Agency to maintain the data and specimens and make them available for additional studies.

(2) COMPLETION OF TRANSFER.—Custodianship of the Air Force Health Study shall be completely transferred to the Agency on or before September 30, 2007. Assets to be transferred shall include electronic data files and biological specimens of all the study participants.

(3) COPIES TO ARCHIVES.—The Air Force shall send paper copies of all study documents to the National Archives.

(b) REPORT ON TRANSFER.—

(1) REQUIREMENT.—Not later than 30 days after completion of the transfer of the assets of the Air Force Health Study under subsection (a), the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the transfer.

(2) MATTERS COVERED.—At a minimum, the report shall include information on the number of study participants whose data and biological specimens were not transferred, the efforts that were taken to contact such participants, and the reasons why the transfer of their data and specimens did not occur.

(c) DISPOSITION OF ASSETS NOT TRANSFERRED.—The Secretary of the Air Force may not destroy any data or biological specimens not transferred under subsection (a) until the expiration of the one-year period following submission of the report under subsection (b).

(d) FUNDING.—

(1) COSTS OF TRANSFER.—The Secretary of Defense shall make available to the Air Force $850,000 for preparation, transfer of the assets of the Air Force Health Study and shipment of data and specimens to the Medical Follow-up Agency and the National Archives during fiscal year 2007 from amounts available from the Department of Defense for that year. The Secretary of Defense is authorized to transfer the freezers and other physical assets assigned to the Air Force Health Study to the Agency without charge.

(2) COSTS OF COLLABORATION.—The Secretary of Defense may reimburse the National Academy of Sciences up to $200,000 for costs of the Medical Follow-up Agency to collaborate with the Air Force in the transfer and receipt of the assets of the Air Force Health Study to the Agency during fiscal year 2007 from amounts available from the Department of Defense for that year.

SEC. 715. STUDY ON ALLOWING DEPENDENTS OF ACTIVATED MEMBERS OF RESERVE COMPONENTS TO RETAIN CIVILIAN HEALTH CARE COVERAGE.

(a) STUDY REQUIREMENT.—The Secretary of Defense shall conduct a study on the feasibility of allowing family members of members of the Reserve Components who are called or ordered to active duty to continue health care coverage under a civilian health care program and provide reimbursement for such health care.

(b) ELEMENTS.—The study required by subsection (a) shall include the following:

(1) An assessment of the number of military dependents with special health care needs (such as ongoing chemotherapy or physical therapy) who would benefit from continued coverage under the member's civilian health care plan instead of enrolling in the TRICARE program.

(2) An assessment of the feasibility of providing reimbursement to the member or the sponsor of the civilian health coverage.

(3) A recommendation on the appropriate rate of reimbursement for civilian employers or members.

(4) The feasibility of including dependents who do not have access to health care providers that accept payment under the TRICARE program (such as those in rural areas).

(c) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the study required under subsection (a).

Subtitle C—Other Matters

SEC. 721. COSTS OF INCENTIVE PAYMENTS TO EMPLOYEES FOR TRICARE ENROLLMENT MADE UNALLOWABLE FOR CONTRACTORS.

(a) DEFENSE CONTRACTS.—Section 2324(e)(1) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(Q) Costs incurred by a contractor for incentive payments to employees to encourage enrollment in the TRICARE program under chapter 55 of this title or any other Government-sponsored health care program, except that this subparagraph does not apply to such costs incurred by a contractor performing a contract to which any of the following applies:

''(i) The Services Contract Act of 1965 (41 U.S.C. 351 et seq.).

''(ii) Any other law or labor agreement that requires a company to compensate its employees for health care whether or not the employee participates in a company health plan.''.

(b) CIVILIAN AGENCY CONTRACTS.—Section 306(e)(1) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 256(e)(1)) is amended by adding at the end the following new subparagraph:

''(P) Costs incurred by a contractor for incentive payments to employees to encourage enrollment in the TRICARE program under chapter 55 of title 10, United States Code, or any other Government-sponsored health care program, except that this subparagraph does not apply to such costs incurred by a contractor performing a contract to which any of the following applies:

''(i) The Services Contract Act of 1965 (41 U.S.C. 351 et seq.).

''(ii) Any other law or labor agreement that requires a company to compensate its employees for health care whether or not the employee participates in a company health plan.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to contracts entered into after the date occurring 180 days after the date of the enactment of this Act.

SEC. 722. REQUIREMENT FOR MILITARY MEDICAL PERSONNEL TO BE TRAINED IN PRESERVATION OF REMAINS.

(a) REQUIREMENT.—The Secretary of Defense shall develop a program requiring each military department to include training in the preservation of remains for health care professionals under the department's jurisdiction. The training shall be provided before a health care professional is deployed into a theater of operation and periodically thereafter as determined necessary for refresher training.

(b) MATTERS COVERED BY TRAINING.—The training shall include, at a minimum—

(1) best practices and procedures for the preservation of the remains of a member of the Armed Forces after death, taking into account the needs, sensitivities, and potential wishes of the family of the decedent, including the return of the remains to the family in the best possible condition; and

(2) practical case studies to illustrate the objectives of paragraph (1) and provide a real world perspective.

(c) HEALTH CARE PROFESSIONAL.—In this section, the term ''health care professional'' means a physician, dentist, clinical psychologist, nurse, nurse practitioner, or physician assistant and any other person providing direct patient care as may be designated by the Secretary of Defense in regulations.

Subtitle D—Pharmacy Benefits Program Improvements

SEC. 731. TRICARE PHARMACY PROGRAM COST-SHARE REQUIREMENTS.

Paragraph (6) of section 1074g(a) of title 10, United States Code, is amended to read as follows:

''(6)(A) The Secretary, in regulations prescribed under subsection (g), may establish cost-sharing requirements (which may be established as a percentage or fixed dollar amount) under the pharmacy benefits program for generic, formulary, and nonformulary agents.

''(B)(i) With respect to agents available through the national mail-order pharmacy program, the Secretary of Defense may not establish requirements for cost sharing for generic and formulary agents that are in excess of cost sharing requirements for generic and formulary agents available through facilities of the uniformed services.

''(ii) With respect to agents available through retail pharmacies, the Secretary of Defense may not establish cost sharing in excess of—

''(I) $6 for generic agents;

''(II) $16 for formulary agents; and

''(III) $22 for nonformulary agents.

''(iii) The cost sharing requirements of this subparagraph shall be in effect during the period beginning 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2007 and ending on December 31, 2007.''.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Provisions Relating to Major Defense Acquisition Programs

Sec. 801. Requirements Management Certification Training Program.

Sec. 802. Additional requirements relating to technical data rights.

Sec. 803. Study and report on revisions to Selected Acquisition Report requirements.

Sec. 804. Quarterly updates on implementation of acquisition reform in the Department of Defense.

Sec. 805. Establishment of defense challenge process for critical cost growth threshold breaches in major defense acquisition programs.

Sec. 806. Market research required for major defense acquisition programs before proceeding to Milestone B.

Subtitle B—Acquisition Policy and Management

Sec. 811. Applicability of statutory executive compensation cap made prospective.

Sec. 812. Prohibition on procurement from beneficiaries of foreign subsidies.

Sec. 813. Time-certain development for Department of Defense information technology business systems.

Sec. 814. Establishment of Panel on Contracting Integrity.

Subtitle C—Amendments to General Contracting Authorities, Procedures, and Limitations

Sec. 821. Extension of special temporary contract closeout authority.

Sec. 822. Limitation on contracts for the acquisition of certain services.

Sec. 823. Use of Federal supply schedules by State and local governments for goods and services for recovery from natural disasters, terrorism, or nuclear, biological, chemical, or radiological attack.
Sec. 824. Waivers to extend task order contracts for advisory and assistance services.
Sec. 825. Enhanced access for small business.
Sec. 826. Procurement goal for Hispanic-serving institutions.
Sec. 827. Prohibition on defense contractors requiring licenses or fees for use of military likenesses and designations.
Subtitle D—United States Defense Industrial Base Provisions
Sec. 831. Protection of strategic materials critical to national security.
Sec. 832. Strategic Materials Protection Board.

Subtitle A—Provisions Relating to Major Defense Acquisition Programs

SEC. 801. REQUIREMENTS MANAGEMENT CERTIFICATION TRAINING PROGRAM.

(a) TRAINING PROGRAM.—

(1) REQUIREMENT.—The Under Secretary of Defense for Acquisition, Technology, and Logistics, in consultation with the Defense Acquisition University, shall develop a training program to certify civilian and military personnel of the Department of Defense with responsibility for generating requirements for major defense acquisition programs (as defined in section 2430 of title 10, United States Code).

(2) COMPETENCY AND OTHER REQUIREMENTS.—The Under Secretary shall establish competency requirements for the personnel undergoing the training program. The Under Secretary shall define the target population for such training program by identifying which civilian and military personnel should have responsibility for generating requirements. The Under Secretary also may establish other training programs for personnel not subject to chapter 87 of title 10, United States Code, and who contribute significantly to other types of acquisitions by the Department of Defense.

(3) MATTERS COVERED.—At a minimum, the training program shall, with respect to a major defense acquisition program—

(A) provide instruction on the interrelationship among the requirements generation process, the budget process, and the acquisition process within the Department of Defense for such a program;

(B) stress the importance of generating requirements for such a program that result in joint applications to the maximum extent possible;

(C) provide instruction on the effects of introducing new requirements for such a program—

(i) both before and after the commencement of system development and demonstration; and

(ii) during initial operational test and evaluation;

(D) ensure that requirements for such a program are derived primarily from capability shortfalls in the program identified by a commander of a combatant command;

(E) ensure that requirements for such a program are informed by a sound analysis of alternatives, by realistic technical assessments based on technology readiness levels, and by fiscal guidance, including consultation with production engineers on the cost, schedule and technical feasibility of the requirements;

(F) ensure that, for the introduction of any changes to requirements for such a program, an engineering feasibility assessment that weighs technology readiness, integration, cost, and schedule impacts is conducted after Milestone B approval at the latest, and before Milestone B approval to the maximum extent practicable;

(G) stress the importance of introducing requirements for such a program that are technologically mature, feasible, and achievable without schedule risk; and

(H) stress the importance of stable requirements for such a program to provide the baseline for successful execution of the program.

(4) AVAILABILITY.—The training program shall be made available on the Internet to ensure the widest dissemination possible.

(b) APPLICABILITY.—Effective on and after September 30, 2007, a member of the Armed Forces or an employee of the Department of Defense with authority to generate requirements for a major defense acquisition program may not continue to participate in the requirements generation process unless the member or employee successfully completes the certification training program developed under this section.

SEC. 802. ADDITIONAL REQUIREMENTS RELATING TO TECHNICAL DATA RIGHTS.

(a) ADDITIONAL REQUIREMENTS RELATING TO TECHNICAL DATA RIGHTS .—Section 2320 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e) ADDITIONAL REGULATIONS.—(1) Regulations prescribed under subsection (a) shall ensure, at a minimum, that—

''(A) in the case of a major system that is developed exclusively with Federal funds, in part with Federal funds and in part at private expense, or exclusively at private expense, rights are acquired in full by the United States to technical data necessary to support competition for contracts required for sustainment of the system; and

''(B) any contract for a major system includes price and delivery options for acquiring, at any point during the life cycle of the system, major elements of technical data not acquired at the time of initial contract award.

''(2) Regulations prescribed under subsection (a) also shall establish a standard for acquiring rights in technical data that supports the purchase of data rights appropriate to minimize life cycle costs.

''(3) The Under Secretary of Defense for Acquisition, Technology, and Logistics shall ensure that members of the acquisition workforce working with any contract in an amount greater than $5,000,000 and involving the acquisition of rights in technical data be provided information and formal training sufficient to carry out the regulations prescribed under subsection (a) to implement this subsection.''.

(b) REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall revise regulations under section 2320 of title 10, United States Code, to implement subsection (e) of such section (as added by this section).

SEC. 803. STUDY AND REPORT ON REVISIONS TO SELECTED ACQUISITION REPORT REQUIREMENTS.

(a) STUDY REQUIREMENT.—The Secretary of Defense, acting through the Under Secretary of Defense for Acquisition, Technology, and Logistics in coordination with the service acquisition executives of each military department, shall conduct a study on revisions to requirements relating to Selected Acquisition Reports, as set forth in section 2432 of title 10, United States Code.

(b) MATTERS COVERED.—The study required under subsection (a) shall—

(1) focus on incorporating into the Selected Acquisition Report those elements of program progress that the Department of Defense considers most relevant to evaluating the performance and progress of major defense acquisition programs, with particular reference to the cost estimates and program schedule established when a major defense acquisition program receives Milestone B approval; and

(2) include any recommendations to eliminate elements of the Selected Acquisition Report that the Department believes are no longer needed (other than the elimination of any unit cost information).

(c) REPORT.—Not later than March 1, 2007, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the study, including such recommendations as the Secretary considers appropriate.

SEC. 804. QUARTERLY UPDATES ON IMPLEMENTATION OF ACQUISITION REFORM IN THE DEPARTMENT OF DEFENSE.

(a) QUARTERLY UPDATES REQUIREMENT.—Not later than 45 days after the date of the enactment of this Act, and on the first day of each calendar quarter thereafter, the Secretary of Defense shall provide an update to the Committees on Armed Services of the Senate and the House of Representatives on the implementation of plans to reform the acquisition system in the Department of Defense.

(b) MATTERS COVERED.—Each update provided under subsection (a) shall cover the implementation of reforms of the processes for acquisition, including generation of requirements, award of contracts, and financial management. At a minimum, the updates shall take into account the recommendations made by the following:

(1) The Defense Acquisition Performance Assessment Panel.

(2) The Defense Science Board Summer Study on Transformation, issued in February 2006.

(3) The Beyond Goldwater-Nichols Study of the Center for Strategic and International Studies.

(4) The Quadrennial Defense Review, issued February 6, 2006.

(5) The Committee Defense Review of the Committee on Armed Services of the House of Representatives (when available).

(c) RECOMMENDATIONS.—Each report submitted under subsection (a) shall include such recommendations as the Secretary considers appropriate, and implementation plans for the recommendations.

(d) TERMINATION OF REPORT REQUIREMENT.—The requirement to submit reports under subsection (a) shall terminate on the first day of the calendar quarter following the first calendar quarter in which the Selected Acquisition Report submitted to Congress under section 2432 of title 10, United States Code, does not indicate that there has been an increase by a percentage equal to or greater than the significant cost growth threshold or the critical cost growth threshold in any major defense acquisition program (as such thresholds are defined in section 2433(a) of such title).

SEC. 805. ESTABLISHMENT OF DEFENSE CHALLENGE PROCESS FOR CRITICAL COST GROWTH THRESHOLD BREACHES IN MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) PRELIMINARY EVALUATION OF CHALLENGE PROPOSALS FOR CRITICAL COST BREACHES.—

(1) SUBMISSION OF CHALLENGE PROPOSALS.—Section 2359b(c)) of title 10, United States Code, is amended—

(A) in paragraph (1), by striking ''Panel,'' and all that follows through the end and inserting the following: ''Panel—

''(A) through the unsolicited proposal process;

''(B) in response to a broad agency announcement; or

''(C) in response to a solicitation issued as a result of a critical cost growth threshold breach (as defined in paragraph (4)).'';

(B) by redesignating paragraphs (4), (5), and (6) as paragraphs (5), (7), and (8), respectively;

(C) by inserting after paragraph (3) the following new paragraph (4):

''(4)(A) If the program acquisition unit cost or procurement unit cost of a major defense acquisition program increases by a percentage equal to or greater than the critical cost growth threshold for the program, as determined by the Secretary concerned under section 2433(d) of this title (in this section referred to as a 'critical cost growth threshold breach'), the Under Secretary shall issue a solicitation for challenge proposals that would result in improvements in affordability of the program. The solicitation shall specifically identify (i) the cost and schedule variances, and (ii) the design, engineering,

manufacturing, or technology integration issues, contributing to the breach.

''(B) A solicitation referred to in subparagraph (A) shall be made public before the end of the 14-day period beginning on the day the Selected Acquisition Report containing the information described in section 2433(g) of this title is required to be submitted under section 2432(f) of this title.

''(C) A solicitation referred to in subparagraph (A) shall require any challenge proposals responding to the solicitation to be submitted within 30 days after the date of issuance of the solicitation.'';

(D) in paragraph (5) (as so redesignated) in the matter preceding subparagraph (A)—

(i) by striking ''or submitted'' and inserting ''submitted''; and

(ii) by inserting after ''paragraph (2),'' the following: ''or submitted in response to a solicitation issued as a result of a critical cost growth threshold breach''; and

(E) by inserting after paragraph (5) (as so redesignated) the following new paragraph (6):

''(6) A panel shall complete a preliminary evaluation of challenge proposals submitted in response to a solicitation issued as a result of a critical cost growth threshold breach before the end of the 60-day period beginning on the day the Selected Acquisition Report referred to in paragraph (4)(B) is submitted to Congress and shall inform the Secretary of Defense of the results of the evaluation to aid in the completion of the Secretary's certification under section 2433(e)(2)(B) of this title.''.

(b) ACTION UPON FAVORABLE FULL REVIEW AND EVALUATION OF CHALLENGE PROPOSALS FOR CRITICAL COST BREACHES.—Section 2359b(e) of such title is amended by adding at the end the following new paragraph:

''(3) In the case of a challenge proposal referred to in paragraph (1) that was submitted in response to a solicitation issued as a result of a critical cost growth threshold breach, the costs of the proposal shall be borne by the major defense acquisition program with respect to which the breach occurred.''.

(c) ACTION UPON UNFAVORABLE FULL REVIEW AND EVALUATION OF CHALLENGE PROPOSALS FOR CRITICAL COST BREACHES.—Section 2359b of such title, as amended by section 213, is further amended—

(1) by redesignating subsections (f), (g), (h), and (i) as subsections (g), (h), (i), and (j), respectively; and

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

''(f) ACTION UPON UNFAVORABLE FULL REVIEW AND EVALUATION OF CRITICAL COST BREACH SOLICITATIONS.—In the case of a challenge proposal that was submitted in response to a solicitation issued as a result of a critical cost growth threshold breach and that is not determined under a full review and evaluation to satisfy each of the criteria specified in subsection (c)(5), the following provisions apply:

''(1) The office carrying out the full review and evaluation shall provide to the Panel that conducted the preliminary evaluation a statement containing a summary of the rationale for the unfavorable evaluation.

''(2) If the Panel disagrees with the rationale provided under paragraph (1), the Panel may return the challenge proposal to the office for further consideration.

''(3) The full review and evaluation, including a further consideration of the review and evaluation under paragraph (2), shall be completed not later than the expiration of the 60-day period beginning on the date of completion of the preliminary evaluation of the proposal by a Panel under subsection (c).

''(4) After a full review and evaluation of all such challenge proposals submitted for such review and evaluation are completed, including further consideration under paragraph (2), the Under Secretary shall submit to the congressional defense committees a report containing a list of each challenge proposal with an unfavorable evaluation, including an identification of each such challenge proposal returned to an office for further consideration, and a detailed rationale for the unfavorable evaluations upon both initial and further consideration (if any). Such report shall be submitted not later than the expiration of the 60-day period beginning on the date of completion of the last preliminary evaluation of the proposals by a Panel under subsection (c).''.

(d) AMENDMENTS TO UNIT COST REPORTS PROVISIONS.—

(1) ADDITIONAL ASSESSMENT REQUIRED UPON BREACH OF CRITICAL COST GROWTH THRESHOLD.—Section 2433(e)(2)(A) of title 10, United States Code, is amended—

(A) by striking ''and'' at the end of clause (ii);

(B) by inserting ''and'' at the end of clause (iii); and

(C) by adding at the end the following new clause:

''(iv) the availability of components, subsystems, or systems that may result in near-term improvements in affordability of the program, as identified under the Defense Acquisition Challenge Program through a solicitation issued pursuant to section 2359b(c)(1)(C) of this title;''.

(2) ADDITIONAL CERTIFICATION REQUIRED UPON BREACH OF CRITICAL COST GROWTH THRESHOLD.—Section 2433(e)(2)(B) of such title is amended—

(A) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively; and

(B) by inserting after clause (ii) the following new clause (iii):

''(iii) the Panel conducting preliminary evaluation of challenge proposals submitted in response to the solicitation issued under the Defense Acquisition Challenge Program pursuant to section 2359b(c)(1)(C) of this title has identified no promising proposals meriting full review and evaluation;''.

(3) ADDITIONAL INFORMATION IN CERTAIN REPORT REQUIRED.—Section 2433(g)(1)(P)(vi) of such title is amended by inserting after ''of the program'' the following: ''and design, engineering, manufacturing, or technology integration issues''.

(e) ADDITIONAL CONFORMING AMENDMENTS.—Section 2359b of such title is further amended—

(1) in subsection (c)(8), as redesignated by subsection (a), by striking ''paragraph (4)'' and inserting ''paragraph (5)'';

(2) in subsection (d)(1), by striking ''subsection (c)(6)'' and inserting ''subsection (c)(8)'';

(3) in subsection (d)(2), by striking ''subsection (c)(4)'' and inserting ''subsection (c)(5)''; and

(4) in subsection (e)(1), by striking ''subsection (c)(4)'' and inserting ''subsection (c)(5)''.

SEC. 806. MARKET RESEARCH REQUIRED FOR MAJOR DEFENSE ACQUISITION PROGRAMS BEFORE PROCEEDING TO MILESTONE B.

Section 2366a(a) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) through (7) as paragraphs (2) through (8), respectively; and

(2) by inserting before paragraph (2) (as so redesignated) the following new paragraph (1):

''(1) market research has been conducted prior to technology development to reduce duplication of existing technology and products;''.

Subtitle B—Acquisition Policy and Management

SEC. 811. APPLICABILITY OF STATUTORY EXECUTIVE COMPENSATION CAP MADE PROSPECTIVE.

(a) PROSPECTIVE APPLICABILITY OF EXECUTIVE COMPENSATION CAP.—Section 808(e)(2) of Public Law 105–85 (41 U.S.C. 435 note; 111 Stat. 1838) is amended by striking ''before, on,'' and inserting ''on''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply as if included in Public Law 105–85 as enacted.

SEC. 812. PROHIBITION ON PROCUREMENT FROM BENEFICIARIES OF FOREIGN SUBSIDIES.

(a) PROHIBITION.—The Secretary of Defense may not enter into a contract for the procurement of goods or services from any foreign person to which the government of a foreign country that is a member of the World Trade Organization has provided a subsidy if—

(1) the United States has requested consultations with that foreign country under the Agreement on Subsidies and Countervailing Measures on the basis that the subsidy is a prohibited subsidy under that Agreement; and

(2) either—

(A) the issue before the World Trade Organization has not been resolved; or

(B) the World Trade Organization has ruled that the subsidy provided by the foreign country is a prohibited subsidy under the Agreement on Subsidies and Countervailing Measures.

(b) JOINT VENTURES.—The prohibition under subsection (a) with respect to a foreign person also applies to any joint venture, cooperative organization, partnership, or contracting team of which that foreign person is a member.

(c) SUBCONTRACTS AND TASK ORDERS.—The prohibition under subsection (a) with respect to a contract also applies to any subcontracts at any tier entered into under the contract and any task orders at any tier issued under the contract.

(d) DEFINITIONS.—In this section:

(1) The term ''Agreement on Subsidies and Countervailing Measures'' means the agreement described in section 101(d)(12) of the Uruguay Round Agreements Act (19 U.S.C. 3501(d)(12)).

(2) The term ''foreign person'' means—

(A) an individual who is not a United States person or an alien lawfully admitted for permanent residence into the United States; or

(B) a corporation, partnership, or other nongovernmental entity which is not a United States person.

(3) The term ''United States person'' means—

(A) a natural person who is a citizen of the United States or who owes permanent allegiance to the United States; and

(B) a corporation or other legal entity which is organized under the laws of the United States, any State or territory thereof, or the District of Columbia, if natural persons described in subparagraph (A) own, directly or indirectly, more than 50 percent of the outstanding capital stock or other beneficial interest in such legal entity.

(e) APPLICABILITY.—

(1) PROGRAMS WITH MILESTONE B APPROVAL NOT COVERED.—The prohibition under subsection (a) shall not apply to any contract under a major defense acquisition program that has received Milestone B approval as of the date of the enactment of this Act.

(2) DEFINITIONS.—In this subsection:

(A) The term ''major defense acquisition program'' means a Department of Defense acquisition program that is a major defense acquisition program for purposes of section 2430 of title 10, United States Code.

(B) The term ''Milestone B approval'' has the meaning provided that term in section 2366(e)(7) of such title.

SEC. 813. TIME-CERTAIN DEVELOPMENT FOR DEPARTMENT OF DEFENSE INFORMATION TECHNOLOGY BUSINESS SYSTEMS.

(a) MILESTONE A LIMITATION.—The Department of Defense executive or entity that is the milestone decision authority for an information system described in subsection (c) may not provide Milestone A approval for the system unless, as part of the decision process for such approval, that authority determines that the system will achieve initial operational capability within five years of such approval.

(b) INITIAL OPERATIONAL CAPABILITY LIMITATION.—Funds appropriated or otherwise available to the Department of Defense may not be

obligated or expended for an information system described in subsection (c) if the system, having received Milestone A approval, has not achieved initial operational capability within five years of the date of such approval.

(c) COVERED SYSTEMS.—An information system described in this subsection is any Department of Defense information technology business system that is not a national security system, as defined in 3542(b)(2) of title 44, United States Code.

(d) APPLICABILITY TO EXISTING PROGRAMS.—

(1) WAIVER AUTHORITY FOR EXISTING PROGRAMS IN DEVELOPMENT.—The Secretary of Defense may waive the applicability of subsection (b) in the case of a program described in subsection (c) that as of the date of the enactment of this Act has received Milestone A approval but has not as of such date achieved initial operational capability.

(2) INAPPLICABILITY TO PROGRAMS THROUGH DEVELOPMENT.—This section does not apply to an information system that achieved initial operational capability before the date of the enactment of this Act.

(e) DEFINITIONS.—In this section:

(1) MILESTONE DECISION AUTHORITY.—The term ''milestone decision authority'' has the meaning given that term in Department of Defense Instruction 5000.2, dated May 12, 2003.

(2) MILESTONE A.—The term ''Milestone A'' has the meaning given that term in Department of Defense Instruction 5000.2, dated May 12, 2003.

SEC. 814. ESTABLISHMENT OF PANEL ON CONTRACTING INTEGRITY.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Defense shall establish a panel to be known as the ''Panel on Contracting Integrity''.

(2) COMPOSITION.—The panel shall be composed of the following:

(A) The Deputy Secretary of Defense, who shall be the chairman of the panel.

(B) The service acquisition executive of each military department.

(C) The Inspector General of the Department of Defense.

(D) The Director of the Defense Logistics Agency.

(E) The Director of the Defense Contract Management Agency.

(F) The Director of the Defense Contract Audit Agency.

(G) Such other members as determined appropriate by the Secretary of Defense.

(b) DUTIES.—In addition to other matters assigned to it by the Secretary of Defense, the panel shall—

(1) conduct reviews of progress made by the Department of Defense to eliminate areas of vulnerability of the defense contracting system that allow fraud, waste, and abuse to occur;

(2) review the report by the Comptroller General required by section 841 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3389), relating to areas of vulnerability of Department of Defense contracts to fraud, waste, and abuse; and

(3) recommend changes in law, regulations, and policy that it determines necessary to eliminate such areas of vulnerability.

(c) MEETINGS.—The panel shall meet as determined necessary by the Secretary of Defense but not less often than once every six months.

(d) REPORT.—

(1) REQUIREMENT.—The panel shall prepare and submit to the congressional defense committees an annual report on its activities. The report shall contain a summary of its findings and recommendations for the year covered by the report.

(2) FIRST REPORT.—The first report under this subsection shall be submitted not later than 180 days after the date of the enactment of this Act and shall contain an examination of the current structure in the Department of Defense for personnel accountability relating to the contracting system and recommendations for any changes needed to the system of administrative safeguards and disciplinary actions to ensure accountability at the appropriate level for any violations of appropriate standards of behavior in contracting.

Subtitle C—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 821. EXTENSION OF SPECIAL TEMPORARY CONTRACT CLOSEOUT AUTHORITY.

Section 804 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 117 Stat. 1541) is amended in subsection (d) by striking ''September 30, 2006'' and inserting ''September 30, 2007''.

SEC. 822. LIMITATION ON CONTRACTS FOR THE ACQUISITION OF CERTAIN SERVICES.

(a) LIMITATION.—Except as provided in subsection (b), the Secretary of Defense may not enter into a contract for covered services if the amount of the contract—

(1) exceeds 75 percent of the estimated value of any asset required for the provision of services under the contract, as of the date on which contract performance begins; or

(2) exceeds $150,000,000 in payments over the life of the contract assuming all options to extend the contract are exercised.

(b) WAIVER.—The Secretary of Defense may waive subsection (a) with respect to a contract for covered services if the Secretary—

(1) determines that a waiver is necessary for national security purposes; and

(2) provides to the congressional defense committees an economic analysis as described in subsection (c) at least 30 days before the waiver takes effect.

(c) ECONOMIC ANALYSIS.—The economic analysis provided under subsection (b) shall include, at a minimum, the following:

(1) A clear explanation of the need for the contract for covered services.

(2) An examination of at least two alternatives for fulfilling the requirements that the contract is meant to fulfill, including the following with respect to each alternative:

(A) A rationale for including the alternative.

(B) A cost estimate of the alternative and an analysis of the quality of each cost estimate.

(C) A discussion of the benefits to be realized from the alternative.

(D) A best value determination of each alternative and a detailed explanation of the life-cycle cost calculations used in the determination.

(d) COVERED SERVICES.—The limitation in subsection (a) applies to any contract for the following types of services:

(1) Operation, maintenance, or support of facilities or installations, or construction of facilities needed for performing the contract.

(2) Maintenance or modification of aircraft, ships, vehicles, or other highly complex military equipment, or the provision of aircraft, ships, vehicles, or other highly complex military equipment needed for performing the contract.

(3) Specialized training necessitating high quality instructor skills (for example, pilot and air crew members; foreign language training).

(4) Base services (for example, ground maintenance, in-plane refueling; bus transportation; refuse collection and disposal).

SEC. 823. USE OF FEDERAL SUPPLY SCHEDULES BY STATE AND LOCAL GOVERNMENTS FOR GOODS AND SERVICES FOR RECOVERY FROM NATURAL DISASTERS, TERRORISM, OR NUCLEAR, BIOLOGICAL, CHEMICAL, OR RADIOLOGICAL ATTACK.

(a) AUTHORITY TO USE SUPPLY SCHEDULES FOR CERTAIN GOODS AND SERVICES.—Section 502 of title 40, United States Code, is amended by adding at the end the following new subsection:

''(d) USE OF SUPPLY SCHEDULES FOR CERTAIN GOODS AND SERVICES.—

''(1) IN GENERAL.—The Administrator may provide for the use by State or local governments of Federal supply schedules of the General Services Administration for goods or services that are to be used to facilitate recovery from a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) or to facilitate recovery from terrorism or nuclear, biological, chemical, or radiological attack.

''(2) DETERMINATION BY SECRETARY OF HOMELAND SECURITY.—The Secretary of Homeland Security shall determine which goods and services qualify as goods and services described in paragraph (1) before the Administrator provides for the use of the Federal supply schedule relating to such goods and services.

''(3) VOLUNTARY USE.—In the case of the use by a State or local government of a Federal supply schedule pursuant to paragraph (1), participation by a firm that sells to the Federal Government through the supply schedule shall be voluntary with respect to a sale to the State or local government through such supply schedule.

''(4) DEFINITIONS.—The definitions in subsection (c)(3) shall apply for purposes of this subsection.''.

(b) PROCEDURES.—Not later than 30 days after the date of the enactment of this Act, the Administrator of General Services shall establish procedures to implement section 502(d) of title 40, United States Code (as added by subsection (a)).

SEC. 824. WAIVERS TO EXTEND TASK ORDER CONTRACTS FOR ADVISORY AND ASSISTANCE SERVICES.

(a) DEFENSE CONTRACTS.—Section 2304b(b) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' before ''The period'';

(2) by inserting before the period the following: ''or a waiver is issued under paragraph (2)''; and

(3) by adding at the end the following new paragraph:

''(2) The head of an agency may issue a waiver to extend a task order contract entered into under this section for a period not exceeding 10 years, through five one-year options, if the head of the agency determines in writing—

''(A) that the contract provides engineering or technical services of such a unique and substantial technical nature that award of a new contract would be harmful to the continuity of the program for which the services are performed;

''(B) that award of a new contract would create a large disruption in services provided to the Department of Defense; and

''(C) the Department of Defense would endure program risk during critical program stages due to loss of program corporate knowledge of ongoing program activities.''.

(b) CIVILIAN AGENCY CONTRACTS.—Section 303I(b) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253i) is amended—

(1) by inserting ''(1)'' before ''The period'';

(2) by inserting before the period the following: ''or a waiver is issued under paragraph (2)''; and

(3) by adding at the end the following new paragraph:

''(2) An executive agency may issue a waiver to extend a task order contract entered into under this section for a period not exceeding 10 years, through five one-year options, if the head of the agency determines in writing—

''(A) that the contract provides engineering or technical services of such a unique and substantial technical nature that award of a new contract would be harmful to the continuity of the program for which the services are performed;

''(B) that award of a new contract would create a large disruption in services provided to the executive agency; and

''(C) the executive agency would endure program risk during critical program stages due to loss of program corporate knowledge of ongoing program activities.''.

(c) REPORT.—Not later than April 1, 2007, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the

House of Representatives a report on advisory and assistance services. The report shall include the following information:

(1) The methods used by the Department of Defense to identify a contract as an advisory and assistance services contract, as defined in section 2304b of title 10, United States Code.

(2) The number of such contracts awarded by the Department during the five-year period preceding the date of enactment of this Act.

(3) The average annual expenditures by the Department for such contracts.

(4) The average length of such contracts.

(5) The number of such contracts recompeted and awarded to the previous award winner.

(6) The number of contractors performing such contracts that previously qualified as a small business but no longer qualify as a small business for a recompetition.

(7) The number of such contracts required for a period of greater than five years and a justification of why those services are required for greater than five years, including the rationale for not performing the services inside the Department of Defense.

(8) The percentage of such contracts awarded by the Department during the five-year period preceding the date of the enactment of this Act for assistance in the introduction and transfer of engineering and technical knowledge for fielded systems, equipment, and components.

(9) The actions taken by the Department to prevent organizational conflicts of interest in the use of such contracts.

(d) PROHIBITION ON USE OF AUTHORITY BY DEPARTMENT OF DEFENSE IF REPORT NOT SUBMITTED.—The head of an agency may not issue a waiver under 2304b(b)(2) of title 10, United States Code, as added by subsection (a), if the report required by subsection (c) is not submitted by the date set forth in that subsection.

SEC. 825. ENHANCED ACCESS FOR SMALL BUSINESS.

Section 9(a) of the Contract Disputes Act of 1978 (41 U.S.C. 608) is amended by striking the period at the end of the first sentence and inserting the following: ''or, in the case of a small business concern (as defined in the Small Business Act and regulations under that Act), $150,000 or less.''.

SEC. 826. PROCUREMENT GOAL FOR HISPANIC-SERVING INSTITUTIONS.

Section 2323 of title 10, United States Code, is amended—

(1) in subsection (a)(1)—

(A) by striking ''and'' at the end of subparagraph (B);

(B) by striking the period at the end of subparagraph (C) and inserting ''; and''; and

(C) by adding at the end the following new subparagraph:

''(D) Hispanic-serving institutions, as designated by the Department of Education.'';

(2) in subsection (a)(2)—

(A) by inserting after ''historically Black colleges and universities'' the following: '', Hispanic-serving institutions,''; and

(B) by inserting after ''such colleges and universities'' the following: ''and institutions'';

(3) in subsection (c)(1), by inserting after ''historically Black colleges and universities'' the following: '', Hispanic-serving institutions,''; and

(4) in subsection (c)(3), by inserting after ''historically Black colleges and universities'' the following: '', to Hispanic-serving institutions,''.

SEC. 827. PROHIBITION ON DEFENSE CONTRACTORS REQUIRING LICENSES OR FEES FOR USE OF MILITARY LIKENESSES AND DESIGNATIONS.

The Secretary of Defense shall require that any contract entered into or renewed by the Department of Defense include a provision prohibiting the contractor from requiring toy and hobby manufacturers, distributors, or merchants to obtain licenses from or pay fees to the contractor for the use of military likenesses or designations on items provided under the contract.

Subtitle D—United States Defense Industrial Base Provisions

SEC. 831. PROTECTION OF STRATEGIC MATERIALS CRITICAL TO NATIONAL SECURITY.

(a) REQUIREMENT TO BUY FROM AMERICAN SOURCES.—

(1) IN GENERAL.—Chapter 148 of title 10, United States Code, is amended by inserting after section 2533a the following new section:

''§ 2533b. Requirement to buy strategic materials critical to national security from American sources; exceptions

''(a) REQUIREMENT.—Except as provided in subsections (c) through (h), funds appropriated or otherwise available to the Department of Defense may not be used for the procurement of an item described in subsection (b) if the item is not reprocessed, reused, or produced in the United States.

''(b) COVERED ITEMS.—An item referred to in subsection (a) is any of the following:

''(1) A specialty metal.

''(2) An item critical to national security, as determined by the Strategic Materials Protection Board.

''(c) AVAILABILITY EXCEPTION.—Subsection (a) does not apply to the extent that the Secretary of Defense or the Secretary of the military department concerned determines that satisfactory quality and sufficient quantity of any item described in subsection (b) cannot be procured as and when needed.

''(d) EXCEPTION FOR CERTAIN PROCUREMENTS.—Subsection (a) does not apply to the following:

''(1) Procurements outside the United States in support of combat operations or in support of contingency operations.

''(2) Procurements by vessels in foreign waters for use of the item.

''(3) Procurements for which the use of procedures other than competitive procedures has been approved on the basis of section 2304(c)(2) of this title, relating to unusual and compelling urgency of need.

''(e) EXCEPTION RELATING TO AGREEMENTS WITH FOREIGN GOVERNMENTS.—Subsection (a) does not preclude the procurement of an item described in subsection (b) if—

''(1) the procurement is necessary—

''(A) to comply with agreements with foreign governments requiring the United States to purchase supplies from foreign sources for the purposes of offsetting sales made by the United States Government or United States firms under approved programs serving defense requirements; or

''(B) in furtherance of agreements with foreign governments in which both such governments agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country;

''(2) any such agreement with a foreign government complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with section 2457 of this title; and

''(3) the item is grown, produced, or manufactured in the United States or in the country from which it is procured.

''(f) EXCEPTION FOR COMMISSARIES, EXCHANGES, AND OTHER NONAPPROPRIATED FUND INSTRUMENTALITIES.—Subsection (a) does not apply to items purchased for resale purposes in commissaries, exchanges, and nonappropriated fund instrumentalities operated by the Department of Defense.

''(g) EXCEPTION FOR SMALL PURCHASES.—Subsection (a) does not apply to procurements in amounts not greater than the simplified acquisition threshold referred to in section 2304(g) of this title.

''(h) APPLICABILITY TO PROCUREMENTS OF COMMERCIAL ITEMS.—This section applies to procurements of commercial items notwithstanding section 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 430).

''(i) APPLICABILITY TO SUBCONTRACTS.—This section applies to subcontracts at any tier under a prime contract.

''(j) APPLICABILITY TO NONCOMPLIANT COMPONENTS.—A procurement subject to subsection (a) shall not be considered to be in compliance with subsection (a) if noncompliant components are delivered under the procurement without charge to the Federal Government. In this subsection, the term 'noncompliant component' means a component that is not reprocessed, reused, or produced in the United States.

''(k) SPECIALTY METAL DEFINED.—In this section, the term 'specialty metal' means any of the following:

''(1) Steel—

''(A) with a maximum alloy content exceeding one or more of the following limits: manganese, 1.65 percent; silicon, 0.60 percent; or copper, 0.60 percent; or

''(B) containing more than 0.25 percent of any of the following elements: aluminum, chromium, cobalt, columbium, molybdenum, nickel, titanium, tungsten, or vanadium.

''(2) Metal alloys consisting of nickel, iron-nickel, and cobalt base alloys containing a total of other alloying metals (except iron) in excess of 10 percent.

''(3) Titanium and titanium alloys.

''(4) Zirconium and zirconium base alloys.

''(5) A metal determined by the Strategic Materials Protection Board (established under section 187 of this title) to be a specialty metal critical to national security.

''(l) ADDITIONAL DEFINITIONS.—In this section:

''(1) The term 'United States' includes possessions of the United States.

''(2) The term 'micropurchase' means a procurement in an amount not greater than the micropurchase threshold, as defined by section 32(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 428).

''(3) The term 'component' has the meaning provided in section 4 of such Act (41 U.S.C. 403).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2533b. Requirement to buy strategic materials critical to national security from American sources; exceptions.''.

(3) CONFORMING AMENDMENTS.—Section 2533a of title 10, United States Code, is amended—

(A) by striking paragraph (2) of subsection (b);

(B) in subsection (c), by striking ''or specialty metals (including stainless steel flatware)''; and

(C) in subsection (e)—

(i) by striking ''SPECIALTY METALS AND'' in the heading; and

(ii) by striking ''specialty metals or''.

(4) EFFECTIVE DATES.—

(A) Section 2533b of title 10, United States Code, as added by paragraph (1), shall apply with respect to contracts entered into after the date occurring 30 days after the date of the enactment of this Act.

(B) The amendments made by paragraph (3) shall take effect on the date occurring 30 days after the date of the enactment of this Act.

(b) ONE-TIME INADVERTENT MICROPURCHASE WAIVER OF SPECIALTY METALS DOMESTIC SOURCE REQUIREMENT.—

(1) NOTICE OF NONCOMPLIANCE.—In the case of a contract with the Department of Defense in effect before the date of the enactment of this Act with respect to which the contracting officer for the contract determines the contractor is not in compliance with section 2533a of title 10, United States Code (as in effect before such date of enactment) with respect to specialty metals, the contracting officer shall—

(A) post a notice on FedBizOpps.gov that the contractor is not in compliance with such section;

(B) notify the contractor (and any subcontractor under the prime contract that is also

noncompliant) in writing that the contractor (or subcontractor) is not in compliance with such section; and

(C) require the contractor and any subcontractor notified under subparagraph (B) to submit to the contracting officer a compliance plan for becoming compliant with such section.

(2) WAIVER AUTHORITY.—In the case of a contract described in paragraph (1), the contracting officer for the contract may waive the applicability to the contract of section 2533a of title 10, United States Code (as in effect before such date of enactment) with respect to specialty metals if—

(A) the procurement is a micropurchase of components (whether in a prime contract or a subcontract under such contract) and the aggregate value of all such procurements in the prime contract and all the subcontracts under such contract does not exceed 1 percent of the amount of the contract or $100,000, whichever is less;

(B) the contracting officer determines in writing that the contractor was and continues to be inadvertently not in compliance with such section with respect to such metals and the contractor has submitted a compliance plan under paragraph (1)(C); and

(C) the Secretary of the military department concerned approves the waiver.

(3) NOTICE.—Not later than 15 days after a contracting officer makes a determination under paragraph (2)(B) with respect to a contract, the contracting officer shall post a notice on FedBizOpps.gov that a waiver has been granted for the contract under this subsection. The notice shall include information about the applicability of section 1001 of title 18, United States Code (relating to criminal penalties for false statements).

(4) CHALLENGE PERIOD.—

(A) During the 15-day period beginning on the date of the posting of a notice of a waiver under paragraph (3) for a contract (in this subsection referred to as the ''challenge period''), the contracting officer shall accept challenges submitted with respect to the contract.

(B) For purposes of this paragraph, a challenge, with respect to a contract for which a waiver has been granted under this subsection, is a submission of information by an entity (referred to as a ''challenger'' in this section) stating that the challenger can provide the specialty metals needed for performance of the contract and can certify in writing that the metals are reprocessed, reused, or produced in the United States. The information shall be submitted to the contracting officer in such form and manner as may be prescribed by the Under Secretary of Defense for Acquisition, Technology, and Logistics.

(5) DETERMINATION BY CONTRACTING OFFICER.—During the 15-day period beginning on the day after the end of the challenge period with respect to a contract, if any challenge has been submitted to the contracting officer, the contracting officer shall make a determination regarding whether the challenger can provide the specialty metals for the components concerned in sufficient quantity, of satisfactory quality, within a reasonable time, and at a cost that is not unreasonable.

(6) RESCISSION OF WAIVER.—(A) Except as provided in subparagraph (B), if the determination under paragraph (5) is in the affirmative, the contracting officer shall—

(i) rescind the waiver granted with respect to the contract under this subsection; and

(ii) require the contractor to comply with subsection (a) by purchasing specialty metals from the challenger.

(B) If the contracting officer makes a determination in the affirmative under paragraph (5) with respect to two or more challengers, the contracting officer shall select or require the contractor to select, in such manner as the contracting officer considers appropriate, the challenger to provide specialty metals under the contract.

(7) DEFINITIONS.—In this subsection:

(A) The term ''micropurchase'' means a procurement in an amount not greater than the micropurchase threshold, as defined by section 32(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 428).

(B) The term ''component'' has the meaning provided in section 4 of such Act (41 U.S.C. 403).

(C) The term ''FedBizOpps.gov'' means the website maintained by the General Services Administration known as FedBizOpps.gov (or any successor site).

(8) TERMINATION OF WAIVER AUTHORITY.—A contracting officer may exercise the waiver authority under this subsection only after the date of the enactment of this Act and before July 1, 2008.

SEC. 832. STRATEGIC MATERIALS PROTECTION BOARD.

(a) IN GENERAL.—Chapter 7 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 187. Strategic Materials Protection Board

''(a) ESTABLISHMENT.—(1) The Secretary of Defense shall establish a Strategic Materials Protection Board.

''(2) The Board shall be composed of the following:

''(A) The Secretary of Defense, who shall be the chairman of the Board.

''(B) The Under Secretary of Defense for Acquisition, Technology, and Logistics.

''(C) The Under Secretary of Defense for Intelligence.

''(D) The Secretary of the Army.

''(E) The Secretary of the Navy.

''(F) The Secretary of the Air Force.

''(b) DUTIES.—In addition to other matters assigned to it by the Secretary of Defense, the Board shall—

''(1) determine the need to provide a long term domestic supply of items designated as critical to national security to ensure that national defense needs are met;

''(2) analyze the risk associated with each item designated as critical to national security and the affect on national defense that the nonavailability of such item from a domestic source would have;

''(3) recommend a strategy to the President to ensure the domestic availability of items designated as critical to national security;

''(4) recommend such other strategies to the President as the Board considers appropriate to strengthen the industrial base with respect to items critical to national security; and

''(5) publish, not less frequently than once every two years, in the Federal Register a list of items determined to be critical to national security, including a list of specialty metals determined to be critical to national security for purposes of section 2533b of this title (and referred to in section 2533b(l)((1)(5) of such title).

''(c) MEETINGS.—The Board shall meet as determined necessary by the Secretary of Defense but not less frequently than once every two years to—

''(1) determine and publish a list of items critical to national security as described in subsection (b)(5); and

''(2) review items previously determined by the Board to be critical to national security, including specialty metals critical to national security for purposes of section 2533b of this title, to determine the appropriateness of their continuing classification as critical to national security.

''(d) REPORTS.—After each meeting of the Board, the Board shall prepare and submit to Congress a report containing the results of the meeting and such recommendations as the Board determines appropriate.

''(e) REMOVAL OF ITEMS FROM LIST.—The Board may not remove from the list referred to in subsection (b)(5) an item previously determined to be critical to national security by the Board until a period of 30 days expires after the Board submits to the congressional defense committees a written notification of the removal.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''187. Strategic Materials Protection Board.''.

(c) FIRST MEETING OF BOARD.—The first meeting of the Strategic Materials Protection Board, established by section 187 of title 10, United States Code (as added by paragraph (1)) shall be not later than 180 days after the date of the enactment of this Act.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Department of Defense Management

Sec. 901. Standardization of statutory references to ''national security system'' within laws applicable to Department of Defense.

Sec. 902. Correction of reference to predecessor of Defense Information Systems Agency.

Sec. 903. Addition to membership of specified council.

Sec. 904. Consolidation and standardization of authorities relating to Department of Defense Regional Centers for Security Studies.

Sec. 905. Redesignation of the Department of the Navy as the Department of the Navy and Marine Corps.

Subtitle B—Space Activities

Sec. 911. Designation of successor organizations for the disestablished Interagency Global Positioning Executive Board.

Sec. 912. Extension of authority for pilot program for provision of space surveillance network services to non-United States Government entities.

Sec. 913. Operationally Responsive Space.

Subtitle C—Chemical Demilitarization Program

Sec. 921. Transfer to Secretary of the Army of responsibility for Assembled Chemical Weapons Alternatives Program.

Sec. 922. Comptroller General review of cost-benefit analysis of off-site versus on-site treatment and disposal of hydrolysate derived from neutralization of VX nerve gas at Newport Chemical Depot, Indiana.

Sec. 923. Sense of Congress regarding the safe and expeditious disposal of chemical weapons.

Subtitle D—Intelligence-Related Matters

Sec. 931. Repeal of termination of authority of Secretary of Defense to engage in commercial activities as security for intelligence collection activities abroad.

Subtitle A—Department of Defense Management

SEC. 901. STANDARDIZATION OF STATUTORY REFERENCES TO "NATIONAL SECURITY SYSTEM" WITHIN LAWS APPLICABLE TO DEPARTMENT OF DEFENSE.

(a) DEFENSE BUSINESS SYSTEMS.—Section 2222(j)(6) of title 10, United States Code, is amended by striking ''in section 2315 of this title'' and inserting ''in section 3542(b)(2) of title 44''.

(b) CHIEF INFORMATION OFFICER RESPONSIBILITIES.—Section 2223(c)(3) of such title is amended by striking ''section 11103 of title 40'' and inserting ''section 3542(b)(2) of title 44''.

(c) PROCUREMENT OF AUTOMATIC DATA PROCESSING EQUIPMENT AND SERVICES.—The text of section 2315 of such title is amended to read as follows:

''For purposes of subtitle III of title 40, the term 'national security system', with respect to a telecommunications and information system operated by the Department of Defense, has the meaning given that term by section 3542(b)(2) of title 44.''.

SEC. 902. CORRECTION OF REFERENCE TO PREDECESSOR OF DEFENSE INFORMATION SYSTEMS AGENCY.

Paragraph (1) of section 193(f) of title 10, United States Code, is amended to read as follows:

''(1) The Defense Information Systems Agency.''.

SEC. 903. ADDITION TO MEMBERSHIP OF SPECIFIED COUNCIL.

Section 179(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) The commander of the United States Strategic Command.''.

SEC. 904. CONSOLIDATION AND STANDARDIZATION OF AUTHORITIES RELATING TO DEPARTMENT OF DEFENSE REGIONAL CENTERS FOR SECURITY STUDIES.

(a) BASIC AUTHORITIES FOR REGIONAL CENTERS.—

(1) IN GENERAL.—Section 184 of title 10, United States Code, is amended to read as follows:

''§ 184. Regional Centers for Security Studies

''(a) IN GENERAL.—The Secretary of Defense shall administer the Department of Defense Regional Centers for Security Studies in accordance with this section as international venues for bilateral and multilateral research, communication, and exchange of ideas involving military and civilian participants.

''(b) REGIONAL CENTERS SPECIFIED.—(1) A Department of Defense Regional Center for Security Studies is a Department of Defense institution that—

''(A) is operated, and designated as such, by the Secretary of Defense for the study of security issues relating to a specified geographic region of the world; and

''(B) serves as a forum for bilateral and multilateral research, communication, and exchange of ideas involving military and civilian participants.

''(2) The Department of Defense Regional Centers for Security Studies are the following:

''(A) The George C. Marshall European Center for Security Studies, established in 1993 and located in Garmisch-Partenkirchen, Germany.

''(B) The Asia-Pacific Center for Security Studies, established in 1995 and located in Honolulu, Hawaii.

''(C) The Center for Hemispheric Defense Studies, established in 1997 and located in Washington, D.C.

''(D) The Africa Center for Strategic Studies, established in 1999 and located in Washington, D.C.

''(E) The Near East South Asia Center for Strategic Studies, established in 2000 and located in Washington, D.C.

''(3) No institution or element of the Department of Defense may be designated as a Department of Defense Regional Center for Security Studies for purposes of this section, other than the institutions specified in paragraph (2), except as specifically provided by law after the date of the enactment of this section.

''(c) REGULATIONS.—The administration of the Regional Centers under this section shall be carried out under regulations prescribed by the Secretary.

''(d) PARTICIPATION.—Participants in activities of the Regional Centers may include United States military and civilian personnel, governmental and nongovernmental personnel, and foreign military and civilian, governmental and nongovernmental personnel.

''(e) EMPLOYMENT AND COMPENSATION OF FACULTY.—At each Regional Center, the Secretary may, subject to appropriations—

''(1) employ a Director, a Deputy Director, and as many civilians as professors, instructors, and lecturers as the Secretary considers necessary; and

''(2) prescribe the compensation of such persons, in accordance with Federal guidelines.

''(f) PAYMENT OF COSTS.—(1) Participation in activities of a Regional Center shall be on a reimbursable basis (or by payment in advance), except in a case in which reimbursement is waived in accordance with paragraph (3).

''(2) For a foreign national participant, payment of costs may be made by the participant, the participant's own government, by a Department or agency of the United States other than the Department of Defense, or by a gift or donation on behalf of one or more Regional Centers accepted under section 2611 of this title on behalf of the participant's government.

''(3) The Secretary of Defense may waive reimbursement of the costs of activities of the Regional Centers for foreign military officers and foreign defense and security civilian government officials from a developing country if the Secretary determines that attendance of such personnel without reimbursement is in the national security interest of the United States. Costs for which reimbursement is waived pursuant to this paragraph shall be paid from appropriations available to the Regional Centers.

''(4) Funds accepted for the payment of costs shall be credited to the appropriation then currently available to the Department of Defense for the Regional Center that incurred the costs. Funds so credited shall be merged with the appropriation to which credited and shall be available to that Regional Center for the same purposes and same period as the appropriation with which merged.

''(5) Funds available for the payment of personnel expenses under the Latin American cooperation authority set forth in section 1050 of this title are also available for the costs of the operation of the Center for Hemispheric Defense Studies.

''(g) SUPPORT TO OTHER AGENCIES.—The Director of a Regional Center may enter into agreements with the Secretaries of the military departments, the heads of the Defense Agencies, and, with the concurrence of the Secretary of Defense, the heads of other Federal departments and agencies for the provision of services by that Regional Center under this section. Any such participating department and agency shall transfer to the Regional Center funds to pay the full costs of the services received.

''(h) ANNUAL REPORT.—Not later than February 1 of each year, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the operation of the Regional Centers for security studies during the preceding fiscal year. The annual report shall include, for each Regional Center, the following information:

''(1) The status and objectives of the center.

''(2) The budget of the center, including the costs of operating the center.

''(3) A description of the extent of the international participation in the programs of the center, including the costs incurred by the United States for the participation of each foreign nation.

''(4) A description of the foreign gifts and donations, if any, accepted under section 2611 of this title.''.

(2) CLERICAL AMENDMENT.—The item relating to such section in the table of sections at the beginning of chapter 7 of such title is amended to read as follows:

''184. Regional Centers for Security Studies.''.

(b) CONFORMING AMENDMENTS.—

(1) EMPLOYMENT AND COMPENSATION AUTHORITY FOR CIVILIAN FACULTY.—Section 1595 of title 10, United States Code, is amended—

(A) in subsection (c)—

(i) by striking paragraphs (3) and (5); and

(ii) by redesignating paragraphs (4) and (6) as paragraphs (3) and (4), respectively; and

(B) by striking subsection (e).

(2) STATUS OF CENTER FOR HEMISPHERIC DEFENSE STUDIES.—Section 2165 of title 10, United States Code, is amended—

(A) in subsection (b)—

(i) by striking paragraph (6); and

(ii) by redesignating paragraph (7) as paragraph (6); and

(B) by striking subsection (c).

SEC. 905. REDESIGNATION OF THE DEPARTMENT OF THE NAVY AS THE DEPARTMENT OF THE NAVY AND MARINE CORPS.

(a) REDESIGNATION OF MILITARY DEPARTMENT.—The military department designated as the Department of the Navy is redesignated as the Department of the Navy and Marine Corps.

(b) REDESIGNATION OF SECRETARY AND OTHER STATUTORY OFFICES.—

(1) SECRETARY.—The position of the Secretary of the Navy is redesignated as the Secretary of the Navy and Marine Corps.

(2) OTHER STATUTORY OFFICES.—The positions of the Under Secretary of the Navy, the four Assistant Secretaries of the Navy, and the General Counsel of the Department of the Navy are redesignated as the Under Secretary of the Navy and Marine Corps, the Assistant Secretaries of the Navy and Marine Corps, and the General Counsel of the Department of the Navy and Marine Corps, respectively.

(c) CONFORMING AMENDMENTS TO TITLE 10, UNITED STATES CODE.—

(1) DEFINITION OF ''MILITARY DEPARTMENT''.—Paragraph (8) of section 101(a) of title 10, United States Code, is amended to read as follows:

''(8) The term 'military department' means the Department of the Army, the Department of the Navy and Marine Corps, and the Department of the Air Force.''.

(2) ORGANIZATION OF DEPARTMENT.—The text of section 5011 of such title is amended to read as follows: ''The Department of the Navy and Marine Corps is separately organized under the Secretary of the Navy and Marine Corps.''.

(3) POSITION OF SECRETARY.—Section 5013(a)(1) of such title is amended by striking ''There is a Secretary of the Navy'' and inserting ''There is a Secretary of the Navy and Marine Corps''.

(4) CHAPTER HEADINGS.—

(A) The heading of chapter 503 of such title is amended to read as follows:

''CHAPTER 503—DEPARTMENT OF THE NAVY AND MARINE CORPS''.

(B) The heading of chapter 507 of such title is amended to read as follows:

''CHAPTER 507—COMPOSITION OF THE DEPARTMENT OF THE NAVY AND MARINE CORPS''.

(5) OTHER AMENDMENTS.—

(A) Title 10, United States Code, is amended by striking ''Department of the Navy'' and ''Secretary of the Navy'' each place they appear other than as specified in paragraphs (1), (2), (3), and (4) (including in section headings, subsection captions, tables of chapters, and tables of sections) and inserting ''Department of the Navy and Marine Corps'' and ''Secretary of the Navy and Marine Corps'', respectively, in each case with the matter inserted to be in the same typeface and typestyle as the matter stricken.

(B)(i) Sections 5013(f), 5014(b)(2), 5016(a), 5017(2), 5032(a), and 5042(a) of such title are amended by striking ''Assistant Secretaries of the Navy'' and inserting ''Assistant Secretaries of the Navy and Marine Corps''.

(ii) The heading of section 5016 of such title, and the item relating to such section in the table of sections at the beginning of chapter 503 of such title, are each amended by inserting ''and Marine Corps'' after ''of the Navy'', with the matter inserted in each case to be in the same typeface and typestyle as the matter amended.

(d) TITLE 37, UNITED STATES CODE.—Title 37, United States Code, is amended by striking ''Department of the Navy'' and ''Secretary of the Navy'' each place they appear and inserting ''Department of the Navy and Marine Corps'' and ''Secretary of the Navy and Marine Corps'', respectively.

(e) OTHER REFERENCES.—Any reference in any law other than in title 10 or title 37, United

States Code, or in any regulation, document, record, or other paper of the United States, to the Department of the Navy shall be considered to be a reference to the Department of the Navy and Marine Corps. Any such reference to an office specified in subsection (b)(2) shall be considered to be a reference to that office as redesignated by that subsection.

(f) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on the first day of the first month beginning more than 60 days after the date of the enactment of this Act.

Subtitle B—Space Activities

SEC. 911. DESIGNATION OF SUCCESSOR ORGANIZATIONS FOR THE DISESTABLISHED INTERAGENCY GLOBAL POSITIONING EXECUTIVE BOARD.

(a) SUCCESSOR ORGANIZATIONS.— Section 8 of the Commercial Space Transportation Competitiveness Act of 2000 (10 U.S.C. 2281 note) is amended by striking ''by Congress'' and all that follows and inserting ''for the functions and activities of the following organizations established pursuant to the national security presidential directive issued December 8, 2004 (and any successor organization, to the extent the successor organization performs the functions of the specified organization):

''(1) The interagency committee known as the National Space-Based Positioning, Navigation, and Timing Executive Committee.

''(2) The support office for the committee specified in paragraph (1) known as the National Space-Based Positioning, Navigation, and Timing Coordination Office.

''(3) The Federal advisory committee known as the National Space-Based Positioning, Navigation, and Timing Advisory Board.''.

(b) CLARIFICATION.—Such section is further amended by striking ''interagency funding'' and inserting ''multi-agency funding''.

SEC. 912. EXTENSION OF AUTHORITY FOR PILOT PROGRAM FOR PROVISION OF SPACE SURVEILLANCE NETWORK SERVICES TO NON-UNITED STATES GOVERNMENT ENTITIES.

Section 2274(i) of title 10, United States Code, is amended by striking ''shall be conducted'' and all that follows and inserting ''may be conducted through September 30, 2009.''.

SEC. 913. OPERATIONALLY RESPONSIVE SPACE.

(a) OPERATIONALLY RESPONSIVE SPACE PROGRAM OFFICE.—

(1) ESTABLISHMENT OF OFFICE.—Section 2273a of title 10, United States Code, is amended to read as follows:

''§ 2273a. Operationally Responsive Space Program Office

''(a) ESTABLISHMENT OF OFFICE.—(1) The Secretary of Defense shall establish within the Department of Defense an office to be known as the Operationally Responsive Space Program Office.

''(2) The head of the Office shall be the official in the Department of Defense who is designated by the Secretary of Defense as the Department of Defense Executive Agent for Space.

''(b) MISSION.—The mission of the Office shall be to contribute to the development of low-cost, rapid reaction payloads, spacelift, and launch control capabilities in order to fulfill joint military operational requirements for on-demand space support or reconstitution. The Office shall manage the program element required under subsection (g).

''(c) ORGANIZATION.—The Office shall be organized into integrated and co-located elements that include the following:

''(1) A science and technology section, which shall perform the functions specified in subsection (d).

''(2) An operations section, which shall perform the functions specified in subsection (e).

''(3) An acquisition section, which shall perform the functions specified in subsection (f).

''(d) SCIENCE AND TECHNOLOGY.—As directed by the head of the Office, the science and technology section shall pursue innovative approaches to the development of capabilities for operationally responsive space through basic and applied research focused on (but not limited to) payloads, bus, and launch equipment.

''(e) OPERATIONS.—As directed by the head of the Office, the operations section shall serve as the primary intermediary between the Office and the combatant commands in order to—

''(1) ascertain the needs of the warfighter; and

''(2) integrate operationally responsive space capabilities into—

''(A) operations plans of the combatant commands;

''(B) techniques, tactics, and procedures of the military departments; and

''(C) military exercises, demonstrations, and war games.

''(f) ACQUISITION.—(1) As directed by the head of the Office, the acquisition section shall undertake the acquisition of systems necessary to integrate, sustain, and launch assets for operationally responsive space.

''(2) In the case of any system or subsystem to be acquired by the Office, the acquisition may be carried out only after the commander of the United States Strategic Command has validated the system requirements for the system or subsystem to be acquired.

''(3) The commander of the United States Strategic Command shall participate in the approval of any acquisition program initiated by the Office.

''(g) REQUIRED PROGRAM ELEMENT.—(1) The Secretary of Defense shall ensure that, within budget program elements for space programs of the Department of Defense—

''(A) that there is a separate, dedicated program element for operationally responsive national security payloads and buses of the Department of Defense for space satellites; and

''(B) that programs and activities for such payloads and buses are planned, programmed, and budgeted for through that program element.

''(2) In this subsection, the term 'operationally responsive', with respect to a national security payload and bus for a space satellite, means an experimental or operational payload and bus with a weight not in excess of 5,000 pounds that—

''(A) can be developed and acquired within 18 months after authority to proceed with development is granted; and

''(B) is responsive to requirements for capabilities at the operational and tactical levels of warfare.''.

(2) CLERICAL AMENDMENT.—The item relating to that section in the table of sections at the beginning of chapter 135 of such title is amended to read as follows:

''2273a. Operationally Responsive Space Program Office.''.

(b) PLAN FOR OPERATIONALLY RESPONSIVE SPACE.—

(1) PLAN REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth a plan for the acquisition by the Department of Defense of capabilities for operationally responsive space to support the warfighter.

(2) ELEMENTS.—The plan required by paragraph (1) shall include the following:

(A) An identification of the capabilities required by the Department to fulfill the mission of the Department with respect to operationally responsive space.

(B) An identification of the roles and missions of each military department, Defense Agency, and other component or element of the Department of Defense for the fulfillment of the mission of the Department with respect to operationally responsive space.

(C) A description of the chain of command and reporting structure of the Operationally Responsive Space Program Office established under section 2273a of title 10, United States Code, as amended by subsection (a).

(D) A description of the classification of information required for that Office in order to ensure that the Office carries out its responsibilities in a proper and efficient manner.

(E) A description of the acquisition policies and procedures applicable to that Office, including a description of any legislative or administrative action necessary to provide the Office additional acquisition authority to carry out its responsibilities.

(F) A complete schedule for the implementation of the plan.

(G) The funding required to implement the plan over the course of the future-years defense program under section 221 of title 10, United States Code, in effect as of the submission of the plan.

(3) DEFINITION.—In this subsection, the term ''operationally responsive space'' means the development and launch of space assets upon demand in a low-cost manner.

Subtitle C—Chemical Demilitarization Program

SEC. 921. TRANSFER TO SECRETARY OF THE ARMY OF RESPONSIBILITY FOR ASSEMBLED CHEMICAL WEAPONS ALTERNATIVES PROGRAM.

Effective January 1, 2007, the text of section 142 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 50 U.S.C. 1521 note) is amended to read as follows:

''(a) PROGRAM MANAGEMENT.—(1) The program manager for the Assembled Chemical Weapons Alternatives program shall report to the Secretary of the Army.

''(2) The Secretary of the Army shall provide for that program to be managed as part of the management organization within the Department of the Army specified in section 1412(e) of Public Law 99–145 (50 U.S.C. 1521(e)).

''(b) CONTINUED IMPLEMENTATION OF PREVIOUSLY SELECTED ALTERNATIVE TECHNOLOGIES.—(1) In carrying out the destruction of lethal chemical munitions at Pueblo Chemical Depot, Colorado, the Secretary of the Army shall continue to implement fully the alternative technology for such destruction at that depot selected by the Under Secretary of Defense for Acquisition, Technology, and Logistics on July 16, 2002.

''(2) In carrying out the destruction of lethal chemical munitions at Blue Grass Army Depot, Kentucky, the Secretary of the Army shall continue to implement fully the alternative technology for such destruction at that depot selected by the Under Secretary of Defense for Acquisition, Technology, and Logistics on February 3, 2003.''.

SEC. 922. COMPTROLLER GENERAL REVIEW OF COST-BENEFIT ANALYSIS OF OFF-SITE VERSUS ON-SITE TREATMENT AND DISPOSAL OF HYDROLYSATE DERIVED FROM NEUTRALIZATION OF VX NERVE GAS AT NEWPORT CHEMICAL DEPOT, INDIANA.

(a) REVIEW REQUIRED.—Not later than December 1, 2006, the Comptroller General shall submit to Congress a report containing a review of the cost-benefit analysis prepared by the Secretary of the Army entitled ''Cost-Benefit Analysis of Off-Site Versus On-Site Treatment and Disposal of Newport Caustic Hydrolysate'' and dated April 24, 2006.

(b) CONTENT OF REVIEW.—In conducting the review under subsection (a), the Comptroller General shall consider and assess at a minimum the following matters:

(1) The adequacy of the rationale contained in the cost-benefit analysis referred to in subsection (a) in dismissing five of the eight technologies for hydrolysate treatment directed for consideration on page 116 of the the Report of the Committee on Armed Services of the House of Representatives on H.R. 1815 (House Report 109–89).

(2) The rationale for the failure of the Secretary of the Army to consider other technical solutions, such as constructing a wastewater disposal system at the Newport Chemical Depot.

(3) The adequacy of the cost-benefit analysis presented for the three technologies considered.

(c) DELAY PENDING REPORT.—The Secretary of the Army shall not proceed with any action to transport or relocate neutralized bulk nerve agent (other than those small quantities necessary for laboratory evaluation of the disposal process) from the Newport Chemical Depot until—

(1) the report required by subsection (a) is submitted; and

(2) a period of 60 days expires after the submission of the report.

SEC. 923. SENSE OF CONGRESS REGARDING THE SAFE AND EXPEDITIOUS DISPOSAL OF CHEMICAL WEAPONS.

(a) FINDINGS.—Congress makes the following findings:

(1) The disposal of chemical weapons needs to be accomplished as safely and expeditiously as possible.

(2) It is apparent, however, that any disposal method for chemical weapons that involves the transportation of chemical munitions or processed chemical munitions is difficult to implement

(b) SENSE OF CONGRESS.—In light of these findings, it is the sense of Congress that, when chemical munitions or processed chemical munitions are proposed for treatment or disposal at a location remote from the location where the munitions are stored—

(1) the method of actually selecting the disposal location should be free from political interference; and

(2) a process like that used for selecting and approving military installations for closure or realignment should be considered.

Subtitle D—Intelligence-Related Matters

SEC. 931. REPEAL OF TERMINATION OF AUTHORITY OF SECRETARY OF DEFENSE TO ENGAGE IN COMMERCIAL ACTIVITIES AS SECURITY FOR INTELLIGENCE COLLECTION ACTIVITIES ABROAD.

Section 431(a) of title 10, United States Code, is amended by striking the last sentence.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. General transfer authority.
Sec. 1002. Authorization of supplemental appropriations for fiscal year 2006.
Sec. 1003. Increase in fiscal year 2006 general transfer authority.
Sec. 1004. United States contribution to NATO common-funded budgets in fiscal year 2007.
Sec. 1005. Report on budgeting for fluctuations in fuel cost rates.
Sec. 1006. Reduction in authorizations due to savings resulting from lower-than-expected inflation.

Subtitle B—Policy Relating to Vessels and Shipyards

Sec. 1011. Transfer of naval vessels to foreign nations based upon vessel class.
Sec. 1012. Overhaul, repair, and maintenance of vessels in foreign shipyards.
Sec. 1013. Report on options for future lease arrangement for Guam Shipyard.
Sec. 1014. Shipbuilding Industrial Base Improvement Program.
Sec. 1015. Transfer of operational control of certain patrol coastal ships to Coast Guard.
Sec. 1016. Limitation on leasing of foreign-built vessels.
Sec. 1017. Overhaul, repair, and maintenance of vessels carrying Department of Defense cargo.
Sec. 1018. Riding gang member documentation requirement.

Subtitle C—Counter-Drug Activities

Sec. 1021. Restatement in title 10, United States Code, and revision of Department of Defense authority to provide support for counter-drug activities of Federal, State, local, and foreign law enforcement agencies.
Sec. 1022. Restatement in title 10, United States Code, and revision of Department of Defense authority to provide support for counter-drug activities of certain foreign governments.
Sec. 1023. Extension of authority to support unified counterdrug and counterterrorism campaign in Colombia.
Sec. 1024. Continuation of reporting requirement regarding Department of Defense expenditures to support foreign counter-drug activities.
Sec. 1025. Report on interagency counter-narcotics plan for Afghanistan and South and Central Asian regions.

Subtitle D—Other Matters

Sec. 1031. Revision to authorities relating to Commission on the implementation of the New Strategic Posture of the United States.
Sec. 1032. Enhancement to authority to pay rewards for assistance in combating terrorism.
Sec. 1033. Report on assessment process of Chairman of the Joint Chiefs of Staff relating to Global War on Terrorism.
Sec. 1034. Presidential report on improving interagency support for United States 21st century national security missions.
Sec. 1035. Quarterly reports on implementation of 2006 Quadrennial Defense Review Report.
Sec. 1036. Increased hunting and fishing opportunities for members of the Armed Forces, retired members, and disabled veterans.
Sec. 1037. Technical and clerical amendments.
Sec. 1038. Database of emergency response capabilities.
Sec. 1039. Information on certain criminal investigations and prosecutions.
Sec. 1040. Date for final report of EMP Commission.

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2007 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—The total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $3,750,000,000.

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. AUTHORIZATION OF SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2006.

Amounts authorized to be appropriated to the Department of Defense and the Department of Energy for fiscal year 2006 in the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163) are hereby adjusted, with respect to any such authorized amount, by the amount by which appropriations pursuant to such authorization are increased by a supplemental appropriation or decreased by a rescission, or both, or are increased by a transfer of funds, pursuant to an emergency supplemental appropriations Act for 2006.

SEC. 1003. INCREASE IN FISCAL YEAR 2006 GENERAL TRANSFER AUTHORITY.

Section 1001(a)(2) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3418) is amended by striking ''$3,500,000,000'' and inserting ''$3,750,000,000''.

SEC. 1004. UNITED STATES CONTRIBUTION TO NATO COMMON-FUNDED BUDGETS IN FISCAL YEAR 2007.

(a) FISCAL YEAR 2007 LIMITATION.—The total amount contributed by the Secretary of Defense in fiscal year 2007 for the common-funded budgets of NATO may be any amount up to, but not in excess of, the amount specified in subsection (b) (rather than the maximum amount that would otherwise be applicable to those contributions under the fiscal year 1998 baseline limitation).

(b) TOTAL AMOUNT.—The amount of the limitation applicable under subsection (a) is the sum of the following:

(1) The amounts of unexpended balances, as of the end of fiscal year 2006, of funds appropriated for fiscal years before fiscal year 2007 for payments for those budgets.

(2) The amount specified in subsection (c)(1).

(3) The amount specified in subsection (c)(2).

(4) The total amount of the contributions authorized to be made under section 2501.

(c) AUTHORIZED AMOUNTS.—Amounts authorized to be appropriated by titles II and III of this Act are available for contributions for the common-funded budgets of NATO as follows:

(1) Of the amount provided in section 201(1), $797,000 for the Civil Budget.

(2) Of the amount provided in section 301(1), $310,277,000 for the Military Budget.

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

(1) COMMON-FUNDED BUDGETS OF NATO.—The term ''common-funded budgets of NATO'' means the Military Budget, the Security Investment Program, and the Civil Budget of the North Atlantic Treaty Organization (and any successor or additional account or program of NATO).

(2) FISCAL YEAR 1998 BASELINE LIMITATION.—The term ''fiscal year 1998 baseline limitation'' means the maximum annual amount of Department of Defense contributions for common-funded budgets of NATO that is set forth as the annual limitation in section 3(2)(C)(ii) of the resolution of the Senate giving the advice and consent of the Senate to the ratification of the Protocols to the North Atlantic Treaty of 1949 on the Accession of Poland, Hungary, and the Czech Republic (as defined in section 4(7) of that resolution), approved by the Senate on April 30, 1998.

SEC. 1005. REPORT ON BUDGETING FOR FLUCTUATIONS IN FUEL COST RATES.

(a) SECRETARY OF DEFENSE REPORT.—

(1) REPORT ON BUDGETING FOR FUEL COST FLUCTUATIONS.—Not later than January 15, 2007, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the fuel rate and cost projection used in the annual Department of Defense budget presentation.

(2) MATTERS TO BE INCLUDED.—In the report under paragraph (1), the Secretary shall—

(A) identify alternative approaches for selecting fuel rates that would produce more realistic estimates of amounts required to be appropriated or otherwise made available for the Department of Defense to accommodate fuel rate fluctuations;

(B) discuss the advantages and disadvantages of each approach identified pursuant to subparagraph (A); and

(C) identify the Secretary's preferred approach among the alternative identified pursuant to subparagraph (A) and provide the Secretary's rationale for preferring that approach.

(3) IDENTIFICATION OF ALTERNATIVE APPROACHES.—In identifying alternative approaches pursuant to paragraph (2)(A), the Secretary shall examine—

(A) approaches used by other Federal departments and agencies; and

(B) the feasibility of using private economic forecasting.

(b) COMPTROLLER GENERAL REVIEW AND REPORT.—The Comptroller General shall review the report under subsection (a), including the basis for the Secretary's conclusions stated in the report, and shall submit, not later than March 15, 2007, to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report containing the results of that review.

SEC. 1006. REDUCTION IN AUTHORIZATIONS DUE TO SAVINGS RESULTING FROM LOWER-THAN-EXPECTED INFLATION.

(a) REDUCTION.—The total amount authorized to be appropriated by titles I, II, and III is the amount equal to the sum of the separate amounts authorized to be appropriated by those titles reduced by $1,583,000,000.

(b) SOURCE OF SAVINGS.—Reduction required in order to comply with subsection (a) shall be derived from savings resulting from lower-than-expected inflation.

(c) ALLOCATION OF REDUCTION.—The Secretary of Defense shall allocate the reduction required by subsection (a) among the amounts authorized to be appropriated for accounts in title I, II, and III to reflect the extent to which net savings from lower-than-expected inflation are allocable to amounts authorized to be appropriated to those accounts.

Subtitle B—Policy Relating to Vessels and Shipyards

SEC. 1011. TRANSFER OF NAVAL VESSELS TO FOREIGN NATIONS BASED UPON VESSEL CLASS.

Section 7307(a) of title 10, United States Code, is amended—

(1) by striking ''disposition of that vessel is approved'' and inserting ''disposal of that vessel, or of a vessel of the class of that vessel, is authorized''; and

(2) by adding at the end the following new sentences: ''In the case of an authorization by law for the disposal of such a vessel that names a specific vessel as being authorized for such disposal, the Secretary of Defense may substitute another vessel of the same class, if the vessel substituted has virtually identical capabilites as the named vessel. In the case of an authorization by law for the disposal of vessels of a specified class, the Secretary may dispose of vessels of that class pursuant to that authorization only in the number of such vessels specified in that law as being authorized for disposal.''.

SEC. 1012. OVERHAUL, REPAIR, AND MAINTENANCE OF VESSELS IN FOREIGN SHIPYARDS.

(a) IN GENERAL.—Section 7310 of title 10, United States Code, is amended to read as follows:

''§ 7310. Overhaul, repair, etc. of vessels in foreign shipyards

''(a) IN GENERAL.—A vessel covered by this section the homeport of which is in the United States may not be overhauled, repaired, or maintained in a shipyard outside the United States, other than in the case of emergency voyage repairs.

''(b) COVERED VESSELS.—(1) Vessels covered by this section are the following:

''(A) Any naval vessel.

''(B) Any other vessel under the jurisdiction of the Secretary of the Navy, including any vessel under the jurisdiction of the Military Sealift Command that is owned or chartered by the United States.

''(2)(A) Notwithstanding paragraph (1), a naval vessel or other vessel certified by the Secretary of the Navy that is deployed conducting special mission operations is not subject to this section.

''(B) The Secretary of the Navy shall submit to the congressional defense committees each year a written certification of those vessels that are excluded from this section. The certification shall be submitted each year with the annual submission of the Navy budget justification materials.

''(c) CERTAIN VESSELS TO BE CONSIDERED TO BE HOMEPORTED IN UNITED STATES.—In the case of a vessel that does not have a designated homeport, the vessel shall be considered to have a homeport in the United States for the purposes of this section if any of the following applies to the vessel during the preceding 12-month period:

''(1) The vessel has operated within 1,400 nautical miles of the United States.

''(2) The vessel has returned to the United States more than two times.

''(3) The vessel has made a port call or return to the United States that exceeded seven days.

''(d) VESSEL CHANGING HOMEPORTS.—(1) In the case of a vessel covered by this section the homeport of which is not in the United States, the Secretary of the Navy may not during the 15-month period preceding the planned reassignment of the vessel to a homeport in the United States begin any work for the overhaul, repair, or maintenance of the vessel that is scheduled to be for a period of more than six months

''(2) In the case of a vessel covered by this section the homeport of which is in the United States, the Secretary of the Navy shall—

''(A) not less than 60 days before designating a homeport for that vessel at a location outside the United States, submit to Congress notification in writing of the intent to designate a homeport for that vessel outside the United States, together with the reasons for that designation; and

''(B) during the 15-month period preceding the planned reassignment of the vessel to a homeport not in the United States, perform in the United States any work for the overhaul, repair, or maintenance of the vessel that is scheduled—

''(i) to begin during the 15-month period; and

''(ii) to be for a period of more than six months.

''(e) DEFINITIONS.—In this section:

''(1)(A) The term 'emergency voyage repair' means the following:

''(i) Repairs on mission-essential or safety-essential items that are needed for a vessel to deploy, to continue on a deployment, or to comply with regulatory requirements.

''(ii) Standard maintenance, but only to the extent that such maintenance is absolutely necessary to ensure machinery and equipment operational reliability or to comply with regulatory requirements.

''(iii) Repair or maintenance that is not executed with a contract request for proposal.

''(B) Such term does not include corrective maintenance actions that may be deferred until the next scheduled regular overhaul and dry docking availability at a shipyard in the Unites States without degrading operational readiness, habitability standards, or personnel safety or adversely affecting regulatory compliance.

''(2) The term 'United States', when used in a geographic sense, includes the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, Guam, and the Virgin Islands.''.

(b) EFFECTIVE DATE.—Subsection (c) of section 7310 of title 10, United States Code, as amended by subsection (a), shall take effect on October 1, 2006, or the date of the enactment of this Act, whichever is later, and shall apply only with respect to events specified in paragraphs (1), (2), and (3) of that subsection occurring on or after that effective date.

(c) LIMITATION ON APPLICATION TO VESSEL OPERATING UNDER EXISTING CHARTER.—This section does not affect the application of section 7310 of title 10, United States Code, to a vessel operating under a charter to the United States in effect on the date of the enactment of this Act, unless such charter is terminated or renewed after such date of enactment.

SEC. 1013. REPORT ON OPTIONS FOR FUTURE LEASE ARRANGEMENT FOR GUAM SHIPYARD.

(a) REPORT REQUIRED.— Not later than December 15, 2006, the Secretary of the Navy shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Service of the House of Representatives a report describing the options available with respect to the Guam Shipyard in Santa Rita, Guam.

(b) CONTENTS OF REPORT.—The report required under subsection (a) shall include the following:

(1) An evaluation of the performance of the entities that, as of the date of the enactment of this Act, are the lessee and operators of the Guam Shipyard under the terms of the lease in effect on the date of the enactment of this Act.

(2) An evaluation of each of the following options with respect to the Guam Shipyard lease:

(A) Terminating the remaining term of the lease and issuing a new 25 year lease with the same entity.

(B) Terminating the remaining term of the lease with respect to the approximately 73 acres within the Guam Shipyard that are required for mission requirements and leaving the remaining term of the lease in effect with respect to the approximately 27 acres within the Facility that are not required for mission requirements.

(C) Terminating the remaining term of the lease and negotiating a new use arrangement with a different lessee or operator. The new use arrangement options shall include:

(i) Government-owned and government-operated facility.

(ii) Government-owned and contractor-operated facility.

(iii) Government-leased property for contractor-owned and contractor-operated facility.

(c) OPTIONS FOR NEW USE ARRANGEMENTS.—In evaluating the options under subsection (b)(2)(C), the Secretary of the Navy shall include an evaluation of each of the following:

(1) The anticipated future military vessel repair and workload on Guam in relation to the 2006 Quadrennial Defense Review, issued on February 6, 2006, pursuant to section 118 of title 10, United States Code.

(2) The anticipated military vessel repair and workload attributable to vessels comprising the Maritime Prepositioning Ship Squadron Three.

(3) The anticipated military vessel repair and workload due to a change in section 7310 of title 10, United States Code, that would designate Guam as a United States homeport facility.

(4) The expected workload if the submarine tender the U.S.S. Frank Cable (AS–40) is decommissioned.

(5) The estimated reacquisition costs of transferred Government property.

(6) Costs to improve floating dry dock mooring certification and required nuclear certification for the floating dry dock designated as AFDB–8 to conduct the following maintenance:

(A) Dry-docking selected restricted availabilities and mid-term availability for attack submarines.

(B) Dry-docking phased maintenance availabilities for amphibious vessels, including to amphibious assault ships, dock landing ships, and amphibious transport dock ships.

(C) Dry-docking phased maintenance availabilities for surface combatants, including cruisers, destroyers, and frigates.

(7) Commercial opportunities for development to expand commercial ship repair and general industrial services, given anti-terrorism force protection requirements at the current facility.

(8) Estimates from three contractors for the maintenance and repair costs associated with executing a multiship, multioption contract that would generate a minimum 60,000 manday commitment for the Department of the Navy and Military Sealift Command vessels.

(9) A projection of the maintenance and repair costs associated with executing a minimum 60,000 mandays for the Department of the Navy and Military Sealift Command vessels as a Government-owned and Government-operated Navy ship repair facility.

(d) INPUT FROM CONTRACTORS.—In evaluating the options under clauses (ii) and (iii) of subsection (b)(2)(C) for the purposes of paragraphs (1), (2), and (3) of subsection (c), the Secretary of the Navy shall seek input from at least three contractors on the viability of operations based on the projected workload fiscal years 2008 through 2013.

(e) RECOMMENDATIONS.—The Secretary of the Navy shall include in the report the following:

(1) The recommendations of the Secretary with respect to continuation of the existing Guam Shipyard lease based on evaluations conducted pursuant to subsection (b)(1).

(2) The option under subsection (b)(2) that the Secretary recommends for fiscal year 2008.

(f) GAO REPORT.—Not later than March 1, 2007, the Comptroller General shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Service of the House of Representatives a report evaluating the report submitted by the Secretary of the Navy under subsection (a). The report shall include the option under subsection (b)(2) that the Secretary recommends for fiscal year 2008.

(g) SUPPORT FOR NATIONAL STRATEGIC OBJECTIVES.—For fiscal year 2007, the Secretary of the Navy, under the authority of section 2304(c)(3) of title 10, United States Code, and section 6.302–3(a)(2)(i) of the Federal Acquisition Regulation, shall award contracts to the Guam Shipyard in amounts equal to the average amount of the mandays contracts awarded to the Guam Shipyard for fiscal years 1998 through 2006 for the purpose of maintaining the industrial base in case of a national emergency or to achieve industrial mobilization.

SEC. 1014. SHIPBUILDING INDUSTRIAL BASE IMPROVEMENT PROGRAM.

(a) PROGRAM FOR UNITED STATES PRIVATE SHIPYARDS.—The Secretary of the Navy shall establish a program, to be known as the Shipbuilding Industrial Base Improvement Program, under which the Secretary—

(1) shall make grants to qualified applicants to facilitate the development of innovative design and production technologies and processes for naval vessel construction and the development of modernized shipbuilding infrastructure; and

(2) shall provide loan guarantees for qualifying shipyards to facilitate the acquisition by such shipyards of technologies, processes, and infrastructure to improve their productivity and cost effectiveness.

(b) PURPOSES OF PROGRAM.—The purposes of the program established under subsection (a) are—

(1) to improve the efficiency and cost-effectiveness of the construction of naval vessels for the United States;

(2) to enhance the quality of naval vessel construction; and

(3) to promote the international competitiveness of United States shipyards for the construction of commercial ships and naval ships intended for sale to foreign governments.

(c) SELECTION OF GRANT RECIPIENTS.—

(1) APPLICATION FOR DEVELOPMENT FUNDING.—An entity requesting a grant under subsection (a)(1) to develop new design or production technologies or processes for naval vessels or to improve shipbuilding infrastructure shall submit to the Secretary of the Navy an application that describes the proposal of the entity and provides evidence of its capability to develop one or more of the following:

(A) Numerically controlled machine tools, robots, automated process control equipment, computerized flexible manufacturing systems, associated computer software, and other technology designed to improve shipbuilding and related industrial productivity.

(B) Novel techniques and processes designed to improve shipbuilding quality, productivity, and practice on a broad and sustained basis, including in such areas as engineering design, quality assurance, concurrent engineering, continuous process production technology, employee skills enhancement, and management of customers and suppliers.

(C) Technology, techniques, and processes appropriate to enhancing the productivity of shipyard infrastructure.

(2) SELECTION .—From applications submitted under paragraph (1), the Secretary of the Navy shall select entities to receive funds under subsection (a)(1) based on their ability to research and develop innovative technologies, processes, and infrastructure to alleviate areas of shipyard construction inefficiencies as determined through the assessment described in subsection (f).

(d) MATCHING REQUIREMENT FOR GRANTS.—

(1) FEDERAL FUNDING.—Except as provided in paragraph (2), Federal funds from a grant under subsection (a)(1) for any purpose shall not exceed 75 percent of the total cost.

(2) EXCEPTIONS.—

(A) SMALL PROJECTS.—Paragraph (1) shall not apply to grants under this section for standalone projects costing not more than $25,000. The amount under this subparagraph shall be indexed to the consumer price index and modified each fiscal year after the annual publication of the consumer price index.

(B) REDUCTION IN MATCHING REQUIREMENT.—If the Secretary of the Navy determines that a proposed project merits support and cannot be undertaken without a higher percentage of Federal financial assistance, the Secretary may award a grant for such project with a lesser matching requirement than is described in paragraph (1).

(e) LOAN GUARANTEES FOR SHIPYARD USE OF DEVELOPED TECHNOLOGIES, PROCESSES, AND INFRASTRUCTURE.—

(1) IN GENERAL.—Upon making a determination that a technology, a process, or an infrastructure improvement (whether developed using a grant under subsection (a)(1), through the National Shipbuilding Research Program, or otherwise) will improve the productivity and cost-effectiveness of naval vessel construction, the Secretary of the Navy may provide a loan guarantee under subsection (a)(2) for a qualifying shipyard to facilitate the purchase by such shipyard of such technology, process, or infrastructure improvement.

(2) PAYMENT OF COST OF LOAN GUARANTEE.—The cost of a guarantee under this subsection shall be paid for with amounts made available in appropriations Acts.

(3) PERCENTAGE LIMITATION; TERM.—A loan guarantee under this subsection may apply—

(A) to up to 87.5 percent of the loan principal; and

(B) for a term of up to 30 years.

(4) AUTHORITIES, PROCEDURES, REQUIREMENTS, AND RESTRICTIONS.—The Secretary of the Navy, subject to the other provisions of this section—

(A) in implementing this section, may exercise authorities that are similar to the authorities available to the Secretary of Transportation under title XI of the Merchant Marine Act, 1936 (46 App. U.S.C. 1271 et seq.), with respect to loan guarantees under that title; and

(B) may establish such additional requirements for loan guarantees under this section as the Secretary determines to be necessary to minimize the cost of such guarantees.

(5) LIMITATION ON TOTAL AMOUNT OF LOAN GUARANTEES.—The total amount of loans for which guarantees are provided under this subsection may not exceed $1,000,000,000.

(6) DEFINITIONS.—In this subsection:

(A) QUALIFYING SHIPYARD.—The term ''qualifying shipyard'', with respect to a loan guarantee under this section, means a shipyard that, over the three years preceding the year in which the loan guarantee is made, derived less than 40 percent of its revenue either directly or indirectly from United States Government contracts.

(B) COST.—The term ''cost'', with respect to a loan guarantee under this section, has the meaning given that term in section 502 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 661a), with cost for that purpose calculated assuming that the borrowing entity receives no revenue directly or indirectly from United States Government contracts.

(7) TERMINATION OF AUTHORITY.—The authority of the Secretary of the Navy to provide loan guarantees under this subsection expires at the close of September 30, 2011.

(f) ASSESSMENTS OF NAVAL VESSEL CONSTRUCTION INEFFICIENCIES.—

(1) PERIODIC ASSESSMENTS REQUIRED.—The Secretary of the Navy shall conduct, in the third quarter of each fiscal year or as often as necessary, an assessment of the following aspects of naval vessel construction to determine where and to what extent inefficiencies exist and to what extent innovative design and production technologies, processes, and infrastructure can be developed to alleviate such inefficiencies:

(A) Program design, engineering, and production engineering.

(B) Organization and operating systems.

(C) Steelwork production.

(D) Ship construction and outfitting.

(2) CONSIDERATION OF PRIOR ASSESSMENTS.—In making the assessments required by paragraph (1), the Secretary shall take into consideration the results of—

(A) the study of the cost effectiveness of the ship construction program of the Navy required by section 1014 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2041); and

(B) the assessment of the United States naval shipbuilding industry required by section 254 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3180).

(g) AVAILABILITY OF FUNDS.—

(1) AUTHORITY SUBJECT TO AVAILABILITY OF APPROPRIATIONS.—The authority of the Secretary of the Navy to make grants and provide loan guarantees under this section for any fiscal year is subject to the availability of appropriations for that purpose.

(2) FISCAL YEAR 2007.—Of the amount authorized to be appropriated pursuant to section 201(2) for research, development, test, and evaluation for the Navy for fiscal year 2007—

(A) $50,000,000 shall be available to the Secretary of the Navy only to make grants under this section; and

(B) $50,000,000 shall be available only for the cost (as defined in subsection (e)(6)(B)) of loan guarantees under this section.

(h) IDENTIFICATION IN BUDGET OF ANNUAL AMOUNT FOR SUPPORT OF NSRP ACTIVITIES.—Amounts in the budget of the President for any fiscal year for research, development, test, and evaluation for the Navy that are intended to be made available for the National Shipbuilding Research Program shall be separately identified and set forth in budget justification materials submitted to Congress for that fiscal year in support of that budget.

(i) DEFINITION OF SHIPYARD.—In this section, the term ''shipyard'' means a private shipyard

located in the United States the business of which includes the construction, repair, and maintenance of United States naval vessels.

SEC. 1015. TRANSFER OF OPERATIONAL CONTROL OF CERTAIN PATROL COASTAL SHIPS TO COAST GUARD.

Not later than September 30, 2008, the Secretary of the Navy shall enter into an agreement with the Commandant of the Coast Guard for the transfer by the Secretary of the Navy to the Coast Guard of operational control of not less than five 179-foot Cyclone-class patrol coastal ships for a period extending at least through September 30, 2012.

SEC. 1016. LIMITATION ON LEASING OF FOREIGN-BUILT VESSELS.

(a) IN GENERAL.—(1) Chapter 141 of title 10, United States Code, is amended by inserting after section 2401a the following new section:

''§ 2401b. Limitation on lease of foreign-built vessels

''(a) LIMITATION.—The Secretary of a military department may not make a contract for a lease or charter of a vessel for a term of more than 24 months (including all options to renew or extend the contract) if the hull, or a component of the hull and superstructure of the vessel, is constructed in a foreign shipyard.

''(b) PRESIDENTIAL WAIVER FOR NATIONAL SECURITY INTEREST.—(1) The President may authorize exceptions to the limitation in subsection (a) when the President determines that it is in the national security interest of the United States to do so.

''(2) The President shall transmit notice to Congress of any such determination, and no contract may be made pursuant to the exception authorized until the end of the 30-day period beginning on the date on which the notice of the determination is received by Congress.''.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2401a the following new item:

''2401b. Limitation on lease of foreign-built vessels.''.

(b) EFFECTIVE DATE.—Section 2401b of title 10, United States Code, as added by subsection (a), shall apply with respect to contracts entered into after the date of the enactment of this Act.

SEC. 1017. OVERHAUL, REPAIR, AND MAINTENANCE OF VESSELS CARRYING DEPARTMENT OF DEFENSE CARGO.

The Secretary of Defense may not award any contract for the carriage by vessel of cargo for the Department of Defense, unless the contract includes a requirement under which the contractor shall—

(1) ensure that all overhaul, repair, and maintenance performed on the vessel during the period of the contract is performed in a shipyard located in the United States; or

(2) report to the Secretary every fiscal year quarter all overhaul, repair, and maintenance performed on the vessel in a shipyard located outside the United States during the period covered by the report.

SEC. 1018. RIDING GANG MEMBER DOCUMENTATION REQUIREMENT.

(a) REQUIREMENT.—The Secretary of Defense may not award any charter of a vessel for the Department of Defense, or contract for the carriage of cargo by vessel for the Department of Defense, unless the charter or contract, respectively, requires that each riding gang member that performs any work on the vessel during the effective period of the charter or contract holds a merchant mariner's document issued under chapter 73 of title 46, United States Code.

(b) RIDING GANG MEMBER DEFINED.—In this section the term ''riding gang member'' means an individual who—

(1) does not perform—

(A) watchstanding, automated engine room duty watch, or personnel safety functions; or

(B) cargo handling functions, including any activity relating to the loading or unloading of cargo, the operation of cargo-related equipment (whether or not integral to the vessel), and the handling of mooring lines on the dock when the vessel is made fast or let go;

(2) does not serve as part of the crew complement required under section 8101 of title 46, United States Code;

(3) is not a member of the steward's department; and

(4) is not a citizen or temporary or permanent resident of a country designated by the United States as a sponsor of terrorism or any other country that the Secretary of Defense, in consultation with the Secretary of State and the heads of other appropriate United States agencies, determines to be a security threat to the United States.

(c) LIMITATIONS ON APPLICATION.—

(1) VESSEL OPERATING UNDER EXISTING CHARTER OR CONTRACT.—This section does not apply with respect to a vessel operating under a charter or contract in effect on the date of the enactment of this section, unless such charter or contract is renewed after such date of enactment.

(2) EXEMPTIONS BY SECRETARY OF DEFENSE.—

(A) IN GENERAL.—The Secretary of Defense may issue regulations that exempt a riding gang member from subsection (a) for the performance of specific technical work on original equipment of a vessel.

(B) BACKGROUND CHECK.—Such regulations shall include a requirement that a riding gang member must pass a background check before performing work under such an exemption.

Subtitle C—Counter-Drug Activities

SEC. 1021. RESTATEMENT IN TITLE 10, UNITED STATES CODE, AND REVISION OF DEPARTMENT OF DEFENSE AUTHORITY TO PROVIDE SUPPORT FOR COUNTER-DRUG ACTIVITIES OF FEDERAL, STATE, LOCAL, AND FOREIGN LAW ENFORCEMENT AGENCIES.

(a) RESTATEMENT AND REVISION OF AUTHORITY.—Chapter 18 of title 10, United States Code, is amended by adding at the end a new section 383 consisting of—

(1) a heading as follows:

''§ 383. Support for counter-drug activities: Federal, State, local, and foreign law enforcement agencies''; *and*

(2) a text consisting of the text of section 1004 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 374 note), revised as follows:

(A) In subsection (a), by replacing ''During fiscal years 2002 through 2006, the'' with ''The''.

(B) In subsection (e), by replacing ''section 376 of title 10, United States Code,'' with ''section 376 of this title,''.

(C) In subsection (f), by deleting the parenthetical phrase beginning ''(including training'' and ending ''1564))''.

(D) In subsection (g)—

(i) in paragraph (1), by replacing ''chapter 18, United States Code'' with ''this chapter''; and

(ii) in paragraph (2), by replacing ''title 10, United States Code'' with ''this title''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''383. Support for counter-drug activities: Federal, State, local, and foreign law enforcement agencies.''.

(c) REPEAL OF FISCAL YEAR 1991 AUTHORITY.—Section 1004 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 374 note) is repealed.

SEC. 1022. RESTATEMENT IN TITLE 10, UNITED STATES CODE, AND REVISION OF DEPARTMENT OF DEFENSE AUTHORITY TO PROVIDE SUPPORT FOR COUNTER-DRUG ACTIVITIES OF CERTAIN FOREIGN GOVERNMENTS.

(a) RESTATEMENT AND REVISION OF AUTHORITY.—Chapter 18 of title 10, United States Code, is amended by inserting after section 383, as added by section 1021, a new section 384 consisting of—

(1) a heading as follows:

''§ 384. Support for counter-drug activities: foreign governments''; *and*

(2) a text consisting of the text of section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881), revised as follows:

(A) In subsection (a)(2)—

(i) by deleting the first sentence; and

(ii) by replacing ''the governments'' with ''those governments''.

(B) In subsection (b), by adding at the end the following new paragraphs:

''(10) The Government of Azerbaijan.

''(11) The Government of Kazakhstan.

''(12) The Government of Kyrgyzstan.

''(13) The Government of Guatemala.

''(14) The Government of Belize.

''(15) The Government of Panama.''.

(C) In subsection (c), by replacing paragraphs (1), (2), and (3) with the following new paragraphs:

''(1) The transfer of nonlethal protective and utility personnel equipment.

''(2) The transfer of the following nonlethal specialized equipment:

''(A) Navigation equipment.

''(B) Secure and nonsecure communications equipment.

''(C) Photo equipment.

''(D) Radar equipment.

''(E) Night vision systems.

''(3) The transfer of nonlethal components, accessories, attachments, parts (including ground support equipment), firmware, and software and repair equipment related to the equipment specified in paragraph (2).

''(4) The transfer of patrol boats, vehicles, and aircraft and detection, interception, monitoring and testing equipment.

''(5) The maintenance and repair or upgrade of equipment of the government that is used for counter-drug activities.

''(6) For fiscal years 2007 and 2008, for the Government of Afghanistan only, individual and crew-served weapons of 50 caliber or less and ammunition for such weapons for counter-narcotics security forces.''.

(D) In subsection (d), by replacing ''the provisions of section 1004 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 374 note)'' with ''section 383 of this title''.

(E) By replacing subsection (e) with the following new subsection (e):

''(e) LIMITATION ON OBLIGATIONS.—Amounts made available to carry out this section shall remain available until expended, except that the total amount obligated and expended under this section may not exceed $40,000,000 during fiscal year 2006 or $60,000,000 during fiscal year 2007 or fiscal year 2008.''.

(F) In subsection (f), by replacing paragraphs (3) and (4) with the following new paragraph:

''(3) For purposes of this subsection and subsection (h), the term 'congressional committees' means the following:

''(A) The Committee on Armed Services, the Committee on Appropriations, and the Committee on Foreign Relations of the Senate.

''(B) The Committee on Armed Services, the Committee on Appropriations, and the Committee on International Relations of the House of Representatives.''.

(G) In subsection (g)(1), by replacing ''United States Armed Forces'' with ''armed forces''.

(H) In subsection (h)—

(i) in the first sentence, by replacing ''prepare for fiscal year 2004 (and revise as necessary for subsequent fiscal years) a counter-drug plan'' with ''submit to the congressional committees not later than December 31 of each fiscal year a counter-drug plan for the next fiscal year''; and

(ii) by adding at the end the following new paragraph:.

''(10) A copy of the certification required by subsection (f)(1) with respect to the government.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 383, as added by section 1021, the following new item:

''384. Support for counter-drug activities: foreign governments.''.

(c) REPEAL OF FISCAL YEAR 1998 AUTHORITY.—Section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881) is repealed.

SEC. 1023. EXTENSION OF AUTHORITY TO SUPPORT UNIFIED COUNTERDRUG AND COUNTERTERRORISM CAMPAIGN IN COLOMBIA.

Section 1021 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2042) is amended—

(1) in subsection (a)(1), by striking ''and 2006'' and inserting ''through 2008''; and

(2) in subsection (c), by striking ''and 2006'' and inserting ''through 2008''.

SEC. 1024. CONTINUATION OF REPORTING REQUIREMENT REGARDING DEPARTMENT OF DEFENSE EXPENDITURES TO SUPPORT FOREIGN COUNTER-DRUG ACTIVITIES.

(a) ADDITIONAL REPORT REQUIRED.—Section 1022 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–255), as amended by section 1022 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1215) and section 1021 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3426), is further amended by inserting ''and February 15, 2007,'' after ''April 15, 2006,''.

(b) FORM OF REPORT AND ADDITIONAL INFORMATION REQUIRED.—Such section is further amended—

(1) in the first sentence, by inserting '', in both classified and unclassified form,'' after ''report''; and

(2) in paragraph (2), by inserting before the period at the end the following: ''and the amount of funds provided for each type of counter-drug activity assisted''.

SEC. 1025. REPORT ON INTERAGENCY COUNTER-NARCOTICS PLAN FOR AFGHANISTAN AND SOUTH AND CENTRAL ASIAN REGIONS.

(a) REPORT REQUIRED.—Not later than December 31, 2006, the Secretary of Defense shall submit to the congressional defense committees a report updating the interagency counter-narcotics implementation plan for Afghanistan and the South and Central Asian regions, including Turkmenistan, Uzbekistan, Tajikistan, Kyrgyzstan, Kazakhstan, Iran, Azerbaijan, Pakistan, India, and China, originally prepared pursuant to section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 111 Stat. 1881).

(b) CONSULTATION.—The report under this section shall be prepared in consultation with the Secretary of State, the Administrator of the Agency for International Development, and the Director of the Drug Enforcement Administration.

(c) MATTERS TO BE INCLUDED.—The report shall include the following for each foreign government covered by the report:

(1) A consideration of what activities should be reallocated among the United States and the foreign government based on the capabilities of each department and agency involved.

(2) Any measures necessary to clarify the legal authority required to complete the mission and the measures necessary for the United States to successfully complete its counter-narcotics efforts in Afghanistan and the South and Central Asian regions.

(3) Current and proposed United States funding to support counter-narcotics activities of the foreign government.

Subtitle D—Other Matters

SEC. 1031. REVISION TO AUTHORITIES RELATING TO COMMISSION ON THE IMPLEMENTATION OF THE NEW STRATEGIC POSTURE OF THE UNITED STATES.

Section 1051 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3431) is amended—

(1) in subsections (b)(1)(E) and (b)(2)(B), by striking ''though 2008'' and inserting ''through 2025'';

(2) in subsection (c)(1), by striking ''Not later than June 30, 2007'' and inserting ''Not later than 18 months after the date of the Commission's first meeting''; and

(3) in subsection (f), by striking ''July 30, 2007'' and inserting ''60 days after the date of the submission of its report''.

SEC. 1032. ENHANCEMENT TO AUTHORITY TO PAY REWARDS FOR ASSISTANCE IN COMBATING TERRORISM.

(a) INCREASE IN DELEGATION LIMITATION.—Paragraph (2) of section 127b(c) of title 10, United States Code, is amended by striking ''$2,500'' and inserting ''$10,000''.

(b) EXPANSION OF SENIOR OFFICERS TO WHOM COMBATANT COMMANDER AUTHORITY MAY BE DELEGATED.—Such paragraph is further amended—

(1) by inserting after ''deputy commander'' the following: '', or to the commander of a command directly subordinate to that commander,''; and

(2) by adding at the end the following new sentence: ''Such a delegation may be made to the commander of a command directly subordinate to the commander of a combatant command only with the approval of the Secretary of Defense, the Deputy Secretary of Defense, or an Under Secretary of Defense designated by the Secretary.''.

SEC. 1033. REPORT ON ASSESSMENT PROCESS OF CHAIRMAN OF THE JOINT CHIEFS OF STAFF RELATING TO GLOBAL WAR ON TERRORISM.

Not later than March 1, 2007, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the findings of the semiannual assessment process relating to the Global War on Terrorism that is described in the annex to the National Military Strategic Plan for the War on Terrorism, issued by the Secretary of Defense on February 1, 2006, that is designated as the Implementation and Assessment Annex (Annex R).

SEC. 1034. PRESIDENTIAL REPORT ON IMPROVING INTERAGENCY SUPPORT FOR UNITED STATES 21ST CENTURY NATIONAL SECURITY MISSIONS.

(a) REPORT REQUIRED.—Not later than February 1, 2007, the President shall submit to Congress a report on building interagency capacity and enhancing the integration of civilian capabilities of the executive branch with the capabilities of the Armed Forces as required to achieve United States national security goals and objectives. To the maximum extent practicable, the report shall be unclassified, with a classified annex if necessary.

(b) REPORT ELEMENTS.—The report under subsection (a) shall include the following:

(1) An assessment of the capabilities required within the executive branch (other than the Armed Forces) to achieve the full spectrum of United States national security goals and objectives, to defend United States national security interests, and, in particular, to coordinate with the efforts of elements of the Armed Forces where deployed, including at least in the following areas:

(A) Organizations and organizational structure.

(B) Planning and assessment capabilities.

(C) Information sharing policies, practices, and systems.

(D) Leadership issues, including command and control of forces and personnel in the field.

(E) Personnel policies and systems, including recruiting, retention, training, education, promotion, awards, employment, deployment, and retirement.

(F) Acquisition authorities.

(2) The criteria and considerations used to evaluate progress in each of the areas specified in paragraph (1) towards building and integrating the interagency capacities required to achieve United States national security goals and objectives.

(3) Recommendations for specific legislative proposals that would improve interagency capacity and enhance the integration of civilian capabilities with the capabilities of deployed elements of the Armed Forces for each of the areas specified in paragraph (1).

SEC. 1035. QUARTERLY REPORTS ON IMPLEMENTATION OF 2006 QUADRENNIAL DEFENSE REVIEW REPORT.

(a) REPORTS REQUIRED.—Not later than 30 days after the end of each fiscal-year quarter, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the implementation of recommendations described in the Department of Defense 2006 Quadrennial Defense Review Report.

(b) CONTENTS OF REPORTS.—Each quarterly report under subsection (a) shall, at a minimum—

(1) describe the processes and procedures established by the Secretary of Defense to examine the various recommendations referred to in subsection (a);

(2) discuss implementation plans and strategies for each area highlighted by the Quadrennial Defense Review Report;

(3) provide relevant information about the status of such implementation; and

(4) indicate changes in the Secretary's assessment of the defense strategies or capabilities required since the publication of the 2006 Quadrennial Defense Review Report.

(c) INITIAL REPORT.—The first report under subsection (a) shall be submitted not later than January 31, 2007.

(d) EXPIRATION OF REQUIREMENT.—The reporting requirement in subsection (a) shall terminate upon the earlier of the following:

(1) The date of the publication of the next Quadrennial Defense Review Report after the date of the enactment of this Act pursuant to section 118 of title 10, United States Code.

(2) The date of transmission of a written notification by the Secretary of Defense to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives that implementation of the recommendations of the 2006 Quadrennial Defense Review is complete.

SEC. 1036. INCREASED HUNTING AND FISHING OPPORTUNITIES FOR MEMBERS OF THE ARMED FORCES, RETIRED MEMBERS, AND DISABLED VETERANS.

(a) ACCESS FOR MEMBERS, RETIRED MEMBERS, AND DISABLED VETERANS.—Consistent with section 2671 of title 10, United States Code, and using such funds as are made available for this purpose, the Secretary of Defense shall ensure that members of the Armed Forces, retired members, disabled veterans, and persons assisting disabled veterans are able to utilize lands under the jurisdiction of the Department of Defense that are available for hunting or fishing.

(b) ASSESSMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report containing the results of an assessment of those lands under the jurisdiction of the Department of Defense and suitable for hunting or fishing and describing the actions necessary—

(1) to further increase the acreage made available to members of the Armed Forces, retired members, disabled veterans, and persons assisting disabled veterans for hunting and fishing; and

(2) to make that acreage more accessible to disabled veterans.

(c) RECREATIONAL ACTIVITIES ON SANTA ROSA ISLAND.—The Secretary of the Interior shall immediately cease the plan, approved in the settlement agreement for case number 96–7412 WJR and case number 97–4098 WJR, to exterminate the deer and elk on Santa Rosa Island, Channel Islands, California, by helicopter and shall not exterminate or nearly exterminate the deer and elk.

SEC. 1037. TECHNICAL AND CLERICAL AMENDMENTS.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) Section 1406(i)(3)(B)(vi) is amended by striking ''Advisor for'' and inserting ''Advisor to''.

(2) Section 2105 is amended by striking by adding a period at the end of the last sentence.

(3) Section 2703(h) is amended by striking ''subsection'' in the first sentence and inserting ''section''.

(b) TITLE 37, UNITED STATES CODE.—Title 37, United States Code, is amended as follows:

(1) Section 210(c)(6) is amended by striking ''Advisor for'' and inserting ''Advisor to''.

(2) Section 308g(h) is amended by striking the second period at the end.

(3) Section 308j is amended by striking subsection (g) and inserting the following new subsection:

''(g) REPAYMENT.—A person who enters into an agreement under this section and receives all or part of the bonus under the agreement, but who does not accept a commission or an appointment as an officer or does not commence to participate or does not satisfactorily participate in the Selected Reserve for the total period of service specified in the agreement, shall be subject to the repayment provisions of section 303a(e) of this title.''.

(4) Section 414(c) is amended by striking '', or the Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff'' before the period at the end.

(c) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006.—Effective as of January 6, 2006, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163) is amended as follows:

(1) Section 608(b) (119 Stat. 3289) is amended—

(A) in paragraph (1), by striking ''the first sentence'' and inserting ''the second sentence''; and

(B) in paragraph (2), by striking ''the second sentence'' and inserting ''the third sentence''.

(2) Section 683 (119 Stat. 3322) is amended—

(A) in subsection (a)(3), by striking ''section 4873'' and inserting ''section 4837'';

(B) in subsetion (c)(3), by striking ''section 9873'' and inserting ''section 9837''.

(C) in subsection (b)(2)—

(i) by striking ''by striking the penultimate word.'' and inserting ''to read as follows:''; and

(ii) by adding at the end the following:

''6161. Settlement of accounts: remission or cancellation of indebtedness of members.''.

(3) Section 685(a) (119 Stat. 3325) is amended by striking ''Advisor for'' both places it appears and inserting ''Advisor to''.

(4) Section 687(a)(2) (119 Stat. 3327) is amended by striking ''subsection (a)'' and inserting ''subsection (e)''.

(5) Section 687(b)(15) (119 Stat. 3330) is amended—

(A) by striking ''Subsection (d)'' and inserting ''Subsection (e)''; and

(B) in the matter inserted by that section, by striking ''(d) REPAYMENT.—'' and inserting ''(e) REPAYMENT.—''.

SEC. 1038. DATABASE OF EMERGENCY RESPONSE CAPABILITIES.

The Secretary of Defense shall ensure that a database of emergency response capabilities is maintained by the Department of Defense that includes the following:

(1) The types of capabilities that each State's National Guard will likely provide in response to domestic natural and manmade disasters, both to their home States and under State-to-State mutual assistance agreements.

(2) The types of capabilities that the Department of Defense will likely provide in order to fulfill Department of Defense responsibilities to provide support under the National Response Plan's 15 Emergency Support Functions, as well as identification of the units that provide those capabilities.

SEC. 1039. INFORMATION ON CERTAIN CRIMINAL INVESTIGATIONS AND PROSECUTIONS.

(a) ANNUAL REPORT.—Subsection (c) of section 1093 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2070) is amended—

(1) in paragraph (1)—

(A) by inserting '', or any prosecution on account of,'' after ''Notice of any investigation into''; and

(B) by inserting before the period at the end the following: '', and, as to any such criminal investigation or prosecution described in this paragraph, a detailed and comprehensive description of such investigation or prosecution and any resulting judicial or nonjudicial punishment or other disciplinary action''; and

(2) by adding at the end the following new paragraph:

''(3) Information about any officer nominated for command, or nominated for promotion or appointment to a position requiring the advice and consent of the Senate, who has been subject to any investigation into, or prosecution of, a violation of international obligations or laws of the United States regarding the treatment of individuals detained by the United States Armed Forces or by a person providing services to the Department of Defense on a contractual basis, if the inclusion of such information in the report will not compromise any ongoing criminal or administrative investigation or prosecution, and including the following:

''(A) A description of any allegation of detainee death, torture or abuse.

''(B) The status of any investigation or prosecution.

''(C) Any judicial or nonjudicial punishment or other disciplinary action.''.

(b) NOMINATION INFORMATION.—Such section is further amended by adding at the end the following new subsection:

''(f) NOMINATIONS.—Information described in paragraph (3) of subsection (c), in addition to being included in the annual report under that subsection, shall be submitted to the Committee of Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on a regular, timely basis in advance of any nomination described in that paragraph.''.

SEC. 1040. DATE FOR FINAL REPORT OF EMP COMMISSION.

(a) REVISED DEADLINE FOR SUBMISSION OF FINAL REPORT.—The final report of the EMP Commission shall be submitted to Congress not later than the end of the 18-month period beginning on the date of the commission's first meeting after being reestablished pursuant to section 1052 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3434) (rather than the date prescribed in section 1403(a) of the Commisssion Charter).

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

(1) EMP COMMISSION.—The term ''EMP Commission'' means the Commission to Assess the Threat to the United States from Electromagnetic Pulse (EMP) Attack Commission, established pursuant to title XIV of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A-345 et seq.) and reestablished pursuant to section 1052 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3434).

(2) COMMISSION CHARTER.—The term ''Commission charter'' means title XIV of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A-345 et seq.), as amended by section 1052 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3434).

TITLE XI—CIVILIAN PERSONNEL MATTERS

Sec. 1101. Increase in authorized number of defense intelligence senior executive service employees.

Sec. 1102. Authority for Department of Defense to pay full replacement value for personal property claims of civilians.

Sec. 1103. Accrual of annual leave for members of the uniformed services performing dual employment.

Sec. 1104. Death gratuity authorized for Federal employees.

SEC. 1101. INCREASE IN AUTHORIZED NUMBER OF DEFENSE INTELLIGENCE SENIOR EXECUTIVE SERVICE EMPLOYEES.

Section 1606(a) of title 10, United States Code, is amended by striking ''594'' and inserting ''644''.

SEC. 1102. AUTHORITY FOR DEPARTMENT OF DEFENSE TO PAY FULL REPLACEMENT VALUE FOR PERSONAL PROPERTY CLAIMS OF CIVILIANS.

Section 2636a(a) of title 10, United States Code, is amended by striking ''of baggage and household effects for members of the armed forces at Government expense'' and inserting ''at Government expense of baggage and household effects for members of the armed forces or civilian employees of the Department of Defense (or both)''.

SEC. 1103. ACCRUAL OF ANNUAL LEAVE FOR MEMBERS OF THE UNIFORMED SERVICES PERFORMING DUAL EMPLOYMENT.

Section 5534a of title 5, United States Code, is amended by adding at the end the following new sentence: ''Such a member also is entitled to accrue annual leave with pay in the manner specified in section 6303(a) of this title for a retired member of a uniformed service.''.

SEC. 1104. DEATH GRATUITY AUTHORIZED FOR FEDERAL EMPLOYEES.

(a) DEATH GRATUITY AUTHORIZED.—Chapter 81 of title 5, United States Code, is amended by inserting after section 8102 the following new section:

''§ 8102a. Death gratuity

''(a) DEATH GRATUITY AUTHORIZED.—The United States shall pay a death gratuity of $100,000 to or for the survivor prescribed by subsection (d) immediately upon receiving official notification of the death of an employee who dies of injuries incurred in connection with the employee's service with an Armed Force in a contingency operation, or who dies of injuries incurred in connection with a terrorist incident occurring during the employee's service with an Armed Force.

''(b) RETROACTIVE PAYMENT IN CERTAIN CASES.—With respect to an employee who dies on or after October 7, 2001, as a result of wounds, injuries, or illnesses incurred in the performance of duty in the theater of operations of Operation Enduring Freedom or Operation Iraqi Freedom, subsection (a) also shall apply.

''(c) OTHER BENEFITS.—The death gratuity payable under this section is in addition to any death benefits otherwise provided for in law.

''(d) ELIGIBLE SURVIVORS.—

''(1) A death gratuity payable upon the death of a person covered by subsection (a) shall be paid to or for the living survivor highest on the following list:

''(A) The employee's surviving spouse.

''(B) The employee's children, as prescribed by paragraph (2), in equal shares.

''(C) If designated by the employee, any one or more of the following persons:

''(i) The employee's parents or persons in loco parentis, as prescribed by paragraph (3).

''(ii) The employee's brothers.

''(iii) The employee's sisters.

''(D) The employee's parents or persons in loco parentis, as prescribed by paragraph (3), in equal shares.

''(E) The employee's brothers and sisters in equal shares.

Subparagraphs (C) and (E) of this paragraph include brothers and sisters of the half blood and those through adoption.

''(2) Paragraph (1)(B) applies, without regard to age or marital status, to—

''(A) legitimate children;

''(B) adopted children;

''(C) stepchildren who were a part of the decedent's household at the time of death;

''(D) illegitimate children of a female decedent; and

''(E) illegitimate children of a male decedent—

''(i) who have been acknowledged in writing signed by the decedent;

''(ii) who have been judicially determined, before the decedent's death, to be his children;

''(iii) who have been otherwise proved, by evidence satisfactory to the employing agency, to be children of the decedent; or

''(iv) to whose support the decedent had been judicially ordered to contribute.

''(3) Subparagraphs (C) and (D) of paragraph (1), so far as they apply to parents and persons in loco parentis, include fathers and mothers through adoption, and persons who stood in loco parentis to the decedent for a period of not less than one year at any time before the decedent became an employee. However, only one father and one mother, or their counterparts in loco parentis, may be recognized in any case, and preference shall be given to those who exercised a parental relationship on the date, or most nearly before the date, on which the decedent became an employee.

''(4) If an eligible survivor dies before he receives the death gratuity, it shall be paid to the living survivor next in the order prescribed by paragraph (1).

''(e) DEFINITIONS.—The term 'contingency operation' has the meaning given to that term in section 1482a(c) of title 10, United States Code.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 81 of such title is amended by inserting after the item relating to section 8102 the following new item:

''8102a. Death gratuity.''.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

Sec. 1201. Logistic support for allied forces participating in combined operations.

Sec. 1202. Temporary authority to use acquisition and cross-servicing agreements to lend certain military equipment to foreign forces in Iraq and Afghanistan for personnel protection and survivability.

Sec. 1203. Recodification and revision to law relating to Department of Defense humanitarian demining assistance.

Sec. 1204. Enhancements to Regional Defense Combating Terrorism Fellowship Program.

Sec. 1205. Capstone overseas field studies trips to People's Republic of China and Republic of China on Taiwan.

Sec. 1206. Military educational exchanges between senior officers and officials of the United States and Taiwan.

Subtitle B—Nonproliferation Matters and Countries of Concern

Sec. 1211. Procurement restrictions against foreign persons that transfer certain defense articles and services to the People's Republic of China.

Subtitle C—Other Matters

Sec. 1221. Execution of the President's policy to make available to Taiwan diesel electric submarines.

Subtitle A—Assistance and Training

SEC. 1201. LOGISTIC SUPPORT FOR ALLIED FORCES PARTICIPATING IN COMBINED OPERATIONS.

(a) AUTHORITY.—Chapter 3 of title 10, United States Code, is amended by inserting after section 127b the following new section:

''§ 127c. Allied forces participating in combined operations: authority to provide logistic support, supplies, and services

''(a) AUTHORITY.—Subject to subsections (b) and (c), the Secretary of Defense may provide logistic support, supplies, and services to allied forces participating in a combined operation with the armed forces. Provision of such support, supplies, and services to the forces of an allied nation may be made only with the concurrence of the Secretary of State.

''(b) LIMITATIONS.—The authority provided by subsection (a) may be used only—

''(1) in accordance with the Arms Export Control Act and other export control laws of the United States; and

''(2) for a combined operation—

''(A) that is carried out during active hostilities or as part of a contingency operation or a noncombat operation (including an operation in support of the provision of humanitarian or foreign disaster assistance, a country stabilization operation, or a peacekeeping operation under chapter VI or VII of the Charter of the United Nations); and

''(B) in a case in which the Secretary of Defense determines that the allied forces to be provided logistic support, supplies, and services (i) are essential to the success of the combined operation, and (ii) would not be able to participate in the combined operation but for the provision of such logistic support, supplies, and services by the Secretary.

''(c) LIMITATION ON VALUE.—The value of logistic support, supplies, and services provided under this section in any fiscal year may not exceed $100,000,000.

''(d) DEFINITION.—In this section, the term 'logistic support, supplies, and services' has the meaning given that term in section 2350(1) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 127b the following new item:

''127c. Allied forces participating in combined operations: authority to provide logistic support, supplies, and services.''.

SEC. 1202. TEMPORARY AUTHORITY TO USE ACQUISITION AND CROSS-SERVICING AGREEMENTS TO LEND CERTAIN MILITARY EQUIPMENT TO FOREIGN FORCES IN IRAQ AND AFGHANISTAN FOR PERSONNEL PROTECTION AND SURVIVABILITY.

(a) AUTHORITY.—

(1) IN GENERAL.—Subject to paragraphs (2), (3), and (4), the Secretary of Defense may treat covered military equipment as logistic support, supplies, and services under subchapter I of chapter 138 of title 10, United States Code, for the purpose of providing for the use of such equipment by military forces of a nation participating in combined operations with the United States in Iraq or Afghanistan.

(2) REQUIRED DETERMINATIONS.—Equipment may be provided to the military forces of a nation under the authority of this section only upon—

(A) a determination by the Secretary of Defense that the United States forces in the combined operation have no unfilled requirements for that equipment; and

(B) a determination by the Secretary of Defense, with the concurrence of the Secretary of State, that it is in the national security interest of the United States to provide for the use of such equipment by the military forces of that nation under this section.

(3) LIMITATION ON USE OF EQUIPMENT.—Equipment provided to the military forces of a nation under the authority of this section may be used by those forces only in Iraq or Afghanistan and only for personnel protection or to aid in the personnel survivability of those forces.

(4) LIMITATION ON DURATION OF PROVISION OF EQUIPMENT.—Equipment provided to the military forces of a nation under the authority of this section may be used by the military forces of that nation for not longer than one year.

(b) SEMIANNUAL REPORTS TO CONGRESSIONAL COMMITTEES.—

(1) USE OF AUTHORITY DURING FIRST SIX MONTHS OF FISCAL YEAR.—If the authority provided in subsection (a) is exercised during the first six months of a fiscal year, the Secretary of Defense shall submit to the specified congressional committees a report on that exercise of such authority not later than the following April 30.

(2) USE OF AUTHORITY DURING SECOND SIX MONTHS OF FISCAL YEAR.—If the authority provided in subsection (a) is exercised during the second six months of a fiscal year, the Secretary of Defense shall submit to the specified congressional committees a report on that exercise of such authority not later than the following October 30.

(3) CONTENT.—Each report under paragraph (1) or (2) shall include, with respect to each exercise of the authority provided in subsection (a) during the period covered by the report, the following:

(A) A description of the basis for the determination of the Secretary of Defense that it is in the national security interests of the United States to provide for the use of covered military equipment in the manner authorized in subsection (a).

(B) Identification of each foreign force that receives such equipment.

(C) A description of the type, quantity, and value of the equipment provided to each foreign force that receives such equipment.

(D) A description of the terms and duration of the provision of the equipment to each foreign force that receives such equipment.

(4) COORDINATION.—Each report under paragraph (1) or (2) shall be prepared in coordination with the Secretary of State.

(c) LIMITATIONS ON PROVISION OF MILITARY EQUIPMENT.—The provision of military equipment under this section is subject to the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.) and of any other export control process under laws relating to the transfer of military equipment and technology to foreign nations.

(d) DEFINITIONS.—In this section:

(1) The term ''covered military equipment'' means items designated as significant military equipment in categories I, II, III, and VII of the United States Munitions List under section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)).

(2) The term ''specified congressional committees'' means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on International Relations of the House of Representatives.

(e) EXPIRATION.—The authority to provide military equipment to the military forces of a foreign nation under this section expires on September 30, 2008.

SEC. 1203. RECODIFICATION AND REVISION TO LAW RELATING TO DEPARTMENT OF DEFENSE HUMANITARIAN DEMINING ASSISTANCE.

(a) REPEAL.—Section 401 of title 10, United States Code, is amended—

(1) in subsection (a), by striking paragraph (4);

(2) in subsection (b)—

(A) by striking ''(1)'' after ''(b)''; and

(B) by striking paragraph (2);

(3) in subsection (c), by striking paragraphs (2) and (3); and

(4) in subsection (e), by striking paragraph (5).

(b) RECODIFICATION AND REVISION.—

(1) IN GENERAL.—Chapter 20 of such title is amended by adding at the end the following new section:

''§ 407. Humanitarian demining assistance: authority; limitations

''(a) AUTHORITY.—(1) Under regulations prescribed by the Secretary of Defense, the Secretary of a military department may carry out humanitarian demining assistance in conjunction with authorized military operations of the armed forces in a country if the Secretary concerned determines that the assistance will promote either—

''(A) the security interests of both the United States and the country in which the activities are to be carried out; or

''(B) the specific operational readiness skills of the members of the armed forces who participate in the activities.

''(2) Humanitarian demining assistance under this section shall complement, and may not duplicate, any other form of social or economic assistance which may be provided to the country concerned by any other department or agency of the United States.

''(3) The Secretary of Defense shall ensure that no member of the armed forces, while providing humanitarian demining assistance under this section—

''(A) engages in the physical detection, lifting, or destroying of landmines or other explosive remnants of war (unless the member does so for the concurrent purpose of supporting a United States military operation); or

''(B) provides such assistance as part of a military operation that does not involve the armed forces.

''(b) LIMITATIONS.—(1) Humanitarian demining assistance may not be provided under this section unless the Secretary of State specifically approves the provision of such assistance.

''(2) Any authority provided under any other provision of law to provide humanitarian demining assistance to a foreign country shall be carried out in accordance with, and subject to, the limitations prescribed in this section.

''(c) EXPENSES.—(1) Expenses incurred as a direct result of providing humanitarian demining assistance under this section to a foreign country shall be paid for out of funds specifically appropriated for the purpose of the provision by the Department of Defense of overseas humanitarian assistance.

''(2) Expenses covered by paragraph (1) include the following:

''(A) Travel, transportation, and subsistence expenses of Department of Defense personnel providing such assistance.

''(B) The cost of any equipment, services, or supplies acquired for the purpose of carrying out or supporting humanitarian demining activities, including any nonlethal, individual, or small-team equipment or supplies for clearing landmines or other explosive remnants of war that are to be transferred or otherwise furnished to a foreign country in furtherance of the provision of assistance under this section.

''(3) The cost of equipment, services, and supplies provided in any fiscal year under this section may not exceed $10,000,000.

''(d) ANNUAL REPORT.—The Secretary of Defense shall include in the annual report under section 401 of this title a separate discussion of activities carried out under this section during the preceding fiscal year, including—

''(1) a list of the countries in which humanitarian demining assistance was carried out during the preceding fiscal year; and

''(2) the amount expended in carrying out such assistance in each such country during the preceding fiscal year.

''(e) HUMANITARIAN DEMINING ASSISTANCE DEFINED.—In this section, the term 'humanitarian demining assistance' means detection and clearance of landmines and other explosive remnants of war, including activities related to the furnishing of education, training, and technical assistance with respect to the detection and clearance of landmines and other explosive remnants of war.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''407. Humanitarian demining assistance: authority; limitations.''.

SEC. 1204. ENHANCEMENTS TO REGIONAL DEFENSE COMBATING TERRORISM FELLOWSHIP PROGRAM.

(a) AUTHORIZED PURPOSES.—Subsection (a) of section 2249c of title 10, United States Code, is amended by striking ''associated with'' and all that follows and inserting: ''associated with the education and training of foreign military officers, ministry of defense officials, or security officials at military or civilian educational institutions, regional centers, conferences, seminars, or other training programs conducted under the Regional Defense Combating Terrorism Fellowship Program. Costs for which payment may be made under this section include the costs of transportation and travel and subsistence costs.''.

(b) ANNUAL LIMITATION ON AMOUNT OBLIGATED.—Subsection (b) of such section is amended by striking ''$20,000,000'' and inserting ''$25,000,000''.

(c) EXPENDITURES ACROSS FISCAL YEARS.—Such section is further amended by adding at the end the following new subsection:

''(d) OBLIGATION OF FUNDS ACROSS FISCAL YEARS.—Funds made available for a fiscal year may be obligated for the total cost of an education or training program conducted under subsection (a) that begins in that fiscal year, including a program that begins in that fiscal year and ends in the next fiscal year, so long as the duration of the program does not exceed one year.''.

(d) CLERICAL AMENDMENTS.—

(1) REFERENCE TO PROGRAM.—Subsection (c)(3) of such section is amended by striking ''Regional Defense Counterterrorism Fellowship Program'' and inserting ''program referred to in subsection (a)''

(2) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 2249c. Regional Defense Combating Terrorism Fellowship Program: authority to use appropriated funds for costs associated with education and training of foreign officials''.

(3) TABLE OF SECTIONS.—The item relating to such section in the table of sections at the beginning of subchapter I of chapter 134 of such title is amended to read as follows

''2249c. Regional Defense Combating Terrorism Fellowship Program: authority to use appropriated funds for costs associated with education and training of foreign officials.''.

SEC. 1205. CAPSTONE OVERSEAS FIELD STUDIES TRIPS TO PEOPLE'S REPUBLIC OF CHINA AND REPUBLIC OF CHINA ON TAIWAN.

Section 2153 of title 10, United States Code, is amended by adding at the end of the following new subsection:

''(c) OVERSEAS FIELD STUDIES TO CHINA AND TAIWAN.—The Secretary of Defense shall direct the National Defense University to ensure that visits to China and Taiwan are an integral part of the field study programs conducted by the university as part of the military education course carried out pursuant to subsection (a) and that such field study programs include annually at least one class field study trip to the People's Republic of China and at least one class field study trip to the Republic of China on Taiwan.''.

SEC. 1206. MILITARY EDUCATIONAL EXCHANGES BETWEEN SENIOR OFFICERS AND OFFICIALS OF THE UNITED STATES AND TAIWAN.

(a) DEFENSE EXCHANGES.—The Secretary of Defense shall undertake a program of senior military officer and senior official exchanges with Taiwan designed to improve Taiwan's defenses against the People's Liberation Army of the People's Republic of China.

(b) EXCHANGES DESCRIBED.—For purposes of this section, the term ''exchange'' means an activity, exercise, event, or observation opportunity between Armed Forces personnel or Department of Defense officials of the United States and armed forces personnel and officials of Taiwan.

(c) FOCUS OF EXCHANGES.—The senior military officer and senior official exchanges undertaken pursuant to subsection (a) shall include exchanges focused on the following, especially as they relate to defending Taiwan against potential submarine attack and potential missile attack:

(1) Threat analysis

(2) Military doctrine

(3) Force planning

(4) Logistical support

(5) Intelligence collection and analysis

(6) Operational tactics, techniques, and procedures.

(d) CIVIL-MILITARY AFFAIRS.—The senior military officer and senior official exchanges undertaken pursuant to subsection (a) shall include activities and exercises focused on civil-military relations, including parliamentary relations.

(e) LOCATION OF EXCHANGES.—The senior military officer and senior official exchanges undertaken pursuant to subsection (a) shall be conducted in both the United States and Taiwan.

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

(1) The term ''senior military officer'' means a general or flag officer of the Armed Forces on active duty.

(2) The term ''senior official'' means a civilian official of the Department of Defense at the level of Deputy Assistant Secretary or above.

Subtitle B—Nonproliferation Matters and Countries of Concern

SEC. 1211. PROCUREMENT RESTRICTIONS AGAINST FOREIGN PERSONS THAT TRANSFER CERTAIN DEFENSE ARTICLES AND SERVICES TO THE PEOPLE'S REPUBLIC OF CHINA.

(a) DECLARATION OF POLICY.—Congress declares that it is the policy of the United States to deny the People's Republic of China such defense goods and defense technology that could be used to threaten the United States or undermine the security of Taiwan or the stability of the Western Pacific region.

(b) PROCUREMENT SANCTION.—(1) The Secretary of Defense may not procure, by contract or otherwise, any goods or services from—

(A) any foreign person the Secretary of Defense determines has, with actual knowledge, on or after the date of the enactment of this Act, exported, transferred, or otherwise provided to governmental or nongovernmental entities of the People's Republic of China any item or class of items on the United States Munitions List (or any item or class of items that are identical, substantially identical, or directly competitive to an item or class of items on the United States Munitions List); or

(B) any foreign person the Secretary of Defense determines—

(i) is a successor entity to a person referred to in paragraph (1):

(ii) is a parent or subsidiary of a person referred to in paragraph (1); or

(iii) is an affiliate of a person referred to in paragraph (1) if that affiliate is controlled in fact by such person.

(2) The prohibition under paragraph (1) with respect to a foreign person shall last for a period of five years after a determination is made by the Secretary of Defense with respect to that person under paragraph (1)(A).

(c) PUBLIC AVAILABILITY OF LIST OF SANCTIONED PERSONS.—(1) The Secretary of Defense shall annually publish in the Federal Register a current list of any foreign persons sanctioned under subsection (b). The removal of foreign persons from, and the addition of foreign persons to, the list shall also be published.

(2) The Secretary shall maintain the list published under paragraph (1) on the internet website of the Department of Defense.

(c) REMOVAL FROM LIST OF SANCTIONED PERSONS.—The Secretary of Defense may remove a person from the list of sanctioned persons referred to in subsection (c) only after the five-year prohibition period imposed under subsection (b) with respect to the person has expired.

(d) EXCEPTIONS.—(1) Subsection (b) shall not apply

(A) to contracts, or subcontracts under such contracts, in existence on the date of the enactment of this Act, including options under such contracts;

(B) if the Secretary of Defense determines in writing that the person to which the sanctions would otherwise be applied is a sole source supplier of the goods or services being procured, that the goods or services are essential, and that alternative sources are not readily or reasonably available;

(C) in the case of a contract for routine servicing and maintenance, if the Secretary of Defense determines in writing alternative sources for performing the contract are not readily or reasonably available; or

(D) if the Secretary of Defense determines in writing that goods or services proposed to be procured under the contract are essential to the national security of the United States.

(2) Determinations under paragraph (1) shall be published in the Federal Register.

(f) DEFINITIONS.—In this section:

(1) The term ''foreign person'' has the meaning given the term in section 14 of the Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note).

(2) The term ''United States Munitions List'' means the list referred to in section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778 (a)(1)).

Subtitle C—Other Matters

SEC. 1221. EXECUTION OF THE PRESIDENT'S POLICY TO MAKE AVAILABLE TO TAIWAN DIESEL ELECTRIC SUBMARINES.

(a) FINDINGS.—Congress makes the following findings:

(1) It is the policy of the United States under the Taiwan Relations Act of 1979 to ''make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability''.

(2) In April 2001, the President of the United States approved for sale eight diesel electric submarines to the Republic of China on Taiwan.

(3) The buildup of attack submarines by the People's Republic of China threatens the stability in the Taiwan Strait and longstanding United States national security interests in the Western Pacific.

(4) Taiwan has a legitimate defense need for diesel electric submarines.

(5) The sale of diesel electric submarines to Taiwan supports stability in the Taiwan Strait and Western Pacific.

(6) The Legislative Yuan of the Republic of China on Taiwan should make every effort to support the President of Taiwan to fund the acquisition of diesel electric submarines from the United States.

(7) The sale of diesel electric submarines to Taiwan is beneficial to the health and wellbeing of the United States shipbuilding industrial base and, therefore, United States national security.

(b) POLICY OF THE UNITED STATES.—It shall be the policy of the United States to make available to Taiwan plans and options for design work and construction work on future diesel electric submarines under the United States foreign military sales process. The availability of such design work and construction work shall be made in a manner consistent with United States national disclosure policy and is subject to the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.) and any other export control law of the United States.

(c) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the present and future efforts of the Department of the Navy to execute the policy of the President to sell diesel electric submarines to the Republic of China on Taiwan. The report shall include the following:

(1) Ongoing activities by the Navy International Programs Office, in consultation with the Defense Security and Cooperation Agency, to make the Government of Taiwan aware of available Foreign Military Sales options.

(2) Future activities planned by the Navy International Programs Office, in consultation with the Defense Security and Cooperation Agency, to make the Government of Taiwan aware of available Foreign Military Sales options to acquire diesel electric submarines from the United States.

(d) DEFINITIONS.—In this section:

(1) The term ''design work'' means the process by which a submarine is designed.

(2) The term ''construction work'' means the process by which a submarine is constructed.

(3) The term ''activities'' means all interactions between the Government of the United States and the Government of Taiwan.

TITLE XIII—COOPERATIVE THREAT REDUCTION WITH STATES OF THE FORMER SOVIET UNION

Sec. 1301. Specification of Cooperative Threat Reduction programs and funds.
Sec. 1302. Funding allocations.
Sec. 1303. Temporary authority to waive limitation on funding for chemical weapons destruction facility in Russia.
Sec. 1304. National Academy of Sciences study.

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION PROGRAMS AND FUNDS.

(a) SPECIFICATION OF CTR PROGRAMS.—For purposes of section 301 and other provisions of this Act, Cooperative Threat Reduction programs are the programs specified in section 1501(b) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 110 Stat. 2731; 50 U.S.C. 2362 note).

(b) FISCAL YEAR 2007 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—As used in this title, the term ''fiscal year 2007 Cooperative Threat Reduction funds'' means the funds appropriated pursuant to the authorization of appropriations in section 301 for Cooperative Threat Reduction programs.

(c) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 for Cooperative Threat Reduction programs shall be available for obligation for three fiscal years.

SEC. 1302. FUNDING ALLOCATIONS.

(a) FUNDING FOR SPECIFIC PURPOSES.—Of the $372,128,000 authorized to be appropriated to the Department of Defense for fiscal year 2007 in section 301(19) for Cooperative Threat Reduction programs, the following amount may be obligated for the purposes specified:

(1) For strategic offensive arms elimination in Russia, $76,985,000.

(2) For nuclear weapons storage security in Russia, $87,100,000.

(3) For nuclear weapons transportation security in Russia, $33,000,000.

(4) For weapons of mass destruction proliferation prevention in the states of the former Soviet Union, $37,486,000.

(5) For biological weapons proliferation prevention in the former Soviet Union, $68,357,000.

(6) For chemical weapons destruction in Russia, $42,700,000.

(7) For defense and military contacts, $8,000,000.

(8) For activities designated as Other Assessments/Administrative Support, $18,500,000.

(b) REPORT ON OBLIGATION OR EXPENDITURE OF FUNDS FOR OTHER PURPOSES.—No fiscal year 2007 Cooperative Threat Reduction funds may be obligated or expended for a purpose other than a purpose listed in paragraphs (1) through (8) of subsection (a) until 30 days after the date that the Secretary of Defense submits to Congress a report on the purpose for which the funds will be obligated or expended and the amount of funds to be obligated or expended. Nothing in the preceding sentence shall be construed as authorizing the obligation or expenditure of fiscal year 2007 Cooperative Threat Reduction funds for a purpose for which the obligation or expenditure of such funds is specifically prohibited under this title or any other provision of law.

(c) LIMITED AUTHORITY TO VARY INDIVIDUAL AMOUNTS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), in any case in which the Secretary of Defense determines that it is necessary to do so in the national interest, the Secretary may obligate amounts appropriated for fiscal year 2007 for a purpose listed in any of the paragraphs in subsection (a) in excess of the specific amount authorized for that purpose.

(2) NOTICE-AND-WAIT REQUIRED.—An obligation of funds for a purpose stated in any of the paragraphs in subsection (a) in excess of the specific amount authorized for such purpose may be made using the authority provided in paragraph (1) only after—

(A) the Secretary submits to Congress notification of the intent to do so together with a complete discussion of the justification for doing so; and

(B) 15 days have elapsed following the date of the notification.

(3) RESTRICTION.—The Secretary may not, under the authority provided in paragraph (1), obligate amounts for a purpose stated in any of paragraphs (6) through (8) of subsection (a) in excess of 125 percent of the specific amount authorized for such purpose.

SEC. 1303. TEMPORARY AUTHORITY TO WAIVE LIMITATION ON FUNDING FOR CHEMICAL WEAPONS DESTRUCTION FACILITY IN RUSSIA.

Section 1303 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2094; 22 U.S.C. 5952 note) is amended—

(1) in subsection (b), by striking ''shall expire on December 31, 2006, and no waiver shall remain in effect after that date'' and inserting ''shall expire upon completion of the Chemical Weapons Destruction Facility currently under construction at Shchuch'ye in the Russian Federation, and no waiver shall remain in effect after that date''; and

(2) by adding at the end the following new subsection:

''(c) REPORT.—Not later than 30 days after completion of the facility referred to in subsection (b), the Secretary of Defense shall submit to Congress a written notification that specifies the date of completion.''.

SEC. 1304. NATIONAL ACADEMY OF SCIENCES STUDY.

(a) STUDY REQUIRED.—The Secretary of Defense shall enter into an arrangement with the National Academy of Sciences under which the Academy shall carry out a study to analyze lessons learned, past and present challenges, and possible options in effectively managing and facilitating threat reduction and nonproliferation

projects under the Cooperative Threat Reduction program. The study shall cover all existing Cooperative Threat Reduction projects for securing or eliminating nuclear, chemical, and biological weapons and related systems in the states of the former Soviet Union.

(b) REPORT.—Not later than December 31, 2007, the Secretary shall submit to Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the study carried out under subsection (a). The report shall include a review and evaluation of each of the following matters:

(1) Project management.

(2) Interagency interaction concerning threat reduction and nonproliferation projects of other Federal departments or agencies.

(3) Public outreach and community involvement.

(4) Cooperation of Russia and of other states of the former Soviet Union (including site access, visa approval, and contractor support).

(5) Legal frameworks.

(6) Transparency.

(7) Adequacy of funding from the United States and any Cooperative Threat Reduction program partner.

(8) Interaction with threat reduction and nonproliferation projects of Global Partnership countries.

(c) FUNDING.—Of the amounts made available pursuant to the authorization of appropriations in section 301(19) for Cooperative Threat Reduction programs, not more than $2,000,000 shall be available only to carry out this section.

TITLE XIV—HOMELAND DEFENSE TECHNOLOGY TRANSFER

Sec. 1401. Short title.
Sec. 1402. Findings.
Sec. 1403. Creation of Homeland Defense Technology Transfer Consortium.

SEC. 1401. SHORT TITLE.

This title may be cited as the ''Homeland Defense Technology Transfer Act of 2006''.

SEC. 1402. FINDINGS.

Congress finds the following:

(1) The Federal Government funds billions of dollars for research each year that has the potential to meet the needs of Federal, State, and local first responders, yet examples of successful technology transitions are few and far between.

(2) Congress has made repeated efforts to authorize the Department of Defense to effectively transfer its technologies to Federal, State, and local first responders. However, while progress has been made in implementing these authorities, this process can be significantly improved.

(3) Although the Department of Defense Strategy for Homeland Defense and Civil Support calls for active participation in an interagency process that improves interoperability and compatibility with public safety technologies and initiatives, greater participation is needed to ensure that all technologies used by the Department of Defense in their homeland defense mission are interoperable and compatible with standards being developed for public safety technologies.

(4) Even when technologies with promise have been identified, additional research and development efforts are needed to adapt these technologies into readily available, affordable products. No program with a sense of urgency to quickly produce results exists to bridge this gap.

(5) Tragedies such as Hurricanes Katrina and Rita demonstrate the need for prompt, decisive action by Congress to solve a problem that has eluded attempts by the Department of Defense to solve.

(6) Legislation is needed to codify the process for effectively moving and adapting needed technologies from the Department of Defense to Federal, State, and local first responders so that the lives of the American public and emergency responders are protected to the maximum extent possible.

SEC. 1403. CREATION OF HOMELAND DEFENSE TECHNOLOGY TRANSFER CONSORTIUM.

(a) AUTHORIZATION OF CONSORTIUM.—In order to improve the speed and effectiveness of identifying, evaluating, deploying, and transferring to Federal, State, and local first responders technology items and equipment in support of homeland security as required by section 1401 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 50 U.S.C. 2312 note) and work towards interoperability and compatibility of inter-agency homeland defense and security technologies, it is urgent that the technology adaptation and transfer process be consistent within the Department of Defense. Towards that end, the Secretary of Defense is authorized to create a Homeland Defense Technology Transfer Consortium.

(b) COMPOSITION OF CONSORTIUM.—To contribute to the rapid development and adoption of new technologies needed to ensure the safety of the United States public and the welfare of emergency service providers, the Homeland Defense Technology Transfer Consortium shall be composed of—

(1) organizations and entities working with the Department of Defense;

(2) Federal, State, and local first responders; and

(3) other relevant Federal agencies with established expertise in identifying, assessing, testing, evaluating, and training emergency response and other public safety entities.

(c) AUTHORITIES OF CONSORTIUM.—

(1) PROCESS IMPROVEMENTS.—The Homeland Defense Technology Transfer Consortium shall systematize—

(A) the process for the identification, assessment, adaptation, and transition of defense technologies that have the potential to enhance public safety and improve homeland security, thereby assisting the Department of Defense in meeting its statutory obligation to identify, evaluate, deploy, and transfer to Federal, State, and local first responders technology items and equipment of homeland security; and

(B) the process of coordinating and acting as liaison on behalf of the Department of Defense with other Federal agencies as appropriate to collect and prioritize Federal, State, and local first responder technology requirements already gathered by those entities.

(2) FUNDING RECOMMENDATIONS.—The Consortium shall submit recommendations to the Secretary of Defense for funding for the development, adaptation, test and evaluation, or other needed activities for any technology identified under paragraph (1) with a high potential to benefit Federal, State, and local first responders.

(3) TECHNOLOGY INTEGRATION.—The Consortium may assist in the integration of new technologies into appropriate first responder training exercises to maximize their rapid adoption as well as disseminating best practices in the profession.

(4) INTEROPERABILITY AND COMPATIBILITY.—The Consortium, under the direction of the Secretary of Defense, shall act as liaison with relevant Federal agencies, as well as Federal, State, and local first responders where appropriate, to work towards ensuring that technologies used by the Department of Defense in its homeland defense mission are interoperable and compatible with standards being developed for technologies used by Federal, State, and local first responders.

(d) ANNUAL REPORT OF THE CONSORTIUM.—The Homeland Defense Technology Transfer Consortium shall submit to the President and Congress an annual report on its activities. Each report shall include, at a minimum—

(1) a listing of specific Department of Defense and related technologies it has identified that appear to meet needs of Federal, State, and local first responders;

(2) the results of any tests and evaluations conducted on particular technologies, except that no company proprietary information may be disclosed in the report;

(3) a listing of any recommendations the Consortium has made to the Department of Defense that developmental, adaptive, test and evaluation, or other funding be provided related to the development and deployment of technologies identified by the Consortium of particular interest for meeting the needs of emergency response providers;

(4) a listing of any technology development activities undertaken under the authorities of subsection (c);

(5) a listing of any technologies that have been subsequently used by Federal, State, and local first responders as a result of activities of the Consortium; and

(6) any recommendations determined appropriate by the Consortium on barriers to the prompt deployment of technologies needed by Federal, State, and local first responders.

(e) ANNUAL REPORT BY THE SECRETARY OF DEFENSE.—The Secretary of Defense shall submit to the President and Congress an annual report on activities the Department of Defense has taken to identify, test and evaluate, or develop technologies with application to Federal, State, and local first responders. Each report shall include, at a minimum, a description of the activities the Department of Defense has taken pursuant to recommendations of the Homeland Defense Technology Transfer Consortium, including activities to fund development or testing and evaluation of technologies created under programs of the Department.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $2,500,000 for the Department of Defense Office of Homeland Defense to fund the activities of the Homeland Defense Technology Transfer Consortium in each of fiscal years 2007 and 2008, for carrying out the duties of the Consortium under this section.

TITLE XV—AUTHORIZATION FOR INCREASED COSTS DUE TO OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM

Sec. 1501. Purpose.
Sec. 1502. Army procurement.
Sec. 1503. Navy and Marine Corps procurement.
Sec. 1504. Air Force procurement.
Sec. 1505. Defense-wide activities procurement.
Sec. 1506. Research, development, test and evaluation.
Sec. 1507. Operation and maintenance.
Sec. 1508. Defense Health Program.
Sec. 1509. Classified programs.
Sec. 1510. Military personnel.
Sec. 1511. Treatment as additional authorizations.
Sec. 1512. Transfer authority.
Sec. 1513. Availability of funds.

SEC. 1501. PURPOSE.

The purpose of this title is to authorize estimated future emergency supplemental appropriations for the Department of Defense for fiscal year 2007 to provide funds for additional costs due to Operation Iraqi Freedom and Operation Enduring Freedom.

SEC. 1502. ARMY PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2007 for procurement accounts of the Army in amounts as follows:

(1) For aircraft procurement, $232,400,000.

(2) For ammunition procurement, $328,341,000.

(3) For weapons and tracked combat vehicles procurement, $1,029,672,000.

(4) For other procurement, $2,183,430,000.

SEC. 1503. NAVY AND MARINE CORPS PROCUREMENT.

(a) NAVY.—Funds are hereby authorized to be appropriated for fiscal year 2007 for procurement accounts for the Navy in amounts as follows:

(1) For weapons procurement, $131,400,000.

(2) For other procurement, $44,700,000.

(b) MARINE CORPS.—Funds are hereby authorized to be appropriated for fiscal year 2007 for

the procurement account for the Marine Corps in the amount of $636,125,000.

(c) NAVY AND MARINE CORPS AMMUNITION.—Funds are hereby authorized to be appropriated for fiscal year 2007 for the procurement account for ammunition for the Navy and the Marine Corps in the amount of $143,150,000.

SEC. 1504. AIR FORCE PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2007 for procurement accounts for the Air Force in amounts as follows:

(1) For aircraft procurement, $201,550,000.

(2) For missile procurement, $32,650,000.

(3) For other procurement, $62,650,000.

SEC. 1505. DEFENSE-WIDE ACTIVITIES PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2007 for the procurement account for Defense-wide in the amount of $140,200,000.

SEC. 1506. RESEARCH, DEVELOPMENT, TEST AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2007 for the use of the Department of Defense for research, development, test and evaluation as follows:

(1) For the Army, $25,500,000.

(2) For Defense-wide activities, $5,000,000.

(3) For the Air Force, $7,000,000.

SEC. 1507. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2007 for the use of the Armed Forces for expenses, not otherwise provided for, for operation and maintenance, in amounts as follows:

(1) For the Army, $22,396,986,000.

(2) For the Navy, $1,834,560,000.

(3) For the Marine Corps, $1,485,920,000.

(4) For the Air Force, $2,822,998,000.

(5) For Defense-wide activities, $3,377,402,000.

(6) For the Army National Guard, $50,000,000.

(7) For the Air National Guard, $15,400,000.

SEC. 1508. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2007 for expenses, not otherwise provided for, the Defense Health Program, in the amount of $950,200,000 for operation and maintenance.

SEC. 1509. CLASSIFIED PROGRAMS.

Funds are hereby authorized to be appropriated to the Department of Defense for fiscal year 2007 for Classified Programs, in the amount of $2,500,000,000.

SEC. 1510. MILITARY PERSONNEL.

There is hereby authorized to be appropriated to the Department of Defense for military personnel accounts for fiscal year 2007 a total of $9,362,766,000.

SEC. 1511. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1512. TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2007 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—The total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $3,000,000,000. The transfer authority provided in this section is in addition to any other transfer authority available to the Secretary of Defense.

(b) LIMITATIONS.—The authority provided by this section to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred;

(2) may not be used to provide authority for an item that has been denied authorization by Congress; and

(3) may not be combined with the authority under section 1001.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—A transfer may be made under the authority of this section only after the Secretary of Defense—

(1) consults with the chairmen and ranking members of the congressional defense committees with respect to the proposed transfer; and

(2) after such consultation, notifies those committees in writing of the proposed transfer not less than five days before the transfer is made.

SEC. 1513. AVAILABILITY OF FUNDS.

Funds in this title shall be made available for obligation to the Army, Navy, Marine Corps, Air Force, and Defense-wide components by the end of the second quarter of fiscal year 2007.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Joel Hefley Military Construction Authorization Act for Fiscal Year 2007''.

TITLE I—ARMY

Sec. 2101. Authorized Army construction and land acquisition projects.

Sec. 2102. Family housing.

Sec. 2103. Improvements to military family housing units.

Sec. 2104. Authorization of appropriations, Army.

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(1), the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
Alabama	Redstone Arsenal	$4,300,000
Alaska	Fort Richardson	$70,656,000
California	Fort Irwin	$18,200,000
Colorado	Fort Carson	$30,800,000
Georgia	Fort Gillem	$15,000,000
	Fort Stewart/Hunter Army Air Field	$95,300,000
Hawaii	Schofield Barracks	$54,500,000
Kansas	Fort Leavenworth	$23,200,000
	Fort Riley	$37,200,000
Kentucky	Blue Grass Army Depot	$3,500,000
	Fort Campbell	$123,500,000
Louisiana	Fort Polk	$6,100,000
Maryland	Fort Detrick	$12,400,000
Missouri	Fort Leonard Wood	$27,600,000
New Jersey	Picatinny Arsenal	$9,900,000
New York	Fort Drum	$218,600,000
North Carolina	Fort Bragg	$89,000,000
	Sunny Point Military Ocean Terminal	$46,000,000
Oklahoma	McAlester Army Ammunition Plant	$3,050,000
Texas	Corpus Christi Army Depot	$12,200,000
	Fort Bliss	$8,200,000
	Fort Hood	$93,000,000
Utah	Dugway Proving Ground	$14,400,000
Virginia	Fort Lee	$4,150,000
Washington	Fort Lewis	$502,600,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(2), the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation or Location	Amount
Germany	Grafenwoehr	$157,632,000
	Vilseck	$19,000,000
Italy	Vicenza	$223,000,000
Japan	Camp Hansen	$7,150,000
Korea	Camp Humphreys	$77,000,000

Army: Outside the United States—*Continued*

Country	Installation or Location	Amount
	Yongpyong	$7,400,000

(c) UNSPECIFIED WORLDWIDE.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(3), the Secretary of the Army may acquire real property and carry out military construction projects for unspecified installations or locations in the amount set forth in the following table:

Army: Unspecified Worldwide

Location	Installation or Location	Amount
	Unspecified Worldwide	$34,800,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

State	Installation or Location	Units	Amount
Alaska	Fort Richardson	162	$70,000,000
	Fort Wainwright	234	$132,000,000
Arizona	Fort Huachuca	119	$32,000,000
Arkansas	Pine Bluff Arsenal	10	$2,900,000
Wisconsin	Fort McCoy	13	$4,900,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a)(6)(A), the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $16,332,000.

SEC. 2103. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2104(6)(5)(A), the Secretary of the Army may improve existing military family housing units in an amount not to exceed $320,659,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2006, for military construction, land acquisition, and military family housing functions of the Department of the Army in the total amount of $3,389,046,000 as follows:

(1) For military construction projects inside the United States authorized by section 2101(a), $1,217,356,000.

(2) For military construction projects outside the United States authorized by section 2101(b), $491,182,000.

(3) For military construction projects at unspecified worldwide locations authorized by section 2101(c), $34,800,000.

(4) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, $23,930,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $220,830,000.

(6) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $578,791,000.

(B) For support of military family housing (including the functions described in section 2833 of title 10, United States Code), $674,657,000.

(7) For the construction of increment 2 of a barracks complex at Fort Drum, New York, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3485), $16,500,000.

(8) For the construction of increment 2 of a barracks complex for the 2nd Brigade at Fort Bragg, North Carolina, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3485), $31,000,000.

(9) For the construction of increment 2 of a barracks complex for the 3nd Brigade at Fort Bragg, North Carolina, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3485), $50,000,000.

(10) For the construction of increment 2 of a barracks complex for divisional artillery at Fort Bragg, North Carolina, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3485), $37,000,000.

(11) For the construction of increment 2 of a defense access road at Fort Belvoir, Virginia, authorized by section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3486), $13,000,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2101 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under paragraphs (1), (2), and (3) of subsection (a).

(2) $306,000,000 (the balance of the amount authorized under section 2101(a) for construction of a brigade complex for Fort Lewis, Washington).

TITLE II—NAVY

Sec. 2201. Authorized Navy construction and land acquisition projects.
Sec. 2202. Family housing.
Sec. 2203. Improvements to military family housing units.
Sec. 2204. Authorization of appropriations, Navy.
Sec. 2205. Modification of authority to carry out certain fiscal year 2004 and 2005 projects.

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(1), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Marine Corps Air Station, Yuma	$5,966,000
California	Marine Corps Air Station, Camp Pendleton	$6,412,000
	Marine Corps Air Station, Miramar	$2,968,000
	Marine Corps Base, Camp Pendleton	$106,142,000
	Marine Corps Base, Twentynine Palms	$27,217,000
	Naval Air Station, North Island	$21,535,000
	Naval Support Activity, Monterey	$7,380,000
Connecticut	Naval Submarine Base, New London	$9,580,000
Florida	Naval Air Station, Pensacola	$13,486,000
Georgia	Marine Corps Logistics Base, Albany	$70,540,000
	Naval Submarine Base, Kings Bay	$20,282,000
Hawaii	Naval Base, Pearl Harbor	$48,338,000
	Naval Magazine, Pearl Harbor	$6,010,000
Indiana	Naval Support Activity, Crane	$6,730,000
Maryland	Naval Air Station, Patuxent River	$16,316,000
	National Maritime Intelligence Center, Suitland	$67,939,000

***Navy: Inside the United States**—Continued*

State	Installation or Location	Amount
North Carolina	Marine Corps Air Station, Cherry Point	$2,790,000
	Marine Corps Air Station, New River	$21,500,000
	Marine Corps Base, Camp Lejeune	$160,904,000
South Carolina	Marine Corps Air Station, Beaufort	$25,575,000
Virginia	Marine Corps Base, Quantico	$30,628,000
	Naval Shipyard, Norfolk	$34,952,000
	Naval Station, Norfolk	$12,062,000
	Naval Support Activity, Norfolk	$41,712,000
Washington	Naval Base, Kitsap	$17,617,000
	Naval Air Station, Whidbey Island	$67,303,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(2), the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Diego Garcia	Diego Garcia	$37,473,000
Italy	Naval Air Station, Sigonella	$13,051,000

(c) UNSPECIFIED WORLDWIDE.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(3), the Secretary of the Navy may acquire real property and carry out military construction projects for unspecified installations or locations in the amount set forth in the following table:

Navy: Unspecified Worldwide

Location	Project	Amount
	Helicopter Support Facility	$12,185,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(6)(A), the Secretary of the Navy may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations, in the number of units, and in the amounts set forth in the following table:

Navy: Family Housing

Location	Installation	Units	Amount
California	Marine Corps Log. Base, Barstow	74	$27,851,000
Guam	Naval Station, Guam	176	$98,174,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(6)(A), the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $2,785,000.

SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2204(a)(6)(A), the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $180,146,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2006, for military construction, land acquisition, and military family housing functions of the Department of the Navy in the total amount of $2,037,953,000, as follows:

(1) For military construction projects inside the United States authorized by section 2201(a), $764,572,000,000.

(2) For military construction projects outside the United States authorized by section 2201(b), $50,524,000.

(3) For military construction projects at unspecified worldwide locations authorized by section 2201(c), $12,185,000.

(4) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, $8,939,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $72,857,000.

(6) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $308,956,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $509,126,000.

(7) For the construction of increment 2 of a reclamation and conveyance project for Marine Corps Base, Camp Pendleton, California, authorized by section 2201(a) of the Military Construction Authorization Act of Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3490), $33,290,000.

(8) For the construction of increment 2 of a helicopter hangar replacement at Naval Air Station, Jacksonville, Florida, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3489), $43,250,000.

(9) For the construction of increment 2 of recruit training barracks infrastructure upgrades at Recruit Training Command, Great Lakes, Illinois, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3490), $23,589,000.

(10) For the construction of increment 2 of a field house at the United States Naval Academy, Annapolis, Maryland, authorized by section 2201(a) of the Military Construction Authorization Act of Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3490), $21,685,000.

(11) For the construction of increment 2 of the replacement of Ship Repair Pier 3 at Naval Station, Norfolk, Virginia, authorized by section 2201(a) of the Military Construction Authorization Act of Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3490), $30,939,000.

(12) For the construction of increment 2 of an addition to Hockmuth Hall, Marine Corps Base, Quantico, Virginia, authorized by section 2201(a) of the Military Construction Authorization Act of Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3490), $10,159,000.

(13) For the construction of increment 2 of wharf upgrades at Naval Station Guam, Marianas Islands, authorized by section 2201(b) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3490), $29,772,000.

(14) For the construction of increment 2 of wharf upgrades at Yokosuka, Japan, authorized by section 2201(b) of the Military Construction Authorization Act of Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3490), $44,360,000.

(15) For the construction of increment 2 of bachelor quarters at Naval Station, Everett, Washington, authorized by section 2201(a) of the Military Construction Authorization Act of Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3490), $20,917,000.

(16) For the construction of increment 3 of the limited area production and storage complex at Strategic Weapons Facility Pacific, Bangor, Washington, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2105), as amended by section 2206 of this Act, $14,274,000.

(17) For the construction of the next increment of the outlaying landing field facilities at

Washington County, North Carolina, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1704), as amended by section 2205(a) of this Act, $7,926,000.

(18) For the construction of increment 4 of pier 11 replacement at Naval Station, Norfolk, Virginia, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1704), $30,633,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under paragraphs (1), (2), and (3) of subsection (a).

(2) $56,159,000 (the balance of the amount authorized under section 2201(a) for construction of an addition to the National Maritime Intelligence Center, Suitland, Maryland).

(3) $31,153,000 (the balance of the amount authorized under section 2201(a) to recapitalize Hangar 5 at Naval Air Station, Whidbey Island, Washington).

SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2004 AND 2005 PROJECTS.

(a) FISCAL YEAR 2004 INSIDE THE UNITED STATES PROJECT.—

(1) MODIFICATION.—The table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1704), as amended by section 2205 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3492), is amended—

(A) at the end of the items relating to North Carolina, by inserting a new item entitled ''Navy Outlying Landing Field, Washington County'' in the amount of ''$193,260,000'';

(B) by striking the item relating to Various Locations, CONUS; and

(C) by striking the amount identified as the total in the amount column and inserting ''$1,489,424,000''.

(2) CONFORMING AMENDMENTS.—Section 2204(b)(6) of that Act (117 Stat. 1706) is amended—

(A) by striking ''$28,750,000'' and inserting ''$165,650,000''; and

(B) by striking ''outlying landing field facilities, various locations in the continental United States'' and inserting ''an outlying landing field in Washington County, North Carolina''.

(b) FISCAL YEAR 2005 INSIDE THE UNITED STATES PROJECT.—

(1) MODIFICATION.—The table in section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2105), as amended by section 2206 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3493), is amended—

(A) by striking the item relating to Navy Outlying Landing Field, Washington County, North Carolina; and

(B) by striking the amount identified as the total in the amount column and inserting ''$825,479,000''.

(2) CONFORMING AMENDMENTS.—Section 2204 of that Act (118 Stat. 2107), as amended by section 2206 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3493), is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking ''$752,927,000'' and inserting ''722,927,000''; and

(ii) by adding at the end the following new paragraph:

''(10) For the construction of increment 2 of the Navy outlying landing field in Washington County, North Carolina, authorized by section 2201(a) of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1704), as amended by section 2205(a) of the Military Construction Authorization Act for Fiscal Year 2007, $30,000,000.''; and

(B) in subsection (b), by striking paragraph (3).

TITLE III—AIR FORCE

Sec. 2301. Authorized Air Force construction and land acquisition projects.
Sec. 2302. Family housing.
Sec. 2303. Improvements to military family housing units.
Sec. 2304. Authorization of appropriations, Air Force.

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(1), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Eielson Air Force Base	$38,300,000
	Elmendorf Air Force Base	$56,100,000
Arizona	Davis-Monthan Air Force Base	$11,800,000
Arkansas	Little Rock Air Force Base	$9,800,000
California	Beale Air Force Base	$28,000,000
	Travis Air Force Base	$73,900,000
Colorado	Buckley Air Force Base	$10,700,000
	Peterson Air Force Base	$4,900,000
	Schriever Air Force Base	$21,000,000
Delaware	Dover Air Force Base	$26,400,000
Florida	Eglin Air Force Base	$30,350,000
	Hurlburt Field	$32,950,000
	MacDill Air Force Base	$71,000,000
	Tyndall Air Force Base	$8,200,000
Georgia	Robins Air Force Base	$45,600,000
Hawaii	Hickam Air Force Base	$28,538,000
Illinois	Scott Air Force Base	$20,000,000
Kansas	McConnell Air Force Base	$3,875,000
Kentucky	Fort Knox	$3,500,000
Montana	Malmstrom Air Force Base	$5,700,000
Nevada	Indian Springs Auxiliary Field	$49,923,000
New Jersey	McGuire Air Force Base	$28,500,000
Oklahoma	Altus Air Force Base	$1,500,000
	Tinker Air Force Base	$5,700,000
South Carolina	Shaw Air Force Base	$31,500,000
South Dakota	Ellsworth Air Force Base	$3,000,000
Texas	Fort Bliss	$8,500,000
	Lackland Air Force Base	$13,200,000
	Laughlin Air Force Base	$12,600,000
	Sheppard Air Force Base	$7,000,000
Utah	Hill Air Force Base	$53,400,000
Virginia	Langley Air Force Base	$57,700,000
Washington	Fairchild Air Force Base	$4,250,000
Wyoming	Francis E. Warren Air Force Base	$11,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(2), the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Germany	Ramstein Air Base	$53,150,000
Guam	Andersen Air Base	$80,800,000
Korea	Kunsan Air Base	$46,700,000
	Osan Air Base	$2,156,000

(c) UNSPECIFIED WORLDWIDE.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(3), the Secretary of the Air Force may acquire real property and carry out military construction projects for unspecified installations or locations in the amount set forth in the following table:

Air Force: Unspecified Worldwide

Location	Installation or Location	Amount
	Unspecified Worldwide	$35,677,000

SEC. 2302. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(6)(A), the Secretary of the Air Force may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Air Force: Family Housing

State or Country	Installation or Location	Units	Amount
Alaska	Eielson Air Force Base	129	$87,414,000
Idaho	Mountain Home Air Force Base	457	$107,800,000
Missouri	Whiteman Air Force Base	116	$39,270,000
Montana	Malmstrom Air Force Base	493	$140,252,000
North Carolina	Seymour Johnson Air Force Base	56	$22,956,000
North Dakota	Minot Air Force Base	575	$171,188,000
Texas	Dyess Air Force Base	199	$49,215,000
Germany	Ramstein Air Base	101	$59,488,000
	Spangdahlem Air Base	60	$39,294,000
United Kingdom	Royal Air Force Lakenheath	74	$35,282,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(6)(A), the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $13,202,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a)(6)(A), the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $403,777,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2006, for military construction, land acquisition, and military family housing functions of the Department of the Air Force in the total amount of $3,157,882,000, as follows:

(1) For military construction projects inside the United States authorized by section 2301(a), $818,386,000.

(2) For military construction projects outside the United States authorized by section 2301(b), $182,806,000.

(3) For military construction projects at unspecified worldwide locations authorized by section 2301(c), $35,677,000.

(4) For unspecified minor military construction projects authorized by section 2805 of title 10, United States Code, $15,000,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $97,504,000.

(6) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $1,169,138,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $755,071,000.

(7) For the construction of increment 2 of the C–17 maintenance complex at Elmendorf Air Force Base, Alaska, authorized by section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3494), $30,000,000.

(8) For the construction of increment 2 of the main base runway at Edwards Air Force Base, California, authorized by section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3494), $31,000,000.

(9) For the construction of increment 2 of the CENTCOM Joint Intelligence Center at MacDill Air Force Base, Florida, authorized by section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3494), $23,300,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 of this Act may not exceed the total amount authorized to be appropriated under paragraphs (1), (2), and (3) of subsection (a).

TITLE IV—DEFENSE AGENCIES

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.

Sec. 2402. Family housing.

Sec. 2403. Energy conservation projects.

Sec. 2404. Authorized base closure and realignment activities funded through Department of Defense Base Closure Account 2005.

Sec. 2405. Authorization of appropriations, Defense Agencies.

Sec. 2406. Modification of authority to carry out certain fiscal year 2006 projects.

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(1), the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following tables:

Defense Education Activity

State	Installation or Location	Amount
Kentucky	Fort Knox	$18,108,000

Defense Logistics Agency

State	Installation or Location	Amount
Arizona	Marine Corps Air Station, Yuma	$8,715,000
California	Beale Air Force Base	$9,000,000
Pennsylvania	Defense Distribution Depot, New Cumberland	$8,900,000
Viginia	Fort Belvoir	$5,500,000
Washington	Naval Air Station, Whidbey Island	$26,000,000

National Security Agency

State	Installation or Location	Amount
Maryland	Fort Meade	$4,517,000

Special Operations Command

State	Installation or Location	Amount
California	Marine Corps Base, Camp Pendleton	$24,400,000
Colorado	Fort Carson	$26,100,000
Florida	Hurlburt Field	$14,482,000
	MacDill Air Force Base	$27,300,000
Kentucky	Fort Campbell	$24,500,000
Mississippi	Stennis Space Center	$10,200,000
North Carolina	Fort Bragg	$67,044,000
	Marine Corps Base, Camp Lejeune	$51,600,000
Virginia	Naval Air Base, Little Creek	$22,000,000

TRICARE Management Activity

State	Installation or Location	Amount
Alaska	Fort Richardson	$37,200,000
California	Fort Irwin	$6,050,000
Florida	MacDill Air Force Base	$92,000,000
	Naval Hospital, Jacksonville	$16,000,000
Hawaii	Naval Base, Pearl Harbor	$7,700,000
Illinois	Naval Hospital, Great Lakes	$20,000,000
Maryland	Fort Detrick	$550,000,000
New York	Fort Drum	$9,700,000
Texas	Fort Hood	$18,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(2), the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following tables:

Defense Education Activity

Country	Installation or Location	Amount
Italy	Vicenza	$47,210,000
Korea	Osan Air Base	$4,589,000
Spain	Naval Station, Rota	$23,048,000

Defense Logistics Agency

Country or Possession	Installation or Location	Amount
Japan	Okinawa	$5,000,000
Wake Island		$2,600,000

Special Operations Command

Country	Installation or Location	Amount
Qatar	Al Udeid AB	$44,500,000

TRICARE Management Activity

Country	Installation or Location	Amount
Italy	Vicenza	$52,000,000

SEC. 2402. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(9)(A), the Secretary of Defense may construct or acquire family housing units (including land acquisition and supporting facilities) at the location, in the number of units, and in the amount set forth in the following table:

Defense Logistics Agency: Family Housing

State	Location	Units	Amount
Virginia	Richmond International Airport	25	$7,840,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(9)(A), the Secretary of Defense may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of military family housing units in an amount not to exceed $200,000.

SEC. 2403. ENERGY CONSERVATION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(6), the Secretary of Defense may carry out energy conservation projects under section 2865 of title 10, United States Code, in the amount of $55,000,000.

SEC. 2404. AUTHORIZED BASE CLOSURE AND REALIGNMENT ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005.

(a) AUTHORIZED ACTIVITIES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2405(a)(8), the Secretary of Defense may carry out base closure and realignment activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 2005 established by section 2906A of such Act, in the amount of $5,902,723,000.

(b) CONFORMING AMENDMENTS TO FISCAL YEAR 2006 AUTHORIZATIONS.—

(1) AUTHORIZED ACTIVITIES.—Title XXIV of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3496) is amended by adding at the end the following new section:

"SEC. 2404. AUTHORIZED BASE CLOSURE AND REALIGNMENT ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005.

''Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a)(7), the Secretary of Defense may carry out base closure and realignment activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990

(part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 2005 established by section 2906A of such Act, in the amount of $2,035,466,000.''.

(2) AUTHORIZATION OF APPROPRIATIONS AND LIMITATIONS.—Section 2403 of that Act (119 Stat. 3499) is amended—

(A) in subsection (a)(7)—

(i) by striking ''as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note)'' and inserting ''authorized by section 2404 of this Act''; and

(ii) by striking ''section 2906 of such Act'' and inserting ''section 2906A of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note)'';

(B) by redesignating subsection (c) as subsection (d); and

(C) by inserting after subsection (b) the following new subsection (c):

''(c) LIMITATION ON TOTAL COST OF BASE CLOSURE AND REALIGNMENT ACTIVITIES.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all base closure and realignment activities, including real property acquisition and military construction projects, carried out under section 2404 of this Act may not exceed the sum of the following:

''(1) The total amount authorized to be appropriated under subsection (a)(7).

''(2) $531,000,000 (the balance of the amount authorized under section 2404 for base closure and realignment activities).''.

SEC. 2405. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2006, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments) in the total amount of $7,160,356,000, as follows:

(1) For military construction projects inside the United States authorized by section 2401(a), $537,616,000.

(2) For military construction projects outside the United States authorized by section 2401(b), $163,197,000.

(3) For unspecified minor military construction projects under section 2805 of title 10, United States Code, $21,672,000.

(4) For contingency construction projects of the Secretary of Defense under section 2804 of title 10, United States Code, $10,000,000.

(5) For architectural and engineering services and construction design under section 2807 of title 10, United States Code, $172,950,000.

(6) For energy conservation projects authorized by section 2403 of this Act, $55,000,000.

(7) For base closure and realignment activities as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account 1990 established by section 2906 of such Act, $191,220,000.

(8) For base closure and realignment activities authorized by section 2404 of this Act and funded through the Department of Defense Base Closure Account 2005 established by section 2906A of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), $5,236,223,000.

(9) For military family housing functions:

(A) For construction and acquisition, planning and design, and improvement of military family housing and facilities, $8,808,000.

(B) For support of military family housing (including functions described in section 2833 of title 10, United States Code), $48,506,000.

(C) For credit to the Department of Defense Family Housing Improvement Fund established by section 2883(a)(1) of title 10, United States Code, $2,500,000

(10) For the construction of increment 2 of the regional security operations center at Augusta, Georgia, authorized by section 2401(a) of the Military Construction Authorization Act of Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3497), as amended by section 2406 of this Act, $87,118,000.

(11) For the construction of increment 2 of the regional security operations center at Kunia, Hawaii, authorized by section 2401(a) of the Military Construction Authorization Act of Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3497), $47,016,000.

(12) For the construction of increment 2 of the classified material conversion facility at Fort Meade, Maryland, authorized by section 2401(a) of the Military Construction Authorization Act of Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3497), $11,151,000.

(13) For the construction of increment 2 of an operations building, Royal Air Force Menwith Hill Station, United Kingdom, authorized by section 2401(b) of the Military Construction Authorization Act of Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3498), as amended by section 2406 of this Act, $46,386,000.

(14) For the construction of the second increment of certain base closure and realignment activities authorized by section 2404 of the Military Construction Authorization Act of Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3500), as added by section 2404(b) of this Act, $390,000,000.

(15) For the construction of increment 7 of a munitions demilitarization facility at Blue Grass Army Depot, Kentucky, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 835), as amended by section 2405 of the Military Construction Authorization Act of 2002 (division B of Public Law 107–107; 115 Stat. 1298), and section 2405 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), $89,157,000.

(16) For the construction of increment 8 of a munitions demilitarization facility at Pueblo Chemical Activity, Colorado, authorized by section 2401(a) of the Military Construction Authorization Act for Fiscal Year 1997 (division B of Public Law 104–201; 110 Stat. 2775), as amended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106–65; 113 Stat. 839), and section 2407 of the Military Construction Authorization Act for Fiscal Year 2003 (division B of Public Law 107–314; 116 Stat. 2698), $41,836,000.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under paragraphs (1) and (2) of subsection (a).

(2) $46,400,000 (the balance of the amount authorized under section 2401(a) for construction of a health clinic at MacDill Air Force Base, Florida).

(3) $521,000,000 (the balance of the amount authorized under section 2401(a) for stage 1 of the replacement of the Army Medical Research Institute of Infectious Diseases at Fort Detrick, Maryland).

(c) LIMITATION ON TOTAL COST OF BASE CLOSURE AND REALIGNMENT ACTIVITIES.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all base closure and realignment activities, including real property acquisition and military construction projects, carried out under section 2404(a) of this Act may not exceed the sum of the following:

(1) The total amount authorized to be appropriated under subsection (a)(8).

(2) $666,500,000 (the balance of the amount authorized under section 2404(a) for base closure and realignment activities).

(d) NOTICE AND WAIT REQUIREMENT APPLICABLE TO OBLIGATION OF FUNDS FOR BASE CLOSURE AND REALIGNMENT ACTIVITIES.—Funds appropriated pursuant to the authorization of appropriations in subsection (a)(8) may not be obligated until—

(1) a period of 21 days has expired following the date on which the Secretary of Defense submits to the congressional defense committees a report describing the specific programs, projects, and activities for which the funds are to be obligated; or

(2) if over sooner, a period of 14 days has expired following the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of title 10, United States Code.

SEC. 2406. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2006 PROJECTS.

(a) MODIFICATION OF INSIDE THE UNITED STATES NATIONAL SECURITY AGENCY PROJECTS.—The table relating to the National Security Agency in subsection (a) of section 2401 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3497) is amended—

(1) in the item relating to Augusta, Georgia, by striking ''$61,466,000'' in the amount column and inserting ''$340,836,000''; and

(2) in the item relating to Kunia, Hawaii, by striking ''$305,000,000'' in the amount column and inserting ''$350,490,000''.

(b) MODIFICATION OF OUTSIDE THE UNITED STATES NATIONAL SECURITY AGENCY PROJECT.—The table relating to the National Security Agency in subsection (b) of such section (119 Stat. 3498) is amended in the item relating to Menwith Hill, United Kingdom, by striking ''$86,354,000'' in the amount column and inserting ''$87,752,000''.

(c) CONFORMING AMENDMENTS.—Section 2403(b) of that Act (119 Stat. 3500) is amended—

(1) in paragraph (2), by striking ''$12,500,000'' and inserting ''$291,870,000'';

(2) in paragraph (3), by striking ''$256,034,000'' and inserting ''$301,524,000''; and

(3) in paragraph (5), by striking ''$44,657,000'' and inserting ''$46,055,000''.

TITLE V—NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

Sec. 2501. Authorized NATO construction and land acquisition projects.
Sec. 2502. Authorization of appropriations, NATO.

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2006, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment program authorized by section 2501, in the amount of $200,985,000.

TITLE VI—GUARD AND RESERVE FORCES FACILITIES

Sec. 2601. Authorized Guard and Reserve construction and land acquisition projects.

SEC. 2601. AUTHORIZED GUARD AND RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2006, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), in the following amounts:

(1) For the Department of the Army—

(A) for the Army National Guard of the United States, $518,403,000; and

(B) for the Army Reserve, $169,487,000.

(2) For the Department of the Navy, for the Navy Reserve and Marine Corps Reserve, $55,158,000.

(3) For the Department of the Air Force—

(A) for the Air National Guard of the United States, $212,788,000; and

(B) for the Air Force Reserve, $56,836,000.

TITLE VII—EXPIRATION AND EXTENSION OF AUTHORIZATIONS

Sec. 2701. Expiration of authorizations and amounts required to be specified by law.
Sec. 2702. Effective date.

SEC. 2701. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVI for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2009; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2010.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2009; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2010 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment program.

SEC. 2702. EFFECTIVE DATE.

Titles XXI, XXII, XXIII, XXIV, XXV, and XXVI of this Act shall take effect on the later of—

(1) October 1, 2006; or

(2) the date of the enactment of this Act.

TITLE VIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing Changes

Sec. 2801. Increase in maximum annual amount authorized to be obligated for emergency military construction.
Sec. 2802. Applicability of local comparability of room pattern and floor area requirements to construction, acquisition, and improvement to military unaccompanied housing.
Sec. 2803. Authority to use proceeds from sale of military family housing to support military housing privatization initiative.
Sec. 2804. Repeal of special requirement for military construction contracts on Guam.
Sec. 2805. Congressional notification of cancellation ceiling for Department of Defense energy savings performance contracts.
Sec. 2806. Expansion of authority to convey property at military installations to support military construction.
Sec. 2807. Pilot projects for acquisition or construction of military unaccompanied housing.
Sec. 2808. Consideration of alternative and more efficient uses for general officer and flag officer quarters in excess of 6,000 square feet.
Sec. 2809. Repeal of temporary minor military construction program.
Sec. 2810. One-year extension of temporary, limited authority to use operation and maintenance funds for construction projects outside the United States.

Subtitle B—Real Property and Facilities Administration

Sec. 2821. Consolidation of Department of Defense authorities regarding granting of easements for rights-of-way.
Sec. 2822. Authority to grant restrictive easements in connection with land conveyances.
Sec. 2823. Maximum term of leases for structures and real property relating to structures in foreign countries needed for purposes other than family housing.
Sec. 2824. Consolidation of laws relating to transfer of Department of Defense real property within the department and to other Federal agencies.
Sec. 2825. Congressional notice requirements in advance of acquisition of land by condemnation for military purposes.

Subtitle C—Base Closure and Realignment

Sec. 2831. Treatment of lease proceeds from military installations approved for closure or realignment after January 1, 2005.

Subtitle D—Land Conveyances

Sec. 2841. Land conveyance, Naval Air Station, Barbers Point, Hawaii.
Sec. 2842. Modification of land acquisition authority, Perquimans County, North Carolina.
Sec. 2843. Land conveyance, Radford Army Ammunition Plant, Pulaski County, Virginia.

Subtitle E—Other Matters

Sec. 2851. Availability of community planning assistance relating to encroachment of civilian communities on military facilities used for training by the Armed Forces.
Sec. 2852. Prohibitions against making certain military airfields or facilities available for use by civil aircraft.
Sec. 2853. Naming housing facility at Fort Carson, Colorado, in honor of Joel Hefley, a member of the House of Representatives.
Sec. 2854. Naming Navy and Marine Corps Reserve Center at Rock Island, Illinois, in honor of Lane Evans, a member of the House of Representatives.
Sec. 2855. Naming of research laboratory at Air Force Rome Research Site, Rome, New York, in honor of Sherwood L. Boehlert, a member of the House of Representatives.

Subtitle A—Military Construction Program and Military Family Housing Changes

SEC. 2801. INCREASE IN MAXIMUM ANNUAL AMOUNT AUTHORIZED TO BE OBLIGATED FOR EMERGENCY MILITARY CONSTRUCTION.

Section 2803(c)(1) of title 10, United States Code, is amended by striking ''$45,000,000'' and inserting ''$60,000,000''.

SEC. 2802. APPLICABILITY OF LOCAL COMPARABILITY OF ROOM PATTERN AND FLOOR AREA REQUIREMENTS TO CONSTRUCTION, ACQUISITION, AND IMPROVEMENT TO MILITARY UNACCOMPANIED HOUSING.

(a) APPLICATION TO MILITARY UNACCOMPANIED HOUSING.—Section 2826 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting ''or military unaccompanied housing'' after ''military family housing'' the first place it appears; and

(B) by striking ''military family housing'' the second place it appears and inserting ''such housing''; and

(2) in subsection (b)—

(A) by striking ''REQUESTS FOR AUTHORITY FOR MILITARY FAMILY HOUSING'' and inserting ''INFORMATION ON NET FLOOR AREAS OF PROPOSED UNITS'';

(B) in paragraph (1)—

(i) by inserting ''or military unaccompanied housing'' after ''military family housing'' the first place it appears; and

(ii) by striking ''military family housing'' the second place it appears and inserting ''such housing''; and

(C) in paragraph (2), by striking ''military family housing unit'' and inserting ''unit of military family housing or military unaccompanied housing''.

(b) WAIVER AUTHORITY.—Such section is further amended by adding at the end the following new subsection:

''(c) WAIVER AUTHORITY.—The Secretary concerned may waive the requirements of subsection (a) in the case of the construction, acquisition, or improvement of military unaccompanied housing on a case-by-case basis. The Secretary shall include the reasons for the waiver in the request submitted to Congress for authority to carry out the construction, acquisition, or improvement project.''.

(c) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

''§2826. Local comparability of room patterns and floor areas''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter II of chapter 169 of such title is amended by striking the item relating to section 2826 and inserting the following new item:

''2826. Local comparability of room patterns and floor areas.''.

(d) REPEAL OF SUPERSEDED PROVISION.—

(1) REPEAL.—Section 2856 of such title is repealed.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter III of chapter 169 of such title is amended by striking the item relating to section 2856.

(e) CONFORMING AMENDMENTS REGARDING ALTERNATIVE ACQUISITION AND IMPROVEMENT AUTHORITY.—Section 2880(b) of such title is amended—

(1) by striking ''(1)'';

(2) by inserting ''or military unaccompanied housing'' after ''military family housing''; and

(3) by striking paragraph (2).

SEC. 2803. AUTHORITY TO USE PROCEEDS FROM SALE OF MILITARY FAMILY HOUSING TO SUPPORT MILITARY HOUSING PRIVATIZATION INITIATIVE.

(a) TRANSFER FLEXIBILITY.—Section 2831 of title 10, United States Code, is amended—

(1) in subsection (b), by striking ''There'' and inserting ''Except as provided in subsection (e), there'';

(2) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively; and

(3) by inserting after subsection (d) the following new subsection (e):

''(e) AUTHORITY TO TRANSFER CERTAIN PROCEEDS TO SUPPORT MILITARY HOUSING PRIVATIZATION INITIATIVE.—(1) The Secretary concerned may transfer family housing proceeds referred to in subsection (b)(3) to the Department

of Defense Family Housing Improvement Fund established under section 2883(a)(1) of this title.

''(2) A transfer of proceeds under paragraph (1) may be made only after the end of the 30-day period beginning on the date the Secretary concerned submits written notice of, and justification for, the transfer to the appropriate committees of Congress or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notice and justification is provided in an electronic medium pursuant to section 480 of this title.''.

(b) STYLISTIC AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting ''ESTABLISHMENT.—'' after ''(a)'';

(2) in subsection (b), by inserting ''CREDITS TO ACCOUNT.—'' after ''(b)'';

(3) in subsection (c), by inserting ''AVAILABILITY OF AMOUNTS IN ACCOUNT.—'' after ''(c)''; and

(4) in subsection (d), by inserting ''USE OF ACCOUNT.—'' after ''(d)''.

(c) CONFORMING AMENDMENT.—Section 2883(c)(1) of such title is amended by adding at the end the following new subparagraph:

''(G) Proceeds of the handling and the disposal of family housing of a military department that the Secretary concerned transfers to that Fund pursuant to section 2831(e) of this title.''.

SEC. 2804. REPEAL OF SPECIAL REQUIREMENT FOR MILITARY CONSTRUCTION CONTRACTS ON GUAM.

(a) REPEAL.—Section 2864 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter III of chapter 169 of such title is amended by striking the item relating to section 2864.

SEC. 2805. CONGRESSIONAL NOTIFICATION OF CANCELLATION CEILING FOR DEPARTMENT OF DEFENSE ENERGY SAVINGS PERFORMANCE CONTRACTS.

Section 2865 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g) CONGRESSIONAL NOTIFICATION OF CANCELLATION CEILING FOR ENERGY SAVINGS PERFORMANCE CONTRACTS.—When a decision is made to award an energy savings performance contract that contains a clause setting forth a cancellation ceiling in excess of $7,000,000, the Secretary of Defense shall submit to the appropriate committees of Congress written notification of the proposed contract and of the proposed cancellation ceiling for the contract. The notification shall include the justification for the proposed cancellation ceiling. The contract may then be awarded only after the end of the 30-day period beginning on the date the notification is received by such committees or, if earlier, the end of the 15-day period beginning on the date on which a copy of the notification is provided in an electronic medium pursuant to section 480 of this title.''.

SEC. 2806. EXPANSION OF AUTHORITY TO CONVEY PROPERTY AT MILITARY INSTALLATIONS TO SUPPORT MILITARY CONSTRUCTION.

(a) INCLUSION OF ALL MILITARY INSTALLATIONS.—Subsection (a) of section 2869 of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by inserting ''(1)'' before ''The Secretary concerned'';

(3) by striking ''located on a military installation that is closed or realigned under a base closure law'' and inserting ''described in paragraph (2)''; and

(4) by adding at the end the following new paragraph:

''(2) Paragraph (1) applies with respect to real property under the jurisdiction of the Secretary concerned that—

''(A) is located on a military installation that is closed or realigned under a base closure law; or

''(B) is determined to be excess to the needs of the Department of Defense.''.

(b) USE OF AUTHORITY TO SUPPORT AGREEMENTS TO LIMIT ENCROACHMENTS.—Subparagraph (A) of paragraph (1) of subsection (a) of such section, as redesignated and amended by subsection (a), is further amended by striking ''land acquisition'' and inserting ''land acquisition, including a land acquisition under an agreement entered into under section 2684a of this title to limit encroachments and other constraints on military training, testing, and operations''.

(c) ADVANCE NOTICE OF USE OF AUTHORITY; CONTENT OF NOTICE.—Subsection (d) of such section is amended—

(1) in paragraph (1), by striking ''closed or realigned under the base closure laws is to be conveyed'' and inserting ''is proposed for conveyance'';

(2) by striking paragraph (2) and inserting the following new paragraph:

''(2) The Secretary concerned may not enter into an agreement under subsection (a) for the conveyance of real property until—

''(A) the Secretary submits to Congress notice of the conveyance, including—

''(i) a description of the military construction project, land acquisition, military family housing, or military unaccompanied housing to be carried out under the agreement in exchange for the conveyance of the property; and

''(ii) the amount of any payment to be made under subsection (b) or under section 2684a(d) of this title to equalize the fair market values of the property to be conveyed and the military construction project, land acquisition, military family housing, or military unaccompanied housing to be carried out under the agreement in exchange for the conveyance of the property; and

''(B) a period of 21 days has elapsed from the date of receipt of the notice or, if over sooner, a period of 14 days has elapsed from the date on which a copy of the notice is provided in an electronic medium pursuant to section 480 of this title.''.

(d) DEPOSIT AND USE OF FUNDS.—Subsection (e) of such section is amended to read as follows:

''(e) DEPOSIT AND USE OF FUNDS.—(1) The Secretary concerned shall deposit funds received under subsection (b) in the appropriation 'Foreign Currency Fluctuations, Construction, Defense'.

''(2) The funds deposited under paragraph (1) shall be available, in such amounts as provided in appropriation Acts, for the purpose of paying increased costs of overseas military construction and family housing construction or improvement associated with unfavorable fluctuations in currency exchange rates. The use of such funds for this purpose does not relieve the Secretary concerned from the duty to provide advance notice to Congress under section 2853(c) of this title whenever the Secretary approves an increase in the cost of an overseas project under such section.''.

(e) ANNUAL REPORTS; EFFECT OF FAILURE TO SUBMIT.—Subsection (f) of such section is amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively;

(2) in subparagraph (C), as so redesignated, by inserting before the period at the end the following: ''and of excess real property at military installations'';

(3) by striking ''(f)'' and all that follows through ''the following:'' and inserting the following:

''(f) ANNUAL REPORTS; EFFECT OF FAILURE TO SUBMIT.—(1) Not later than March 15 of each year, the Secretary of Defense shall submit to Congress a report detailing the following:''; and

(4) by adding at the end the following new paragraph:

''(2) If the report for a year is not submitted to Congress by the date specified in paragraph (1), the Secretary concerned may not enter into an agreement under subsection (a) after that date for the conveyance of real property until the date on which the report is finally submitted.''.

(f) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 2869. Conveyance of property at military installations to support military construction or limit encroachment''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of subchapter III of chapter 169 of such title is amended by striking the item relating to section 2869 and inserting the following new item:

''2869. Conveyance of property at military installations to support military construction or limit encroachment.''.

(g) CONFORMING AMENDMENTS TO DEPARTMENT OF DEFENSE HOUSING FUNDS.—Section 2883(c) of such title is amended—

(1) in paragraph (1), by striking subparagraph (F); and

(2) in paragraph (2), by striking subparagraph (F).

(h) CONFORMING AMENDMENTS TO AUTHORITY TO LIMIT ENCROACHMENTS.—Subsection (d)(3) of section 2684a of such title is amended—

(1) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively;

(2) in subparagraph (C), as so redesignated, by striking ''in the sharing of acquisition costs of real property, or an interest in real property, under paragraph (1)(B)'' and inserting ''under subparagraph (A), either through the contribution of funds or excess real property, or both,''; and

(3) by inserting after subparagraph (A) the following new subparagraph (B):

''(B) In lieu of or in addition to making a monetary contribution toward the cost of acquiring a parcel of real property, or an interest therein, pursuant to an agreement under this section, the Secretary concerned may convey, using the authority provided by section 2869 of this title, real property described in subsection (a)(2) of such section.''.

SEC. 2807. PILOT PROJECTS FOR ACQUISITION OR CONSTRUCTION OF MILITARY UNACCOMPANIED HOUSING.

(a) EXTENSION OF AUTHORITY TO CARRY OUT PILOT PROJECTS.—Subsection (f) of section 2881a of title 10, United States Code, is amended by striking ''2007'' and inserting ''2011''.

(b) AUTHORIZED PROJECTS.—Subsection (a) of such section is amended by striking ''three pilot projects'' and inserting ''six pilot projects''.

(c) NOTIFICATION OF FUNDING TRANSFERS.—Subsection (d)(2) of such section is amended by striking ''90 days prior notification'' and inserting ''45 days prior notification, or 30 days if the notification is provided in an electronic medium pursuant to section 480 of this title,''.

(d) REPORT SUBMISSION.—Subsection (e)(2) of such section is amended by striking the second sentence and inserting the following new sentence: ''The Secretary may then issue the contract solicitation or offer the conveyance or lease after the end of the 45-day period beginning on the date the report is received by the appropriate committees of Congress or, if earlier, the end of the 30-day period beginning on the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of this title.''.

SEC. 2808. CONSIDERATION OF ALTERNATIVE AND MORE EFFICIENT USES FOR GENERAL OFFICER AND FLAG OFFICER QUARTERS IN EXCESS OF 6,000 SQUARE FEET.

(a) REPORTING REQUIREMENTS.—Paragraph (1) of subsection (f) of section 2831 of title 10, United States Code, as redesignated by section 2803(a)(2), is amended—

(1) in subparagraph (A), by striking ''and'' at the end of the subparagraph;

(2) in subparagraph (B)—

(A) by striking ''so identified'' and inserting ''identified under subparagraph (A)''; and

(B) by striking the period at the end of the subparagraph and inserting a semicolon; and

(3) by adding at the end the following new subparagraphs:

''(C) identifying each family housing unit in excess of 6,000 square feet used, or intended for use, as quarters for a general officer or flag officer;

''(D) for each family housing unit identified under subparagraph (C), specifying any alternative and more efficient use to which the unit could be converted (which would include any costs necessary to convert the unit) and containing an explanation of the reasons why the unit is not being converted to the alternative use; and

''(E) for each family housing unit identified under subparagraph (C) for which costs under subparagraph (A) or new construction costs are anticipated to exceed $100,000 in the next fiscal year, specifying any alternative use to which the unit could be converted (which would include any costs necessary to convert the unit) and an estimate of the costs to demolish and rebuild the unit to private sector standards.''.

(b) CONFORMING AMENDMENT.—The heading of such subsection is amended by striking ''COST OF''.

SEC. 2809. REPEAL OF TEMPORARY MINOR MILITARY CONSTRUCTION PROGRAM.

Section 2810 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3509) is repealed.

SEC. 2810. ONE-YEAR EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.

Section 2808(a) of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as amended by section 2810 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2128) and section 2809 of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109–163; 119 Stat. 3508), is further amended by striking ''and 2006'' and inserting ''through 2007''.

Subtitle B—Real Property and Facilities Administration

SEC. 2821. CONSOLIDATION OF DEPARTMENT OF DEFENSE AUTHORITIES REGARDING GRANTING OF EASEMENTS FOR RIGHTS-OF-WAY.

(a) CONSOLIDATION.—Subsection (a) of section 2668 of title 10, United States Code, is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''he'' both places it appears and inserting ''the Secretary''; and

(B) by striking ''his control, to a State, Commonwealth, or possession, or political subdivision thereof, or to a citizen, association, partnership, or corporation of a State, Commonwealth, or possession,'' and inserting ''the Secretary's control'';

(2) in paragraph (2), by striking ''oil pipe lines'' and inserting ''gas, water, sewer, and oil pipe lines''; and

(3) in paragraph (13), by striking ''he considers advisable, except a purpose covered by section 2669 of this title'' and inserting ''the Secretary considers advisable''.

(b) STYLISTIC AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting ''AUTHORIZED TYPES OF EASEMENTS.—'' after ''(a)'';

(2) in subsection (b), by inserting ''LIMITATION ON SIZE OF EASEMENT.—'' after ''(b)'';

(3) in subsection (c), by inserting ''TERMINATION.—'' after ''(c)'';

(4) in subsection (d), by inserting ''NOTICE TO DEPARTMENT OF THE INTERIOR.—'' after ''(d)''; and

(5) in subsection (e), by inserting ''DISPOSITION OF CONSIDERATION.—'' after ''(e)''.

(c) CONFORMING REPEAL.—Section 2669 of such title is repealed.

(d) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 159 of such title is amended by striking the item related to section 2669.

SEC. 2822. AUTHORITY TO GRANT RESTRICTIVE EASEMENTS IN CONNECTION WITH LAND CONVEYANCES.

(a) RESTRICTIVE EASEMENTS.—Chapter 159 of title 10, United States Code, is amended by inserting after section 2668 the following new section:

''§ 2668a. Restrictive easements: granting easement in connection with land conveyances

''(a) AUTHORITY TO INCLUDE RESTRICTIVE EASEMENT.—In connection with the conveyance of real property by the Secretary concerned under any provision of law, the Secretary concerned may grant an easement restricting future uses of the conveyed real property for a conservation purpose consistent with section 170(h)(4)(A)(iv) of the Internal Revenue Code of 1986 (26 U.S.C. 170(h)(4)(A)(iv)).

''(b) AUTHORIZED RECIPIENTS.—An easement under subsection (a) may be granted only to a State or local government or a qualified organization, as that term is used in section 170(h) of the Internal Revenue Code of 1986 (26 U.S.C. 170(h)).

''(c) LIMITATION ON USE OF CONSERVATION EASEMENTS.—An easement under subsection (a) may not be granted unless—

''(1) the Secretary concerned determines that the conservation purpose to be promoted by the easement cannot be effectively achieved through the application of State law by the State or a local government;

''(2) the Secretary consults with the local government whose jurisdiction encompasses the property regarding the grant of the easement; and

''(3) the Secretary can give or assign to a third party the responsibility for monitoring and enforcing the easement.

''(d) ACREAGE LIMITATION.—No easement granted under this section may include more land than is necessary for the easement.

''(e) TERMS AND CONDITIONS.—The grant of an easement under this section shall be subject to such terms and conditions as the Secretary considers advisable.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2668 the following new item:

''2668a. Restrictive easements: granting easement in connection with land conveyances.''.

SEC. 2823. MAXIMUM TERM OF LEASES FOR STRUCTURES AND REAL PROPERTY RELATING TO STRUCTURES IN FOREIGN COUNTRIES NEEDED FOR PURPOSES OTHER THAN FAMILY HOUSING.

Section 2675(a) of title 10, United States Code, is amended by striking ''five years'' and inserting ''10 years''.

SEC. 2824. CONSOLIDATION OF LAWS RELATING TO TRANSFER OF DEPARTMENT OF DEFENSE REAL PROPERTY WITHIN THE DEPARTMENT AND TO OTHER FEDERAL AGENCIES.

(a) INCLUSION OF TRANSFER AUTHORITY BETWEEN ARMED FORCES.—Section 2696 of title 10, United States Code, is amended—

(1) by redesignating subsections (a) and (b) as subsections (b) and (c), respectively; and

(2) by inserting before subsection (b), as so redesignated, the following new subsection:

''(a) TRANSFERS BETWEEN ARMED FORCES.—If either of the Secretaries concerned requests it and the other approves, real property may be transferred, without compensation, from one armed force to another. Section 2571(d) of this title shall apply to the transfer of real property under this subsection.''.

(b) INCLUSION OF DEPARTMENT OF JUSTICE PROGRAM.—The text of section 2693 of such title is amended—

(1) by redesignating paragraphs (1), (2), and (3) of subsection (a) as subparagraphs (A), (B), and (C), respectively;

(2) by redesignating paragraphs (1) and (2) of subsection (b) as subparagraphs (A) and (B), respectively, and in such subparagraph (B), as so redesignated, by striking ''this section'' and inserting ''paragraph (1)'';

(3) by striking ''(a) Except as provided in subsection (b)'' and inserting ''(f) DEPARTMENT OF JUSTICE CORRECTIONAL OPTIONS PROGRAM.—(1) Except as provided in paragraph (2)'';

(4) by striking ''(b) The provisions of this section'' and inserting ''(2) Paragraph (1)''; and

(5) by transferring the text, as so redesignated and amended, to appear as a new subsection (f) at the end of section 2696 of such title.

(c) CONFORMING AMENDMENTS.—

(1) SECTION 2571.—Section 2571(a) of such title is amended by striking ''and real estate''.

(2) SECTION 2693.—Section 2693 of such title is repealed.

(3) SECTION 2696.—Section 2696 of such title is amended—

(A) in subsection (b), as redesignated by subsection (a)(1), by striking ''SCREENING REQUIREMENT.—'' and inserting ''SCREENING REQUIREMENTS FOR ADDITIONAL FEDERAL USE.—'';

(B) in subsection (c)(1), as redesignated by subsection (a)(1), by striking ''subsection (a)'' in the first sentence and inserting ''subsection (b)'';

(C) in subsection (d), by striking ''subsection (b)(1)'' and inserting ''subsection (c)(1)''; and

(D) in subsection (e), by striking ''this section'' and inserting ''subsection (b)''.

(d) CLERICAL AMENDMENTS.—

(1) SECTION 2571.—(A) The heading of section 2571 of such title is amended to read as follows:

''§ 2571. Interchange of supplies and services''.

(B) The table of sections at the beginning of chapter 153 of such title is amended by striking the item relating to section 2571 and inserting the following new item:

''2571. Interchange of supplies and services.''.

(2) SECTIONS 2693 AND 2696.—(A) The heading of section 2696 of such title is amended to read as follows:

''§ 2696. Transfers and disposals: interchange among armed forces and screening requirements for other Federal use''.

(B) The table of sections at the beginning of chapter 159 of such title is amended—

(i) by striking the item relating to section 2693; and

(ii) by striking the item relating to section 2696 and inserting the following new item:

''2696. Transfers and disposals: interchange among armed forces and screening requirements for other Federal use.''.

SEC. 2825. CONGRESSIONAL NOTICE REQUIREMENTS IN ADVANCE OF ACQUISITION OF LAND BY CONDEMNATION FOR MILITARY PURPOSES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense, when acquiring land for military purposes, should make every effort to do so by means of purchases from willing sellers and should employ condemnation, eminent domain, or seizure procedures only as a measure of last resort in cases of compelling national security requirements.

(b) CONGRESSIONAL NOTICE.—Section 2663(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) Before using condemnation, eminent domain, or seizure procedures to acquire any interest in land, including land for temporary use, under this subsection, the Secretary of Defense or the Secretary of the military department concerned shall submit to the congressional defense committees a report that includes certification

that the Secretary has made every effort to acquire the property without use of such procedures, explains the compelling requirements for the acquisition and why alternative acquisition strategies, such as purchases of easements, are inadequate, and describes the property for which the procedures will be employed. Proceedings may be brought with respect to the land only after the end of the 14-day period beginning on the date on which the report is received by the committees or, if over sooner, a period of 10 days elapses from the date on which a copy of the report is provided in an electronic medium pursuant to section 480 of this title.''.

Subtitle C—Base Closure and Realignment

SEC. 2831. TREATMENT OF LEASE PROCEEDS FROM MILITARY INSTALLATIONS APPROVED FOR CLOSURE OR REALIGNMENT AFTER JANUARY 1, 2005.

Paragraph (5) of section 2667(d) of title 10, United States Code, is amended to read as follows:

''(5) Money rentals received by the United States from a lease under subsection (f) at a military installation to be closed or realigned under a base closure law shall be deposited—

''(A) into the account established under section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), if the installation was approved for closure or realignment before January 1, 2005; or

''(B) into the account established under section 2906A(a) of such Act, if the installation was approved for closure or realignment after January 1, 2005.''.

Subtitle D—Land Conveyances

SEC. 2841. LAND CONVEYANCE, NAVAL AIR STATION, BARBERS POINT, HAWAII.

(a) CONVEYANCE OF PROPERTY.—Not later than September 30, 2008, the Secretary of the Navy shall convey, by sale, lease, or a combination thereof, to any public or private person or entity outside the Department of Defense certain parcels of real property, including any improvements thereon, consisting of approximately 499 acres located at the former Naval Air Station, Barbers Point, Oahu, Hawaii, that are subject to the Ford Island Master Development Agreement developed pursuant to section 2814(a)(2) of title 10, United States Code, for the purpose of promoting the beneficial development of the real property.

(b) USE OF EXISTING AUTHORITY.—To implement subsection (a), the Secretary may utilize the special conveyance and lease authorities provided to the Secretary by subsections (b) and (c) of section 2814 of title 10, United States Code, for the purpose of developing or facilitating the development of Ford Island, Hawaii.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with a conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2842. MODIFICATION OF LAND ACQUISITION AUTHORITY, PERQUIMANS COUNTY, NORTH CAROLINA.

Section 2846 of the Military Construction Authorization Act for Fiscal Year 2002 (division B of Public Law 107–107; 115 Stat. 1320), as amended by section 2865 of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108–375; 118 Stat. 2149) is further amended by striking ''840 acres'' and inserting ''1,540 acres''.

SEC. 2843. LAND CONVEYANCE, RADFORD ARMY AMMUNITION PLANT, PULASKI COUNTY, VIRGINIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the Department of Veterans' Services of the Commonwealth of Virginia (in this section referred to as the ''Department'') all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 85 acres at the Radford Army Ammunition Plant in Pulaski County, Virginia, for the purpose of permitting the Department to establish and operate a State-run cemetery for veterans of the Armed Forces.

(b) REVERSIONARY INTEREST.—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to the property shall revert, at the option of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the Department to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts are collected from the Department in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Department.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF REAL PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

Subtitle E—Other Matters

SEC. 2851. AVAILABILITY OF COMMUNITY PLANNING ASSISTANCE RELATING TO ENCROACHMENT OF CIVILIAN COMMUNITIES ON MILITARY FACILITIES USED FOR TRAINING BY THE ARMED FORCES.

Section 2391(d)(1) of title 10, United States Code, is amended by adding at the end the following new sentence: ''For purposes of subsection (b)(1)(D), the term 'military installation' includes a military facility owned and operated by any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, or the Virgin Islands, even though the facility is not under the jurisdiction of the Department of Defense, if the Secretary of Defense determines that the military facility is subject to significant use for training by the armed forces.''.

SEC. 2852. PROHIBITIONS AGAINST MAKING CERTAIN MILITARY AIRFIELDS OR FACILITIES AVAILABLE FOR USE BY CIVIL AIRCRAFT.

(a) PROHIBITIONS.—The Secretary of the Navy may not enter into any agreement concerning a military installation specified in subsection (b) that would—

(1) authorize civil aircraft to regularly use an airfield or any other property at the installation;

(2) convey any real property at the installation, including any airfield at the installation, for the purpose of permitting the use of the property by civil aircraft.

(b) COVERED INSTALLATIONS.—The prohibitions in subsection (a) apply with respect to the following military installations:

(1) Marine Corps Air Station, Camp Pendleton, California.

(2) Marine Corps Air Station, Miramar, California.

(3) Marine Corps Base, Camp Pendleton, California.

(4) Naval Air Station, North Island, California.

(c) REPEAL OF EXISTING LIMITED PROHIBITION.—Section 2894 of the Military Construction Authorization Act for Fiscal Year 1996 (division B of Public Law 104–106; 110 Stat. 592) is repealed.

SEC. 2853. NAMING HOUSING FACILITY AT FORT CARSON, COLORADO, IN HONOR OF JOEL HEFLEY, A MEMBER OF THE HOUSE OF REPRESENTATIVES.

(a) FINDINGS.—Congress makes the following findings:

(1) Representative Joel Hefley was elected to represent Colorado's 5th Congressional district in 1986 and has served in the House of Representatives since that time with distinction, class, integrity, and honor.

(2) Representative Hefley has served on the Committee on Armed Services of the House of Representatives for 18 years, including service as Chairman of the Subcommittee on Military Installations and Facilities from 1995 through 2000 and, since 2001, as Chairman of the Subcommittee on Readiness.

(3) Representative Hefley's colleagues know him to be a fair and effective lawmaker who works for the national interest while never forgetting his Western roots.

(4) Representative Hefley's efforts on the Committee on Armed Services have been instrumental to the military value of, and quality of life at, installations in the State of Colorado, including Fort Carson, Cheyenne Mountain, Peterson Air Force Base, Schriever Air Force Base, Buckley Air Force Base, and the United States Air Force Academy.

(5) Representative Hefley was a leader in efforts to retain and expand Fort Carson as an essential part of the national defense system during the Defense Base Closure and Realignment process.

(6) Representative Hefley has consistently advocated for providing members of the Armed Forces and their families with quality, safe, and affordable housing and supportive communities.

(7) Representative Hefley spearheaded the Military Housing Privatization Initiative to eliminate inadequate housing on military installations, with the first pilot program located at Fort Carson.

(8) Representative Hefley's leadership on the Military Housing Privatization Initiative has allowed for the privatization of more than 121,000 units of military family housing, which brought meaningful improvements to living conditions for thousands of members of the Armed Forces and their spouses and children at installations throughout the United States.

(9) It is fitting and proper that an appropriate military family housing area or structure at Fort Carson be designated in honor of Representative Hefley, and it is further appropriate that division B of this Act, which authorizes funds for fiscal year 2007 for military construction projects, land acquisition, and family housing projects and facilities, be designated in honor of Representative Hefley.

(b) DESIGNATION.—The Secretary of the Army shall designate one of the military family housing areas or facilities constructed for Fort Carson, Colorado, using the authority provided by subchapter IV of chapter 169 of title 10, United States Code, as the ''Joel Hefley Village''.

SEC. 2854. NAMING NAVY AND MARINE CORPS RESERVE CENTER AT ROCK ISLAND, ILLINOIS, IN HONOR OF LANE EVANS, A MEMBER OF THE HOUSE OF REPRESENTATIVES.

(a) FINDINGS.—Congress makes the following findings:

(1) Representative Lane Evans was elected to the House of Representatives in 1982 and is now in his 12th term representing the people of Illinois' 17th Congressional district.

(2) As a member of the Committee on Armed Services of the House of Representatives, Representative Evans has worked to bring common sense priorities to defense spending and strengthen the military's conventional readiness.

(3) Representative Evans has been a tireless advocate for military veterans, ensuring that veterans receive the medical care they need and advocating for individuals suffering from post-traumatic stress disorder and Gulf War Syndrome.

(4) Representative Evans' efforts to improve the transition of individuals from military service to the care of the Department of Veterans Affairs will continue to benefit generations of veterans long into the future.

(5) Representative Evans is credited with bringing new services to veterans living in his Congressional district, including outpatient clinics in the Quad Cities and Quincy and the Quad-Cities Vet Center.

(6) Representative Evans has worked with local leaders to promote the Rock Island Arsenal and has seen it win new jobs and missions through his support.

(7) In honor of his service in the Marine Corps and to his district and the United States, it is fitting and proper that the Navy and Marine Corps Reserve Center at Rock Island Arsenal be named in honor of Representative Evans.

(b) DESIGNATION.—The Navy and Marine Corps Reserve Center at Rock Island Arsenal, Illinois, shall be known and designated as the ''Lane Evans Navy and Marine Corps Reserve Center''. Any reference in a law, map, regulation, document, paper, or other record of the United States to the Navy and Marine Corps Reserve Center at Rock Island Arsenal shall be deemed to be a reference to the Lane Evans Navy and Marine Corps Reserve Center.

SEC. 2855. NAMING OF RESEARCH LABORATORY AT AIR FORCE ROME RESEARCH SITE, ROME, NEW YORK, IN HONOR OF SHERWOOD L. BOEHLERT, A MEMBER OF THE HOUSE OF REPRESENTATIVES.

The new laboratory building at the Air Force Rome Research Site, Rome, New York, shall be known and designated as the ''Sherwood L. Boehlert Engineering Center''. Any reference in a law, map, regulation, document, paper, or other record of the United States to such laboratory facility shall be deemed to be a reference to the Sherwood L. Boehlert Engineering Center.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

Sec. 3101. National Nuclear Security Administration.
Sec. 3102. Defense environmental cleanup.
Sec. 3103. Other defense activities.
Sec. 3104. Defense nuclear waste disposal.

Subtitle B—Program Authorizations, Restrictions, and Limitations

Sec. 3111. Plan for transformation of National Nuclear Security Administration nuclear weapons complex.
Sec. 3112. Extension of Facilities and Infrastructure Recapitalization Program.
Sec. 3113. Utilization of contributions to Global Threat Reduction Initiative.
Sec. 3114. Utilization of contributions to Second Line of Defense program.
Sec. 3115. Two-year extension of authority for appointment of certain scientific, engineering, and technical personnel.
Sec. 3116. National Academy of Sciences study of quantification of margins and uncertainty methodology for assessing and certifying the safety and reliability of the nuclear stockpile.
Sec. 3117. Consolidation of counterintelligence programs of Department of Energy and National Nuclear Security Administration.

Subtitle A—National Security Programs Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2007 for the activities of the National Nuclear Security Administration in carrying out programs necessary for national security in the amount of $9,265,811,000 to be allocated as follows:

(1) For weapons activities, $6,467,889,000.

(2) For defense nuclear nonproliferation activities, $1,616,213,000.

(3) For naval reactors, $795,133,000.

(4) For the Office of the Administrator for Nuclear Security, $386,576,000.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out the following new plant projects:

(1) For weapons activities:

Project 07–D–140, project engineering and design, various locations, $4,977,000.

Project 07–D–220, Radioactive Liquid Waste Treatment Facility upgrade, Los Alamos National Laboratory, $14,828,000.

Project 07–D–253, TA–1 Heating Systems Modernization, Facilities and Infrastructure Recapitalization Program, $14,500,000.

(2) For defense nuclear nonproliferation activities:

Project 07–SC–05, Physical Sciences Facility, Pacific Northwest National Laboratory, $4,220,000.

(3) For naval reactors:

Project 07–D–190, project engineering and design, Materials Research Technology Complex, $1,485,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2007 for defense environmental cleanup activities in carrying out programs necessary for national security in the amount of $5,440,312,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2007 for other defense activities in carrying out programs necessary for national security in the amount of $717,788,000.

SEC. 3104. DEFENSE NUCLEAR WASTE DISPOSAL.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2007 for defense nuclear waste disposal for payment to the Nuclear Waste Fund established in section 302(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10222(c)) in the amount of $388,080,000.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. PLAN FOR TRANSFORMATION OF NATIONAL NUCLEAR SECURITY ADMINISTRATION NUCLEAR WEAPONS COMPLEX.

(a) PLAN REQUIRED.—Subtitle A of title XLII of the Atomic Energy Defense Act (division D of Public Law 107–314) is amended by inserting after section 4213 (50 U.S.C. 2533) the following new section:

''SEC. 4214. PLAN FOR TRANSFORMATION OF NATIONAL NUCLEAR SECURITY ADMINISTRATION NUCLEAR WEAPONS COMPLEX.

''(a) PLAN REQUIRED.—The Secretary of Energy and the Secretary of Defense shall develop a plan to transform the nuclear weapons complex so as to achieve a responsive infrastructure by 2030. The plan shall be designed to accomplish the following objectives:

''(1) To maintain the safety, reliability, and security of the United States nuclear weapons stockpile.

''(2) To continue Stockpile Life Extension Programs that the Nuclear Weapons Council considers necessary.

''(3) To prepare to produce replacement warheads under the Reliable Replacement Warhead program at a rate necessary to meet future stockpile requirements, commencing with a first production unit in 2012 and achieving steady-state production using modern manufacturing processes by 2025.

''(4) To eliminate, within the nuclear weapons complex, duplication of production capability except to the extent required to ensure the safety, reliability, and security of the stockpile.

''(5) To maintain the current philosophy within the national security laboratories of peer review of nuclear weapons designs while eliminating duplication of laboratory capabilities except to the extent required to ensure the safety, reliability, and security of the stockpile.

''(6) To maintain the national security mission, and in particular the science-based Stockpile Stewardship Program, as the primary mission of the national security laboratories while optimizing the work-for-others activities of those laboratories to support other national security objectives in fields such as intelligence and homeland security.

''(7) To consolidate to the maximum extent practicable, and to provide for the ultimate disposition of, special nuclear material throughout the nuclear weapons complex, with the ultimate goal of eliminating Category I and II special nuclear material from the national security laboratories no later than March 1, 2010, so as to further reduce the footprint of the nuclear weapons complex, reduce security costs, and reduce transportation costs for special nuclear material.

''(8) To employ a risk-based approach to ensure compliance with Design Basis Threat security requirements.

''(9) To expeditiously dismantle inactive nuclear weapons to reduce the size of the stockpile to the lowest level required by the Nuclear Weapons Council.

''(10) To operate the nuclear weapons complex in a more cost-effective manner.

''(b) REPORT.—Not later than February 1, 2007, the Secretary of Energy and Secretary of Defense shall submit to the congressional defense committees a report on the transformation plan required by subsection (a). The report shall address each of the objectives required by subsection (c) and also include each of the following:

''(1) A comprehensive list of the capabilities, facilities, and project staffing that the National Nuclear Security Administration will need to have in place at the nuclear weapons complex as of 2030 to meet the requirements of the transformation plan.

''(2) a comprehensive list of the capabilities and facilities that the National Nuclear Security Administration currently has in place at the nuclear weapons complex that will not be needed as of 2030 to meet the requirements of the transformation plan.

''(3) A plan for implementing the transformation plan, including a schedule with incremental milestones.

''(c) CONSULTATION.—The Secretary of Energy and the Secretary of Defense shall develop the

transformation plan required by subsection (a) in consultation with the Nuclear Weapons Council.

''(d) DEFINITION.—In this section, the term 'national security laboratory' has the meaning given such term in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471).''.

(b) INCLUSION IN FUTURE-YEARS NUCLEAR SECURITY PROGRAM.—Section 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453) is amended in subsection (b) by adding at the end the following new paragraph:

''(5) A statement of proposed budget authority, estimated expenditures, and proposed appropriations necessary to support the programs required to implement the plan to transform the nuclear weapons complex under section 4214 of the Atomic Energy Defense Act, together with a detailed description of how the funds identified for each program element specified pursuant to paragraph (1) in the budget for the Administration for each fiscal year during that five-fiscal-year period will help ensure that those programs are implemented. The statement shall assume year-to-year funding profiles that account for increases only for projected inflation.''.

SEC. 3112. EXTENSION OF FACILITIES AND INFRASTRUCTURE RECAPITALIZATION PROGRAM.

Section 3114 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 50 U.S.C. 2453 note), as amended by section 3113 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2160), is amended—

(1) in subsection (a)(3)(F), by striking ''2011'' and inserting ''2013''; and

(2) in subsection (b), by striking ''2011'' and inserting ''2013''.

SEC. 3113. UTILIZATION OF CONTRIBUTIONS TO GLOBAL THREAT REDUCTION INITIATIVE.

Section 3132 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375; 118 Stat. 2166; 50 U.S.C. 2569) is amended—

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

(2) by adding after subsection (e) the following new subsection:

''(f) PARTICIPATION BY OTHER GOVERNMENTS AND ORGANIZATIONS.—

''(1) IN GENERAL.—The Secretary of Energy may, with the concurrence of the Secretary of State, enter into one or more agreements with any person (including a foreign government, international organization, or multinational entity) that the Secretary of Energy considers appropriate under which the person contributes funds for purposes of the program under this section.

''(2) RETENTION AND USE OF AMOUNTS.—The Secretary of Energy may retain and use amounts contributed under an agreement under paragraph (1) for purposes of the program under this section. Amounts so contributed shall be retained in a separate fund established in the Treasury for such purposes and shall be available until expended, without further appropriation, for such purposes.''.

SEC. 3114. UTILIZATION OF CONTRIBUTIONS TO SECOND LINE OF DEFENSE PROGRAM.

(a) IN GENERAL.—The Secretary of Energy may, with the concurrence of the Secretary of State, enter into one or more agreements with any person (including a foreign government, international organization, or multinational entity) that the Secretary of Energy considers appropriate under which the person contributes funds for purposes of the Second Line of Defense program of the National Nuclear Security Administration.

(b) RETENTION AND USE OF AMOUNTS.—The Secretary of Energy may retain and use amounts contributed under an agreement under subsection (a) for purposes of the Second Line of Defense program. Amounts so contributed shall be retained in a separate fund established in the Treasury for such purposes and shall be available until expended, without further appropriation, for such purposes.

(c) TERMINATION OF AUTHORITY.—The authority to accept contributions under subsection (a) terminates December 31, 2013.

SEC. 3115. TWO-YEAR EXTENSION OF AUTHORITY FOR APPOINTMENT OF CERTAIN SCIENTIFIC, ENGINEERING, AND TECHNICAL PERSONNEL.

Section 4601(c)(1) of the Atomic Energy Defense Act (50 U.S.C. 2701(c)(1)) is amended by striking ''September 30, 2006'' and inserting ''September 30, 2008''.

SEC. 3116. NATIONAL ACADEMY OF SCIENCES STUDY OF QUANTIFICATION OF MARGINS AND UNCERTAINTY METHODOLOGY FOR ASSESSING AND CERTIFYING THE SAFETY AND RELIABILITY OF THE NUCLEAR STOCKPILE.

(a) STUDY REQUIRED.—The Secretary of Energy shall, as soon as practicable and no later than 120 days after the date of the enactment of this Act, enter into an arrangement with the National Research Council of the National Academy of Sciences for the Council to carry out a study of the quantification of margins and uncertainty methodology used by the national security laboratories for assessing and certifying the safety and reliability of the nuclear stockpile.

(b) MATTERS INCLUDED.—The study required by subsection (a) shall evaluate the following:

(1) The use of the quantification of margins and uncertainty methodology by the national security laboratories, including underlying assumptions of weapons performance and the ability of modeling and simulation tools to predict nuclear explosive package characteristics.

(2) The manner in which that methodology is used to conduct the annual assessments of the nuclear weapons stockpile.

(3) How the use of that methodology compares and contrasts between the national security laboratories.

(4) The process by which conflicts between the national security laboratories in the application of that methodology are resolved.

(5) An assessment of whether the application of the quantification of margins and uncertainty used for annual assessments and certification of the nuclear weapons stockpile can be applied to the planned Reliable Replacement Warhead program so as to carry out the objective of that program to reduce the likelihood of the resumption of underground testing of nuclear weapons.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date on which the arrangement required by subsection (a) is entered into, the National Research Council shall submit to the Secretary of Energy and the congressional committees specified in paragraph (2), a report on the study that addresses the matters listed in subsection (b) and any other matters considered by the National Research Council to be relevant to the use of the quantification of margins and uncertainty methodology in assessing the current or future nuclear weapons stockpile.

(2) SPECIFIED COMMITTEES.—The congressional committees referred to in paragraph (1) are the following:

(A) The Committee on Armed Services of the Senate.

(B) The Committee on Armed Services of the House of Representatives.

(d) PROVISION OF INFORMATION.—The Secretary of Energy shall, in a timely manner, make available to the National Research Council all information that the National Research Council considers necessary to carry out its responsibilities under this section.

(e) FUNDING.—Of the amounts made available to the Department of Energy pursuant to the authorization of appropriations in section 3101, $2,000,000 shall be available only for carrying out the study required by this section.

SEC. 3117. CONSOLIDATION OF COUNTERINTELLIGENCE PROGRAMS OF DEPARTMENT OF ENERGY AND NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) TRANSFER OF FUNCTIONS.—The functions, personnel, funds, assets, and other resources of the Office of Defense Nuclear Counterintelligence of the National Nuclear Security Administration are transferred to the Secretary of Energy, to be administered (except to any extent otherwise directed by the Secretary) by the Director of the Office of Counterintelligence of the Department of Energy.

(b) NNSA COUNTERINTELLIGENCE OFFICE ABOLISHED.—

(1) IN GENERAL.—Section 3232 of the National Nuclear Security Administration Act (50 U.S.C. 3232) is amended—

(A) by amending the heading to read as follows:

''SEC. 3232. OFFICE OF DEFENSE NUCLEAR SECURITY.'';

(B) by striking subsection (a) and inserting the following new subsection (a):

''(a) ESTABLISHMENT.—There is within the Administration an Office of Defense Nuclear Security, headed by a Chief appointed by the Secretary of Energy. The Administrator shall recommend to the Secretary suitable candidates for such position.'';

(C) by striking subsection (b); and

(D) by redesignating subsection (c) as subsection (b).

(2) CONFORMING AMENDMENT.—The table of sections at the beginning of the National Nuclear Security Administration Act is amended by striking the item relating to section 3232 and inserting the following new item:

''Sec. 3232. Office of Defense Nuclear Security.''.

(c) COUNTERINTELLIGENCE PROGRAMS AT NNSA FACILITIES.—Section 3233 of the National Nuclear Security Administration Act (50 U.S.C. 2423) is amended—

(1) in each of subsections (a) and (b), by striking ''The Administrator shall'' and inserting ''The Secretary of Energy shall''; and

(2) in subsection (b), by striking ''Office of Defense Nuclear Counterintelligence'' and inserting ''Office of Counterintelligence of the Department of Energy''.

(d) STATUS OF NNSA INTELLIGENCE AND COUNTERINTELLIGENCE PERSONNEL.—Section 3220 of the National Nuclear Security Administration Act (50 U.S.C. 2410) is amended by adding at the end the following new subsection:

''(e) STATUS OF INTELLIGENCE AND COUNTERINTELLIGENCE PERSONNEL.—Notwithstanding the restrictions of subsections (a) and (b), each officer or employee of the Administration, or of a contractor of the Administration, who is carrying out activities related to intelligence or counterintelligence shall, in carrying out those activities, be subject to the authority, direction, and control of the Secretary of Energy or the Secretary's delegate.''.

(e) SERVICE FROM WHICH DOE INTELLIGENCE DIRECTOR AND COUNTERINTELLIGENCE DIRECTOR APPOINTED.—Section 215(b)(1) (42 U.S.C. 7144b(b)(1)) and section 216(b)(1) (42 U.S.C. 7144c(b)(1)) of the Department of Energy Organization Act are each amended by striking ''which shall be a position in the Senior Executive Service'' and inserting ''who shall be an employee in the Senior Executive Service, the Senior Intelligence Service, the Senior National Intelligence Service, or any other Service that the Secretary, in coordination with the Director of National Intelligence, considers appropriate''.

(f) INTELLIGENCE EXECUTIVE COMMITTEE; BUDGET FOR INTELLIGENCE AND COUNTERINTELLIGENCE.—Section 214 of the Department of Energy Organization Act (42 U.S.C. 7144a) is amended—

(1) by inserting ''(a)'' before ''The Secretary shall be responsible''; and

(2) by adding at the end the following:

''(b)(1) There is within the Department an Intelligence Executive Committee. The Committee shall consist of the Deputy Secretary of Energy, who shall chair the Committee, and each Under Secretary of Energy.

''(2) The Committee shall be staffed by the Director of the Office of Intelligence and the Director of the Office of Counterintelligence.

''(3) The Secretary shall use the Committee to assist in developing and promulgating the counterintelligence and intelligence policies, requirements, and priorities of the Department.

''(c) In the budget justification materials submitted to Congress in support of each budget submitted by the President to Congress under title 31, United States Code, the amounts requested for the Department for intelligence functions and the amounts requested for the Department for counterintelligence functions shall each be specified in appropriately classified individual, dedicated program elements. Within the amounts requested for counterintelligence functions, the amounts requested for the National Nuclear Security Administration shall be specified separately from the amounts requested for other elements of the Department.''.

(g) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Department of Energy shall submit to Congress a report on the implementation of this section and of the amendments required by this section. The report shall include the Inspector General's evaluation of that implementation.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2007, $22,260,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXIII—NATIONAL DEFENSE STOCKPILE

Sec. 3301. Authorized uses of National Defense Stockpile funds.

Sec. 3302. Revisions to required receipt objectives for previously authorized disposals from National Defense Stockpile.

SEC. 3301. AUTHORIZED USES OF NATIONAL DEFENSE STOCKPILE FUNDS.

(a) OBLIGATION OF STOCKPILE FUNDS.—During fiscal year 2007, the National Defense Stockpile Manager may obligate up to $52,132,000 of the funds in the National Defense Stockpile Transaction Fund established under subsection (a) of section 9 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h) for the authorized uses of such funds under subsection (b)(2) of such section, including the disposal of hazardous materials that are environmentally sensitive.

(b) ADDITIONAL OBLIGATIONS.—The National Defense Stockpile Manager may obligate amounts in excess of the amount specified in subsection (a) if the National Defense Stockpile Manager notifies Congress that extraordinary or emergency conditions necessitate the additional obligations. The National Defense Stockpile Manager may make the additional obligations described in the notification after the end of the 45-day period beginning on the date on which Congress receives the notification.

(c) LIMITATIONS.—The authorities provided by this section shall be subject to such limitations as may be provided in appropriations Acts.

SEC. 3302. REVISIONS TO REQUIRED RECEIPT OBJECTIVES FOR PREVIOUSLY AUTHORIZED DISPOSALS FROM NATIONAL DEFENSE STOCKPILE.

(a) FISCAL YEAR 1999 DISPOSAL AUTHORITY.—Section 3303(a) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261; 50 U.S.C. 98d note), as amended by section 3302 of the Ronald W. Reagan National Defense Authorization Act for Year 2005 (Public Law 108–375; 118 Stat. 2193) and section 3302 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3545), is amended—

(1) by striking ''and'' at the end of paragraph (5); and

(2) by striking the period at the end of paragraph (6) and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(7) $1,365,000,000 by the end of fiscal year 2014.''.

(b) FISCAL YEAR 1998 DISPOSAL AUTHORITY.—Section 3305(a)(5) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85; 50 U.S.C. 98d note), as amended by section 3305 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1390), is amended by striking ''2006'' and inserting ''2008''.

(c) FISCAL YEAR 1997 DISPOSAL AUTHORITY.—Section 3303 of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201; 50 U.S.C. 98d note), as amended by section 3402(f) of the National Defense Authorization Act for Year 2000 (Public Law 106–65; 113 Stat. 973) and section 3304(c) of the National Defense Authorization Act for 2002 (Public Law 107–107; 115 Stat. 1390), is amended—

(1) in subsection (a), by striking paragraph (2) and inserting the following new paragraph (2):

''(2) $720,000,000 during the 12-fiscal year period ending September 30, 2008.''; and

(2) in subsection (b)(2), by striking ''the 10-fiscal year period'' and inserting ''the period''.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

Sec. 3401. Authorization of appropriations.

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy $18,810,000 for fiscal year 2007 for the purpose of carrying out activities under chapter 641 of title 10, United States Code, relating to the naval petroleum reserves.

(b) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEAR 2007.

Funds are hereby authorized to be appropriated for fiscal year 2007, to be available without fiscal year limitation if so provided in appropriations Acts, for the use of the Department of Transportation for the Maritime Administration as follows:

(1) For expenses necessary for operations and training activities, $138,647,000, of which $19,500,000 shall be available only for paying reimbursement under section 3517 of the Maritime Security Act of 2003 (46 U.S.C. 53101 note).

(2) For expenses to dispose of obsolete vessels in the National Defense Reserve Fleet, including provision of assistance under section 7 of Public Law 92–402, $25,740,000.

SEC. 3502. LIMITATION ON TRANSFER OF MARITIME SECURITY FLEET OPERATING AGREEMENTS.

Section 53105(e) of title 46, United States Code, is amended—

(1) by inserting ''(1) IN GENERAL.—'' before the first sentence;

(2) by moving paragraph (1) (as designated by the amendment made by paragraph (1) of this subsection) so as to appear immediately below the heading for such subsection, and 2 ems to the right; and

(3) by adding at the end the following:

''(2) LIMITATION.—The Secretary of Defense may not approve under paragraph (1) transfer of an operating agreement to a person that is not a citizen of the United States under section 2 of the Shipping Act, 1916 (46 U.S.C. App. 802), unless the Secretary of Defense determines that there is no person who is a citizen under such section and is interested in obtaining the operating agreement for a vessel that is otherwise eligible to be included in the Fleet under section 53102(b).''.

SEC. 3503. APPLICABILITY TO CERTAIN MARITIME ADMINISTRATION VESSELS OF LIMITATIONS ON OVERHAUL, REPAIR, AND MAINTENANCE OF VESSELS IN FOREIGN SHIPYARDS.

Section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744) is amended by inserting after subsection (c) the following:

''(d) APPLICABILITY OF LIMITATIONS ON OVERHAUL, REPAIR, AND MAINTENANCE IN FOREIGN SHIPYARDS.—

''(1) APPLICATION OF LIMITATION.—The provisions of section 7310 of title 10, United States Code, shall apply to vessels specified in subsection (b), and to the Secretary of Transportation with respect to those vessels, in the same manner as those provisions apply to vessels specified in subsection (b) of such section, and to the Secretary of the Navy, respectively.

''(2) COVERED VESSELS.—Vessels specified in this paragraph are vessels maintained by the Secretary of Transportation in support of the Department of Defense, including any vessel assigned by the Secretary of Transportation to the Ready Reserve Force that is owned by the United States.''.

SEC. 3504. VESSEL TRANSFER AUTHORITY.

The Secretary of Transportation may transfer or otherwise make available without reimbursement to any other department a vessel under the jurisdiction of the Department of Transportation, upon request by the Secretary of the department that receives the vessel.

SEC. 3505. UNITED STATES MERCHANT MARINE ACADEMY GRADUATES: ALTERNATE SERVICE REQUIREMENTS.

(a) SERVICE ON ACTIVE DUTY.—Section 1303(e) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1295b(e)) is amended by adding at the end the following:

''(6)(A) An individual who for the 5-year period following graduation from the Academy, serves as a commissioned officer on active duty in an armed force of the United States or as a commissioned officer in the National Oceanic and Atmospheric Administration shall be excused from the requirements of subparagraphs (C), (D), and (E) of paragraph (1).

''(B) The Secretary may modify or waive any of the terms and conditions set forth in paragraph (1) through the imposition of alternative service requirements.''.

(b) APPLICATION.—Paragraph (6) of section 1303(e) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1295b(e)), as added by this subsection, applies only to an individual who enrolls as a cadet at the United States Merchant Marine Academy, and signs an agreement under section paragraph (1) of that section, after the date of the enactment of this Act.

SEC. 3506. UNITED STATES MERCHANT MARINE ACADEMY GRADUATES: SERVICE OBLIGATION PERFORMANCE REPORTING REQUIREMENT.

(a) IN GENERAL.—Section 1303(e) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1295b(e)) is further amended by adding at the end the following:

''(7)(A) Subject to any otherwise applicable restrictions on disclosure in section 552a of title 5, United States Code, the Secretary of Defense or the Secretary of the department in which the Coast Guard is operating, and the Administrator of the National Oceanic and Atmospheric Administration—

''(i) shall report the status of obligated service of an individual graduate of the Academy upon request of the Secretary; and

''(ii) may, in their discretion, notify the Secretary of any failure of the graduate to perform

the graduate's duties, either on active duty or in the Ready Reserve component of their respective service, or as a commissioned officer of the National Oceanic and Atmospheric Administration, respectively.

''(B) A report or notice under subparagraph (A) shall identify any graduate determined to have failed to comply with service obligation requirements and provide all required information as to why such graduate failed to comply.

''(C) Upon receipt of such a report or notice, such graduate may be considered to be in default of the graduate's service obligations by the Secretary, and subject to all remedies the Secretary may have with respect to such a default.''.

(b) APPLICATION.—The amendment made by this section does not apply with respect to an agreement entered into under section 1303(e) of the Merchant Marine Act, 1936 (46 U.S.C. 1295b(e)) before the date of the enactment of this Act.

SEC. 3507. TEMPORARY AUTHORITY TO TRANSFER OBSOLETE COMBATANT VESSELS TO NAVY FOR DISPOSAL.

The Secretary of Transportation shall, subject to the availability of appropriations and consistent with section 1535 of title 31, United States Code, popularly known as the Economy Act, transfer to the Secretary of the Navy during fiscal year 2006 for disposal by the Navy, no fewer than 6 combatant vessels in the nonretention fleet of the Maritime Administration that are acceptable to the Secretary of the Navy.

SEC. 3508. TEMPORARY REQUIREMENT TO MAINTAIN READY RESERVE FORCE.

(a) REPORT TO CONGRESS.—The Secretary of Defense, in consultation with the Secretary of Transportation, shall submit to Congress by not later than March 1, 2007, a report describing a five-year plan for maintaining the capability of the Ready Reserve Force of the National Defense Reserve Fleet necessary to support Department of Defense wartime missions and support to civil authority missions.

(b) REQUIREMENT TO MAINTAIN THE READY RESERVE FORCE AT CURRENT STRENGTH.—The Secretary of Transportation shall maintain 58 vessels in the Ready Reserve Force of the National Defense Reserve Fleet until the end of the 45-day period beginning on the date the report required under subsection (a) is submitted to Congress.

The Acting CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 109–459. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to an amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. HUNTER

Mr. HUNTER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 printed in House Report 109–459 offered by Mr. HUNTER:

At the end of subtitle B of title I (page 22, after line 21), insert the following new section:

SEC. 115. FUNDING FOR CALL FOR FIRE TRAINER/JOINT FIRES AND EFFECTS TRAINER SYSTEM.

(a) IN GENERAL.—The amount provided in section 101(5) for Other Procurement, Army, is hereby increased by $4,000,000, to be available for a Call for Fire Trainer II/Joint Fires and Effects Trainer System (JFETS) under Line 161 Training Devices, Nonsystem (NA0100).

(b) OFFSET.—The amount provided in section 201(1) for Research, Development, Test, and Evaluation, Army, is hereby reduced by $4,000,000, to be derived from the Joint Tactical Radio System account (Program Element 0604280A).

At the end of title I (page 40, after line 23), insert the following new section:

SEC. 1___. AIR FORCE PROGRAM.

(a) SCIENCE ENGINEERING LAB DATA INTEGRATION.—The amount provided in section 103 for Other Procurement, Air Force, is hereby increased by $6,000,000, to be available for Science Engineering Lab Data Integration (SELDI) at the Ogden Air Logistics Center, Utah.

(b) OFFSET.—The amount provided in section 201(4) for Research, Development, Test, and Evaluation, Defense-wide, is hereby reduced by $6,000,000, to be derived from Information and Communications Technology (Program Element 0602301E).

At the end of section 346 (page 98, after line 11) insert the following new subsection:

(e) EXCEPTION FOR NON-LINE-OF-SIGHT CANNON SYSTEM.—This section does not apply with respect to the obligation of funds for systems development and demonstration of the non-line-of-sight cannon system.

At the end of subtitle D of title VI (page 229, after line 16), insert the following new section:

SEC. 6xx. STUDY ON RETENTION OF MEMBERS OF THE ARMED FORCES WITHIN SPECIAL OPERATIONS COMMAND.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on means to improve retention of members of the Armed Forces who have a special operations forces designation. The report shall include the following:

(1) The effect on retention of such members if special pays were included in the computation of retired pay for those members with a minimum of 48 months of Hostile Fire Pay (consecutive or nonconsecutive) at the time of retirement.

(2) Information on the cost of training of members of the Armed Forces who have a special operations forces designation, with such information displayed separately for each such designation and shown as aggregate costs of training for such members at the 4-year, 8-year, 12-year, 16-year, and 20-year points of service.

(3) A statement, in the case of members of the Armed Forces with a special operations forces designation who have been deployed at least twice, of the average amount spent on special operations unique training, both predeployment and during deployment.

(4) For each component of the United States Special Operations Command, an estimate of when the assigned strength of that component will be not less than 90 percent of the authorized strength of that component, taking into account anticipated growth that is mentioned in the most recent Quadrennial Defense Review.

(5) The average amount of time a member of the Armed Forces with a special operations forces designation is deployed to areas that warrant Hostile Fire Pay.

(6) The percentage of members of the Armed Forces with a special operations forces designation who have accumulated over 48 months of Hostile Fire Pay and the percentage who have accumulated over 60 months of such pay.

Strike section 662 (page 235, line 20, through page 236, line 18) and insert the following new section:

SEC. 662. PILOT PROJECT FOR PROVISION OF GOLF CARTS ACCESSIBLE FOR DISABLED PERSONS AT MILITARY GOLF COURSES.

(a) PILOT PROJECT REQUIRED.—The Secretary of Defense shall conduct a pilot project at a significant number of military golf courses, to be selected by the Secretary, for the purpose of developing—

(1) an implementation strategy to make available, as soon as practicable at all military golf courses in the United States, an adequate supply of golf carts that are accessible for disabled persons authorized to use such courses; and

(2) a Department-wide campaign to increase the awareness among such disabled persons of the availability of accessible golf carts and to promote the use of military golf courses by such disabled persons.

(b) REQUIRED NUMBER OF ACCESSIBLE GOLF CARTS.— The Secretary shall provide at least two accessible golf carts at each pilot project location.

(c) PILOT PROJECT LOCATIONS.—The military golf courses selected to participate in the pilot project shall be geographically dispersed, except that at least one of the military golf courses shall be in the Washington metropolitan area. The Secretary may not select a military golf course to participate in the pilot project if that military golf course already has golf carts that are accessible for disabled persons.

(d) DEPARTMENT OF DEFENSE HEALTH CARE AWARENESS.—Military medical treatment facilities shall provide information to patients about the pilot project and the availability of accessible golf carts at military golf courses participating in the pilot project and at other military golf courses that already provide accessible golf carts.

(e) DURATION.—The Secretary shall conduct the pilot project for a minimum of one year.

(f) REPORT REQUIRED.—Not later than 180 days after the conclusion of the pilot project, the Secretary shall submit a report to Congress containing the results of the project and the recommendations of the Secretary regarding how to make an adequate supply of accessible golf carts available at all military golf courses in the United States.

Page 241, line 6, strike ''December 31, 2007'' and insert ''October 1, 2007''.

Page 249, line 12, strike ''Section'' and insert ''Effective October 1, 2007, section''.

Page 249, line 14, strike ''The'' and insert ''Effective October 1, 2007, the''.

At the end of subtitle D of title XXVIII (page 504, after line 7), insert the following new section:

SEC. 28___. LAND CONVEYANCE, NORTH HILLS ARMY RESERVE CENTER, ALLISON PARK, PENNSYLVANIA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey to the North Allegheny School District (in this section referred to as the ''School District'') all right, title, and interest of the United States in and to a parcel of real property consisting of approximately 11.15 acres and containing the North Hills Army Reserve Center in Allison Park, Pennsylvania, for the purpose of permitting the School District to use the property for educational and recreational purposes and for parking facilities related thereto.

(b) CONSIDERATION.—The Secretary may waive any requirement for consideration in connection with the conveyance under subsection (a) if the Secretary determines that, were the conveyance of the property to be made under subchapter III of chapter 5 of title 40, United States Code, for the same

purpose specified in subsection (a), the conveyance could be made without consideration.

(c) REVERSIONARY INTEREST.—If the Secretary determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purposes of the conveyance specified in such subsection, all right, title, and interest in and to all or any portion of the property shall revert, at the option of the Secretary, to the United States, and the United States shall have the right of immediate entry onto the property. Any determination of the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(d) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary shall require the School District to cover costs to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs related to environmental documentation, and other administrative costs related to the conveyance. If amounts are collected from the School District in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the School District.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover the costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(e) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary.

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

Strike sections 2853, 2854, and 2855 (page 506, line 1, through page 510, line 16).

The Acting CHAIRMAN. Pursuant to House Resolution 806, the gentleman from California (Mr. HUNTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUNTER. Mr. Chairman, this is a manager's amendment that has been worked out with both sides. And briefly, Mr. Chairman, this adds a section to add $4 million for the call of the fire trainer/joint fires and effects trainer with an offset of $4 million from the Joint Tactical Radio System.

It adds a section to add $6 million to the Air Force Science Engineering Lab Data Integration with an offset of $6 million from IT, PE 0602301E.

It adds an exception for the non-line-of-sight cannon system from the requirement in section 346, subsection C.

It adds a section requiring the Secretary of Defense to submit a report on means to improve retention of members of the Special Operations Forces.

It strikes and replaces section 662 requiring the Secretary of Defense to conduct a pilot project for disabled persons accessible golf carts at military golf courses that allows our disabled personnel and wounded personnel to be able to participate in golf.

It incorporates a technical correction to the TRICARE effective dates in section 704 and 709 of the bill. It adds a section conveying Army Reserve Center land in Allison Park, Pennsylvania, to the local school districts; and it strikes sections 2853, 2854, 2855.

Mr. Chairman, I reserve the balance of my time.

Mr. ANDREWS. Mr. Chairman, even though we are not in opposition, I ask unanimous consent to claim the time.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ANDREWS. Mr. Chairman, I yield back the balance of my time.

Mr. HUNTER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. HUNTER).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. ANDREWS

Mr. ANDREWS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 printed in House Report 109–459 offered by Mr. ANDREWS:

In section 312, insert after subsection (d) (page 63, after line 9) the following new subsection (e) (and redesignate existing subsection (e) as subsection (f)):

(e) EPIDEMIOLOGICAL STUDY ON HUMAN POPULATIONS.—The Secretary shall conduct an epidemiological study on human populations in the vicinity of military munitions disposal sites within covered United States ocean waters for the purpose of determining whether people have been affected by the presence of military munitions in these waters. The Secretary shall include the results of the study in the report referred to in subsection (a)(4).

The Acting CHAIRMAN. Pursuant to House Resolution 806, the gentleman from New Jersey (Mr. ANDREWS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. ANDREWS. Mr. Chairman, it surprised me to know, a little over a year ago to find that rather significant quantities of chemical weapons and the residue of chemical weapons had been dumped off the Atlantic coast at 19 different sites.

Now, it is important to understand that this dumping took place before an international treaty prohibited such dumping, so the United States was not in violation of any of its international obligations. And it is important to understand that much of this dumping took place at a time when our own Federal and State laws were either lax or nonexistent with respect to the handling of such materials.

The purpose of my amendment is most definitely not to point out any wrongdoing by the Department of Defense or the services. However, it is the purpose of my amendment to do something about the problem and finding out about the scope of the problem. We are talking here about arsenic, mustard gas, other very serious and very lethal substances which have been disposed of off of our coast over a period which dates back as far as World War I and went into the early part of the 1970s.

Now, what to do about this question requires a calm, factual analysis. Frankly, there would be one reaction that would say, well, we should just go find where the stuff is and dig it up and do something with it. I am not an expert in this field, but I am enough of an expert to know that that kind of hasty reaction might do a lot more harm than good. So the bill already contains some extensive reporting requirements which requires the Department of Defense to tell us where such dump sites are, how long these various chemical weapons and residues have been there.

My amendment adds one more requirement. It calls for the Department of Defense to do an epidemiological study of the impact, if any, on human health that has resulted from the disposal of these weapons over the years. The amendment does not prescribe a particular method of the study. It does not limit or expand any of the areas of inquiry.

It says to the Department of Defense, use your best scientific judgment and produce for us epidemiological studies that will answer the question as to whether there has been any measurable adverse impact on human health as a result of these dumping practices that took place from the early part of the 20th century until the 1970s.

The purpose of this study would then be to give us the facts that we need to determine the best course of action to protect human health.

Now, that may be to simply leave the status quo as it is. It may be to enact some measures that would preclude people from going to these areas of the sea. It may necessitate some removal. I think it is very important though that we approach this problem based upon the best scientific evidence of the impact on human health and not based upon any reaction that is based upon fear or ignorance.

So I would ask that the Members of the House support this amendment so that we may get these facts in front of us and deal with disposing of any threat to humanity that may exist.

□ 1545

Madam Chairman, I reserve the balance of my time.

Mr. WILSON of South Carolina. Madam Chairman, although I am not opposed to the amendment, I request unanimous consent to claim the time in opposition.

The Acting CHAIRMAN (Mrs. BIGGERT). Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. WILSON of South Carolina. I am very happy to join with my colleague from New Jersey, and I share the same surprise as he that the accepted means of disposal of military munitions was to dump them off the coast.

I appreciate your efforts. I appreciate the efforts of our colleague, Congressman ABERCROMBIE of Hawaii, to raise this issue. I know personally that I had the privilege of growing up in Charleston, South Carolina, right on the coast. I now represent many beautiful and pristine communities along the south Atlantic coast.

These are areas crucial for homebuilding, which is the basis of our society. I want to do all I can to promote the homebuilding industry, the ability of people from New Jersey in particular to come down and visit some very beautiful resort areas of South Carolina.

Mr. ANDREWS. If the gentleman would yield, I would actually prefer that he rephrase that so that the South Carolinians visit the New Jersey coast, which is obviously a superior vacation spot.

Mr. WILSON of South Carolina. We can share this together, because I have visited the shores of New Jersey and I invite you to visit the beaches of South Carolina. This is so important.

In addition, I would like to point out that what you are proposing indeed would provide valuable information concerning the situation of military munitions disposal. It is really reassuring to know now how we have modern disposal methods.

My oldest son served for a year in Iraq. He had been trained for munitions collection and ultimate destruction of munitions. It is done now, obviously, with the intent of protecting the environment of the country in which they are located and to protect our troops, protect American families.

Madam Chairman, I yield back the balance of my time.

Mr. ANDREWS. Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. All time having expired, the question is on the amendment offered by the gentleman from New Jersey (Mr. ANDREWS).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. ANDREWS

Mr. ANDREWS. Madam Chairman, on behalf of my friend from California, I offer her amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 printed in House Report 109–459 offered by Mr. ANDREWS:

Add at the end of title VII the following new section:

SEC. 7___. LIMITING RESTRICTION OF USE OF DEPARTMENT OF DEFENSE MEDICAL FACILITIES TO PERFORM ABORTIONS TO FACILITIES IN THE UNITED STATES.

Section 1093(b) of title 10, United States Code, is amended by inserting ''in the United States'' after ''Defense''.

The Acting CHAIRMAN. Pursuant to House Resolution 806, the gentleman from New Jersey (Mr. ANDREWS) and the gentleman from Kansas (Mr. RYUN) each will control 10 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. ANDREWS. Madam Chairman, I yield as much time as she should consume to the author of the amendment, my friend from California.

Mrs. DAVIS of California. Madam Chairman, in his first appearance as our Commander in Chief, President Bush told servicemembers at Fort Stewart, you deserve a military that treats you and your families with respect. Well, I couldn't agree more.

Today we are considering how the defense bill can demonstrate our respect for the people who serve in uniform by providing for their equipment, their training and their well-being. Together with my colleagues today, I am offering an amendment to lift the current ban on abortion services in overseas military hospitals.

Under current law, women serving our country overseas have to return home to the U.S. for medical services after obtaining permission from their commanding officer and finding space on military transport. Their only other option is venturing out to a hospital in a foreign country.

Madam Chair, I believe we can do better. I would just like to clarify a few points about this amendment. No Federal funds would be used for those procedures. Women would use their own funds, and that would include overhead costs as well, for overhead costs. This amendment affects only U.S. military facilities overseas in countries where abortion is legal, and it also observes the refusal clauses and will not force providers to perform abortions.

Madam Chair, women serving in uniform are fighting to protect our freedom and our rights. Yet these women do not receive the protection of the Constitution they so ably defend. Even for those who don't require this service, the presence of this ban sends a demoralizing message. I believe we can do better.

Today, I have heard Chairman HUNTER and certainly Mr. MCHUGH and others who have spoken so eloquently about how this bill incorporates important military personnel issues. I support this bill, and I support the work that went into it. I support the compassion and the passion of my colleagues on the House Armed Services Committee.

But I do believe, Madam Chair, that if we don't lift this ban we continue to make women serving in uniform, who face the intimate, most personal issue, we continue to make these women invisible to us.

Madam Chair, I reserve the balance of my time and look forward to my colleagues' comments.

The Acting CHAIRMAN. Without objection, the gentlewoman from California (Mrs. DAVIS) will control the time in favor of the amendment.

There was no objection.

Mr. RYUN of Kansas. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, I strongly oppose this amendment. Allowing self-funded abortions would simply turn our military hospitals overseas into abortion clinics.

Proponents of this amendment often claim that female servicemembers and dependents overseas are denied equal access to health care, effectively putting their life and health in harm's way. This is simply not true. If a woman chooses to have an abortion, abortion clinics are accessible overseas. If a woman prefers to have an abortion in the United States, that is available to her under current law as well.

Furthermore, these installations already offer self-funded abortions when the life of the mother is in danger or when the pregnancy is as a result of rape or incest.

There is no demonstrated need for expanding abortion access. Furthermore, this amendment does not seek to address operational requirements or to ensure access through entitlement. What it does, however, is unnecessarily insert a politically divisive issue into the defense authorization process.

Although this amendment is presented as providing for solely self-funded abortions, the fact is that American taxpayers will be forced to pay for the use of military facilities, the procurement of additional equipment needed to perform abortions, and the use of military personnel to perform abortions. Even if an additional equipment fee is charged to the patient, it cannot possibly account for all the expenses involved.

Military hospitals or military doctors signed up to save the lives of dedicated servicemen and women, not to end the lives of babies. It would be wrong for Congress to pressure or coerce these doctors into performing a procedure they morally object to.

I ask my colleagues to vote against turning military hospitals into abortion clinics and vote against this amendment.

Madam Chairman, I reserve the balance of my time.

Mrs. DAVIS of California. Madam Chairman, I yield 2 minutes to the gentlewoman from California (Ms. HARMAN).

Ms. HARMAN. I thank the gentlewoman for yielding.

Madam Chair, I was proud to serve on the Armed Services Committee for 6 years. I have supported this amendment since I first offered it in 1997. I salute my California sisters, Mrs. DAVIS and Ms. SANCHEZ, who have ably taken up the cause.

I became a grandmother for the first time this year. I surely hope that before my granddaughter is old enough to serve in the military this amendment will become law.

Madam Chair, over 200,000 women serve in the U.S. military and approximately 12,000 currently serve in Iraq and Afghanistan. These women are flying helicopters and fighter aircraft. They are driving support vehicles, patrolling bomb ridden highways and shouldering weapons. They serve as an example and an inspiration to the women they meet around the world, and they break down stereotypes held by many men. Yet in some critical ways, women in the military are treated as second class citizens by their own government.

Under current law a servicewoman stationed abroad cannot obtain a safe, legal procedure to terminate a pregnancy in a U.S. military health facility. Instead, she must either take medical leave to return to the U.S. or gamble with a foreign hospital and face the prospect of language barriers, unfamiliar cultural expectations and vastly different standards of medical care. This is wrong.

Let me be perfectly clear. The amendment does not force military doctors to perform abortions, nor does it require any taxpayer dollars. What it does, however, is give servicewomen and female military dependents stationed abroad the same constitutional rights as women living here.

When an individual puts on the uniform of the U.S. Armed Forces, she or he accepts the profound responsibility of defending our Nation and protecting our cherished freedoms. A woman who puts her life on the line to defend the fundamental rights of all Americans should not be deprived of her own fundamental right to choose. Vote for the Davis-Harman-Sanchez amendment.

Mr. RYUN of Kansas. Madam Chairman, I yield 1 minute to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Madam – ?? Chairman, I rise today in opposition to the Davis amendment, which authorizes military doctors to perform abortions at military overseas hospitals. This policy was rejected every year for the last 10 years, and I look forward once more to voting against it.

Current law was signed by President Clinton in 1996 and bans the use of military facilities for abortions except in the case of incest, rape or where the life of the mother is at risk.

Rest assured, women in the military do have access to the elective medical procedures they want. Therefore, this debate is not about a woman's right to obtain treatment. This debate is about maintaining the principal mission of military medical centers to heal and to protect human life.

Madam Chair, this amendment overturns this mission and turns these facilities into abortion clinics at the American taxpayer's expense.

I, for one, will not support the use of Federal funds or military hospitals to promote or to perform abortions.

Mrs. DAVIS of California. Madam Chairman, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. I want to thank the gentlewoman for yielding and for her leadership. I rise in strong support of this amendment.

It would lift the ban on privately funded abortion care at overseas military bases where abortion is legal. Currently servicewomen or women military dependents are forbidden from using their own personal funds to obtain an abortion if they are stationed overseas.

Enacting this amendment will put an end to this discriminatory policy against the 350,000 women in our military who are serving our country each and every day. We must ensure that servicewomen overseas are guaranteed their legal right to access comprehensive health care services. We must demand that servicewomen overseas can obtain the same quality and range of medical care available to them in the United States.

We must protect those who risk their lives each and every day to protect their country. Let us reject this administration's ongoing politically motivated war on women and let's start by adopting this important commonsense amendment.

I urge my colleagues to vote ''yes'' on the Davis-Harman-Sanchez amendment and provide our servicewomen with access to their constitutionally protected right to choose.

Mr. RYUN of Kansas. Madam Chair, I yield 1½ minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. I thank the gentleman from Kansas.

Madam Chairman, I rise in strong opposition to the Davis amendment. Military treatment centers, which are dedicated to healing, nurturing and saving lives, should not be forced into the business of ending lives. This amendment, plain and simple, turns these facilities into abortion clinics by repealing a prolife provision, a prolife provision which was signed into law by President Clinton as part of the National Defense Authorization Act in 1996.

This amendment contradicts fundamental U.S. military values such as honor, courage and taking responsibility for one's own actions. We believe that life begins at conception and that it is sacred. As Members of Congress, we should do all we can to protect life. That is what our military hospitals are doing.

Instead, while we stand here today, opportunist pro-abortion Members are once again belittling and devaluing the sanctity of human life. If this inappropriate amendment were adopted, not only would taxpayers' hard-earned dollars be used to perform abortions on demand on our military bases, but our military medical personnel would be forced to perform abortions against their will.

□ 1600

Instead of equipping our armed services personnel with the tools needed to operate and treat wounded or ill troops and defend America, this amendment would mandate that our military personnel perform abortions and kill human fetuses. This is unacceptable.

This amendment must be rejected today, just as it has been in the past five Congresses. I urge my colleagues to join me in protecting human life by voting against the Davis amendment.

Mrs. DAVIS of California. Madam Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Madam Chairman, American women have a constitutional right to choice as guaranteed by the right to privacy. However, our servicewomen and the wives and daughters of our servicemembers are denied this basic right when stationed at military installations overseas. This amendment guarantees that women who selflessly pledge to defend our Constitution at all costs are afforded the same rights that they fight to uphold.

Current law allows women stationed overseas to access abortion services on a military base only after an act of rape or incest or when her life is in danger. It is bad enough that victims of rape or incest have to pay for these procedures out of their own pocket. But as American women, it is unconscionable that they cannot access the same safe, clean and legal reproductive services available to women here the United States, even if they are paying for it themselves.

Are we really asking these brave and noble women, who are ready to make the ultimate sacrifice, to relinquish the same rights that they fight so valiantly to uphold and defend?

I encourage my colleagues to stand with our servicewomen as they put their lives on the line. Lift the ban on privately funded abortions and support this amendment.

Mr. RYUN of Kansas. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today in very strong opposition to this amendment. I voted against this amendment in the House Armed Services Committee just last week where it was overwhelmingly defeated, and I intend to vote against it today as well.

The health care professionals who serve our brave men and women in uniform in the military health system are dedicated to preserving life, and I have visited many military hospitals and witnessed the heroic efforts to preserve the lives of those wounded in battle, and we honor their service, we honor their dedication.

This amendment would allow these great lifesaving medical facilities to be used as abortion clinics, and abortion is not the mission of the military health system. The mission is to save lives, not destroy innocent human lives.

Mr. Chairman, I applaud the great service and the sacrifice of the dedicated health care professionals serving our military. These men and women face great challenges in healing those who have been wounded in battle, and through their efforts we have seen dramatic drops in the number of troops who die from these wounds. Their efforts have truly been heroic.

Let them continue to focus on saving the lives of our men and women in uniform, and not taking the most innocent of human lives.

I urge my colleagues to defeat this amendment.

Mrs. DAVIS of California. Mr. Chairman, I yield 1 minute to the gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Chairman, I rise in support of the Davis amendment which would lift the ban on personally funded abortion care provided at overseas military bases.

Since over 200,000 women serve overseas in military bases and are denied the right under Roe v. Wade to terminate a pregnancy, we need this legislation. This legislation would restore the right of a female service member who has been stationed overseas to use their own funds to obtain an abortion as they would be able to do if they were back home.

I urge adoption of this amendment. And I speak adamantly against our present policy that while allowing women who have been raped or been impregnated by a family member or whose life is in danger because of an unhealthy pregnancy to have an abortion, they have to pay for it themselves. That is wrong.

While we are not addressing this issue today at least we can move forward with the Davis amendment.

Mr. RYUN of Kansas. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. RENZI).

Mr. RENZI. Mr. Chairman, I thank the gentleman from Kansas for his leadership on this issue.

First and foremost, I stand against this amendment because it authorizes the destruction of innocent human life, the most innocent, the most defenseless, the voiceless in our society.

We talk about the fact that the cost will be provided by a private individual. Not true. This authorizes prolife Americans to have to underwrite the cost of building the facilities, training the physicians, training the nurses, equipping the facilities. Underwriting the cost will be borne by prolife Americans.

Requiring military hospitals to perform elective abortions exposes the physicians, the nurses, the military personnel to move against their own personal convictions of life in many cases. Imagine a full colonel directing, giving military orders, to a young major who is prolife, a prolife doctor who is a major, giving him military orders to perform an abortion. His military career would be over.

The Most Reverend Edwin O'Brien, Archbishop for Military Services, said, ''Military hospitals have an outstanding record of saving life even in the most challenging times and conditions. Their commitment extends to the smallest of human beings. Please allow them to continue abiding by these values.''

I stand by those Americans, those prolife Americans, who do not want to underwrite and have our prolife dollars going to military hospitals. I stand by those prolife doctors and nurses who don't want to be given military orders to perform an abortion.

Mrs. DAVIS of California. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Chairman, I thank the gentlewoman for yielding.

Mr. Chairman, I rise in strong support of this amendment. This amendment is about treating the women who serve our country in the United States military fairly and with respect.

Current law forbids female military personnel from obtaining abortions using their own funds from overseas military hospitals. This amendment allows U.S. servicewomen access to reproductive health care abroad, just as they would receive at home.

A male member of the armed services needing medical attention receives the best, and all his medical needs are covered. But a female member needing a specific medical procedure must return to the United States, often at great expense, or go to a foreign hospital, which may be unsanitary and dangerous. This is absolutely wrong and unfair.

No taxpayer money would be used to fund any abortions. The servicewomen themselves would pay for their own care. The amendment would simply lift the ban on privately funded abortion care in U.S. military hospitals.

Right now, many women are overseas protecting our constitutional rights. We should protect their constitutional rights by passing this amendment.

Mr. RYUN of Kansas. Mr. Chairman, at this time, I am pleased to yield 1 minute to the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. Mr. Chairman, thank you for this opportunity to join my colleagues in challenging this amendment which has been defeated by the full House for 10 consecutive years.

The core purpose of our military hospitals is to care for servicemen and women, particularly those who are wounded in the line of duty defending our country.

U.S. taxpayers should not be forced by the government to have their hard-earned funds used for the taking of innocent human lives. They should continue to have the free choice to say ''no'' to funding abortions.

The U.S. military health care facilities overseas witness more than their fair share of violence. Military health care personnel understand that the Hippocratic Oath is a solemn commitment to heal and nurture life. Let's not abandon this legacy and force our constituents to foot the bill.

Women deserve better than abortion. As a people, we should strive to be a just and loving society that does not abandon persons to the choice for abortion, particularly at taxpayer expense, but helps women even through the most difficult circumstances.

Mrs. DAVIS of California. Mr. Chairman, I have one more speaker and will close. I reserve the balance of my time.

Mr. RYUN of Kansas. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. FRANKS).

Mr. FRANKS of Arizona. Mr. Chairman, first and foremost, America is an ideal, and that ideal is that all of us are created equal and endowed by our Creator with certain inalienable rights, and the first one of those is the right to live. Our men and women across the centuries have fought and died to uphold that ideal.

Now, suddenly, to turn the hospitals that we set forth to deal with their needs overseas into abortion clinics abrogates everything that they fought and died for. It is an undermining of everything that America is.

Our foundation is to be able to look to people across the world and say that in America, life, liberty and the pursuit of happiness, life, liberty and property, these basic rights are something that we will protect.

I hear the other side often using terms like ''safe,'' ''legal,'' ''clean,'' but it ignores one absolute reality, and that is that every time an abortion takes place, a nameless little baby dies a lonely, tragic death, a mother is never the same, and everything that child might have brought to humanity is lost forever.

God help us not to turn our military hospitals into abortion clinics, and to stain the very foundations of this Nation with the blood of our own children.

Mrs. DAVIS of California. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I will be happy to yield back some of that time to the distinguished proponent of this amendment. I thank her for her leadership, and the leadership of Ms. HARMAN and Ms. SANCHEZ.

Mr. Chairman, I simply want to say that this is a question certainly of the flag and the Declaration of Independence and the rights of all Americans. But what it says is that the men and women of the United States military have equality, the equal rights to good health care and health procedures all over the world, wherever they serve.

This is a good amendment. I associate myself with this amendment, and

I ask that you vote for the men and women of the United States military and allow this amendment by Mrs. DAVIS, Ms. HARMAN, Ms. SANCHEZ, to support the women of the United States military to have equal access to good health care and to be able to secure appropriate procedures regarding their female surgical needs at overseer military facilities.

Mr. RYUN of Kansas. Mr. Chairman, I yield the balance of my time from this side to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Chairman, I thank my friend for yielding.

Mr. Chairman, the Davis amendment seeks to turn our military hospitals into abortion mills. With all due respect to my friend and colleague from California, the amendment will result in babies being brutally killed by abortion, and women will be harmed and prolife Americans will be forced to facilitate and subsidize the slaughter of innocent children.

Abortion is violence against children, Mr. Chairman, and it harms women. Some methods including dismembering and ripping apart the fragile bodies of these children. Other methods include chemical poison. RU–486, a baby pesticide that was rushed to approval by the Clinton administration bypassing safety protocals along the way isn't just lethal to babies; it kills women as well. It is poison. Several women have died after taking RU–486.

Mr. Chairman, one of the methods depicted to my left is the D&E method. It is a common later-term method of abortion in which the arms and the legs and the torso of the baby are painfully hacked into pieces. The Davis amendment, make no mistake about it, would authorize this kind of child abuse.

Mr. Chairman, we can't allow that to happen. We can't kill babies like this. With all due respect to my friend, this is child abuse and it harms women. Vote against the Davis amendment.

Mr. Chairman, I thank my friend for yielding me time, and I thank him for his affirming the inherent value and dignity of both mothers and children.

Mr. Chairman, 90 percent of the hospitals in the United States today refuse to abort unborn children, and the trend is for hospitals to divest themselves of this violence against children.

Yet as hospitals in our country repudiate abortion, because abortion kills, the Davis amendment seeks to turn our overseas military hospitals into abortion mills. With all due respect to the gentlewoman from California, the amendment she offers will result in babies being brutally killed by abortion. It will harm women, and it will force pro-life Americans to facilitate and subsidize the slaughter of innocent children.

Abortion is violence against children and it harms women. Some methods of abortion dismember and rip apart the fragile little bodies of children. Other methods chemically poison kids. RU–486—a baby pesticide that was rushed to FDA approval by the Clinton Administration by waiving numerous safety protocols including the use of Subchapter H—isn't just lethal to babies, but has killed several women. It is poison. Abortion has turned children's bodies into burned corpses, the direct result of the caustic effect of the chemicals.

Now we know as well, Mr. Chairman, from science and from medicine that due to the nerve cell development, unborn children from at least 20 weeks onward, and most likely even earlier, feel excruciating pain. They feel pain, two to four times more pain than you and I would feel from the same assault. So abortion mills aren't just child killing mills—but they are torture chambers as well.

One of those methods depicted to my left on this poster board, the D and E method, it is a common, later-term method of abortion, in which the arms and the legs and the torso are painfully hacked into pieces. The Davis amendment would authorize this child abuse in military hospitals. We can't let that happen.

Finally, Mr. Speaker, Dr. Alveda King, niece of the late Dr. Martin Luther King, has said, "How can the dream survive if we murder the children?"

Dr. King, who has had two abortions herself, but is now pro-life and bravely speaks out, says, "We can no longer sit idly by and allow this horrible spirit of murder to cut down and cut away our unborn. This is the day to choose life." Dr. King goes on to say, "We must allow our babies to live. If the dream of Dr. Martin Luther King is to live, our babies must live."

There is nothing benign or nurturing or curing about abortion. It is violence against children. It dismembers them. It chemically poisons them.

Vote down the Davis amendment.

Mrs. DAVIS of California. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, as we consider this amendment today, I want to urge my colleagues to reflect on the following: We ask women to serve in the military. We trust women in the military to secure our safety. We ask women to put their lives at risk for our freedoms. They have saved many lives as they have gone to war for us.

So I ask you, ladies and gentlemen, let us not turn our backs on the women in uniform in our country.

The Acting CHAIRMAN (Mr. CULBERSON). All time having expired on this debate, the question is on the amendment offered by the gentleman from New Jersey (Mr. ANDREWS).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mrs. DAVIS of California. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

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AMENDMENT NO. 4 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 printed in House Report 109–459 offered by Ms. JACKSON-LEE of Texas:

Page 117, after line 6, add the following new subparagraph (B) (and redesignate existing subparagraphs (B) and (C) accordingly):

"(B) the frequency of assignments during service career;".

The Acting CHAIRMAN. Pursuant to House Resolution 806, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the chairman and ranking member of a committee that really protects the lives of our soldiers on the front line and their families.

Mr. Chairman, I hope today that my colleagues will join me in a bipartisan effort to give a gift to our soldiers' families. I understand the gravity of this bill, both in the consequences that these provisions will have on our ability to protect and defend ourselves at home and abroad as well as the debate and consideration of which our colleagues on the Armed Services Committee engage to do this good job on behalf of the men and women of the Armed Forces.

For this particular reason, I would like to call attention to a clarification that is needed when providing for fair treatment of members in the Selected Reserve and Individual Ready Reserve. Members of the Individual Ready Reserve are former enlisted soldiers and officers who have some military service obligation remaining but who choose not to fulfill it in the Guard or Reserve.

Unlike members of the National Guard or Reserve, Individual Reserves do not perform regularly scheduled training and receive no pay unless they are called up.

Mr. SKELTON. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Missouri.

Mr. SKELTON. Mr. Chairman, let me compliment the gentlewoman on this amendment. It eminently makes sense. It adds the words that the frequency of assignments during service career as one of the several factors that the Secretary of Defense should consider in calling Selected Reservists to active duty.

I think it is well done. As you know, a good number of them have been asked on a frequent basis to serve, when in truth and fact, if they look at the records closely, they might not very well have called those particular people. It just requires them to consider and take a good look at it. I compliment the gentlewoman.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I reserve the balance of my time.

Mrs. DRAKE. Mr. Chairman, although I am not opposed to the amendment, I request unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Without objection, the gentlewoman's request is so ordered.

There was no objection.

Mrs. DRAKE. Mr. Chairman, section 511 of the underlying bill establishes several factors that should be considered when deciding whether a member of the Selected Reserve should be involuntarily mobilized under what is known as Presidential Select Reserve.

These factors include length and nature of previous service and family responsibilities. This amendment adds an additional category, frequency of assignments throughout a career.

For the last 15 years, the members of the Reserve components have responded magnificently when mobilized. They have answered the Nation's call repeatedly in Desert Storm, Kosovo, Afghanistan, Iraq and other places. So smoothly have these mobilizations gone that it is sometimes easy to forget that each time the orders went out jobs were set aside, lives were disrupted and dreams were put on hold.

This amendment recognizes the fact that Reservists have been repeatedly mobilized and that as long as they remain members of the Reserve components they will be subject to future mobilizations. The decision to involuntarily mobilize members of the Selected Reserves should never be taken lightly, and the commitment and dedication of these men and women should never be unfairly tasked.

This amendment recognizes these ideals. I commend the gentlewoman from Texas for offering it. Mr. Chairman, I support this amendment and ask my colleagues to do the same.

Mr. Chairman, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the gentlewoman for her kind support. Might I just say that in joining in a bipartisan manner, I am pleased that this provision recognizes and takes into account the fact that a Reservist and a National Guard member needs the support and love of his or her family, or that the needs of a family and a home are highly valued by our military and our country.

The inclusion of this passage and this language in the bill affirms and asserts the fact that we are a Nation of morals and honorable decision makers. The length and nature of previous service also should have a large part in the consideration of recalling a Reservist back to duty.

The bill specifies that this provision is to share any exposure to harmful materials in order to stay within the reasonable limits of national security and military standards. Therefore, the frequency of assignment is also an important question, and the fact that we are clarifying it today and instilling and including that in the bill is going to give Reservists and National Guard families a great deal of celebration.

Let me tell you a very pointed story. One constituent from Houston who was born in Texas, has lived his whole life in Texas, called because he was confused and concerned, not because he did not love his country, not because he did not enjoy serving, but he wanted to try and understand the fact that he was redeployed three times in a 4-year period, a man who has a family, had a job, and of course we know it was mentally and emotionally draining and of course heart-breaking to leave his family.

Therefore, this amendment will help the many Reservists and families and the National Guard families all over America. Serving your country is noble, honorable and generates pride in one's self and one's country. Re-serving your country is no less noble. That is the constituency we serve today. Yet it can damage morale, particularly if the individual is not career military, if we do not take into consideration the frequency of their service.

I thank my colleagues, and I ask my colleagues to support this amendment on behalf of the military families all over America, Re-reservists and National Guard who will benefit from understanding their plight and their situation.

Mr. Chairman, I appreciate the opportunity today to offer an amendment to the National Defense Reauthorization Act that clarifies the factors that must be taken into consideration when recalling a reservist to service to include the frequency of assignment over the duration of a reservist's career.

I understand the gravity of this bill, both in the consequences that these provisions will have on our ability to protect and defend ourselves at home and abroad, as well as the debate and consideration in which our colleagues on the Armed Services Committee engaged.

For this particular reason, I would like to call attention to a clarification that is needed when providing for fair treatment of members in the Selected Reserve and Individual Ready Reserve.

Members of the Individual Ready Reserve are former enlisted soldiers and officers who have some military service obligation remaining but who chose not to fulfill it in the Guard or Reserve. Unlike members of the National Guard and Reserve, individual reservists do not perform regularly scheduled training and receive no pay unless they are called up.

Forty percent of American troops in Iraq are from National Guard and Reserve units. For many, the financial sacrifices are great. Many lose the salaries they were earning in the private sector, and their families are struggling to pay bills. 57 percent of National Guard members and reservists have cited too many activations and/or deployments as a reason to leave the military, and 66 percent of Guard members and reservists express that they are likely to continue in the Guard or Reserve.

In the case where it is necessary for these reserves to be recalled to duty without their consent, the bill currently provides for appropriate consideration to be given to the length and nature of previous service, family responsibilities, and employment necessary to maintain the national health, safety, or interest.

I am pleased that this provision recognizes and takes into account the fact that a reservist needs the support and love of his or her family, or that the needs of a family and a home are highly valued by our military. The inclusion of this passage in the bill affirms and asserts the fact that we are a nation of moral and honorable decision-makers.

The length and nature of previous service also should have a large part in the consideration of recalling a reservist back to duty. The bill specifies that this provision is to share any exposure to harmful materials in order to stay within the reasonable limits of national security and military standards.

Related to this, however, is the fact that the frequency of assignment must also be taken into consideration. As we have seen, our reservists are brave citizens and soldiers who have willingly traveled to the other side of the world to defend their homeland. If these were career military we were talking about, I do not think that frequency should necessarily be considered.

However, we must take the occurrence, and not just the length of time, of previous service into account when recalling reservists. One tour of four years is substantially different than four tours of one year. I am not making a qualitative or quantitative judgment, or that one reservist should be preferred over another.

One constituent from Houston, who was born in Texas and has lived his whole life in Texas, called because he was confused and concerned that the 4 years he served over a 6 year time span would not be recognized by the military as he thought it should be. His three separate deployments were mentally and emotionally heartbreaking, and I heard his point clearly: His situation should be considered as dissimilar to an individual who had been deployed once and served 4 non-interrupted years.

The number of times an individual has been deployed must be included when recalling a reservist to duty, just as are family responsibilities, previous length and nature of service, and employment consequences.

Serving your country is noble, honorable, and generates pride in oneself and one's country. Re-serving your country is no less noble, yet can damage morale, particularly if the individual is not career military.

I urge my colleagues to support this measure.

Mr. Chairman, I yield back the balance of my time.

Mrs. DRAKE. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I demand a recorded vote.

This is a bipartisan amendment that is supported by Members on both sides. In order to give our Reservist families a moment of celebration, I would like the yeas and nays so that they can see the vote on the floor in support of Reservists and National Guard families.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. TANNER

Mr. TANNER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 printed in House Report 109–459 offered by Mr. TANNER:

At the end of subtitle D of title V (page 131, after line 20), add the following new section:

SEC. 534. REPORT ON USING SIX-MONTH DEPLOYMENTS FOR OPERATION ENDURING FREEDOM AND OPERATION IRAQI FREEDOM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Army should continue to further evaluate and consider—

(1) the potential benefits of converting to six-month overseas deployments for members of the Army, including members of the Army National Guard and the Army Reserve, in connection with Operation Enduring Freedom and Operation Iraqi Freedom; and

(2) the potential impacts of such reduced deployment periods on morale, recruiting, retention, readiness, and the conduct of military operations.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a report containing—

(1) the results of any surveys conducted with soldiers and their dependents by the Department of the Army regarding the proposal to reduce deployment times for members of the Army in connection with Operation Enduring Freedom and Operation Iraqi Freedom to a maximum of six months;

(2) potential plans for the Department to implement such reduced deployment times;

(3) a discussion of potential benefits associated with implementation of such reduced deployment times, such as improved members and family morale and increased recruiting and retention; and

(4) a discussion of potential drawbacks associated with implementation of such reduced deployment times, such as impacts on readiness, the conduct of operations, and forecasted additional costs.

The Acting CHAIRMAN. Pursuant to House Resolution 806, the gentleman from Tennessee (Mr. TANNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. TANNER. Mr. Chairman, the Army has been talking about adjusting the length of deployment in some manner, and there has been ongoing discussions about that with the Army Chief of Staff and others, and this amendment merely asks the Secretary of the Army to give to the Congress a report on the relative pros and cons, what they are finding out and what they intend to do within I believe it is 90 days of the date this amendment passes.

Mr. Chairman, I would urge acceptance of this amendment.

Mr. Chairman, I reserve the balance of my time.

Mrs. DRAKE. Mr. Chairman, although I am not opposed to the amendment, I request unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Without objection, the gentlewoman's request is so ordered.

There was no objection.

Mrs. DRAKE. Mr. Chairman, I rise in support of the amendment. I thank the gentleman for his amendment and for the opportunity to evaluate the length of time served.

Mr. Chairman, I urge all of my colleagues to support the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. TANNER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee (Mr. TANNER).

The amendment was agreed to.

Mrs. DRAKE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FRANKS of Arizona) having assumed the chair, Mr. CULBERSON, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5122) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2007, and for other purposes, had come to no resolution thereon.

CONFERENCE REPORT ON H.R. 4297, TAX INCREASE PREVENTION AND RECONCILIATION ACT OF 2005

Mr. THOMAS. Mr. Speaker, pursuant to House Resolution 805, I call up the conference report on the bill (H.R. 4297) to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 805, the conference report is considered read.

(For conference report and statement, see proceedings of the House of May 9, 2006, at page H2209).

The SPEAKER pro tempore. The gentleman from California (Mr. THOMAS) and the gentleman from New York (Mr. RANGEL) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased that the House is finally able to take up the conference report. The last time the House visited the Reconciliation Act of 2005 was in December of last year. The minority was very much concerned about dealing with the alternative minimum tax problem facing millions of American taxpayers.

We were also concerned, primarily on this side of the aisle, with making sure that the economy continued its robust growth. I am very pleased to announce today that there should be near unanimous support on the other side of the aisle for this reconciliation agreement.

When we offered the alternative minimum tax outside of reconciliation, we got 414 votes for providing that alternative minimum tax relief outside of reconciliation.

Subsequent to the House passing the reconciliation measure, my friends on the other side of the aisle offered, not once but twice, motions to instruct to require the conference to place in the reconciliation measure alternative minimum tax repeal.

It is my pleasure to announce today that the wishes of my friends on the other side of the aisle have been granted. The alternative minimum tax, in the most comprehensive way ever offered, is part of this package; because it is so comprehensive, that more than 15 million Americans will not pay the alternative minimum tax once this bill becomes law in 2006, and that, in addition, more than 2 million taxpayers will not have any liability because of this bill. Because of its comprehensive nature, this is the only opportunity for Members of the House to vote to provide alternative minimum tax relief to taxpayers.

□ 1630

And so I look forward to having my colleagues join me since we have provided in the reconciliation package what they have voted for and have asked for.

I am also pleased to announce to my friends on both side of the aisle that this measure also contains a provision which extends one of the primary stimulus factors in the economy, and that is the ability to pay only a 15 percent tax on dividends for investing in the economy and 15 percent on capital gains for taking a risk opportunity in the economy.

I will say for those items that were in both the House and the Senate bills that are not part of this package, we are working on an additional important tax relief package which will provide that opportunity. And I know my colleagues on the other sides of the aisle, especially those who represent the States that will see the greatest relief under the alternative minimum tax, those Members who represent the States of California, New York, Florida, Pennsylvania, Massachusetts, New Jersey, they will be pleased to note that a ''yes'' vote on this reconciliation measure provides the tax relief and, I might underscore, the only opportunity for tax relief on the alternative minimum tax measure.

I might say in the reverse, that if a Member does not vote for this measure, they are, in essence, then voting to raise taxes on more than 15 million Americans.

Mr. Speaker, I reserve the balance of my time.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, well, the Republicans are coming. The Republicans are coming. The Republicans are coming with relief for the alternative minimum tax. It is the same way they were coming to give our older people prescription

drugs. Work through the maze, and at the end of it we will give you a penalty. The Republicans are coming in order to balance the budget, but we just have to borrow more money from China and around the world.

Just how gullible do you think that the American people can be? I can imagine now in November my colleagues, Republicans, running around with a sign, ''I am from the Republican Congress. I am here to help you.''

You cannot believe it. If you want the alternative minimum tax the way they are offering it, wherever the conference was, you have to swallow with that a tax bill, a tax cut bill that costs over $40 billion. And this only would help a fraction of 1 percent of the wealthiest Americans in the world.

So if you want equity and fair play, which they refuse to give in the House for the alternative minimum tax, all you have to do is hold your nose and let them continue to give the tax cut to their rich friends and then tell you this is the last chance that the train of equity is coming through your neighborhood.

Well, it is not the last time, because we have a motion to recommit to tell the conferees to take care of those 81 million people that are caught up in this tax hookup which they should not be and to drop the rest of it and to let you try to do something with the deficit.

So let's focus not on the fact that this is the last train in town to help, but Democrats are on the way to really help by knocking off the tax cuts that no one is asking for except the administration and K Street, and concentrate on what we are here for.

And so it just seems to me that you should not frighten people to join some HMO and hold back their drugs and you should not frighten people that you are not going to get relief from the alternative minimum tax unless you buy the whole package, which is an additional $50 billion of unfair, undeserved tax cuts for the wealthy.

Mr. Speaker, I reserve the balance of my time.

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do want to make a slight correction on a factual basis. The gentleman from New York knows full well, in the reconciliation package the single largest item is the alternative minimum tax relief.

Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. HAYWORTH), a member of the committee.

(Mr. HAYWORTH asked and was given permission to revise and extend his remarks.)

Mr. HAYWORTH. Mr. Speaker, I think my colleague from California, the chairman of the Ways and Means Committee, for this time and as always, I listened with interest to my good friend from New York, and I think it illustrates some very real differences.

Tax relief should not be partisan. And part of what we actually do here in the people's House is practice the art of the possible. And so before this House today we have much-needed tax relief.

The alternative minimum tax, or AMT, has become Uncle Sam's ATM. Too much, too often have we seen the Federal Government reach into the pockets of middle-income taxpayers, and with this legislation today, we put a stop to using the AMT as Uncle Sam's ATM. That is something that the American people want to see.

And there is other thoughtful tax relief here because, in stark contrast to the bleak picture painted by my friends on the other side of the aisle, we understand that there is no reason to penalize people who succeed. By extending the 15 percent rate on dividend and capital gains taxes through 2010 and extending the increased small business expensing through 2009, we are not punishing people for succeeding. That is vital.

Is it important to Wall Street? Yeah, Mr. Speaker, it is important to Wall Street. But it is important to Main Street and it is important to your street, Mr. Speaker, every street in this Union, every neighborhood, because it helps to generate wealth and investment and that is what we are about here.

I ask the House to adopt this legislation.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. STARK), a senior member of the Ways and Means Committee and a hardworking member.

Mr. STARK. Mr. Speaker, I would like to thank the distinguished gentleman from New York for yielding me time.

This $70 billion sham defrauds the working class to line the pockets of the super-wealthy friends of the Republican Party. Taxpayers with incomes of over $10 million will have received on average $500,000 from the Republican capital gains and dividend cuts, and hardworking Americans making under $50,000 have average tax savings of $10; $500,000 if you are rich; $10 if you are just getting along.

Capital gains and dividend tax breaks benefit the rich, not the working class. Here is a chart that indicates how this money is distributed: $20 to the average middle-income household, $42,000 to those making over a million bucks.

You can see here we have taken care, the Republicans have taken care, of Members of Congress, they gave us $1,388, at least for those who are only working in the public trough. Not bad.

But this bill wastes $70 billion on millionaires that could be used to improve people's lives. With that $70 billion, $39 billion in unnecessary cuts to Medicaid which hurts the health care of children, disabled and the poor could be restored. We could fund the President's great bragging rights to the No Child Left Behind with $9 billion and provide health insurance for every child in this country for $20 billion, and there might even be a few bucks left over to decrease the deficit.

So you have here, amidst all the cute rhetoric on the other side, voodoo economics at its most ridiculous and radical extreme and moral reprehensibility that gives $100,000 to millionaires, but takes health care away from families earning less than $16,000 a year. Vote ''no.''

Mr. Speaker, I rise today in strong opposition to the Republican tax reconciliation conference report. I'd like to say it was an honor to sit on the conference committee, but this backroom deal was cut without any input from House Democratic conferees. The predictable result is a Republican agreement that benefits millionaires at the expense of working families.

You don't have to dig far into this bill to realize it helps the rich get richer, while doing little for hard working American families. The extended dividends and cap gains tax breaks didn't even expire until 2008, but Republicans wanted to reward their rich campaign donors before the November elections. As a result, people making over $10 million get an average capital gains and dividends tax breaks of about $500,000 a year. These cuts give families making under $50,000 a whopping $10 tax cut. It is clear where the Republican priorities lie.

Some will say that other tax cuts in this bill help the working class. The facts don't support that argument. Families struggling to get by on less than $20,000 a year get only $2 in average tax breaks from this bill. Average middle income households only get $20. Where could all these tax cuts go? The answer is simple, those making over $1.6 million—the top 0.1 percent of all taxpayers—get $82,000 a year in tax breaks from President Bush and their Republican friends in Congress.

In sum, this tax reconciliation bill is a $70 billion boondoggle for America's wealthiest taxpayers. Wouldn't it make a little more sense to spend this money to help people in need? We could easily eliminate the entire $39 billion in cuts Republicans made last fall to programs like Medicaid, student loans and food stamps. That would leave us $31 billion to fully fund Bush's No Child Left Behind education plan and provide every child in the country with health insurance. There might even be some money left over to help decrease the budget deficit mess Bush has gotten us in.

It is clear this bill benefits the rich at the expense of the working class, but that isn't the whole story. Just as Bush lied about weapons of mass destruction to lead us into the quagmire in Iraq, Congressional Republicans are lying about the true cost of this legislation. This bill pays for the tax cuts for the wealthy by actually raising some taxes in the short-term. Many of the so-called ''revenue raisers'' in the bill will actually end up being huge tax breaks in future years. One specific provision allows people to cash out traditional IRAs and convert them into Roth IRAs. This raises revenue in the first few years, but will cost up to $1 billion dollars a year starting in 2013. Who benefits most from this future tax break? You guessed it . . . families making over $150,000 a year.

Regardless of what some may say, tax cuts for the wealthy do not generate economic

growth, jobs or increased wages. The only people that win under the Republican reconciliation plan are the millionaires who receive all the tax breaks. It is immoral to give a millionaire an extra $100,000 while we're taking Medicaid benefits away from a family of three making under $15,750.

I urge all my colleagues to stand up for the working class and vote against these irresponsible and immoral tax breaks for the rich.

Mr. THOMAS. Mr. Speaker, I yield myself 1 minute.

What the gentleman just quoted was indeed on the front page of The Washington Post today and it comes from the Tax Policy Center. Of course, what he did not bother to do is tell you other material that has come from the very same Tax Policy Center.

Because in 2001 we took millions of people off of the tax rolls, and so for the first time many people making $10,000 to $20,000 do not pay any taxes. And what the Tax Policy Center said was, the top 50 percent pay 97 percent of all Federal income taxes.

We are good, but when we remove people from the tax rolls who do not pay any taxes, how would they expect to get money back? That is, of course, the other side of the story, and it comes from the very same center that the gentleman just quoted.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HERGER), a valued member of the Ways and Means Committee.

Mr. HERGER. Mr. Speaker, I rise in strong support of the tax relief before us. Of the major provisions of the tax reconciliation, two particularly stand out as encouraging economic expansion and continued job creation: the 2-year extension of the current 5 percent capital gains and dividend rates and the continuation of section 179 expensing limits.

I have long supported enhanced small business expensing through legislation, and I am pleased this provision was included in the final bill. Studies show that a majority of small firms benefit from expensing, helping to speed up cost recovery on new investment, contributing to small business growth. Since small businesses provide roughly two-thirds of new job creation in the United States, such growth translates into new jobs for Americans.

I have also heard from northern California seniors about the importance of capital gains and dividends to their retirement income, and they are not alone. Future tax rates on investment earnings affect the decisions that families and businesses make today. Extending the lower rates for capital gains and dividends provides tax certainty, helping to boost investment. For proof, we need look no further than today's Dow Jones Industrial Average, again reaching historic highs.

According to a Wall Street Journal piece from a few days ago, capital gains tax Federal receipts rose 79 percent after the new rates went into effect in 2003; dividend tax receipts rose 35 percent. This is further evidence that the lower rates actually produce increased revenues.

Mr. Speaker, I urge everyone's support.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman said the Wall Street Journal says we are doing well. The Main Street Journal says people are going into bankruptcy. They are losing their pensions; they are losing their health insurance. It depends on what paper you read.

Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. LEVIN), an outstanding member of the Ways and Means Committee.

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Mr. Speaker, two quick comments.

Mr. THOMAS, when you say that the people taken off the rolls a few years ago do not pay any taxes—you did, twice you said that.

Mr. THOMAS. Mr. Speaker, will the gentleman yield on my time?

Mr. LEVIN. Yes, Mr. Speaker.

Mr. THOMAS. If, in fact, I said taxes, I obviously meant income taxes, and I appreciate the gentleman's bringing that point to me. And I would like the record corrected to say, they do not pay income taxes.

Mr. LEVIN. Okay. I hope in the future Republicans who keep on saying they do not pay taxes will not say that anymore.

Mr. THOMAS. Mr. Speaker, will the gentleman yield on my time?

Mr. LEVIN. Yes, Mr. Speaker.

Mr. THOMAS. I do appreciate having you around making sure that everyone understands that what we did in 2001 was take millions of people off of the income tax rolls.

Mr. LEVIN. Right, and they continue to pay all kinds of taxes, and indeed they are paying taxes compared to what very wealthy people are not overall paying.

Mr. THOMAS. Mr. Speaker, will the gentleman yield on my time?

Mr. LEVIN. Let me just finish.

Look, another point, we have voted, we Democrats, two or three times on the AMT. We voted two or three times. You are Johnnie-Come-Latelys. So now what you say is, vote for a bill that has that in it, but has these provisions on dividend and capital gains.

As Mr. STARK said, essentially you are bringing a tax bill here that has caviar for the very wealthy and mostly crumbs for most everybody else. That is what you are doing, and the chart shows it: a household, 50- to 75,000, $110; a household from $500,000 to $1 million, $5,500; and more than $1 million, $41,000.

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I read in an editorial a few days ago in the Post, ''While the income of the families in the middle fifth of society has grown 12 percent since 1980, the income of the top 10 percent has grown 67 percent, and the income of the top 1 percent has more than doubled. In short, the rich have grown a whole lot richer.''

So what you are doing here is giving this immense tax break to a relatively few very wealthy people, and you are combining it tomorrow with a budget bill, according to your own language, and I quote, ''the debt limit will be increased from $8.965 trillion to $9.618 trillion in an increase of $653 billion'' under your proposal.

So you are saying give the very wealthy, making $1 million or more, 45 percent of this tax bill, while you are increasing tomorrow the national debt by over $653 billion.

If your great tax policies have brought such great economic growth, why is the debt limit being raised $653 billion?

Mr. THOMAS. Mr. Speaker, how is the time distributed at this point?

The SPEAKER pro tempore (Mr. CULBERSON). The gentleman from California (Mr. THOMAS) has 20 minutes remaining, and the gentleman from New York (Mr. RANGEL) has 24 minutes remaining.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. CARDIN), a senior member, hardworking member, in the Ways and Means Committee.

(Mr. CARDIN asked and was given permission to revise and extend his remarks.)

Mr. CARDIN. Mr. Speaker, let me speak on behalf of our children and our grandchildren.

Mr. LEVIN pointed out our national debt, the actual debt now is $8.3 trillion, $28,000 per person in this country. What we have is a birth tax, and we are adding to that birth tax.

This bill, as advertised, adds another $70 billion or $69 billion to the debt, but when you look at it, it is much higher because we are using gimmicks again. We remove the income ceiling on Roth IRAs, and we count that as a revenue gain of $6 billion when we know, in fact, it will lose revenue for the Treasury to the tune of $1.3 trillion a year.

So we are using gimmicks and we are going deeper and deeper into debt. We are doing this for what? Why do we not have offsets?

You look at the extension of dividend exclusion, the dividend exclusion does not end until 2008. Why do we not work out a program to pay for these extensions?

We tell our students they have got to pay more for their college education, and that we are not going to provide the relief because we do not have the money.

We tell our veterans we cannot provide the health care that we promised them because we do not have the money in the budget; but the tax cuts, that do not expire until 2008, we can put in this bill, knowing full well it is going to add to the deficit of the Nation.

Where is fiscal responsibility? Why are we not looking after our children

and grandchildren? Why are we adding more debt to what they are going to have to pay? We could have a responsible bill that deals with the alternative minimum tax, that deals with selective inequity that we have in the Tax Code, and we could pay for every dime of that tax cut, as we should, so we do not add to the deficit of the Nation.

In the last 5 years, we have accumulated more debt held by foreign countries of U.S. debt than in the first 225-year history of America. It is a matter of national security that we pay our bills.

This bill moves in the wrong direction. I urge my colleagues to reject it.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 2½ minutes to the gentleman from Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I thank the gentleman for his superb work in conference. I rise on behalf of this conference report because I stand here today on behalf of the next generation.

We have heard some rhetoric on the other side, but the fact remains, the next generation needs new jobs. The next generation needs economic growth, and it is fairly clear, contrary to the rhetoric on the other side, economic growth helps the working class. It is the key to social justice, and ultimately, it is the solution to our deficit.

We need to leave in place the current tax policies that are working, that have been so successful in creating the fastest growth in 20 years, 138,000 jobs created last month, 18 consecutive quarters of growth averaging 3.2 percent. Our trading partners for the most part cannot match that. We are doing it because we have put in place clear growth incentives, including the right rate on capital gains and the right tax treatment of dividends.

The other side wants to repeal those reforms. The other side wants, as usual, to raise taxes. The other side wants to talk about revenues that, if these tax rates went up, probably would not be realized. There is an absurdity to the tax policy as advocated on the other side that schedules a capital gains hike, that schedules a phase-out of the proper tax treatment of dividends, and puts in place all sorts of distortions that ultimately will reduce the effectiveness of the market.

What we need to do is continue our commitment to economic growth and send a clear message to national markets that we are going to continue the tax treatments, the tax policies, that have yielded these economic benefits.

Let us pass this legislation. Let us extend for 2 more years the tax treatment of capital gains. Let us continue our commitment to economic growth.

May I add, as I was listening to the comments of the speaker from Michigan, he was mentioning the other taxes that people pay, other than the income tax; and he should have noted that those are their Social Security and Medicare contributions. For the most part, those taxes are a process of earning benefits.

It is fairly clear that the Republican majority has taken thousands of families off of the Federal income tax rolls to their permanent benefit.

Mr. RANGEL. Mr. Speaker, I yield myself such time as I may consume.

I do not know what kind of water they drink on the other side of the aisle, but back where I come from, you get a check that tells you how much you have earned and how much is deducted, and what is deducted is a tax and what you take home is net. So you can call it payroll, you can call it income tax, but a tax is a tax is a tax.

Mr. Speaker, I yield 2 minutes to the gentleman from the State of Washington (Mr. MCDERMOTT), an outstanding member of the Ways and Means Committee.

Mr. MCDERMOTT. Mr. Speaker, the Republican rubber-stamp Congress is in session. Republicans are going to rubber stamp the last act of the budget. The first act was in December when the Republicans took from the poor, the disadvantaged and the foster kids, the people on food stamps and students trying to get a student loan.

The Republicans emptied one Christmas stocking, but they thought it would be unseemly to immediately give it to the rich right in front of the poor. So they waited and they waited and they waited, and finally, today, they think the people have forgotten and gone to sleep. So they are going to give it to the rich.

The party of 1 percent is going to get a reward. The millionaires are going to get a windfall for which they did nothing except attend fund-raisers. Every millionaire will get a windfall of $41,000. The average American makes exactly that during a year. He will get $16. Millionaires, $41,000; ordinary people, $16.

Those are real numbers, no matter what they say, and that means it is reward the rich, ignore the poor. That is the Republican rubber stamp of the President's views on the world.

They say it will increase savings. The savings rate in this country is zero. In fact, it is less than zero. Ninety-nine percent of the people in this country are not better off, only the 1 percent who get the rubber stamp today; and the rest of America is forced to choose between filling the gas tank and putting food in the refrigerator.

Now, they all brought their rubber stamps today, but what they have not told you, and I will enter into the RECORD at this point the article from The Washington Post from May 9.

[From washingtonpost.com, May 9, 2006]

ANOTHER POSSIBLE BUMP TO THE DEBT CEILING

(By Jonathan Weisman and Shailagh Murray)

A $2.7 trillion budget plan pending before the House would raise the federal debt ceiling to nearly $10 trillion, less than two months after Congress last raised the federal government's borrowing limit.

The provision—buried on page 121 of the 151-page budget blueprint—serves as a backdrop to congressional action this week. House leaders hope to try once again to pass a budget plan for fiscal 2007, a month after a revolt by House Republican moderates and Appropriations Committee members forced leaders to pull the plan.

Leaders also hope to pass a package of tax-cut extensions that would cost the Treasury $70 billion over the next five years. They would then turn Thursday to a $513 billion defense policy bill that would block President Bush's request to raise health-care fees and co-payments for service members and their families.

In recent days, Congress has received some good news on the budget front. A surge of tax revenues this spring, sparked by economic growth, prompted the Congressional Budget Office last Thursday to revise its 2006 deficit forecast from around $370 billion to as low as $300 billion. But the federal debt keeps climbing because of continued deficit spending and the government's insatiable borrowing from the Social Security trust fund. With passage of the budget, the House will have raised the federal borrowing limit by an additional $653 billion, to $9.62 trillion. It would be the fifth debt-ceiling increase in recent years, after boosts of $450 billion in 2002, a record $984 billion in 2003, $800 billion in 2004 and $653 billion in March. When Bush took office, the statutory borrowing limit stood at $5.95 trillion.

Democrats will harp on those statistics not only in the budget debate but also when the House takes up tax legislation expected to finally emerge from House-Senate negotiations today. The legislation would extend for two years the deep cuts to tax rates on dividends and capital gains that Congress approved in 2003. It would also slow for one year the expansion of the alternative minimum tax, a parallel income tax system designed to hit affluent but increasingly pinching the middle class.

Although the debate will be rancorous, the tax measure is expected to pass by a comfortable margin. The budget vote will be closer. House leaders had to pull the budget plan from the floor in April, after moderate Republicans balked at planned cuts to health and education programs and appropriators objected to limits on home district pet projects—known as earmarks—and a provision that would limit emergency spending for natural disasters to about $14 3 billion a year.

Appropriators have come on board, Appropriations Committee spokesman John Scofield said. GOP leaders and committee chairman Jerry Lewis (R-Calif.) tried to win moderate support last week by cutting $4 billion from the president's defense spending request and adding that money to labor, health and education programs. But some moderates are still holding out.

''I expect they do not have the votes right now,'' said Rep. Michael N. Castle (R-Del.), a leader of the balking moderates. ''Could they get the votes by the end of the week? I'd give it a 50–50 chance.''

GOP HEALTH-CARE REDUX

It's ''health week'' in the Senate, but don't expect any big policy cures. Republicans are seeking to pass legislation that would restrict malpractice awards and encourage insurance pools among small businesses. The three bills are GOP perennials that in the past have met with staunch opposition by Democrats and interest groups. Given the high stakes of the midterm election year, the prospects this week don't look any brighter. Two of the bills, both aimed at limiting medical malpractice jury awards, stalled in the Senate last night after failing

to gain enough votes to overcome Democratic-led procedural hurdles.

The first measure, sponsored by Sen. John Ensign (R-Nev.), would allow up to $750,000 for non-economic damages and unlimited economic damages. A patient could recover up to $250,000 from a health-care provider and up to two health-care institutions each for a total of $750,000. The bill also would guarantee timely resolution of claims by mandating that health-care lawsuits are filed within three years of the date of injury, establish standards for expert witnesses and limit attorneys' fees. The second measure would target lawsuits against obstetric and gynecological providers and was sponsored by Sen. Rick Santorum (R-Pa.), whose wife won $175,000 in damages in a malpractice case against a chiropractor. Democrats mocked the bills as a gimmick designed to rally conservative voters and appease doctors and insurance companies. ''This is not a serious attempt,'' said Sen. Edward M. Kennedy (D-Mass.).

The third bill up this week, offered by Sen. Mike Enzi (R-Wyo.), would allow business and trade association to band their members together and offer group health coverage on a national or regional basis. Opponents warn that it would set the ''barest of bare bones standards for benefits,'' as one Democratic press release put it, undercutting requirements to cover cancer screening, well-baby care, immunization, access to specialists and other services.

They are going to raise the debt limit as the icing on this cake. They are still giving it away faster than it is coming in.

So when they bring the budget out here, if they ever have the guts to bring a budget out here, we are 7 months into a new year and you have no budget, they are going to raise the debt limit. So watch them. Just remember, this is the rubber stamp and the President's view.

Vote ''no.''

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume.

I heard my colleague say a tax is a tax is a tax. Everyone knows a consumption tax buys you a fish for a day; an investment buys a fishing pole and bait, and you eat for a lifetime.

A tax is not a tax is not a tax. Capital gains, dividends are a fishing pole and bait. The kind of taxes they go for is a fish.

Eat for a day or eat for a lifetime. Our taxes provide a lifetime of benefits.

Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Colorado (Mr. BEAUPREZ), a valued member of the Ways and Means Committee.

Mr. BEAUPREZ. Mr. Speaker, I thank the chairman of the committee and applaud him for bringing this legislation to the floor. It has made a difference in real American lives and the folks that we all represent.

I want to talk about one of those, Mr. Speaker. Her name is Linda Jones. Linda Jones operates two rental facilities in Westminster, Colorado, called Area Rent-Alls, just little equipment rentals like we have in all of our neighborhoods back in our districts.

She utilized section 179 expensing that is so much a part of this legislation that we are bringing in today, and in 2003, she bought $57,000 worth of new equipment. Somebody had to manufacture that equipment. Somebody had to retail that equipment. Somebody had to deliver it to a store. That is jobs.

From that, she saved $7,360 in expense. She applied that $7,360 to the health care costs for her employees. Health care costs were very much on the rise; she used the tax savings to benefit her workers in her shop.

The next year, she bought $64,000 of additional equipment and used the savings for the same thing, to buy down the increase in health care costs that she experienced on behalf of her employees.

Here is what she says: ''The availability of section 179 motivates me to continue to grow my business and is a key component within my business plan. My goal is to build my rental businesses of two more rental stores into one new location. The goal is achievable in a more reasonable time frame only because of the availability of section 179. It is a vital part of my planning for the future and ensuring a bright and profitable future for my rental business and my employees.''

It works for real, live Americans. It creates jobs and makes those with jobs lives much better and more secure.

I thank the chairman again.

Mr. RANGEL. Mr. Speaker, I am glad to yield 2 minutes to the gentleman from Georgia (Mr. LEWIS), the conscience of the Congress, from the Ways and Means Committee.

Mr. LEWIS of Georgia. Mr. Speaker, there is a time when a politician must put politics aside. There is a time when we must stand up and meet our moral obligation as servants of the people.

Millions of Americans are struggling today. They work hard. They are just trying to make ends meet. They are trying to make a way out of no way, and they are looking to Congress for a little bit of light, a little bit of hope after a hard day's work.

They do not want a handout; they just want a fair shake. But with this tax bill, we have abandoned our responsibility to the people who elected us.

□ 1700

We have shut the door in their faces. We have told them there is no room in the inn.

In this bill, you cut off the orphaned, the old, the poor, the weak, and the sick. In this bill, you cut Medicaid, Medicare, veterans benefits and housing programs all in the name of financial discipline.

Then how can we in good conscience pass a tax bill that helps the rich get richer and drives millions of our citizens into financial despair? We are asking the poor and the middle class to sacrifice. Shouldn't the rich sacrifice, too?

Where is the mercy, where is the compassion, where is the fairness? Our tax policy should be fair.

I ask you, Mr. Speaker, is it right to have a tax bill that saves hardworking American families only $10 a year while millionaires save thousands and thousands? With $10 you cannot even fill a tank full of gas. You can't pay the light bill. You can't put food on the table or clothes on your children's backs.

Mr. Speaker, this bill is not right. It is not fair. It is not just. It demonstrates shameful disregard for the people of this Nation. As a Nation and as a people and as a Congress, we must do better and we can do better. I ask my colleagues to vote against this tax bill.

Mr. THOMAS. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. WELLER), a member of the Ways and Means Committee.

Mr. WELLER. Mr. Speaker, this legislation is all about jobs. Two years ago, almost 3 years ago in 2003, this Congress worked with the President. We lowered taxes for Americans. We lowered taxes for small business. We knew it was time to encourage investment and creation of jobs. Frankly, it worked. Over 5 million new jobs were created. Unemployment today is at 4.7 percent, lower than the average of the 1970s, lower than the average of the 1980s, and lower than the average of the 1990s. This economy is growing.

My friends on the other side of the aisle say now is a good time to raise taxes. We should cut off that policy that was helping families and small business. So the question is who benefits when we put the breaks on the alternative minimum tax and cut capital gains and cut dividends? Small business does, 25 million small businesses; 28 million families benefit on average by reduction of almost $990 under 2006 tax returns. And 8.5 million of those beneficiaries are seniors who are going to be able to keep $1,144 on average. Think about that.

If the Democrats succeed in raising taxes, 28 million families will see an average increase on their taxes of $990 this year, thanks to the Democrats' efforts to increase taxes. This policy has worked in creating jobs. This policy has worked to help regular people keep more of what they earn. While Democrats want to raise taxes, let us help working families and let us help small businesses by continuing to keep their tax burden lower than what the Democrats want. I urge an ''aye'' vote.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL), an outstanding member of the Ways and Means Committee.

(Mr. NEAL of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. NEAL of Massachusetts. Mr. Speaker, the gentleman from Arizona said earlier we ought not to penalize success. What they are asking you to do today is to subsidize that success on the backs of working Americans. We are stuck in this situation because of what they did at the end of last year. Their own Members said their cuts

were too draconian and hurt too many families, but it allowed them to manipulate the rules so that we find ourselves back here today.

Let us talk about who gets what when this debate concludes. The average American family is going to get $20 with the Republican tax cut. By the way, this is the sixth and seventh tax cut while we are fighting two wars. Where is your conscience when they do not have body armor, they do not have the equipment they need in Iraq where they serve us so honorably while you cut taxes for Wall Street at the expense of Main Street?

Let us talk about that $42,000 that millionaires are going to get with the Republican tax cut and what it means. Think about what you could do with that for student aid, which they trimmed last year; as they cut Medicare, what you could do with that $42,000. They are giving it back to the investors, and where I live $42,000 is annual income for thousands of families. They are giving it back to millionaires with their tax cuts. And $42,000 is what we pay an enlisted soldier with 3 years of experience, and they are giving the $42,000 back to millionaires.

$42,000 as they cut Medicaid, $42,000 as they argue that it is okay to trim Medicare. It is $20 for those of you who go to work every day in America. You know what that means with this administration and this Congress, that is 6 gallons of gasoline. Where does it all end with their tax cuts?

Mr. THOMAS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Pennsylvania (Ms. HART), a very valued member of the Ways and Means Committee.

Ms. HART. Mr. Speaker, I thank the gentleman for the opportunity to speak in favor of H.R. 4297, the Tax Increase Prevention and Reconciliation Act. The title is exactly what this bill will do.

It is important for us to complete our work on this legislation today so we can keep our economy growing in the positive direction that it has been moving in since we cut taxes. Interesting enough, though, those opposed will also oppose reductions in our spending, making it very difficult to make sense in making their argument. They want to increase spending, and somehow I guess that means we are going to have to increase taxes. The results say we need to keep taxes low.

First, the extension of the enhanced expensing for small business will continue to provide incentives for small businesses to expand and create more jobs.

Second, extending the lower rates on capital gains and dividends for 2 more years will free up additional capital that fuels the economic growth that we have experienced over the last 3 years.

The American economy has rebounded strongly over the past 3 years with an average growth rate of 3.9 percent. In the first quarter of this year, the growth rate is nearly 5 percent. This growth has translated into job creation, with over 5 million jobs created since August of 2003, and reducing the national unemployment rate to 4.7 percent.

Where I live in western Pennsylvania, we are always the last to see the economic growth, until recently. Recent articles in the Pittsburgh Post Gazette and our Democrat State Department of Labor have admitted that Pittsburghers are finding jobs. A Labor Department analyst, Michele Heister, called the latest trend encouraging, and we are showing signs of recovery.

The truth is we need to keep taxes low. The truth is we need to keep money in the hands of entrepreneurs who are the job creators. The truth is the policy that those on the other side of the aisle advocate will kill our economy and cause job loss. I encourage my colleagues to support the good, sound economic policy in this legislation.

Mr. RANGEL. Mr. Speaker, I yield 2½ minutes to the gentleman from Maryland (Mr. HOYER), our outstanding minority whip.

Mr. HOYER. Mr. Speaker, the first plank of the Contract With America was fiscal responsibility. No political promise has ever been so broken as that one.

Mr. Speaker, this blatantly unfair and grossly irresponsible legislation represents the last gasp of the Republican Party's failed economic policies which have only caused greater disparity in America and driven our Nation into the fiscal ditch over the last 5½ years.

Today, our Republican friends are desperate to pass this conference report because they realize after November the party is over. Make no mistake, Mr. and Mrs. America, about what this legislation means to you. According to the Urban Institute-Brookings Institution Tax Policy Center, if you are among the 0.02 of households making $1 million a year, you get a tax cut of $42,000. If you are struggling to make ends meet, earning between $10,000-$20,000, you get $2 a year. If you are firmly in the middle with household incomes between $75,000-$100,000, you get about $400 a year, or $4.75 per week, enough to purchase about 3 gallons of gasoline.

Yesterday Republican Senator OLYMPIA SNOWE of Maine stated, ''The preponderance of these revenues will go to upper income people, people who make a million dollars or more. It is a question of priorities.'' Priorities, indeed.

Four months ago congressional Republicans slashed $39 billion from student loans, Medicaid and Medicare and child support enforcement. And today, 5.4 million more Americans live in poverty than when President Bush took office, and 6 million more are without health insurance. Real median household incomes are down $1,670, and still, Republicans want to give millionaires a new Lexus.

This conference report is a continuation of 5½ years of the most irresponsible fiscal policies in the history of our country. I urge my colleagues to vote against this legislation. Stand up for our country, stand up for our children, stand up for our grandchildren. Vote ''no.''

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Florida (Mr. SHAW), a senior member of the Ways and Means Committee.

Mr. SHAW. Mr. Speaker, I think what we are seeing here is a basic difference between the two political parties.

Ten years ago almost to the date I stood in this well, as well as Members from the other side of the aisle coming to this floor to speak, and the subject at that time was welfare reform. And what split us at that time, what split us was because the Republicans had faith in the human spirit. We heard time after time, speaker after speaker came to that podium right over there to my right and said women and children were going to be sleeping on grates. The reason is you had no faith in the human spirit. You had no faith that those that were poor wanted to do better.

As a result, we created jobs. We created many, many jobs. Now you are showing that same skepticism with regard to what is going to happen if you let people keep more of their own money.

Nearly 60 percent of those who are going to benefit by the capital gains rate being at 15 percent and also the dividend, tax on dividends at 15 percent, almost 60 percent earn incomes under $100,000. And what are these people doing, what is happening? They are reinvesting it in American business because they believe in the capitalistic system. It is working. We have one of the lowest unemployment rates in the entire world. The rate of 4.7 percent is lower than it was throughout the 1970s, 1980s and 1990s.

When I first came to Congress 26 years ago, we thought between 5 and 6 percent was a target for full employment. We have shattered that myth. Now it is 4.7. Why? Because we have faith in the system of capitalism which we embrace through this bill. People will reinvest their money. Where does it go? It creates jobs.

The gentleman from Georgia was talking about putting clothes on the backs of the children. Yes, is there any prouder way to do it than through a job? A real job? We have created a tremendous number of jobs through the tax rates that we have put in place.

This is a fair bill. This is a bill that is going to benefit all Americans. It will raise all ships.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT), a hardworking member of the Ways and Means Committee.

Mr. DOGGETT. Mr. Speaker, some folks really do get all of the breaks, and I am not talking about winning the lottery. The lobbyists are winning. The

very wealthiest few in this country continue to hit the jackpot with their Republican friends controlling Washington.

The tax breaks in this bill will ensure that the ever-growing gap between the rich and the poor in America continues growing.

□ 1715

And our deficit will keep growing, also, imposing a greater and greater burden on our children and on our grandchildren.

The Republicans say that further tax breaks are a necessity, and I guess they are right. With gas prices skyrocketing, the occupation of Iraq showing no end and poll numbers nosediving, more tax breaks for the wealthiest few are what Republican supporters view as a political necessity.

They are right. It is a jobs bill. It is their jobs that it is a bill about. They will pay any price with your children and grandchildren's tax dollars to cling to power up here.

The administration can't capture Osama Bin Laden. It can't meet the prescription needs of our seniors. It can't agree on what to do about immigrants. About the only issue around on which they can reach any agreement is more tax breaks for the privileged few.

Yes, President Clinton did sign an end to welfare as we know it, but corporate welfare has never had a better friend than this Republican caucus. Never mind that they have to borrow money from all to give tax breaks to a few. Never mind that this is the first time in recorded history that a country has embarked on a war by saying to some people, you must die for your country, and to others, you must stuff your pocket with more tax breaks. Some shared sacrifice.

A ''no'' vote today is a vote for fiscal responsibility. It is a vote for long-term stability over short-term gimmicks. A ''no'' vote is a step forward in freeing our children from the burdens of today's Republican excesses.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. DOGGETT. I yield to the gentleman from Maryland.

Mr. HOYER. Our Republican friends have talked a lot about jobs. Under the Clinton administration, we created 216,000 jobs per month. Under the Bush plan we have created 21,000, on average, per month.

Mr. THOMAS. Mr. Speaker, I yield myself 30 seconds to engage in a colloquy with the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, the deduction of State and local sales taxes is extremely important to my constituents and those in States that do not have an income tax.

Do you expect to present a bill to extend this crucial deduction soon?

Mr. THOMAS. I will tell my colleague that in my opening remarks I indicated that there were provisions that passed both the House and the Senate in the reconciliation packages that are not part of this bill. We are working currently on this next bill. Clearly, the State and local tax deduction will be a part of it, and we will move it to the floor as soon as possible.

Mr. RANGEL. Yeah, that next bill will probably be $100 billion.

Mr. Speaker, I yield 2 minutes to the gentleman from North Dakota (Mr. POMEROY), an outstanding member of the Ways and Means Committee.

Mr. POMEROY. Mr. Speaker, the majority Members have said this is all about jobs. No, it's not. It's all about debt.

Let me tell you something that you are not going to hear from a single proponent for this tax cut. The passage of it is going to necessitate raising the borrowing limit for our country yet another time because we are spiraling into further red ink under their reckless fiscal policy.

Look at the record. June 2002, they raised the debt. May 2003, they raised the debt. November 2004, they raised the debt. March of this year, they raised the debt. And do you know what we have now discovered? In their budget documents that will be presented on this floor this week or next, they are going to raise the debt again. They just raised it in March, now they are going to raise it again.

The record of this President will be that 42 Presidents left this country with a debt of $5.6 trillion, and under the watch of President George W. Bush, that debt will double.

This could not be happening at a worse time. Seventy-eight million Americans are going to retire next decade. The draw on Social Security and Medicare will begin. And yet we are saddling those that will follow in our country with this staggering debt even while we have the entitlement obligations to meet.

This feeding frenzy of more tax cuts, deeper fiscal imbalance, more borrowing, yet another borrowing, has got to stop. We are leaving our children with a legacy of debt they will never get out of.

Do you know any family whose approach to retirement is to blow everything they have got, expecting fully that the children are going to take care of their debts, pay their medical bills, give them income to live on in retirement? Of course not. Families take care of their children. This Congress is selling our children short by saddling them with unending debt.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 1 minute to the gentleman from Tennessee (Mr. DUNCAN).

Mr. DUNCAN. Mr. Speaker, just today one leading national newspaper reported the Federal revenue has gone up 11.2 percent in the first 7 months of this fiscal year over last year, three times the rate of inflation. The tax cuts enacted under Chairman THOMAS' leadership have strengthened the economy so much that not only has Federal revenue gone way up, but growth was 4.8 percent the first quarter, and unemployment is at a very low 4.7 percent.

Now, as to the deficit and the debt that some on the other side have mentioned, they are too high. But those on the other side attack us continually for not spending enough on every program out there. Well, you can't have it both ways. You can't continually enact big increases in spending and lower the debt at the same time.

But the best way, the best thing we can do is to keep lowering taxes so we can keep improving our economy. And I commend Chairman THOMAS and his staff, and I thank the gentleman for giving me this time.

And I rise in strong support and urge support for this conference report.

Mr. RANGEL. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Mrs. JONES), who makes outstanding contributions to the Ways and Means Committee.

Mrs. JONES of Ohio. Mr. Speaker, I thank the ranking member for the opportunity to be heard.

I was sitting in my chair over there, and people kept complimenting me today about this scarf that is about Save the Children. And I started thinking, you know, when I was a little girl we used to play this game called ''What Time Is It, Mr. Wolf'' And Mr. Wolf would say, ''1:00.''

And we would go on and you say, ''Well, what time is it, Mr. Wolf?'' And he would say, ''2:00.''

And then next was, ''Well, what time is it, Mr. Wolf?'' And then he would say, ''It's time to eat you up.''

And that is what I am thinking about with this legislation. What time is it?

It ought to be time for our children to know that we would expend money to improve opportunities for education.

It ought to be time for us to take money and tell seniors you don't have to sign up on May 15; you sign up when you get ready, but we are going to ensure you that you have a prescription drug benefit.

It ought to be time to tell children across the country that we are going to extend deductions for classroom expenses for teachers.

It ought to be time that we would extend deduction of tuition and related expenses for students.

It ought to be time that we tell companies that we are going to provide them an R&D, or research and development, tax credit.

It ought to be time for us to tell working families that we are going to cover the AMT and remove it from the situation.

But, instead, when we ask, ''What time is it, Mr. Wolf?'' his response is that we are going to make sure that the top 1 percent get a tax deduction.

And one of my colleagues said, ''You ought to have faith in the human spirit.'' When I say, ''What time is it, Mr. Wolf?'' I am afraid that there is no human spirit left out here, because if

there was human spirit in the House of Representatives, we would not even be debating this issue today.

What time is it, Mr. Wolf?

Well, today we are going to deal with some tax reductions, and when we ask, Well, why not the AMT for a longer period of time? Oh, we are going to do that in the next tax bill. And the appearance they want to give to the world is that each month we are going to do a tax bill reduction.

Instead of ''What time is it, Mr. Wolf?'' I am going to take care of the children.

Mr. THOMAS. Mr. Speaker, I yield to the gentleman from Michigan (Mr. CAMP) for a revision and extension remark.

(Mr. CAMP of Michigan asked and was given permission to revise and extend his remarks.)

Mr. CAMP of Michigan. Mr. Speaker, I rise in favor of the Tax Increase Prevention and Reconciliation Act.

By approving this Conference Report, the House of Representatives is sending another strong signal to American taxpayers that Republicans want to lock in tax relief and continue the economic recovery. The U.S. economy has grown for 18 consecutive quarters and the unemployment rate is at 4.7 percent—a rate lower than the average of the 1960s, 1970s, 1980s, and 1990s. Workers are taking home more money with paychecks growing at 4.1 percent in the last 12 months, the fastest pace since 1998.

Despite high gas prices, disposable income has increased, business investment continues to advance, retail sales are up and consumer confidence is rising. Interestingly too, the U.S. unemployment rate is lower than that of Canada, France, Germany, Italy, and the United Kingdom. Congress must continue to pursue tax policies that are responsible for this outstanding economic activity. In my view, the tax cuts the Republicans have passed since 2001 are largely responsible for this economic expansion.

This bill could not have come at a better time. Extending the 15 percent rate on capital gains and dividends to 2010 is important to do today. Investors want assurances that their money will not be subject to large tax increases only a few years from now. By extending cap gains and dividend relief Congress is sending a strong signal to the markets that economic growth will continue into the next decade. For taxpayers, market growth means businesses will continue to spend and create jobs.

The Conference Report also shields millions of taxpayers from the onerous AMT, provides small businesses with enhanced expensing limits, and contains international tax provisions that aim to increase the competitiveness of U.S. firms. The Conference Report accomplishes all this while staying within our current budget limits.

The House should pass this measure now and protect millions of Americans from unfair tax increases.

Mr. THOMAS. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Speaker, first of all, I would like to thank the chairman for his leadership in bringing this bill to the floor. It is a monumental task, and I want to congratulate him on its completion.

I rise in support of the Tax Relief Extension and Reconciliation Act of 2005. And there is no question that today is a great day for American families, and despite how much Republican policies translate into a stronger economy, what we hear today from our friends on the other side of the aisle is continued talk of the tired language of tax and spend and their insistence on engaging in class warfare.

But let's take a look at the facts: 5.4 million jobs have been created since the enactment of these rate cuts; unemployment is at $4.7 percent. These cuts have spurred spectacular economic growth. And as far as the assertion that we are aggravating the debt limit, the facts are, revenues are up 14 percent this year and receipts this year have far outstripped the growth in outlays.

And what about those, and who are they, that benefit from these rate cuts? Sixty percent of American families who benefit from these cuts make under $100,000 a year. So clearly, the assertion that there is some type of unfairness or a class-based argument is simply absurd. Wage payers and wage earners alike have benefited from these rate cuts.

And I would like to respond to one of the speakers on the other side who says, how dare Americans want to stuff their pockets with tax cuts.

I would ask, Mr. Speaker, whose money is it anyway? It is the taxpayers' money. It is their money that goes into their pockets.

We must act now, Mr. Speaker. We must not leave American families in limbo wondering whether their taxes will go up. Delaying the extension of these cuts only serves to punish taxpayers who count on us to provide certainty in fiscal policy and to respect the temptation to engage in class warfare.

Mr. RANGEL. Mr. Speaker, I yield 2½ minutes to the gentleman from Illinois (Mr. EMANUEL), an outstanding, valued member of our Ways and Means Committee.

Mr. EMANUEL. Mr. Speaker, it's deja vu all over again. Another windfall for the wealthy while everybody else gets to work for a living. By my count, this Congress has now financed three wars with four tax cuts. How else do you get $300 billion in annual deficits, $3 trillion in new debt accumulated in just 4 years and a budget that raises the debt ceiling to $10 trillion?

Middle-class families care about gas prices. They care about the war in Iraq that has now cost $450 billion. Health care costs are up 58 percent. College tuition, 38 percent. The median income in this country has dropped 2.3 percent.

So what's the number one priority for the Republican Congress? None of the above. The top 1 percent, whose average income is $5.3 million, will save an average of $82,000 under this bill. Those who make $1 million or more will get $42,000 in tax cuts. But the middle-class families, who work hard and play by the rules in this country, will get $20. That is the epitome of the wrong-headed priorities and fiscal insanity.

But there is more. This Congress has come up with yet another tax shelter for the wealthy when it comes to savings. The Wall Street Journal last week, here is their headline, ''Wealthier Taxpayers to Gain.'' If you make a six-figure income, your retirement prospects may be getting a boost, while for 55 percent of the country, all they have is Social Security. But for the wealthiest people in this country, we are giving them a boost to help save, while other people have no retirement savings.

It is coming up to Mothers Day. Sometimes I wonder what your mother thinks you are doing here on the floor. People working, people dying in Iraq fighting for this country. And what do we do? We have three wars, one in Afghanistan, one in Iraq, good men and women of our country fighting. And we are going to give another tax cut to the wealthiest 1 percent.

Mr. Speaker, the defining characteristic of this Congress is its shameless devotion to the special interests. Instead of working to extend the middle-class AMT relief for another year, for more than just 1 year, they also snuck in a provision to exempt certain overseas income for active financing to businesses to the tune of $5 billion.

What did we not do? Extension of key middle-class tax incentives for higher education, for hiring welfare recipients and for offsetting aggressive State and local sales taxes, not to mention the research and development, R&D, tax credit that is so critical for our innovation, our technology and manufacturing.

Mr. Speaker, to govern is to choose. And leadership is about priorities. This Congress has made the wrong choice. It is time for a new direction, a new set of priorities.

□ 1730

Mr. THOMAS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. REYNOLDS), a member of the Ways and Means Committee.

(Mr. REYNOLDS asked and was given permission to revise and extend his remarks.)

Mr. REYNOLDS. Mr. Speaker, I had prepared remarks talking about the fact that so many people said we couldn't, absolutely couldn't do a middle class tax break for 2006 on AMT. We absolutely couldn't put that withholding the tax rates for 2 more years on capital gains and on dividends, and some might have even forgotten that expensing for small business section 179 allows an extension of the opportunity to have an additional 2 years of expensing of $100,000 on small business.

So when I listened to my colleague from the other side of the aisle put

forth the politics of the party of ''no,'' what he failed to say and what we saw on the weekend talk shows, the Democratic Party stands for more taxes and bigger government. He was quick to outline the things he would like to see Federal Government spend, but he didn't tell you it is going to come from a tax increase.

There is no comparison. If you cannot support this legislation today to continue middle class tax cuts for the AMT and to help businesses continue the economy that has the strength that we have seen and strength for quarter after quarter after quarter, it was a clear message from the financial markets and Wall Street and businesses across Main Street U.S.A. today, give us continuity of knowing that we have the opportunity of having both dividends and capital gains as part of our planning. More importantly, fit in expenses so we can plan the small businesses that we can write 100 grand off.

Maybe the Democratic Party has been out of touch with mainstream businesses across our country because that is a clear message they asked us to get done. Chairman THOMAS and the conferees have completed that work. I urge passage of this legislation today because it is going to give a break to middle class America.

Mr. Speaker, as the lead sponsor of the House's middle-class AMT relief bill—which has been incorporated into the legislation before us today—I rise in strong support of this conference report.

For months now, we've heard our friends on the other side of the aisle tell us that we must choose between extending the lower rates on investments and the need to extend essential middle-class AMT relief. For months, they've said we can't do both. And for months, the party or no has offered no solutions and no fresh ideas—just slash and burn attacks on the Republican majority.

But today, Mr. Speaker, our majority is moving and with our positive agenda on behalf of America's hardworking taxpayers.

With regard to the AMT, many in this chamber will recall that the House passed my Stealth Tax Relief Act late last year by an overwhelming, bipartisan vote of 414 to 4. That legislation would prevent this stealth tax from sneaking up on millions of unsuspecting middle-class taxpayers by extending the temporary AMT relief for one additional year.

I would remind my colleagues that the stealth tax was never intended to hit the middle class. It was originally enacted in 1969 to prevent a small percentage of taxpayers with very high incomes from paying little or no Federal income tax. However, because the AMT was never adjusted for inflation, it is now threatening more and more middle class taxpayers each year as they climb the income ladder.

While Congress must certainly continue to work toward a permanent solution on this critical issue, our immediate task is clear. America's middle class deserves to have its temporary AMT relief extended, and I am very pleased that my legislation serves as a centerpiece of today's conference report.

I am also pleased that the conference agreement includes an extension of the lower rates for capital gains and dividends. This is an important priority not just for the ever-growing investor class—which includes millions of seniors and other middle-class Americans—but for our economy as a whole.

Thanks in large part to these lower rates on investments, tax revenues have been streaming into the Federal Treasury at a record pace. And these lower rates—which are particularly important to the economy of my home state of New York—have helped keep our Nation's economy strong and our domestic job base growing.

Mr. Speaker, I commend Chairman THOMAS and the other conferees for their efforts to ensure that these critical priorities are addressed, and I urge my colleagues to support this much-needed tax relief with a strong, bipartisan vote.

Mr. RANGEL. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, for those who say that we will not have an opportunity to vote for a fair alternative minimum tax, I would like to share with you that on the motion to recommit that we give instructions that we will have an opportunity to do that. Why are the Republicans so excited about enacting the cuts and interest rates and capital gains taxes for something that does not expire when 17 million, 18 million people need help? I don't know, but they want to give this $50 billion tax cut to people who are not screaming for it.

Where are they going to get the money? They are going to borrow the money in order to give the tax cuts, so that on our motion to recommit we set aside these tax cuts for the rich and concentrate on the middle class. This is really where your vote should be counted. Do you want to deal where 50 percent of this tax cut is going to the top 1 percent of the country, or are you really concerned with the alternative minimum tax that we Democrats have been advocating for the last few years that these people were not supposed to be caught up in this, and so we don't want them caught up in this. We don't pay for it, we borrow money to do it. It is paid for.

It just seems to me that as we talk about the economy booming, that as we go home, I hope we talk with the people that worked in the factory. The increase that we have had in job creation, 50 percent of it has been an expansion in government jobs. I am certain that this is not what the other side is so proud of. But as you walk the street and ask the people that work every day that are concerned about their pensions, concerned about their health care, the Delta pilots on strike, our automobile industry in jeopardy, why don't you ask these people about this great economic boom that you are talking about, and now you got to promise them more.

I am glad that we have come to this time in this session that we can distinguish between Republicans and Democrats and we can see the difference between us. I think what you are saying if you give these enormous tax cuts to the richest people, sooner or later it will leak down to the people who are working on the jobs.

I can understand how some people do not believe that a Medicare tax or that a Social Security tax is a tax. You may call it a fish, you may call it a fishing pole. But when people work every day and they know what their salary really is and they see what they take home, they think what is taken out is a tax.

Maybe in November we will see who is right and who is wrong. Meanwhile, this is an opportunity for America to distinguish do we borrow money for tax cuts and do we cut those people off that are relying on Medicaid and Medicare and reduce their services that we are supposed to give them. I think this is a classic case as we see more and more poor people becoming poor statistically and more of the rich people getting rich and more of the middle class people losing that status, and the people know who they are.

If the old folks really think that they have gotten a fair shake by the other side, well, then, they can be heard. They have an opportunity to be heard. But right now what we are talking about is fairness, we are talking about equity, we are talking about services. Clearly, we are talking about $70 billion or at least $50 billion of that going to the richest people that we have in this country.

The AMT should have been handled separately, and we hope that the motion to recommit will carry, and therefore we would see what honest Americans really believe as to where the relief is going to be.

The biggest fault that we have probably on our side is that we don't rub shoulders with the billionaires and millionaires that you are doing this for. But we do work for the American people. We do know what they want, and I have not received one letter from people asking me to give more relief in that upper income tax bracket. I, for one, refuse to wait for this to leak down and be able to help the middle class people that made this great republic the great country that it is.

People who work hard every day, not just cutting coupons to make this country great, people who volunteer to fight this great war, which we are paying $500 billion a month, these are the people we should be supporting and not the richest of the rich that make no sacrifice at all.

Mr. Speaker, I yield back the balance of my time.

Mr. THOMAS. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Speaker, the tax relief that the Republicans have passed has now helped to create over 5 million new jobs. But if Democrats succeed with their huge automatic tax increase, you start to lose those jobs. Let me tell you about a few of them.

Hugh Dublin owns East Texas Right of Way in Tennessee Colony, Texas. In the past 3 years his company has grown from two full-time employees and four

part-timers to adding an additional four employees. Why? Because of tax relief.

The Democrats now want to raise taxes on Hugh Dublin and his small business. They want to replace his employees' paychecks with welfare checks. This is their idea of compassion.

Eddie Alexander owns Triple S Electric in Henderson County, Texas. For the past 3 years, he worked alone with one part-time helper. Since the passage of the President's economic growth plan he has had to hire two more workers just to keep up. But the Democrats now want to raise taxes on Eddie Alexander in his small business, replacing his employees' paychecks with welfare checks. This is their idea of compassion. The Republican idea is more jobs, hope and opportunity.

Mr. THOMAS. Mr. Speaker, I yield myself the remainder of my time.

The gentleman from Illinois wanted to know why we aren't going to be voting on the research and development tax credit, on State sales tax provision, the work opportunity tax credit or the assistance to teachers for out-of-pocket expenses, money for paying for items in the classroom. My answer to the gentleman from Illinois is that he should look forward shortly for an opportunity to vote on that measure. My hope is, based on the statement, at least the feeling I got out of the statement that he made, that he would be anxious to vote ''yes'' on that measure. We will provide him an opportunity to do that.

Gee, I don't know. We had AMT outside of reconciliation, and we got all kinds of complaints about how it should be inside reconciliation. We put it inside reconciliation, and we get all kinds of complaints about the fact that it is inside reconciliation.

Our colleague from Ohio said, what time is it, Mr. Wolf? I will tell her what time it is. It is time to act. This is the measure that provides alternative minimum tax to American taxpayers. It is time to act.

If you vote ''yes,'' you are in favor of that relief. If you vote ''no,'' you are not. What time is it, Mr. Wolf? It is time to quit wolfing. It is time to vote. A ''yes'' vote provides relief.

Mr. ETHERIDGE. Mr. Speaker, I rise today to voice my opposition to H.R. 4297. I have long supported responsible tax reform, but this bill is the opposite of responsible policy. The Republicans in Congress have once again failed to provide the American people with a fair, common-sense tax reform bill. Instead, they are trying to promote a bill that hides its deficiencies behind gimmicks and trickery. But the American people will not be duped.

North Carolina taxpayers struggle to provide for their families, educate their children, and still save enough for retirement, without having the extra burden of high taxes, an intrusive IRS, or a complicated tax code.

The median household income of the people in North Carolina's Second Congressional District is about $36,000. If this bill passes, their savings would be a whole $16—less than half a tank of gas in the family minivan.

Under this Republican Congress, the national debt per person is currently $28,000. And this bill would give my constituents $16. Instead of adopting a bill that would increase the burden on our children and grandchildren, we need a common-sense solution that would return fairness to our tax system.

Under Republican rule in Washington, we have witnessed the most dramatic fiscal reversal in our nation's history. Our budget surpluses have been wasted, and our nation suffers under ever-growing budget deficits and increasing federal debt. This debt crisis is the direct result of the irresponsible tax schemes the Republican Congress have enacted.

The people of North Carolina's Second District elected me to help chart a common-sense, prudent course for the country. I pledged to represent my constituents by paying down the national debt; saving Social Security and Medicare funds for older Americans, and investing our country's resources into education, health care and other initiatives that enable people to improve their lives. H.R. 4297 is inconsistent with these goals; therefore, I oppose the bill.

Mr. FARR. Mr. Speaker, with today's vote on the ''Tax Relief Act of 2005'' (H.R. 4297) conference report, the Congressional Republican Leadership is planning, once again, to give huge tax cuts to the wealthiest one percent of Americans, while leaving 99 percent of Americans with little to no tax relief, a federal government hamstrung by deficits and a future generation saddled with monstrous debt.

I would like to insert into the record a chart from the Tax Policy Center that outlines how much Americans would actually save under this bill. These numbers clearly spell out the priorities of this Republican Leadership:

HOW MUCH WOULD YOU SAVE UNDER THE PLAN?

Income, in 2005 dollars	Average tax savings
$10,000–20,000	$2
$20,000–30,000	9
$30,000–40,000	16
$40,000–50,000	46
$50,000–75,000	110
$75,000–100,000	403
$100,000–200,000	1,388
$200,000–500,000	4,499
$500,000–1 million	5,562
More than $1 million	41,977

SOURCE: Tax Policy Center.

As legislators, we have to remember that tax cuts are part of the larger federal budget picture. We have access to a range of tax and budget policy tools, and we have to use these tools, along with common sense, to support and grow all sectors of our national economy.

Today, I tried to reestablish American values and priorities for our Nation's veterans while addressing some of the most egregious problems created by the Republican budget and tax policy. During the House Appropriations Committee debate on the FY07 funding bill for Military Quality of Life programs and Veterans, I offered an amendment that would have rolled back part of President Bush's tax cuts for millionaires. Specifically my amendment would have reduced the tax cut for taxpayers making over $1 million annually by a mere 4.5%, reducing their tax cut from $114,172 to $109,025. The savings would have provided more funding for mental health care and prosthetics devices for veterans of the Iraq war, increased the number of VA nursing home beds and added health care coverage for Priority 8 veterans. Unfortunately, the amendment failed on a party line vote.

The one Middle Class tax issue the Republicans should have addressed, but didn't, is the Alternative Minimum Tax (AMT). Their ''fix'' is only for one year. Without a serious, long-term AMT fix, the Administration and Congressional Republicans are leaving middle and upper middle income Americans in financial limbo. Democrats want real AMT reform. Republicans have passed sham AMT reform. We all need to work together to promote a progressive tax system that Americans deserve.

Mr. MARKEY. Mr. Speaker, I rise in opposition to this bill.

With this bill we are now engaged in the second phase of ''The Republican ReCONciliation Game.'' That's exactly what it is—a giant Con Game.

In February, the Con Game began with the Republicans' cutting nearly $40 billion in benefits for the most vulnerable in our society:

They cut $12 billion from student loan programs to help kids go to college.

They cut $6.4 billion from Medicare and made elderly beneficiaries pay higher premiums for their health care.

And they cut $6.9 billion from Medicaid which helps the poorest and sickest children and families in our country get healthcare.

And then they tried to turn to the second part of the Con Game, where the Republicans turn over that money that they got from cutting programs for the poor to the Ways and Means Committee to give all of that money away to their millionaire friends.

But in February when they tried for the first time to give this money to millionaires there was a public outcry because people understood that the Republicans were taking from the poor and giving to the rich. So the Republicans had to pull the bill and wait for the public to forget.

So now, three months later, the Republicans are hoping that the American public has forgotten about all of those cuts they made. They are hoping the American public won't remember that the Republicans cut Medicare and Medicaid and student loans in order to give more to their fat cat friends.

This bill favors the wealthy so dramatically that the average American family making $40,000–$50,000 a year will get $46, which is about enough for one tank of gas.

But if you make over a $1 million a year, you will get about $42,000. That's enough to buy a luxury Hummer 3 and still have $10,000 left over for the gas!

It is immoral to take medicine away from the poor, elderly and disabled so that millionaires can buy Hummers.

Vote to reject this con game and vote ''no'' on this shortsighted, fiscally irresponsible and immoral legislation.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today in strong opposition to the tax reconciliation conference report, H.R. 4297, that will cost $70 billion over ten years and provides little to no tax relief for working American families. With continued job outsourcing, cuts to pensions, health and retirement benefits, and a deficit crisis, the American people deserve targeted tax relief, they deserve better than this bill.

Today is yet another missed opportunity by the Republican-controlled Congress to provide real tax relief to working families. This tax package is disingenuous and reckless. For example, for the wealthiest among us, this bill

would extend the capital gains and dividends tax cut set to expire in 2008 for an additional 2 years through 2010. While on the other hand, the bill would only provide a one-year extension in relief for the Alternative Minimum Tax (AMT) that affects an estimated 18.9 million middle-class taxpayers and already expired in 2005.

Originally intended to ensure the wealthy taxpayers paid their fair share, the AMT has become a tax on the middle-class. Without adjustments for inflation like the federal income tax, the AMT targets a growing number of people each year. Those most affected by the AMT are taxpayers in states like my home state of Connecticut with high property taxes, high local and state income taxes, and high sales taxes. These taxpayers are middle-class families: the engineer at Pratt & Whitney, the assistant school principal at your child's elementary school, the real estate agent, the architect, the restaurant general manager, or the policy underwriter working at any number of the insurance companies located in Hartford.

What are the priorities of this Republican-controlled House? Consider this, under the Bush dividends and capital gains tax cut, taxpayers making more than $10 million a year will receive approximately $500,000 annually in tax savings. ExxonMobil's retiring CEO, Lee Raymond will receive approximately $2.5 million in tax relief for his stock investments, while the average American family making less than $50,000 will receive an average of $10 in relief a year, which barely covers the cost of 3 gallons of gas.

This conference agreement also drops three provisions in the Senate bill that would have rolled back nearly $5.4 billion over ten years in unneeded tax breaks and loopholes for the oil industry. Last week, I offered a motion to instruct house conferees to adopt these provisions because they reflected the common sense that Americans should not be getting hit by high prices twice—once at the pump and once again by seeing their tax dollars given away to an industry enjoying unprecedented levels of profit. House Republicans, and this conference agreement, rejected this simple idea in favor on continuing this Congress' misguided record of subsidizing the bottom line of oil companies and executives rather than providing real energy relief for the American people.

I am voting against this tax package because it is another example of the party of the few ignoring the majority of Americans and taking care of only the wealthiest taxpayers. I am not opposed to tax cuts. In fact, I've voted 6 times to expand tax relief and protect middle-class families from the growing reach of the AMT in the 109th Congress. The American people deserve better. Instead of helping more Americans help themselves and ensure that as a country, we move forward together, this bill will continue the Republican's record in the House to benefit the wealthiest among us and leave the majority of Americans behind.

Mr. DINGELL. Mr. Speaker, I rise in opposition to this ill-advised, ill-conceived, poorly calculated, and deeply regressive tax bill for the same reasons that I rose to oppose the tax cuts of 2001 and the yearly effort by this Congress to make them permanent every year since their approval.

I oppose them for a host of reasons. I oppose them because they are leaving our children and grandchildren with trillions, I say that again, trillions of dollars of liabilities owned by the Chinese, the Saudis, the Indians, and the Europeans. We are literally mortgaging the prosperity of today's children to the fickle nature of our competitors and rivals.

I oppose them because it has forced our military to go into battle without proper body armor on our troops—soldiers who largely come from families that do not benefit from these tax cuts—and without blast shields on our Humvees.

I oppose them because it shifts the tax burden from those who benefit the most from the success of America, to those who are desperately trying to realize their American dream. In fact, Mr. Speaker, the poorest workers under this legislation will end up with a total tax savings of two dollars while those who earn $1,000,000 or more will pocket a generous $42,000.

But this distribution isn't just unfair to the working poor; it is deeply unjust to the middle class. Families who earn from $75,000 to $100,000 will only receive a dollar a day of tax relief—not even close enough to cancel out the higher interest rates on credit cards and student loans that are resulting because of our persistent budget deficits.

Finally, I am opposed to this legislation because it excuses this Congress from the tough decisions that a future Congress and a future President are going to have to make. We all know that the Alternative Minimum Tax is going to hit the middle class hard and to fix it will cost hundreds of billions of dollars. But rather than addressing it, we are asking the Congress of 2012 to take care of our mess. We know that the retirement of the Baby Boomers is going to force massive concessions in our budget, but again, our message is to leave it to tomorrow. Let someone else clean up our mess.

Well, I hate to say, with this Congress and this President I am not surprised we are asking someone else to take responsibility for yet another mess.

Mr. HOLT. Mr. Speaker, I rise in opposition to the tax reconciliation bill. Today's tax budget reconciliation bill will give the average American family an average of $10 per year from the extension of this tax benefit, or about enough to cover 3 gallons of gas. They will receive no benefit from the extension until 2009. Despite the popular GOP rhetoric about the large percentage of Americans that benefit from the rate reduction, the average American family's share of the total tax cut is approximately 2 percent.

Taxpayers with annual incomes greater than $10 million will receive approximately $500,000 in tax reductions per year.

While I do believe we need to create a fix to the Alternative Minimum Tax problem, today's bill just pushes off the problem by another year. I have voted numerous times in favor of AMT relief far larger than the provisions included in the conference report. The conference report has limited relief that only applies in 2006, but protects dividend and capital gains benefits through the close of 2010.

We are paying for this $70 billion tax cut by deep cuts of $39 billion over 5 years in programs like Medicaid and child support enforcement. The other $31 billion will be added to the debt.

Medicare funding was cut by $6.4 billion; the social security index by $732 million. In New Jersey alone three thousand mothers will be dropped from the Women, Infants, and Children (WIC) program, which helps mothers care for their babies before and after birth. Four hundred children in New Jersey currently attending Head Start will be cut out of this important childhood education and development program. More than 3,200 low-income and disabled people will be cut from Section 8 housing vouchers, all in New Jersey alone.

They have also made a college education more expensive. Cuts—more than $12.76 billion—to federal student financial aid were made by increasing rates that students pay, charging students more fees on their loans, and reductions in subsidies to lenders. This is the largest cut in history in student loans. The result will be nearly $8 billion in new charges that will raise the cost of college loans—through new fees and higher interest—for millions of American students and families who borrow to pay for college. For the typical student borrower, already saddled with $17,500 in debt, these new fees and higher interest charges could cost up to $5,800. Once again, New Jersey families were hit—over 125,000 college students in New Jersey will be affected.

Today's tax bill cuts $70 billion in taxes and the reconciliation bill cut $39 billion in spending, so how will the other $31 billion be made up? By adding to our national debt, putting the burden on our children and grandchildren. According to the Treasury Department, major foreign holdings of U.S. Treasury securities total $2.18 trillion. Currently, China is the world's second-largest buyer, exceeded only by Japan. Furthermore, China's purchases of U.S. government securities have exploded by more than 211 percent since the beginning of 2001 and now total $311 billion.

This situation is dangerous because it is a major way that we are funding the federal government—by selling our debt to the Chinese. In 1980, 17 percent of the federal debt held by the public was in foreign hands. By 2006, 45 percent of the debt held by the public was owned overseas. Unfortunately, this trend seems to be increasing rapidly. During the past year, approximately 90 percent of the debt we have accumulated has been purchased by foreign banks, individuals and governments.

The high level of foreign holdings of U.S. securities could have a debilitating impact on our economy and foreign policy. If China threatened to sell large volumes of U.S. Treasury securities, it could easily fuel higher inflation and put pressure on the Federal Reserve to increase interest rates, putting our economy at risk for a large-scale recession.

Mr. Speaker, I ask my colleagues to oppose this tax reconciliation bill, because we can do better.

Mr. LANGEVIN. Mr. Speaker, today I rise in opposition to H.R. 4297, the Tax Reconciliation Conference Report. This gimmick-laden piece of legislation will require taxpayers to borrow another $70 billion so that the wealthiest Americans can keep their taxes low in 2009 and 2010. What kind of priorities favor the wealthy in the future over working families today? We can ill afford the continued "tax cut and spend" mentality that has marked the House during the last few years. Without a change in fiscal policy, future generations will be buried under a mountain of debt created by the Republican Congress.

H.R. 4297 includes a 2-year extension of the capital gains and dividend tax cuts, which are not scheduled to expire until 2008. Nearly half of these tax cuts will go directly into the pockets of the 1 in 500 taxpayers who earn more than $1 million per year. The contrast is stark: those who earn between $40,000 and $50,000 will see an average tax cut of $46, while those earning more than $1 million will save an average of $42,000 in taxes. More egregiously, those earning over $10 million will receive an average $500,000 tax cut per year.

Regardless of what the Republicans claim, this legislation disproportionately favors the wealthiest Americans. For taxpayers earning less than $100,000 per year, only 1 out of 7 benefit from the dividend tax reduction, and only 1 out of 20 benefit from the capital gains tax cut.

Under this legislation, an additional 20 million middle class families will have their taxes raised in 2007 thanks to the Alternative Minimum Tax (AMT). Congress had an opportunity to exempt the middle class from this complicated tax that was created to prevent a very small group of high income families from avoiding income tax altogether. Unfortunately, H.R. 4297 only offers a band aid to this massive problem, and more and more middle class families will have their taxes raised in the future because this Congress chose to cut taxes for multimillionaires instead.

In addition, I am disappointed that unlike an early version of H.R. 4297, this bill does not include the extension of the Research and Development Tax Credit, which expired in December. I am a cosponsor of a bill to make the Research and Development Tax Credit permanent, as it keeps American companies competitive and provides a strong incentive for businesses to invest in the future and create jobs.

This year, we have a projected deficit of more than $330 billion. We will spend billions more in Iraq and Afghanistan, as well as rebuilding the Gulf Coast in the wake of Hurricanes Katrina, Rita, and Wilma.

We simply cannot afford all of these emergency expenses while cutting taxes for the richest Americans.

I urge my colleagues to join me in rejecting the conference report and supporting responsible tax policies that benefit all Americans, not just the wealthiest.

Mr. Speaker, our Nation's fiscal house is not in order. The tax portion of the budget reconciliation bill, which we are considering today, does absolutely nothing to fix that.

Congressional leaders and the President should go back to the drawing board and create a budget plan that more adequately balances the interests of the American people. When President George H.W. Bush faced a similar budget crisis, he had the courage to create a bipartisan budget summit and to implement needed fiscal constraints. America is better for it, and I hope that our leaders today will follow that example.

I have no quarrel with providing a substantial tax cut for middle class Americans. That is why I have consistently supported legislation to eliminate the marriage tax penalty, to abolish the federal estate tax, and to allow persons to contribute more to their retirement savings. But, like with federal spending allocations, tax cuts must be paid for in the budget. In this case, they are not.

The budget reconciliation bill contains more tax cuts than spending cuts and plunges our country deeper into debt. This is fiscally irresponsible and gives the short shrift to our children and grandchildren who will be forced to pick up the tab for such out of control budgeting.

At a time when America is embarking on a prolonged and costly war on terrorism and is waging a war against insurgents in Iraq, I am convinced that this bill would make it far more difficult to meet the defense and homeland security needs of our Nation, while keeping Social Security and Medicare on sound fiscal footing.

I hope my colleagues will abandon this reckless budgeting style and embrace a more common sense approach to drafting a budget. Reinstating the effective pay-as-you-go (PAYGO) rules, long championed by conservative House Democrats, that helped create the budget surplus of the 1990s would be a good place to start.

Mr. UDALL of Colorado. Mr. Speaker, I cannot support this conference report.

As I noted before, this conference report—like the House-passed bill—is only part of a brew based on the Republican leadership's budget recipe.

Last year, they put the first ingredients into the mixing bowl in the form of a bill to cut more than $50 billion over five years from Medicaid, student loans, and many other programs of great importance to millions of Americans. Then, with the original version of this bill, they added a compound of a few good things tainted by such unwholesome provisions as the premature extension of preferential rates for dividends and capital gains.

The result was a full-bodied one-two punch that might have been intoxicating to some but was sure to leave us all with a bad budgetary headache and stick future generations with paying the tab.

So, when it originally came to the House floor, I voted against it but held out some hope that a conference with the Senate would result in a bill that deserved enactment. Unfortunately, that did not occur and instead we have before us a conference report that perhaps is a little better than the House-passed bill but shares its basic flaws.

The centerpiece of the conference report, like that of the House-passed bill, is an extension of the reduced tax rates on capital gains and dividends, even though those rates are not scheduled to change until 2008.

This is not only unnecessary, I think it is not good policy—and neither is letting lapse better tax provisions such as the research and development tax credit, the education tax deduction to help students go to college, tax deductions for teacher's classroom expenses, and the deduction of state and local sales taxes. All of these have been omitted from the conference report.

It is true that the conference report addresses the need to remove the threat of alternative minimum tax (AMT) liability from millions of middle-income American families. But it provides only a one-year respite.

And, worst of all, enacting the conference report will result in adding at least another $70 billion onto the deficit, while the long-term budget costs are masked by a change in the rules for Individual Retirement Accounts that may increase revenue in the short term but will greatly worsen the long-term budget picture.

Questionable at any time, that kind of increase in the deficit—meaning an increase in the national debt—is even worse now, when America is at war and when President Bush and the Republican Congress have taken us from paying off our debts to a projected deficit of $3.3 trillion. Over the last 5 years, the Federal Government has had to borrow more than $1 trillion—much of it from foreign governments—which is more than the total it borrowed over the preceding two centuries. This is a sorry record, and this conference report will make it worse.

So, Mr. Speaker, count me out. I thought the original recipe was wrong. I did not vote for the original House bill and I cannot vote for this conference report.

That doesn't mean I am opposed to tax relief. That's why I voted for the motion to recommit, which would have shielded middle-income families from the AMT without adding to the deficit. Unfortunately, the Republican leadership insists on rejecting that in favor of its own recipe. I fear the result will be half-baked and leave a bitter aftertaste.

Mr. VAN HOLLEN. Mr. Speaker, I rise today to support providing much needed relief from the alternative minimum tax, but oppose those provisions providing special tax breaks for the wealthiest. I am disappointed that important legislation to help the American middle class is tied to an irresponsible tax giveaway to the wealthiest among us. The dividends tax break would help only 1 in 7 families making under $100,000 a year. The capital gains tax break affects only 1 in 20 such families. In a time of massive deficits, we should not be passing such unnecessary tax cuts. It is unfortunate that an important tax break—the AMT—is tied into this bill. While I support the AMT fix, I strongly object to the crass political ploy of attaching it to a tax break that disproportionately benefits the very wealthiest among us.

The original purpose of the AMT was to ensure that taxpayers with high incomes would not take advantage of loopholes in the tax code and pay little or no income tax. However, because the AMT is not adjusted for inflation, it will penalize middle income families. The IRS calls this tax the "Number 1 most serious problem" facing taxpayers. We must extend AMT relief to ensure that middle class families do not face the burden of this complicated and expensive tax. That is why I am encouraging my colleagues to vote for the Democratic substitute. The substitute would eliminate AMT liability for individuals whose income is less than $125,000 and for couples whose income is less than $250,000. It is simpler, broader relief, and we can pay for it by restricting tax shelters.

But an extension is only a temporary fix. We must amend the AMT to accomplish its original purpose rather than unfairly penalize millions of taxpayers. If we do not make serious changes, the AMT will affect nearly 35 million taxpayers in 2010. An extension is a good first step, but we should continue to work on policies to make the tax structure sensible and fair.

Mr. THOMAS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. ADERHOLT). Without objection, the previous question is ordered on the conference report.

There was no objection.

MOTION TO RECOMMIT OFFERED BY MR. RANGEL

Mr. RANGEL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentlemen opposed to the conference report?

Mr. RANGEL. Yes, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Rangel moves to recommit the conference report on the bill (H.R. 4297) to the committee of conference with instructions to the managers on the part of the House to report back on or before May 17, 2006, a new conference report which—

(1) includes the maximum amount of relief for individuals from the alternative minimum tax permitted within the scope of conference,

(2) does not include any extension of the lower tax rate on dividends and capital gains that would otherwise terminate at the close of 2008, and

(3) to the maximum extent possible within the scope of conference, will neither increase the Federal budget deficit nor increase the amount of the debt subject to the public debt limit.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. RANGEL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of the adoption of the conference report.

The vote was taken by electronic device, and there were—yeas 190, nays 239, not voting 4, as follows:

[Roll No. 134]

YEAS—190

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Woolsey
Wu
Wynn

NAYS—239

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Costello
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—4

Cardoza
Evans
Kennedy (RI)
Smith (WA)

□ 1808

Messrs. McCOTTER, PEARCE, CASTLE, REYNOLDS, KIRK, BARTON of Texas and MARCHANT changed their vote from ''yea'' to ''nay.''

Mr. ABERCROMBIE changed his vote from ''nay'' to ''yea.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. ADERHOLT). The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WICKER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 244, noes 185, not voting 4, as follows:

[Roll No. 135]

AYES—244

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Case
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg

Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Melancon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Salazar
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—185

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—4

Cardoza
Evans
Kennedy (RI)
Smith (WA)

□ 1816

Mr. CLEAVER changed his vote from ''aye'' to ''no.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

The SPEAKER pro tempore. Pursuant to House Resolution 806 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 5122.

□ 1817

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5122) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2007, and for other purposes, with Mr. DUNCAN (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, amendment No. 5 printed in House Report 109–459 by the gentleman from Tennessee (Mr. TANNER) had been disposed of.

AMENDMENT NO. 3 OFFERED BY MR. ANDREWS

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. ANDREWS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 191, noes 237, not voting 4, as follows:

[Roll No. 136]

AYES—191

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bass
Bean
Becerra
Berkley
Berman
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Bono
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Capito
Capps
Capuano
Cardin
Carnahan
Carson
Case
Castle
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foley
Ford
Frank (MA)
Frelinghuysen
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson, E. B.
Jones (OH)
Kaptur
Kelly
Kilpatrick (MI)
Kind
Kirk
Kolbe
Kucinich
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Maloney
Markey
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Pryce (OH)
Ramstad
Rangel
Reyes
Rothman
Roybal-Allard
Ruppersberger
Rush
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shaw
Shays
Sherman
Simmons
Slaughter
Snyder
Solis
Spratt
Stark
Strickland
Tanner
Tauscher
Thomas
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—237

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Beauprez
Berry
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Boozman
Boren
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Costello
Crenshaw
Cubin
Cuellar
Culberson
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Doyle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Holden
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Keller
Kennedy (MN)
Kildee
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kuhl (NY)
LaHood
Langevin
Latham

LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Ortiz
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Putnam
Radanovich
Rahall
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Stupak
Sullivan
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—4

Cardoza
Evans
Kennedy (RI)
Smith (WA)

□ 1834

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MR. FRANKS OF ARIZONA

Mr. FRANKS of Arizona. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN (Mr. DUNCAN). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 printed in House Report 109–459 offered by Mr. FRANKS of Arizona:

At the end of title XII (page 419, after line 7), insert the following new section:

SEC. 12___. HUMANITARIAN SUPPORT FOR IRAQI CHILDREN IN URGENT NEED OF MEDICAL CARE.

(a) FINDINGS.—Congress makes the following findings:

(1) The Secretary of Defense has discretionary authority to permit space-available travel on military aircraft for various reasons, including humanitarian purposes.

(2) Recently, 110 Iraqi children journeyed 22 hours by bus from Baghdad, Iraq, to Amman, Jordan, for urgently needed oral/facial surgery. While traveling, armed insurgents stopped and boarded the children's bus, raising serious questions about the safety of further travel by ground.

(3) Pursuant to the Secretary's discretionary authority referred to in paragraph (1), the Secretary authorized the Iraqi children to travel on military aircraft for their return trip from Amman to Baghdad.

(4) The Secretary is to be commended for his initiative in providing for the safe return of these children to Iraq by military aircraft.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should continue to provide space-available travel on military aircraft for humanitarian reasons to Iraqi children who would otherwise have no means available to seek urgently needed medical care such as that provided by a humanitarian organization in Amman, Jordan.

(c) FUNDING SUPPORT.—Within the amount provided in section 301 for Operation and Maintenance, Defense-wide—

(1) $1,000,000 shall be available only for Department of Defense support of the Peace Through Health Care Initiative; and

(2) the amount provided for Budget Activity 4 is reduced by $1,000,000.

MODIFICATION TO AMENDMENT NO. 6 OFFERED BY MR. FRANKS OF ARIZONA

Mr. FRANKS of Arizona. Mr. Chairman, I have a modification to my amendment at the desk, and I ask unanimous consent that my amendment be considered in accordance with this modification.

The Acting CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 6 printed in House Report 109–459 offered by Mr. FRANKS of Arizona:

In the text proposed to be inserted by the amendment, insert ''due to operational unobligated balances'' before the period at the end.

Mr. FRANKS of Arizona (during the reading). Mr. Chairman, I ask unanimous consent that the modification be considered as read and printed in the RECORD.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

The Acting CHAIRMAN. Without objection, the modification is agreed to.

There was no objection.

The Acting CHAIRMAN. Pursuant to House Resolution 806, the gentleman from Arizona (Mr. FRANKS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. FRANKS of Arizona. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to offer an amendment that will provide funds for a critical component in our Nation's effort to win the hearts and minds of Iraqis and others in the global fight for freedom and democracy.

For 25 years, groups like Operation Smile have sent teams of volunteer surgeons and medical personnel throughout the world to provide medical treatment and surgery to children suffering from facial injuries, cleft palates and other facial deformities.

Last year, I had the wonderful opportunity to travel to Jordan to take part in the first mission of the Iraq Initiative of Operation Smile. I was able to observe the indescribable joy of families as the lives of over 50 Iraqi children were transformed.

Mr. Chairman, it is difficult to describe how moving such an experience really is. It made clear absolutely to me the vital role these efforts play in our Nation's diplomatic efforts.

Recently, the Secretary of Defense exercised his discretionary authority to permit space available travel on military aircraft in order to safely return 110 Iraqi children to Baghdad from Amman where they had undergone urgently needed oral and facial surgeries. This intervention was deemed necessary and appropriate because armed insurgents had stopped and boarded the children's buses when they were traveling to Amman, raising serious questions about the safety of undertaking the return trip by ground.

Mr. Chairman, such activities are vital to our efforts in Iraq. Not only are many young children receiving critical, life-changing reconstructive surgeries, Iraqi physicians are also being trained so that even more children can be helped. This helps the Iraqi people understand that our war is with the terrorists and not with the Iraqi people.

Mr. Chairman, Americans have a genuine and abiding compassion for their fellow human beings, and if our diplomatic efforts and our military efforts in other Nations are to truly succeed, compassion must always be a centerpiece of those efforts. Groups such as Operation Smile provide a clear, tangible demonstration of such compassion. They put a smile on the face of freedom and our Nation's commitment to liberty in Iraq and the world over.

I truly believe these efforts save American lives by helping to win the peace, and I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. ISRAEL. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although we do not oppose it.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from New York.

There was no objection.

Mr. ISRAEL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of the gentleman's amendment. The amendment would provide $1 million for the Peace Through Healthcare Initiative to provide humanitarian assistance for critically ill Iraqi children.

Mr. Chairman, it is well known that nothing aids the international reputation of our country, and particularly our image in the developing world, as much as our humanitarian and our relief efforts. Following the aid we provided after the recent disasters of the tsunami in Indonesia and the earthquake in Pakistan, polls in both countries showed a significant increase in those who viewed America favorably. Yet humanitarian relief is more than just a tool of international politics. It is exactly who we are.

Americans are the most generous people in the world. We give more to charity each year than any other nation. We are just and we do not hold a people guilty for the sins of their leadership.

Mr. Chairman, health care in Iraq is in a perilous state, but time and time

again American servicemembers in the field, warriors and medics, and American hospitals and doctors back home have gone out of their way to help those in need. I have read numerous cases of Iraqi children being medivaced out of the country in order to receive first class medical treatment for everything from cleft palate to congenital heart disease.

Mr. Chairman, I know that the gentleman has heard these stories as well, and we both recall one case of the chief of police in the southern Iraqi province of Wasit. He worked hand-in-hand with our troops every day, putting his own life at risk. And then, one night, he turned to his American advisers and said, ''My son is dying of leukemia and the road to Baghdad is too unsafe for me to drive him to a good hospital.''

Within 24 hours, the child and his mother were helicoptered to Baghdad. The child was treated there by U.S. Army medics in the International Zone and airlifted to Jordan.

In Jordan, very sadly, Mr. Chairman, the child passed away, but with tears in his eyes, the chief of police turned to his American friends only days later and said, ''I will never forget what you have done for me.''

That, Mr. Chairman, is what this amendment is about. It is about doing the right thing for innocent children. It is about making friends and building relationships with the people of Iraq and all for only $1 million.

That is why, Mr. Chairman, I urge my colleagues to support the gentleman's amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. FRANKS of Arizona. Mr. Chairman, I would just thank the gentleman for his kind words and support. I now yield such time as he may consume to the gentleman from California (Mr. HUNTER), the distinguished chairman of the Armed Services Committee.

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding, and I want to reinforce and echo the very eloquent words of the gentleman from New York (Mr. ISRAEL).

I listened to the gentleman from Arizona (Mr. FRANKS) when he brought in Operation Smile, and I saw the pictures and I listened to his description of how important this is. This is part of the American ripple. It is part of the effect that those 138,000 ambassadors in desert camouflage uniforms have in that theater on a human basis, on a personal basis.

If the gentleman would just tell us, because I thought this was the neatest part of your presentation when you brought Operation Smile in, the effects of this operation, because you had these kids with cleft palates. I saw the pictures of their fathers and mothers with their children after the operation. If the gentleman could describe that, I think we would all appreciate it.

Mr. FRANKS of Arizona. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I yield to the gentleman from Arizona.

Mr. FRANKS of Arizona. Mr. Chairman, thank you.

I guess the only way I can describe this, Mr. Chairman, is as they begin to create these surgeries, as they begin to pull the child's lip together with a giant hole in the center of his face or her face, it not only seems to pull a face together, it seems to pull a life together. If you understand the significance of going through life with an uncorrected cleft palate or cleft lip, this is to also take the child out of an emotional darkness that is almost impossible to describe.

The ultimate impact to these families is one that is emotional beyond words. When you hand the child back to the mother or the father, there is a wailing and a moved feeling that they express that, again, is just beyond my ability to describe.

But it does have I think an effect, as I said, of putting a smiling face on the face of freedom, and I just am so grateful that this is something that we can do together as a House and that while we may have differences on a lot of our policies throughout the world, the one thing remains that America is a noble Nation and we are committed to making sure that all of God's children, as it were, have an opportunity to lay hold on this miracle of life and to live as meaningful as they can possibly can, and I appreciate the support that is demonstrated for the amendment.

Thank you, Mr. Chairman.

Mr. ISRAEL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, we have no additional speakers on our side. So I would close by again thanking the chairman and the gentleman for his leadership and agreeing with them that nobility is a bipartisan virtue.

Mr. Chairman, I yield back the balance of my time.

Mr. FRANKS of Arizona. Mr. Chairman, I yield myself such time as I may consume.

I am not sure what else I can add to this except to just simply express that we are not only changing the lives of children in the profoundest sense, but we are letting our soldiers in different parts of the world demonstrate their own compassion to these children as they are a part of the logistical process of making this real.

I would just suggest to you that the bottom line is that this is a diplomatic effort, a medical diplomacy, that is in the best interests of America. It saves Americans lives, and it transform the lives of all the children.

Mr. Chairman, I yield back my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FRANKS), as modified.

The amendment, as modified, was agreed to.

□ 1845

AMENDMENT NO. 7 OFFERED BY MR. SIMMONS

Mr. SIMMONS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN (Mr. DUNCAN). The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 printed in House Report 109–459 offered by Mr. SIMMONS:

At the end of title X (page 393, after line 23), insert the following new section:

SEC. 10___. AUTHORIZATION TO EXPIRE CLEARANCES REVOKED.

(a) PROHIBITION ON EXPIRED CLEARANCES.—No security clearance granted by the Department of Defense that has been requested to be renewed, based on a requirement for periodic reinvestigation, shall be permitted to expire until the Secretary of Defense certifies to the congressional defense committees and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives that—

(1) the Defense Security Service has continued to accept industry requests for new personnel security clearances and periodic reinvestigations; and

(2) the Defense Security Service has fully funded its requirement for fiscal year 2007 security clearances and taken steps to eliminate its backlog of requests for security clearance and periodic investigations by September 20, 2008.

(b) EXCEPTION TO PROHIBITION.—The prohibition in subsection (a) shall not apply if the Secretary of Defense determines that sufficient cause exists to revoke a security clearance, that has been requested to be renewed, based on other requirements of law or Department of Defense policy or regulations.

(c) DURATION OF PROHIBITION.—The prohibition on expired clearances authorized by this section expires on September 30, 2008.

(d) RULE OF CONSTRUCTION.—Nothing in this section alters the process in effect as of the date of the enactment of this Act for security clearances and periodic investigations.

(e) DEFINITION.—In this section, the term ''backlog'' means the body of industry requests for new personnel security clearances and periodic reinvestigations that have not yet been completed or that have not yet been opened for investigation.

(f) REPORTS.—The Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report detailing the actions required by subsection (a)(2) no later than September 30, 2007. A final report shall be submitted no later than September 30, 2008.

The Acting CHAIRMAN. Pursuant to House Resolution 806, the gentleman from Connecticut (Mr. SIMMONS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Connecticut.

Mr. SIMMONS. Mr. Chairman, I yield myself such time as I may consume.

First, I would like to commend Chairman HUNTER and Mr. BARTLETT, as well as Mr. SKELTON and Mr. TAYLOR for their leadership and vision on this bill. This bill is particularly historic with respect to the shipbuilding programs that it supports.

But I am rising today, Mr. Chairman, to offer a bipartisan amendment that would protect our industrial base workers from losing their jobs because of the failure of our Federal bureaucracy to process security clearances and periodic updates. Last month, without

warning or notice to Congress, the Defense Security Service stopped processing security clearance background checks and periodic updates for defense contractor workers.

What makes this most frustrating is the fact that the Department of Defense said it had fixed the security clearance problems last year when it transferred responsibility for these investigations to the Office of Personnel Management. Many of us who have defense workers in our district questioned DSS on that point, but they were emphatic that OPM could get the job done.

Well, Mr. Chairman, they were wrong. We cannot allow their failure to result in cleared defense workers losing their jobs.

Very simply, this amendment would prevent the Department of Defense from firing workers whose security clearance may have expired through no fault of their own. It does not change the security clearance process or prevent the Department from revoking security clearances for reasons other than the backlog, but it does protect our workers who currently have clearances that simply need to be updated.

Those already at work eventually need renewals to stay on the job, and there are thousands of shipyard workers in my district and elsewhere across the country who need clearances updated to design and build the best ships in the world. But we must give these defense workers peace of mind that they won't be out on the street because of a botched job in the bowels of the Pentagon.

Our amendment has support from both sides of the aisle as well as from numerous national security organizations, and I include for the RECORD a list of these associations. I urge my colleagues to support the Simmons-Davis-Davis amendment to keep American defense workers at work.

SECURITY CLEARANCE COALITION SUPPORTS SIMMONS/DAVIS AMENDMENT TO H.R. 5122

The associations listed below have joined in coalition to work to address the significant problems their members encounter negotiating the security granting process. All of the problems that this process has experienced for the last several years were severely compounded when the Defense Security Service placed a moratorium on the acceptance of new security clearance applications and applications for periodic reinvestigations at the end of April.

The coalition supports the Simmons/Davis amendment as a positive first step toward reversing the impact of this decision and to mitigating its impact. While the ability to attract, hire and retain qualified personnel who are able to get a clearance has been greatly impacted, this proposal will at least assure those that currently employed and holding a clearance that their job will not be impacted because of their inability to submit an application for reinvestigation.

The actions by DSS are symptomatic of the chronic problems found in the Federal government's security granting process. We hope that Congress will act to mitigate the impact of this action by adopting the Simmons/Davis amendment. It is also our hope that Congress will recognize the need to overhaul the entire clearance granting process and work with this coalition and others to bring about a more enlightened and 21st Century approach to providing trusted personnel to meet our National Security needs.

Please vote yes in support of the Simmons/Davis Amendment.

Aerospace Industries Association
Armed Forces Communications and Electronics Association
Contract Services Association
Information Technology Association of America
Intelligence and National Security Alliance
National Defense Industrial Association
Professional Services Council

Mr. Chairman, I reserve the balance of my time.

Mr. BUTTERFIELD. Mr. Chairman, I ask unanimous consent to claim the time in opposition even though I support the amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BUTTERFIELD. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it is critical that our Department of Defense provides clearances to the right people to get access to the right information so they can do their jobs in support of our troops. Access to classified information should be need driven rather than budget driven.

For this reason, I urge my colleagues to support the amendment. I want to thank the gentleman for bringing this amendment forward. It is a fair amendment, and I ask and urge its adoption.

Mr. Chairman, I yield back the balance of my time.

Mr. SIMMONS. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia (Mr. TOM DAVIS).

Mr. TOM DAVIS of Virginia. Mr. Chairman, I rise today in strong support of the Simmons-Davis-Davis amendment in the defense authorization bill.

This amendment will safeguard national security and ensure fiscal responsibility by preventing the security clearances of defense contractors from expiring until the Department of Defense resumes processing their requests for security clearance investigations and fully funds its personnel security clearance program for fiscal year 2007. I urge all of my colleagues to support this amendment.

On Friday, April 28, I discovered DOD's security clearance processing arm, the Defense Security Service, was imposing a moratorium on all requests for private sector security clearance investigations. DSS reported that it experienced a massive spike in the number of clearance requests and that it didn't have the resources to handle this spike. DSS, therefore, decided to just turn off the spigot. This is, frankly, unacceptable. It is an unacceptable solution to what should have been a very foreseeable problem.

I will be chairing a Government Reform Committee hearing on May 17 to examine this issue in more detail. In the meantime we cannot put defense contractors that need to review employees' clearances in the position of having to choose between firing their employees or granting uncleared personnel access to classified materials and facilities.

The government spends billions of dollars each year on defense contracts requiring workers with security clearances to do the work. If contractors are unable to find enough cleared personnel who have access to classified information, the cost of these contracts increases dramatically. Simply supply and demand, not enough people with the clearance, too much work to do, and the taxpayers are then forced to pick up the tab and our national security suffers.

Therefore, I rise in strong support of the Simmons-Davis-Davis amendment to prevent the Department of Defense from revoking expiring security clearances until DOD is able to get a handle on the current crisis and resume processing requests for security clearance investigations in a timely and efficient manner.

This amendment does not fix the problem, but it keeps it from getting worse. It is an important issue for national security and fiscal responsibility. I urge my colleagues to support this important amendment.

Mr. SIMMONS. Mr. Chairman, I yield myself the balance of my time, and thank the chairman and my colleagues from across the aisle for bringing fairness and peace of mind to our defense workers.

Mrs. JO ANN DAVIS of Virginia. Mr. Chairman, I rise today in strong support of this amendment that I am offering with my colleagues from Connecticut and Virginia.

As we continue to fight the Global War on Terror, the Department of Defense must adapt to meet the challenges posed by this new kind of war. I believe that it is our responsibility in Congress to exercise proper oversight and direction of our military, and the recent developments regarding the processing of security clearances deserve the attention of this body.

In our post 9/11 world, the need for precise and timely security clearance processing has never been more important. The demand for clearances of all types and levels continues to increase, yet our budgets and our processes are not up to date.

I represent thousands of workers in my district who rely on their security clearance to perform their jobs, from the shipbuilders in Newport News to the thousands of uniformed service members and contractors that are working to support our national defense. In fact, I've heard from a lot of them in the last few weeks. Our amendment will temporarily prohibit the Department of Defense's authority to expire clearances that have requested renewal until September 30, 2008, unless certain criteria are met. I firmly believe that we should not be penalizing our military and contracting community because the Department cannot adequately estimate or budget its future security clearance requirements.

Additionally, I'm pleased that a separate amendment offered by Congressman SIMMONS

and myself was included in the underlying legislation that is before the House today. The provision requires the Department to submit a series of reports on their progress in solving these problems, and I believe this is an important step in our congressional oversight of this extremely vital program for our national defense. I want to thank Chairman HUNTER for working with me on this issue.

I urge my colleagues to vote in favor of our amendment.

Mr. SIMMONS. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from Connecticut (Mr. SIMMONS).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. GUTKNECHT

Mr. GUTKNECHT. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 printed in House Report 109–459 offered by Mr. GUTKNECHT:

At the end of subtitle B of title VI (page 220, after line 8), add the following new section:

SEC. 624. ELIMINATION OF INEQUITY IN ELIGIBILITY AND PROVISION OF ASSIGNMENT INCENTIVE PAY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of the Army should promptly correct the pay inequity in the provision of assignment incentive pay under section 307a of title 37, United States Code, to members of the Army National Guard and the Army Reserve serving on active duty in Afghanistan and Iraq that arose from the disparite treatment between—

(1) those members who previously served under a call or order to active duty under section 12302 of title 10, United States Code, and who are eligible for assignment incentive pay; and

(2) those members who previously served under a call or order to active duty under section 12304 of such title and who are currently ineligible for assignment incentive pay.

(b) REPORT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a report—

(1) specifying the number of members of the Army National Guard and the Army Reserve adversely affected by the disparate treatment afforded to members who previously served under a call or order to active duty under section 12304 of title 10, United States Code, in determining eligibility for assignment incentive pay; and

(2) containing proposed remedies or courses of action to correct this inequity, including allowing time served during a call or order to active duty under such section 12304 to count toward the time needed to qualify for assignment incentive pay.

The Acting CHAIRMAN. Pursuant to House Resolution 806, the gentleman from Minnesota (Mr. GUTKNECHT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. GUTKNECHT. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I will try to make this as simple as I can. We have one of the largest deployments right now of National Guardsmen from the State of Minnesota since World War II. It has created a disparity.

Back in January, members of the 1st Platoon Bravo Company asked my office to help with a pay problem. It just so happens that most of them were called up to serve in the Balkans back in 2003. Part of them were called up under a Presidential Reserve Call Up, and others were called up under a Partial Mobilization.

What this has led to is a discrepancy in how much they may be eligible for in terms of what we used to describe as combat pay. The bottom line is that about 400 members of the Minnesota National Guard, who will be doing the same duty as the other members of the National Guard in Iraq, will not be eligible for roughly $7,000 in incentive pay. This is an inequity. It is unfair, and it is something that we in Congress can and should do something about.

I want to thank the chairman of the committee and the ranking member and the staff as well. We have been working with them for several weeks and they have been extremely helpful on this matter. Hopefully tonight we can adopt this amendment and send a clear message to the Pentagon that this inequity needs to be resolved and it needs to be resolved soon.

Mr. Chairman, I reserve the balance of my time.

Mr. SNYDER. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I do not oppose the amendment and I am unaware of anyone on our side of the aisle who opposes this amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. SNYDER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think this is a very straightforward amendment supported by the entire Minnesota delegation. My understanding is it expresses very clearly that we expect people who perform equally for their government are meant to be treated equally. I also ask for the study and I support the amendment, as does this side of the aisle.

Mr. Chairman, I reserve the balance of my time.

Mr. GUTKNECHT. Mr. Chairman, I thank the gentleman for his comments.

Mr. Chairman, I yield 1½ minutes to the gentleman from Minnesota (Mr. KLINE).

Mr. KLINE. Mr. Chairman, I thank Mr. GUTKNECHT for his leadership on this issue and for yielding me this time.

I rise today in strong support of this amendment. In my 25 years of military service, sadly I have witnessed other examples of pay discrepancies. It is unfortunate that even today such issues arise, but I am pleased to be in a position now to help solve this problem.

In a true sign of their dedication to duty and camaraderie, many members of the 34th Brigade Combat Team volunteered to join their fellow Guardsmen in Iraq despite having previously deployed to Bosnia and Kosovo. I was disappointed to hear that many of these dedicated citizen-soldiers were denied incentive pay simply because of the administrative mechanism used to mobilize them. This is not the way we as a nation should treat those who have volunteered to serve.

Mr. GUTKNECHT and I promptly engaged the House Armed Services Committee professional staff to help solve this problem. As a member of the House Military Personnel Subcommittee, I was gratified by the staff's prompt action, and I would like to thank them as well as Chairman MCHUGH and Chairman HUNTER for their efforts.

I would also like to commend the entire Minnesota delegation for their strong support in both the House and Senate.

This past week, my staff delivered a letter signed by the entire delegation to the Department of Defense requesting their assistance in resolving this inequity, and I will include a copy of the letter for the RECORD.

This amendment is a fitting addition to that initial effort, and it is my hope it will help spur the resolution of this significant problem. I urge my colleagues to support this amendment.

CONGRESS OF THE UNITED STATES,
Washington, DC, May 4, 2006.

Hon. THOMAS F. HALL,
Assistant Secretary of Defense for Reserve Affairs, Washington, DC.

DEAR SECRETARY HALL: We are writing to request a review and adjustment of the current policy regarding Assignment Incentive Pay (AIP). Several activated members of the Minnesota National Guard (MNNG), now deployed to Iraq, recently brought to our attention a pay technicality that makes the distribution of AIP inequitable. Specifically, under current finance rules, the soldiers who previously deployed and served in Kosovo are eligible for AIP, whereas the soldiers who previously deployed and served in Bosnia are not. We believe these soldiers, whether having served in Kosovo or in Bosnia, should be treated equally for purposes of AIP eligibility.

After consulting with House Armed Services Committee staff, we conclude that this would best be treated as a Department of Defense (DOD) policy matter. There appears to be nothing in the law that would preclude DOD from modifying the technical eligibility criteria, making these soldiers, and others like them, eligible for AIP.

Enclosed please find the letter we received from the MNNG soldiers who brought this matter to our attention. Also enclosed is a letter from Major General Larry W. Shellito, Adjutant General of the MNNG. General Shellito's letter supports our view that a change to current policy regarding AIP is needed.

After an initial review of this issue, we would request an update from your office. If you have any questions, please do not hesitate to contact Fred Chesbro in Congressman John Kline's office at (202) 225–2271.

Sincerely,

John Kline; Martin Olav Sabo; James L. Oberstar; Collin C. Peterson; Jim Ramstad; Mark Kennedy; Mark Dayton; Gil Gutknecht; Betty McCollum; Norm Coleman.

Enclosures.

JANUARY 27, 2006.

DEAR CONGRESSMAN RAMSTAD: We are soldiers in the Minnesota National Guard currently in Mississippi training to go to Iraq, and we have a concern we hope you can help us with.

As you know, for some of us, this is not our first deployment; many of us also went to Bosnia or Kosovo in 2003–2004. Because of our prior deploymemt those of us that went to Bosnia or Kosovo had to sign a volunteer form to go on the OIF rotation we have been tasked with. But, here comes the problem, there is a type or pay called COTTAD that is specific to soldiers who have been recently deployed. The guys who went to Bosnia are not going to receive this pay; however, the soldiers that went to Kosovo are going to receive this pay. We feet that anyone who volunteered to go to Iraq after recently going on a separate deployment are entitled to that extra pay, and should not be discriminated based on where and when they were deployed before.

Being deployed is a hardship. We take time off from our family and friends, many of us are trying to finish our civilian educations or advance our civilian careers, and we have put all that on hold and volunteered for this rotation. Now, because of what best we can tell is a technicality, we will not be receiving a substantial amount of pay. This affects a lot more soldiers than those that signed this letter; hundreds are affected by this. But we, unfortunately, do not have the time to have them all sign this letter. However, I believe that most would have the same viewpoint as we do.

Congressman, we would appreciate any help you can give us. If you have time can you please respond to us and let us know if there is anything you can do. Thank you for taking the time to read this.

1ST PLATOON BRAVO COMPANY CREWS.

CONGRESS OF THE UNITED STATES,
House of Representatives, March 24, 2006.

Interested Soldiers from 1st Platoon,
Company B, 2nd Battalion, 136th CAB 1 BCT, 2490 25th SF, Camp Shelby, MS 39407 (ATTN: B Co. 1SG)

DEAR SOLDIERS: Thank you very much for taking the time to write to me. While it is always good to hear from fellow Minnesotans, it is especially meaningful to hear from members of the Minnesota Army National Guard. I appreciate that you brought to my attention the issue of compensating Soldiers who, like you, are mobilized in support of the Global War on Terrorism.

In response to your request, I've asked my staff to research the current law and to provide me with possible recommendations taking into account your special circumstances. I believe it is particularly important to provide fair and equitable pay and benefits to all members of our armed services, active and reserve components alike.

Please know that I am very proud of you and I applaud each of you for stepping forward and volunteering to serve our State and Nation during these challenging times.

Sincerely,

JOHN KLINE,
Member of Congress.

DEPARTMENT OF THE ARMY,
Saint Paul, Minnesota, March 13, 2006.

Hon. JOHN KLINE,
Representative in Congress, Burnsville, MN.

DEAR CONGRESSMAN KLINE: Thank you for your inquiry of March 10, 2006 raising concerns regarding the compensation of Soldiers mobilized for deployment in support of the Global War on Terrorism. Your issues were researched by Colonel Greg Langley, Mobilization and Readiness Officer for the Joint Force Headquarters in Minnesota. Detailed below is an explanation of the different categories of mobilization and what qualifies a Soldier for the entitlement to the Assignment Incentive Pay requested by the Soldiers in their letter of January 27, 2006. In their letter they referred to Assignment Incentive Pay as ''pay called COTTAD''.

Within federal law there are different types of authority to mobilize the Reserve Components (RC). The two types of authority pertaining to this matter are Title 10, USC 12302, called Partial Mobilization (PM) Authority and Title 10 USC 12304, referred to as Presidential Reserve Callup (PRC). Since President Bush signed Executive Order 13223 on September 14, 2001 authorizing partial mobilization of the reserve components, Minnesota Soldiers have been mobilized under the provisions of both Partial Mobilization Authority and Presidential Reserve Call-up Authority, depending upon the needs of the Army.

The Soldiers from 1st Platoon, Company B, 2nd Battalion, 136th Infantry who wrote to you were previously mobilized in July 2003 and sent to Bosnia as part of Stabilization Force (SFOR) 14. The Army mobilized those Soldiers using Title 10, USC 12304, PRC. The maximum length of this types of mobilization is 270 days and most of these Soldiers returned from the mission and left active duty in March or April of 2004. Each Soldier's individual record may have a different release from active duty date based on their flight back to the United States and the length of time out-processing at Ft. McCoy, WI.

Other Soldiers from the same organization, 2nd Battalion, 136th Infantry, mobilized in October 2003 and went to Kosovo as part of KFOR 5B. These Soldiers mobilized for a period of 365 days, which exceeds the time limit on PRC and therefore the Army mobilized these Soldiers using Title 10, UCS 12302, PM authority. Partial Mobilization authority has a maximum time limit of 730 days. The KFOR Soldiers returned to the United States in the August or September 2004 time period.

Another provision of federal law impacting on this situation is Title 10, USC 12302 (b), whereby all members of the RC must receive fair treatment when being considered for recall to duty without their consent. Secretary of Defense Rumsfeld has directed he will personally approve or disapprove any member of RC who has previously been involuntarily mobilized under either PM or PRC since September 11, 2001. All of the Soldiers writing to you on January 27, 2006 were asked to volunteer for remobilization during their Soldier Readiness Processing in Minnesota during the June through September 2006 time period and did sign a Volunteer/Waiver Certificate. Soldiers not signing the Volunteer/Waiver Certificate were removed from this current mobilization.

The maximum length of Partial Mobilization for any RC Soldier is 730 days. The mission length of the mobilization for the Soldiers in the 1st Brigade Combat Team is 608 days, ending in May and June 2007. No RC Soldier is required to serve more than 730 days of PM time under this current Executive Order 13223. Any Minnesota Soldier who served in Kosovo has already accrued a previous PM period of approximately 330 to 360 days, depending on their return flight and out-processing time. When added together the 608 days on this current mission, plus at least 330 days from the previous Kosovo mission, the Soldier's mobilization time exceeds the maximum of 730 days. Soldiers in this situation, in addition to volunteering to be remobilized, had to volunteer to serve beyond the 730th day in a different portion of federal law called Contingency Temporary Tour of Active Duty (COTTAD), which is Title 10, USC 12301 (d).

Soldiers mobilized to go to Bosnia previously served under the provisions of Title 10, USC 12304, not 12302. Service time in Title 10, USC 12304 by law, does not apply toward an RC Soldier's 730 days of PM (Title 10, USC 12302) time. When they mobilized for this current mission under the provisions of Title 10, USC 12302, they still had 730 days remaining on their PM mobilization clock. They will never reach the 731st day of mobilization since this mission will end in approximately 608 days. Therefore, their signing a Volunteer/Waiver Certificate agreeing to be remobilized is all that is required by the Army.

The provisions of federal law creating Assignment Incentive Pay (AIP) recognized the hardship of prolonged periods of mobilization on RC Soldiers. When Congress passed the law they included Soldiers accruing 730 days of PM (12302) mobilization time and volunteering under the provisions of Title 10, USC 12301 (d) to remain on duty past 730 days with their unit to finish their current mission as qualifying for AIP. Congress omitted PRC (12304) mobilization time as counting toward the 730-day maximum a Soldier can accrue before being required to volunteer for COTTAD (12301 (d)).

This situation was explained to the Soldiers from 1st Platoon, Company B, 2nd Battalion, 136th Infantry who previously mobilized for the Bosnia mission under the PRC (12304) mobilization authority prior to their signing of the required Volunteer/Waiver Certificate. None of these Soldiers will reach the 730th day of PM authority on this current mission and will not serve under the COTTAD provisions of Title 10, USC 12302 (d).

We believe any mobilization should count towards qualifying for AIP. Soldiers sent to Bosnia served under the same conditions as their fellow Soldiers who went to Kosovo. They underwent the same hardships caused by separation from family and civilian employer. However, we have no options to grant AIP to the soldiers who previously mobilized under PRC (12304) until they have also served 730 days under PM authority.

The solution to this problem is for Congress to change the federal law authorizing AIP and include previous mobilization under either authority, PM (12302) or PRC (12304), as counting on the Soldier's mobilization clock to reach 730 days, after which the Soldier may volunteer to remain on mission in COTTAD (12301 (d)) status and earn AIP.

I hope this information from Colonel Langley is helpful to you. Please be assured we will continue to do everything we can to provide Soldiers with the necessary information to make informed decisions about remobilization and their entitlements. It is always my pleasure to respond to the concerns of our Congressional delegation regarding Soldiers of the Minnesota National Guard.

Sincerely

LARRY W. SHELLITO,
MAJOR GENERAL, MINNESOTA ARMY
National Guard, The Adjutant General.

Mr. SNYDER. Mr. Chairman, I support this amendment, and I yield back the balance of my time.

Mr. GUTKNECHT. Mr. Chairman, I yield 30 seconds to the gentleman from Connecticut (Mr. SIMMONS).

Mr. SIMMONS. Mr. Chairman, I rise in strong support of this amendment. I had the honor to serve 4 years on active duty in the U.S. Army and over 30 years as a member of the U.S. Army Reserve, and as somebody who has commanded troops who have deployed, there is nothing more demoralizing to get unequal pay for equal duty.

To support a resolution that provides for equity for our Guard and Reserve is

very important. I thank the gentleman for his amendment.

Mr. GUTKNECHT. Mr. Chairman, I yield 1½ minutes to the gentleman from Minnesota (Mr. KENNEDY).

Mr. KENNEDY of Minnesota. Mr. Chairman, I rise today in strong support of this amendment offered by my good friend, Mr. GUTKNECHT. This amendment fixes a pay disparity currently affecting almost 400 Minnesota National Guard, men and women, serving in Iraq. These members of the 1st Platoon Bravo Company were previously on active duty in 2003, some in Bosnia and some in Kosovo, and I was pleased to be able to visit them with Mr. GUTKNECHT.

However, unlike the soldiers that served in Kosovo, the Bosnia contingent is not eligible for the extra $1,000 a month incentive pay based on the circumstances of their mobilization.

This technicality will cost these soldiers and their families up to $7,000. That is simply unfair and must be corrected. That is why I support this amendment which directs the Army to fix this disparity so those who have equally sacrificed for their country receive equality of pay.

Again, I thank Mr. GUTKNECHT for his leadership on this issue.

□ 1900

Mr. GUTKNECHT. Mr. Chairman, I will be very brief.

I want to thank my colleagues from Minnesota for helping to resolve this inequity. I want to thank the gentleman from Connecticut and my colleagues from Arkansas.

In the big picture, when we were talking about spending hundreds of billions of dollars, $7,000 for these families does not seem like a lot of money in the big picture. But to those families, $7,000 is extremely important. So I appreciate your support tonight to make certain that we have equity and create a solution for this problem that is fair to all of the folks who are proudly serving us in uniform wherever in the world, but particularly in Iraq.

Mr. PETERSON of Minnesota. Mr. Chairman, I rise today to support the Gutknecht amendment along with my fellow MN Colleagues.

In January these soldiers wrote to me and every member of the MN delegation asking for help. And I believe as their representatives we have an obligation to address their concerns.

This amendment will correct a technicality that is affecting 400 Minnesota National Guardsmen who are now serving in Iraq. And who knows how many other hundreds or even thousands of reservists all over the country have fallen victim to a similar technicality .

Most of these soldiers had previously served on active duty in 2003, some in Bosnia and the others in Kosovo. The two groups were activated by different orders and now both of these groups are activated together under the same order in Iraq.

The soldiers who served in Bosnia are not eligible for the extra $1,000 per month in incentive pay because their tours cannot be added together due to a mere technicality.

This issue is about fairness. Unless something is done to change this Army policy, these soldiers and their families will lose out on $6,000 to $7,000 in extra pay. They are making a huge sacrifice for our country and this is the least we can and should do for these men and women.

Mr. RAMSTAD. Mr. Chairman, I rise today in strong support of this important amendment, which seeks to end a pay disparity for our brave men and women who are serving in harm's way.

Today, Mr. Chairman, Minnesota National Guard troops are serving in the War on Terror in Afghanistan and Iraq, with more than 3,000 citizen soldiers recently called to service in support of Operation Iraqi Freedom.

As my colleague has previously explained, at least 400 of these 3,000 Minnesotans in Iraq will not be receiving the same pay as many others in their unit.

These are troops who have now bravely served our country in two foreign theaters. These troops not only deserve our utmost respect and gratitude, they also deserve their full compensation for their service and sacrifice.

Mr. Chairman, the Minnesota National Guard truly represents the very best of duty, honor and country. I join the people of the Third Congressional District in thanking our Guard members for their selfless service.

And I'd like to thank my colleague from Minnesota for sponsoring this important amendment and thank all my colleagues from the Minnesota delegation for cosponsoring the amendment and working to end this pay disparity.

I urge my colleagues to support this important amendment.

Mr. GUTKNECHT. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. DUNCAN). All time for debate having expired, the question is on the amendment offered by the gentleman from Minnesota (Mr. GUTKNECHT).

The amendment was agreed to.

The Acting CHAIRMAN. No further amendment being in order, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. INGLIS of South Carolina) having assumed the chair, Mr. DUNCAN, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5122) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2007, and for other purposes, had come to no resolution thereon.

REQUEST FOR REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4200

Mrs. JACKSON-LEE of Texas. Mr. Speaker, I ask unanimous consent to remove myself as a cosponsor from H.R. 4200.

The SPEAKER pro tempore. Because H.R. 4200 has been placed on the Union Calendar, pursuant to clause 7 of rule XII the gentlewoman's request may not be entertained.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken tomorrow.

ENCOURAGING ALL ELIGIBLE MEDICARE BENEFICIARIES TO REVIEW AVAILABLE OPTIONS TO DETERMINE WHETHER ENROLLMENT IN A MEDICARE PRESCRIPTION DRUG PLAN BEST MEETS THEIR NEEDS FOR PRESCRIPTION DRUG COVERAGE

Mr. DEAL of Georgia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 802) encouraging all eligible Medicare beneficiaries who have not yet elected enroll in the new Medicare Part D benefit to review the available options and to determine whether enrollment in a Medicare prescription drug plan best meets their current and future needs for prescription drug coverage.

The Clerk read as follows:

H. RES. 802

Whereas Medicare now offers a prescription drug benefit for its beneficiaries, known as Medicare Part D;

Whereas more than 35,900,000 Medicare eligible individuals are receiving prescription drug coverage, of which there are more than 27,000,000, including a substantial number of low-income and minority beneficiaries, receiving coverage through the new benefit;

Whereas 8,100,000 beneficiaries have enrolled in stand alone Medicare prescription drug plans;

Whereas estimates indicate that the average beneficiary will save more than $1,100 this year alone by enrolling in a Medicare prescription drug plan;

Whereas the average monthly premium for enrolling in a Medicare prescription drug plan is now just $25 per month, which is far below the initial estimate of $37 per month;

Whereas recent surveys of Medicare beneficiaries enrolled in Medicare prescription drug plans indicate that beneficiaries are satisfied with their coverage;

Whereas advocacy groups including the AARP, National Alliance for Hispanic Health, the National Medical Association, and the National Council on Aging have all sponsored enrollment events designed to encourage eligible beneficiaries to enroll in Medicare prescription drug plans;

Whereas Area Agencies on Aging, State Health Insurance Programs (SHIPs), and other local and community organizations are available to provide seniors with assistance and answer their questions about how to select the Medicare prescription drug plan that best meets their needs;

Whereas pharmacists are on the front line in delivering prescriptions to Medicare beneficiaries and continue to be instrumental in providing valuable information and assistance about the new benefit;

Whereas in recent months Members of Congress have hosted hundreds of events and the Secretary of Health and Human Services, the Administrator of the Centers for Medicare &

Medicaid Services, and other Administration officials have sponsored thousands of outreach and enrollment events, to educate seniors regarding the new prescription drug benefit;

Whereas the deadline for enrollment in the new prescription drug plan without being subject to any late enrollment penalty is May 15, 2006; and

Whereas editorial writers and opinion leaders across the nation have recognized the importance of an enrollment deadline because it encourages beneficiaries to make a decision about enrolling: Now, therefore, be it

Resolved, That the House of Representatives encourages all Medicare beneficiaries who are not yet enrolled in Part D to review carefully all of the options that are available to them and to determine whether enrollment in a Medicare prescription drug plan best meets their current and future needs for prescription drug coverage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. DEAL) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. DEAL of Georgia. Mr. Speaker, I would ask unanimous consent that the gentlewoman from Connecticut (Mrs. JOHNSON) be allowed to control 10 minutes of my time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

GENERAL LEAVE

Mr. DEAL of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DEAL of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to discuss something of great importance to all Medicare beneficiaries. As my colleagues are no doubt aware, on January 1 of this year, prescription drug coverage for our seniors became more than just something we talked about in this body. It became a reality for every single person eligible for Medicare.

This legislation accomplished a very important thing. It helped millions of senior citizens save thousands of dollars on their prescription drugs.

For years, before enactment of this new benefit, we heard the horror stories of our seniors having to choose between groceries or their medicines, or having to cut their pills in half, all because they just couldn't afford their prescription drugs. Well, now, all those beneficiaries have the option to have good drug coverage and have the quality of life that we wish for all of our American seniors.

As of today, we have nearly 37 million Medicare beneficiaries with drug coverage. This is an outstanding number. The unparalleled effort to get this brand-new change to Medicare up and running and get people enrolled has truly been incredible. However, there are still individuals who have not yet signed up, and we want to make sure that they are aware of this new benefit and can examine the options available to them, and can and will make a decision as to whether or not to sign up.

We have to remember, though, that this is a voluntary benefit. If a beneficiary chooses not to enroll, then that is his or her choice. However, we will ensure that all seniors have the information available to them to make such an informed decision.

We are on the verge of an important date in the implementation of the new Medicare prescription drug benefit. The initial enrollment period for drug coverage ends at midnight, May 15. All beneficiaries who have not signed up for this new benefit will need to make a choice. If there is a Medicare prescription drug plan out there that will save you money on your prescriptions, I would urge these seniors to sign up before May 15 in order to avoid paying a penalty. Like Medicare part B, if a beneficiary fails to enroll in part D during their initial eligibility period, then they may have to pay a penalty.

Even if you are a Medicare beneficiary who doesn't have any prescription medicines right now, I urge you to consider signing up. You can't wait until you have had an automobile accident to buy automobile insurance. And if you are eligible today and can save money, then I urge you to sign up before the open enrollment period ends.

Local outreach efforts and enrollment events are being continued across the country, and the capacity is in place to help callers who phone to 1–800–Medicare. People with Medicare can join a Medicare drug plan through the mail, by phone or over the Web now through May 15 of 2006. All completed applications postmarked on May 15 must be processed.

I urge all my colleagues to help their constituents to examine all the options available to them. We can't afford to let the opportunity to save thousands of dollars on prescription medicines pass even one of our seniors by.

I encourage, therefore, my colleagues to adopt this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to yield half of my time to the gentleman from California (Mr. STARK).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself 2¼ minutes.

Here are the facts. They aren't pretty. It is the evening of May 10. That means there are three working days left until the part D enrollment deadline.

If you are one of the more than 5 million Medicare beneficiaries who lack coverage and you are not on Medicaid, this deadline is binding on you.

Unless you enroll by the 15th, you face a late penalty that increases each month until you do enroll. Your next enrollment opportunity isn't until November, but the penalty rises anyway.

When and if you do enroll, the accumulated penalty will be added to your monthly part D premium. Most beneficiaries who sign up in November will pay a 7 percent penalty for as long as they have coverage.

Why should seniors be tied to the original deadline when the part D program missed its own deadline?

Part D was supposed to be up and running by January 1. Unless you believe that mass confusion, major computer glitches, daily bad press, hit-or-miss consumer assistance qualifies as up and running, then part D was not up and running by January 1 or February 1 or March 1. It is barely up and running now.

Why are Medicare enrollees being pressured into a drug plan? Where is the line between pressure and coercion? And what right does the Federal Government have to let the drug industry and the insurance industry, and what right does the President have and the Republican leadership in Congress have to let the drug companies and the insurance industry write this bill, pass in the middle of the night and then penalize seniors when they are confused by this bill? If some seniors are wary of enrolling, who can blame them?

Aided by a less than hospitable Web site, a blizzard of insurance company marketing materials, an overburdened Medicare hotline, seniors are being asked to choose a drug plan that they simply can't understand, that no one can understand very well.

State and local agencies trying to help Medicare beneficiaries, including my office and the office of Mr. GREEN and Mr. ALLEN and Mr. STARK and Mr. MCDERMOTT, are doing the best we can. But navigating part D hasn't been easy for any of us.

There are 400,000 Medicare beneficiaries in my State who have not signed up. They shouldn't be pressured. They shouldn't be penalized. Seniors didn't ask the Republican majority to bypass Medicare and build a drug coverage obstacle course. Seniors didn't ask the Republican majority to let the drug companies write the bill and let the HMOs shape Medicare policy. That was this body's decision. That was the President's decision, based on huge numbers of HMO and drug company contributions. Seniors have to live with it. Giving them time is the least that we can do.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank the gentleman from Georgia for yielding time to the members of the Ways and Means Committee Health Subcommittee.

Well, there you have it, folks. There it is. Almost 90 percent of seniors have drug coverage today, more than ever before in America's history, and

thanks to Medicare part D and its 10,000 grass-roots partners who have reached into communities across our country to provide personal, face-to-face advice to millions of seniors on signing up.

In Connecticut, 75 percent of our Hispanic seniors are signed up; 69 percent of our African American seniors are signed up; 65 percent of our Asian American seniors have signed up because, for the very first time ever, Medicare has partnered with people right in their local communities to give them the help, support, advice, to make their own choice about Medicare, which Medicare part D plan helped them do.

And you know what? Poll after poll shows how seniors are happy with the benefits provided by these plans. AARP, the largest organization representing seniors, found that eight out of ten seniors enrolled in the program said that it met or exceeded their expectations. A Kaiser Family Foundation poll found that three out of four seniors enrolled in a Medicare D plan are satisfied with their plan and are not having trouble getting the drugs they need.

Seniors are signing up and they are liking it. Why? Because it saves them money. It saves them lots of money. It saves some couples $4–, $5,000 a year.

Why are they signing up? Because it protects them from dangerous, adverse drug interactions. They have never had that protection before.

Why are they signing up? Because it protects them from catastrophic drug costs. They have never had that protection before. They have never had that financial security before.

When Gail Glazewski from Cheshire, Connecticut, found out that her part D drug program was going to save her $2,000 a year, she just let out a whoop of glee and said, I am the happiest senior citizen in town. Gail is one of the millions of seniors that the New York Times reported last month as Medicare's satisfied customers. The newspaper said, They are not vocal, they are not organized, but they are saving hundreds, and in some cases, thousands of dollars for our seniors.

The only sad note has been the dedication of some to scaring our seniors. It is not uncommon to have a senior tell me how complicated the program is, how unfair it is, how wrong that I worked so hard to pass it, only to come back and tell me later, after they went to the choices counselor, as I proposed, how easy it turned out to be, and how much money they were saving.

You know, nothing has moved me more than some of the seniors who have come to me after these counseling sessions with the buses that CMS has provided, with the State counselors, with the local people, and as one said, she said, you know, I was sad when I came here. This is the difference between my staying in my home and having to give up my home.

□ 1915

So this is a big step forward for Medicare. It is a dramatic change. It is really exciting to see how people have come forward and signed up. We have a few more days, and the message is sign up, sign up, sign up. It not only saves you money, it gives you health protection and financial protection. You have never before had access to through Medicare.

Mr. Speaker, I rise today to offer a resolution urging seniors to sign up for a Medicare drug benefit plan before the deadline. Why? Because it will save you money on prescription drugs, protect you from harmful drug interactions, and cover 95 percent of your costs if your personal expenditures exceed $3,600. Medicare Part D will fundamentally, improve our seniors' health and financial security.

The Medicare momentum we're witnessing is undeniable. Of the 42 million seniors in Medicare, 9 million have drug coverage, either through TRICARE, FEHBP, or as active employees, and do not need to enroll. The 33 million remaining, includes 28 million seniors that are now benefiting from the program. Of the 5 million remaining another 1 million are expected to sign up before the deadline and another 2 million seniors, that qualify for extra help, can continue to sign-up throughout the year. So at this point it looks like 40 million of the 42 million seniors in Medicare will enjoy prescription drug coverage or can sign up for it at any point during the year.

A truly remarkable fact and it is due to the spectacular commitment of over 10,000 grass-roots organizations that in partnership with CMS, have been conducting face-to-face enrollment of seniors. CMS and its 10,000 grass-roots partners are conducting more than 1,800 enrollment events across the country each week, right up until the May 15th enrollment deadline. Additionally, CMS has increased resources to keep the wait times down and beneficiary support up at 1–800–MEDICARE and the Medicare.gov website.

And these seniors and the disabled are filling more than 93 million prescriptions a month—an average of 3 million a day. As important, once enrolled in the program seniors are happy with the benefits provided. AARP, the largest organization representing seniors found that 8 out of 10 seniors enrolled in the program said that it met or exceeded their expectations. A Kaiser Family Foundation poll finds that 3 out of 4 seniors enrolled in a Medicare drug plan are satisfied with their plan and are not having trouble getting the drugs they need. Seniors are giving this new benefit their stamp of approval!

But this is a major change in the Medicare program and it is not surprising that there have been implementation pitfalls along the way as we heard from GAO and other witnesses at our subcommittee hearing. Because CMS has aggressively taken ownership of these implementation problems, most of the problems were addressed within the first two months of the year. For some, the solutions have been agreed to and implementation is now proceeding as states submit their bills. Once the program is free to focus on the delivery of benefits to our seniors, we will, I'm sure, identify refinements that need to be made with either CMS' contracting standards or the law.

But at this point, the enrollment numbers and survey after survey attest to the tremendous value of the Medicare drug benefit. The real story is that seniors across the country are saving money!

For example, seniors like Gail Glazewski from Cheshire, CT are saving $2,000 a year who described herself with glee as "the happiest senior citizen in town when I realized how much I was going to save!" That is the real story of the Medicare prescription drug benefit and it is being repeated all around the country. Gail is one of the millions of seniors that the New York Times reported about last month as "Medicare's Satisfied Customers." The newspaper said "they are not vocal, they are not organized," but they are saving hundreds and in some cases thousands.

The only sad note has been the dedication of some to scaring our seniors. It's not uncommon to have a senior tell me how complicated the program is, how unfair, how wrong I was to work so hard to pass it—only to admit that they haven't tried to sign-up—and only to say after we help them—that it wasn't hard and look at the money I'm saving.

When I travel around my district, I meet senior after senior who has signed up and is saving money and each day help seniors sign up and save. As we approach the end of the enrollment period, I urge every senior to sign up, save money, and protect yourself against catastrophic costs and harmful drug interactions.

There are still seniors that have questions about the program and haven't enrolled. It's natural to have questions with a change this big. But every senior—especially those without drug coverage—should assess the drugs they take and talk to a counselor at 1–800–MEDICARE, at one of the many hotlines states are operating, or at their local senior center or agency on aging. They should not let questions about this program dissuade them from saving money like so many of their friends, family and neighbors are.

This brings me to my final point. Some are urging delay of the deadline for signing up. Unfortunately, too often these are the same Members who use scare tactics to discourage beneficiaries from signing up early. All programs have deadlines. Shame on them! We must enforce the deadline so the plans can deliver! We need to let the system work so any needed refinements needed be addressed promptly.

For years Members of Congress have talked about adding prescription drug benefits to Medicare. But today—right now—a Medicare prescription drug benefit is a reality. Thirty million seniors are benefiting from it, including 8 million who had no drug coverage before. That is a great, historic achievement for both the health and financial well-being of our seniors.

I reserve the balance of my time.

PARLIAMENTARY INQUIRY

Mr. STARK. Mr. Speaker, I would like to address a parliamentary inquiry to the Chair.

Is this motion amendable?

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). No, it is not.

Mr. STARK. Mr. Speaker, second parliamentary inquiry. Is it possible for the gentlewoman from Connecticut, the author of the amendment, to withdraw the motion, accept a friendly amendment to urge the administration

to move the May 15 enrollment deadline to the end of the year, thereby enabling another 1 million people to enroll and saving 7 million people from extra penalties, and then reoffer the motion to suspend the rules and pass this resolution?

The SPEAKER pro tempore. The motion would be permitted to specify whatever text might be proposed for adoption by the House.

Mr. STARK. Mr. Speaker, that is the question.

I would therefore, Mr. Speaker, like to address a question to the author of the bill. Would she be willing, as you have said, she has the clear authority to withdraw her motion, amend it so that 1 million Americans would have extra time to sign up and save the money and then resubmit it to the House. Then I am sure we will all support her resolution.

I would be glad to yield to the gentlewoman from Connecticut if she would care to respond.

Mrs. JOHNSON of Connecticut. I would be happy to respond. Actuaries estimate things differently. The CMS actuaries estimate that 1.1 million won't sign up if we move the deadline. In other words, they will lose the pressure they have today to sign up by May 15 and the total will be lower, not higher.

Mr. STARK. Mr. Speaker, I thank the gentlewoman for her response. I would like to note that the gentlewoman, Mrs. JOHNSON from the Fifth District of Connecticut, having the clear opportunity to afford millions of Americans the extra time to sign up for this marvelous program has declined to do it. In doing so, she has condemned probably 7 million people to paying an extra 7 to 10 percent on their premiums for the rest of their lives.

If this plan is so good, then my question would be why the gentlewoman from Connecticut, who is refusing to extend the time for these seniors, why they are doing that. It just amazes me, Mr. Speaker, that if the plan is good why they would try to deny this. The extra million people that the Congressional Budget Office tells us would sign up and for the great savings that would come it would cost an extra maybe $100 million.

But out of a $1 trillion bill that would seem to me to be a paltry amount and it would save 7.5 million seniors from this additional Republican tax on their Medicare benefits. I just wanted to know clearly that it is Mrs. JOHNSON, the author of this, who refuses to allow us to vote on the opportunity to extend the deadline for those many millions of Americans who haven't been able to participate.

I reserve the balance of my time.

Mr. DEAL of Georgia. Mr. Speaker, I yield myself such time as I may consume. Actually, Mrs. JOHNSON is not the author of the resolution. I believe I am. I would have the same response because I find it somewhat interesting that the gentleman from California who, according to my statistics, says 83 percent of his seniors who have signed up for the program, who I believe voted against the inception of the program to begin with, and who has repeatedly said how bad the program is, would now say we need to give more time to sign up for a program that he doesn't like to start with. There is something basically inconsistent.

If we had seen as much effort on the other side to encourage seniors to sign up as we have seen to discourage them from doing so, perhaps we would have had a higher percentage rate. He is to be commended because 83 percent is a very good rate. I commend the citizens of his congressional district for having the foresight to be able to take advantage of this great opportunity.

I reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. GENE GREEN), who has pointed out the problems in this program with the drug industry and all but has been a leader in trying to fix it.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of the resolution and thank my colleague from Ohio for all eligible beneficiaries to enroll in part D before Monday's deadline. Last night our office did hold two enrollment workshops to help seniors in our district navigate the Medicare Web site to choose a plan that best suits their needs.

Large numbers could not choose a plan because of the confusion that they had, even though they walked out with the principal versions from our volunteers who worked the Internet.

I didn't vote for the Medicare Modernization Act, and we could have provided seniors with a more comprehensive and less confusing benefit. But make no mistake, I want every Medicare beneficiary to get the most out of what benefit Congress did pass. That is the reason I support the resolution. What I question, however, is the House Leadership's decision to schedule this particular bill.

We could be spending time on legislation to actually fix the problems associated with part D. We could consider legislation to reduce the price of the drugs by allowing Medicare to negotiate with the pharmaceutical companies. That was a question my seniors had at the workshop.

We should also consider legislation to extend an open enrollment period and give beneficiaries a one-time chance this year to change plans if they decide to instead of discussing ways to improving the clearly flawed plan, which does nothing substantive for our seniors.

Also, my colleague from Connecticut talks about CMS actuaries. These are the same actuaries I think that told us this plan was going to cost 400 billion. Now we know with the money we may spend on it we could actually give seniors a quality plan without so much confusion.

Mr. STARK. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Washington State (Mr. MCDERMOTT).

Mr. MCDERMOTT. Mr. Speaker, the Medicare prescription drug benefit plan is doing a bad job, and it is doing a worse job of helping those who need the help most. I was down in the lunchroom in the Longworth Building, and one of the cashiers stopped me and said can you explain to me how this works? She said, I figured out what it is going to cost me to join, and I can save more money by going to Costco. My drugs will cost less in Costco. If you added it all up, I am going to be better off staying out of the program and buying my drugs at Costco.

Now, this program was faulty in its inception, and of the millions of people on Medicare who still haven't signed up, 85 percent of them are poor enough to qualify for the low income subsidy. When this bill was in the Ways and Means Committee, we offered the opportunity to the chairman to sign up these poor people at the beginning, automatically, because they are low income. We know what their income is. They are not going to get rich all of a sudden. But, no, we are going to let them flop around out there trying to figure out this complicated program.

Now, how could we have let it happen? Well, haven't the Republicans been telling us that the Medicare drug benefit was intended to help those most in need, those eligible for low income subsidy?

They turned down, the author of this turned down tonight Mr. STARK's offer to rewrite this thing and get all these people in.

But that is not what really went on here. Just encouraging people or threatening or, as the gentleman from the Energy and Commerce Committee says, keeping the pressure on old people is not sufficient. That is not humane public policy. You ought to be ashamed of saying something like that. We want to pressure.

My mother is 96 years old. I don't need you pressuring my mother on this drug plan if she can't figure it out. Now the low income beneficiaries are twice as likely to have health problems, mental problems or live in a nursing home. Many have difficulty with English. You can't just stand out here and say, hey, folks, sign up, sign up. They can't figure out what to do.

You have made it so complicated so that they wouldn't sign up. That is what you did. You wanted the ones who were most needy to be unable to figure out how the plan would work so they could be left out.

Now, just to show what a warm heart you have, you slap a 7 percent penalty on them for the rest of their life. You say to them, if you don't sign up by the 15th of May, you can't sign up for 6 months, and it is going to cost you 1 percent a month for every month you don't sign up. That kind of loving treatment is, in my view, exactly what this program does not need.

It is a mess, this is a bad resolution. We will all probably, you know, vote

for it. But when you let the drug companies write the bill, it was never meant to work for ordinary people.

The program needs time to find these people and help them.

Blindly adhering to the May 15th deadline, just five days away, dramatically penalizes many seniors who have not signed up.

This program has been a mess from the start.

If Republicans are serious about helping seniors, we must extend the deadline for enrolling, remove the penalties for not signing up, and streamline the procedures, so that our most distinguished citizens can actually understand this.

Just because Republicans let big drug companies help write the legislation doesn't mean we are helpless to take action.

Republicans were wrong about the real cost of this program. Now they are wrong when they say they want to help seniors.

An artificial deadline won't help seniors. A real prescription drug benefit will.

Mr. STARK. Mr. Speaker, I ask unanimous consent to yield the additional time I may control back to Mr. BROWN.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I recognize myself for 1½ minutes.

I do find it really quite remarkable that my colleagues from the other side of the aisle, who spent literally months scaring seniors away from signing up for this benefit, claiming it was too complex, claiming it was this and that. I can't tell you how many seniors I had call my office saying oh, I cannot do this, it is too hard.

Then when we show them they say, oh, it is not so hard. Fifty-four percent of the people who signed up signed up themselves. The tools provided made it not so hard.

Yet colleague after colleague, and I read it in the paper and I saw it, spent their entire time and effort scaring seniors, shameful behavior for elected officials.

Of course, now we come to the end and they want to extend the deadline. They should have been out there the last few weeks saying sign up, sign up. Let me tell you, I can't tell you how many we helped. I would just like to remind you that your own bill had an earlier deadline than the bill we are dealing with. So let us pull together, get everybody to sign up. Then let us let the plans deliver the goods.

You who said this was complicated ought to be the first one who wants these plans to have some time to deliver the services to the seniors who signed up, the 90 percent, the seniors who signed up, so we can make sure that the plans will run according to Hoyle, according to their promises, that they will deliver, and that we can know whether there is any fine-tuning that needs to be done before the next round of sign-ups.

I reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, the difference may have been our legislation was written by senior advocates while theirs was written by the drug companies and the HMOs.

I yield 2 minutes to my friend from Maine (Mr. ALLEN), who has fought to make this program work way better than the drug companies and the insurance companies designed it to.

Mr. ALLEN. Mr. Speaker, I thank the gentleman for yielding. Mr. Speaker, there is no amount of public relations spin or resolutions which can cover up the frustration that people felt in the beginning.

People in my office, on this side of the aisle, all of us, were trying to help people sign up because we knew that this bill would help some of our constituents. This is one area where we agree. There are some people who are helped by this legislation. Not surprising, we are moving over half a trillion dollars into this program over 10 years, billions and billions of dollars in excess funds to the pharmaceutical companies, billions and billions of dollars in excess funds to the insurance companies, but it is absolutely true. Seniors do get some of it.

But the problem with this legislation is, from the beginning, confusion, inability of people to understand the program. The frustration has been just remarkable.

The problem here today is that the people who have not signed up for this program are often the people who need the drug assistance the most.

□ 1930

They are the ones who are not signing up.

Nationally, only about 1.7 million of the 7.2 million low income seniors are actually receiving the low income subsidies that this legislation should provide. That is what is happening in Maine. We have 6,000 low income residents who have been in the State Pharmaceutical Assistance Program, and, as of today, we still don't have word from CMS that these people are eligible to receive the low income subsidy, so they are not getting the coverage they need.

What is wrong with some additional time? Why slam the door on these people, make them pay this Bush prescription drug tax for the rest of their lives? Why not give them the extra time and do this program right? That is what we ought to be doing, so the people who need the coverage the most can get it.

One final comment: The gentlewoman from Connecticut said millions have signed up. Many of those millions didn't sign up at all. They were automatically enrolled.

Mr. DEAL of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me clarify a statement that Mr. MCDERMOTT attributed to me about keeping the pressure on senior citizens. I did not say that. The New York Times said that.

He said he had a 96-year-old mother who is confused. I have a 99-year-old mother. I am sure he was like me, a good son, who helped his mother figure out what is the plan that was best for her, and she signed up and she is very happy with it.

He also alluded, as did the last speaker, to low income seniors who are under a deadline. CMS has made it very clear if they are entitled to the low income subsidy, that the deadline will not apply and they will take care of that problem. So the problem is a nonexistent one.

Mr. Speaker, I yield 3 minutes to my colleague, the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I thank the gentleman from Georgia for yielding.

Mr. Speaker, today I rise in strong support of House Resolution 802, encouraging America's seniors to take a serious look at the new prescription drug benefit under Medicare. There is less than one week left before the May 15 deadline, and I want to encourage all seniors to take this hard and thoughtful look to find the program that best fits their needs.

There are more than 37 million seniors enjoying the benefit of prescription drug coverage, and I want to share with you some the success stories I have heard from the great state of Georgia.

Mary and Jerry O'Brien of Cobb County sent me an e-mail highlighting their success with Medicare part D. Mr. O'Brien wrote, ''I went to Medicare.gov and I found a comparison of various programs. I chose one for my wife for $70 a month which has no deductible. We had no prescription insurance before and find Medicare part D to be very effective. We saved enough on the first prescriptions to pay for two months of premiums. I realize the program got off to a shaky start, but as far as I am concerned, it is now working well.''

Mae Thacker of Kingston, Georgia, and her husband had heard the Medicare benefit was too difficult and wouldn't save them any money. But after learning a little about the program and enrolling, Mae was sold on Medicare part D. She was paying $781 a month for her drugs. Now, Mr. Speaker, with the Medicare part D plan she pays only $178 a month, saving $600 each and every month.

Mr. Speaker, I can go on and on highlighting the success stories I have heard from the Eleventh District, but I will just mention quickly an additional two.

Lola Squires of Cedartown lives on a fixed income and she qualified for the low income supplement. Last year, her monthly drug bill was $1,016. However, when she got on Medicare part D, she is now paying, guess what, $27 a month, saving more than $900 per month on her medications.

Cornelia Kinnebrew of Rome was paying more than $700 a month. Now, with the new drug plan, she pays only $37 a month, saving $600.

So, Mr. Speaker, America's seniors should not take my word for it, but listen to their peers and hear what this program is doing for them. Medicare part D is worth looking into. Take the time to call 1–800–Medicare and find out what plan works best for you and your needs, and do it today.

Mr. BROWN of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. CARDIN).

(Mr. CARDIN asked and was given permission to revise and extend his remarks.)

Mr. CARDIN. Mr. Speaker, I must tell you that I agree and have been talking to my seniors that they need to, and I quote, ''review carefully all the options that are available to them and determine whether enrollment in a Medicare prescription drug plan best meets their needs.''

I have had over 30 town hall meetings since this bill has been enacted, and at these meetings I have had people from our Office on Aging to help seniors go through the different options to make a decision whether they need or they don't need to join a plan and which plan they should join.

But, Mr. Speaker, the problem is, the information that was made available to them when this bill was passed was wrong. The information is extremely confusing. In my State we have 47 or 48 different plans with deductibles that range by great numbers, and it is very difficult for my constituents to understand this bill.

I have gotten e-mails from people in Maryland who tell me the bill is very confusing, and they should at least be allowed more time to make a decision. I got e-mails saying that this one constituent is going to make a decision, but he is not sure whether it is right or wrong because he needed more time and he doesn't have that time.

So, Mr. Speaker, yes, we want our constituents to make the right decision, and we urge them to focus in on making the right decision, but it is absolutely wrong that we are not extending the May 15 deadline. Our constituents need more time, and we certainly shouldn't be imposing a lifetime penalty because a senior perhaps makes the wrong decision in part because of our failure to get the right information to our constituents.

Mr. Speaker, I would have hoped that we would be using the time now to correct this bill. This bill is structurally flawed. We need to make this a real benefit within Medicare. We need to take on the cost of prescription drugs. We need to deal with the coordination of the benefits with retiree benefits so that retirement plans don't terminate retirees' prescription drug coverage. We need to do all that.

We need to cover drugs that aren't covered today. I could tell you of a person in my district, Barbara Waters, who had her drugs for epilepsy covered before this bill was passed, and now it is not covered because it is under a class of drugs not covered under Medicare. We need to correct that. There is a whole group of organizations that are urging us to correct the bill.

So I appreciate the fact that we have a resolution on the floor urging seniors to focus on what is in their best interests under the law we passed, but what we should be doing is having a bill on the floor giving our seniors more time, eliminating this penalty and then correcting the mistakes that we made when we passed this bill.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank the gentlewoman from Connecticut for yielding and the gentleman from Georgia for his leadership on this issue.

I want to tell the story about Bennie and Katheryn, real people in Vidalia, Georgia. This is a couple who was paying $2,200 a month for their prescription drug bill. One of my staffers happened to be related to them and heard about it, and he went over there and sat down with them on all their drug needs and went over the website. He did not make a recommendation, but he showed them the information and they made their own choice. Now their total drug cost has gone from $2,200 a month to $104 a month, a 95 percent savings.

When they saw stuff like that, they did not believe it was possible, because they too had heard some of the rhetoric, some of the angry, some of the bitter rhetoric that comes out of Washington, D.C., and they thought, well, there is no way. But, in fact they are enjoying it now, and they need that extra income just like so many other millions of seniors do around the country.

Mr. Speaker, I heard former Secretary of Health and Human Services Tommy Thompson say that when Gladys starts talking to Mabel, this thing will really take hold. And, indeed, that is the truth. My office has had 48 workshops helping people decide which program works for them. Maybe it doesn't work for them, because I am always quick to say, it might not be the best thing for everybody. That is part of what a public offering is. Sometimes it works, sometimes it doesn't. But it works for most people. It is about a 50 percent to 60 percent savings for most people. Bennie got a 95 percent savings. Not everybody is going to get that.

But the interesting thing is that Gladys is talking to Mabel, because my friend GIL GUTKNECHT always quotes Ronald Reagan in saying that markets are more powerful than armies. In this case we have an army of people saying this is a horrible program that should be thrown away, thrown out; it is bad, it is wicked, it is the Republicans up to no good.

But look at the market. In my district, with my 48 workshops, our market penetration is about 70 percent right now. The interesting thing is one of my colleagues who is not in favor of this bill has about the same penetration, and he hasn't held one workshop.

That is one the ironies of it. I thought I am going to go out as a salesperson and really wave the flag and tell everybody how great it is. I am irrelevant. The market is more powerful than the army, the army for it or the army against it. The market is selling this thing, not the Republican Party, not the Democrat Party, wherever they may stand on it at the moment.

The reality is the seniors like it, and the reality is our seniors need it, because so many of them were having to choose between food on their table and prescription drugs.

My mom, who takes Tamoxifen from now on for the rest of her life, and my dad who has diabetes and their friends, they have some choices. Not everybody is going to sign up for it, but everybody is aware that the program is out there.

I will close with a quote from my good friend from Minnesota, who had voted against this bill. He said he has moved from being an atheist to an agnostic, but pretty soon he is going to be a holy roller and a believer like everybody else, because markets are stronger than armies.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from Chicago, Illinois (Ms. SCHAKOWSKY), who has been fighting in her district to explain this bill and to improve it.

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, there are times that I wonder whether my colleagues on the other side of the aisle live in a different reality from the rest of us. This resolution encourages senior citizens and persons with disabilities to carefully review all the part D private plan options before them and determine whether to purchase a policy.

We all want senior citizens and disabled people to make informed choices, and we have been helping them, but the reality is there is no way that the millions of beneficiaries who have not enrolled are going to be able to do that in the next 5 days.

The Republican resolution completely ignores the complicated mess that the Republican Congress created in part D. It ignores the fact that current HHS Secretary Leavitt's parents, who he helped, got it wrong and had to change plans.

It ignores the Kaiser Family Foundation report that nearly half of all citizens don't know about the May 15 deadline or the lifetime financial punishment they will face if they miss it, permanent higher premiums as long as they live.

It ignores the GAO report that the Medicare hotline gave inaccurate or inadequate information on which was the best plan to 60 percent of the callers.

It ignores the fact that independent counselors are inundated and unable to provide unbiased advice to sort out the dozens of private plans available.

It ignores the Family USA Report that three out of four low income seniors have not signed up.

It ignores the fact that half of the seniors who didn't have drug coverage last year still don't have it today. That is 10 million people.

It ignores the fact that yesterday's CNN poll said that 47 percent of seniors said the part D program isn't working.

As hard as the Republicans may work to ignore reality, the real reality out there for most people, it won't go away. And the pressure should not be on older and disabled Americans to act over the next 5 days. It should be on the Republican majority to extend the deadline and fix this mess.

Mr. DEAL of Georgia. Mr. Speaker, I yield myself such time as I may consume.

In spite of the doom and gloom, I am pleased to say to Ms. SCHAKOWSKY that in her State of Illinois, 72 percent of her seniors feel it is a good idea and have signed up. I think that is a good percentage.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. DEAL of Georgia. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Speaker, I am confused by that. Are you saying 72 percent chose to sign up of those eligible?

Mr. DEAL of Georgia. Seventy-two percent of those eligible are on the program, yes.

Mr. BROWN of Ohio. I am confused. Did they choose to sign up, or were some forced to sign up from Medicaid?

Mr. DEAL of Georgia. Surely as our ranking member on the the Health Subcommittee, you know on dual eligibles they are signed up under the program, as the law provides. So dual eligibles are included.

Mr. Speaker, I will reclaim my time. The gentleman has more time remaining than I do. I will be glad to debate him on his time.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BURGESS).

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Mr. BURGESS. Mr. Speaker, I thank the chairman of the Subcommittee on Health and Chairwoman JOHNSON for bringing this important bill to the floor of Congress this evening.

Mr. Speaker, we have heard some talk about how complicated the program is and how confusing it is. I would like to just take a moment to point out that if you have a couple of things at your disposal it is not that confusing at all. And if you will put your prescriptions in one hand and in the other hand your Medicare card, and then call 1–800 Medicare, the people at the other end can help you with choosing the right prescription drug coverage for you.

Yes, there are a lot of plans. In my State of Texas, there are 20 different drug plans that have a variety of different permutations, and 36 different prescription drug options are out there.

But if you approach it from cost, coverage and convenience, look at how much the cost is, if that is your most important driver, look at the coverage of the medicines provided, if that is your most important driver, or if you want to get mail order or your mom-and-pop pharmacy down the street, if that is the most important thing, make that the issue that becomes the top of the list, and then cost, coverage and convenience.

You can go through with their Plan Finder tool on the Web site, www.medicare.gov, or again 1–800 Medicare, have your prescriptions ready so you know what you are taking and the dosage you are taking, and they will help you with that.

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). The gentleman from Ohio (Mr. BROWN) has 4 minutes remaining, and the gentlewoman from Connecticut (Mrs. JOHNSON) has ½ minute remaining, and the gentleman from Georgia (Mr. DEAL) has ½ minute remaining.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to follow what Dr. BURGESS says, but GAO says 60 percent of the calls to 1–800 Medicare they have given out wrong information, and I wish our government would get organized before they penalize seniors for not being organized.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Madison, Wisconsin (Ms. BALDWIN), who has worked hard to make this bill written by the drug companies a better bill, a better law.

Ms. BALDWIN. Mr. Speaker, it has really been clear from day one that the Medicare part D prescription drug program was planned with the best interests of drug companies and insurance companies but not seniors in mind.

This plan was wrongfully conceived, and then poorly implemented so that seniors had to struggle to understand a confusing mass of plans, prices and protocols.

As we approach the deadline by which seniors must enroll in a plan or be faced forever more with a financial penalty, it is obvious that we need a new prescription for progress.

Just last week, a GAO report found that the information about the part D benefit provided by CMS through the hotline and handbooks and their Web site was full of errors. We should not penalize seniors for a poorly designed program which was poorly implemented.

Mr. Speaker, we must change this deadline now and allow seniors adequate time to study their options and choose the drug plan that best fits their needs. Instead of passing this meaningless resolution, we should pass legislation to extend the deadline and truly help seniors.

Mr. BROWN of Ohio. Mr. Speaker, may I ask my friend their plans?

Mr. DEAL of Georgia. Mr. Speaker, I believe I have 30 seconds remaining, and I would have the right to close. I would reserve it with no other speakers that I intend to use.

Mrs. JOHNSON of Connecticut. I have 30 seconds remaining. I will be the last speaker before you.

Mr. BROWN of Ohio. I would like to be the next to last speaker under the rules. So whichever of you wants to go.

Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, my friends on the other side are confused. First of all, they know that most of the seniors that they speak of have been automatically enrolled through Medicaid. But they also know that only 55 percent know that the deadline is May 15 and only 53 percent know the lifetime penalty.

Mr. Speaker, I have tried to make lemonade out of lemons. For the last 2 months, I have had those enrollment meetings, and in those meetings I have found the confusion and as well the 1–800 number does not work.

Mr. Speaker, I will have a meeting on May 15, the morning of May 15. I will open up the opportunity for seniors to enroll on the spot. But the contractor that has been hired by HHS only has three computers for my constituents to use, drawing on the City of Houston.

So what I say is do not waste time on this resolution that I do support, extend the deadline and end the penalty, and do not pressure senior citizens with frail health conditions. Do not pressure low income seniors. This is not the opportunity to pressure seniors. This is an opportunity to provide for the Medicare prescription of all seniors eligible to enroll.

Mr. Speaker, I would ask, extend the deadline past May 15 and end the lifetime penalty for our seniors. They deserve our respect and appreciation.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let me just correct a few facts on this record, because for those watching this debate I want them to understand two things. First of all, all low income seniors can continue to enroll without penalty. That is just a fact. No low income senior has an enrollment deadline.

Secondly, this GAO report that was referred to earlier, it actually says that CMS's help line accurately and completely answered callers' questions two-thirds of the time. They go on to say that CMS provided accurate and complete responses to calls about beneficiaries' eligibility for help 90 percent of the time.

So we have worked hard. We have done well. Seniors are signing up and saving money.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I would correct my friend from Connecticut. Not all low income seniors can enroll without penalty, only some low income seniors can enroll without penalty. I hear her bragging that two-thirds of the time, two-

thirds of the time you call 1–800 Medicare you get correct information.

That means one-third of the time you do not. So we are not penalizing the administration for not being able to get this law up and running correctly. Nobody has lost their job over that. But we are going to penalize seniors who have not made up their mind because of this confusing law, because they were getting wrong information from the 1–800 Medicare number that we talk about on the floor.

We are going to charge seniors as much as a 7 percent penalty for the rest of their lives if they do not get this together by November.

Mr. Speaker, a Republican pharmacist in my district said to me, he said, ''President Bush might as well have handed a blank legal pad to the drug industry and said write this new Medicare law.''

Congress and the President wrote a confusing plan at the behest of the HMOs and the drug companies, and then Congress and the President are saying that seniors should have to pay a penalty, seniors in Cincinnati and Dayton and Columbus and Toledo and Mansfield and Chillicothe and all over my State and all over Connecticut and all over Georgia and all over Minnesota have to pay a penalty because the drug industry and the HMOs and those lobbyists in Washington got this Congress to write a law like that. That hardly seems fair.

Mr. Speaker, I would just ask my friends on the other side of the aisle, please ask President Bush to extend this deadline so seniors do not have to pay a penalty for this very confusing new drug law.

Mr. DEAL of Georgia. Mr. Speaker, I yield myself the balance of our time.

Mr. Speaker, this has indeed been an interesting debate. Here we are having people who did not vote for the bill who for 40 years controlled this House and kept saying to seniors, we are going to provide you with a drug benefit and never delivered.

The Republicans delivered. They did not like the bill. They still do not like the bill. Now they say they do not want a deadline, but the bill that they drafted had a March 1 cutoff with penalties following that.

Ours is more generous than that. The purpose of today's debate is to simply remind seniors, this is a voluntary program. If you want to sign up you should do so before May 15.

The confusion, yes, there is confusion because there are a lot of choices out there. Our friends on the other side of the aisle said this will not work and nobody will have any choices. The truth of the matter is, there probably are maybe too many choices, but it is better to have choices than none at all.

Mr. DINGELL. Mr. Speaker, rather than bringing legislation to the House floor that would actually help senior citizens get the prescription drugs they need and address some of the problems that they are having with the new drug benefit, the Republican leadership has brought forward an ''advertisement'' in the form of a meaningless resolution that does nothing, absolutely nothing, to make it easier for seniors to enroll in the prescription drug plan.

Instead, they are encouraging our constituents to beat an artificial deadline and enroll in these plans without having accurate information to prevent them from enrolling in a plan that does not meet their needs.

The independent Government watchdog agency, the Government Accountability Office, recently reported that a good deal of the information that Medicare is providing on this new drug benefit is wrong or incomprehensible to the average beneficiary. For example, Medicare representatives gave an incorrect answer 60 percent of the time when they were asked to help a beneficiary find the lowest-cost plan to enroll in.

These findings also point to larger problems. Because of inaccurate, complicated, or confusing information, seniors have not been given a fair shake. Why is the House not addressing these matters?

We should be here today voting on a bill to extend the May 15 deadline and helping seniors avoid an unfair and unnecessary penalty. Instead, we have a meaningless resolution encouraging seniors to do exactly what they have been doing, which is to evaluate their options. I encourage that—so I will support the resolution. But we should be doing much more to help seniors.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. DEAL) that the House suspend the rules and agree to the resolution, H. Res. 802.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. DEAL of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

(Mrs. MCCARTHY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

PRESCRIPTION DRUG DEADLINE

Mr. GEORGE MILLER of California. Mr. Speaker, I ask unanimous consent to take her place since she is not here.

The SPEAKER pro tempore. Without objection, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

There was no objection.

Mr. GEORGE MILLER of California. Mr. Speaker, today I rise to talk about a serious issue facing America's seniors, an issue that was just debated prior on the floor, the upcoming deadline for enrolling in the new Medicare prescription drug program.

I, like many of my colleagues, have held forums around our congressional districts to try and encourage the senior citizens to enroll in the program and to try and help explain it with the help of advisers from Medicare, from the Kaiser health care organization in my district, from the county health care offices and many others to explain the process of enrolling, the benefits, and what the seniors need to get together to do that.

But the problem is that time is going to run out on many of these seniors. There is just 5 days left to enroll in the program or face the possibility of a lifetime penalty. Most seniors do not fully understand the nature of that penalty, that that penalty will be assessed on the value of the average premium paid, and it will be assessed for the rest of the time that the senior is enrolled in the program.

It is a serious and a harsh penalty for those who may not be able to sign up, because they simply failed to understand the program and need additional time. We have been pressing the Congress and the President and the Republicans in this House to extend the enrollment deadline and to waive the penalty for the first year to give people enough time to understand the confusing and complicated program.

Instead the Republicans have brought up this resolution that was just passed here that encourages the beneficiaries not yet enrolled to enroll in the drug plan and to review carefully all of the options available to them.

Many have been trying to do that and have not been able to do it successfully to completion. I do not believe that they should be punished for that. We are talking about individuals who in many cases have other disabilities, other problems, health care problems, and it is not easy to wade through these options that confuse many of them.

This resolution does not do anything to help those individuals avoid the lifetime penalties. It does not give the Federal Government the power to negotiate in bulk for the drug companies and for lower prescription prices.

Instead of passing this resolution, I would have hoped that the Republicans would have brought forth a provision to provide real help to the beneficiaries by giving them more time to review carefully all of the options that are available and delaying the deadline until May 31.

Why, you ask, is this necessary? On April 26, USA Today reported less than 3 weeks remain for most Medicare

beneficiaries to sign up for the prescription drug coverage without penalties, but nearly half the Nation's seniors do not know it.

The fact is that many beneficiaries are still unaware of the deadlines and the penalties, highlighting the fact that more time is needed. But even those who know about the deadlines and penalties are having a hard time with this confusing law. A new GAO report found that many beneficiaries are receiving inadequate, incorrect information from the Medicare hotline that many of us have been encouraging them to call to help them enroll.

It has been inadequate help to them and seniors should not be punished for that reason. The Wall Street Journal reported just a couple of days ago that the Federal investigators from the GAO posing as senior citizens found that the Medicare operators routinely failed to give callers accurate and complete information about the government's new drug benefit.

□ 2000

Investigators said that about one-third of their calls resulted in faulty responses or no response at all because of disconnected calls. This is not an atmosphere which should lead to the punishment of senior citizens who are making a good-faith effort to reach Medicare, to reach for the enrollment, to understand the program and make the decision for themselves or a member of their families on a timely basis.

Based upon a new analysis, there are probably about nine million beneficiaries with little or no drug coverage who still have failed to sign up. According to the nonpartisan CBO, delaying the deadline to December 31 would save more than 7 million beneficiaries from a lifetime of higher monthly premiums.

If the Republicans were truly interested in fulfilling the program that they designed, then they ought to extend the deadline so that senior citizens that we represent can have an opportunity to enroll and put off that penalty.

So I would hope—there is still time between now and the 15th, I would hope that now that they have passed this resolution, we would bring out legislation to provide an extension of time for seniors who are in fact acting in good faith.

The suggestion has not been made that seniors are trying to dodge the obligation. We know why there is a penalty. Eventually you want them all to sign up so people do not selectively enroll and cherry-pick and make the program more complex. But the indication is not that seniors are refusing or trying to dodge the program. The indication is that many are still reaching out in good faith to sign up for the program and to understand the program, but they just have not been successfully able to do that.

It seems to me that is not what a government should be doing is punishing people going through the process in good faith, but simply have not been able to negotiate it.

The SPEAKER pro tempore (Mr. INGLIS). Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

AN IDEA WHOSE TIME HAS COME

Mr. GUTKNECHT. Mr. Speaker, I request unanimous consent that I be allowed to claim the time of the gentleman from North Carolina (Mr. JONES).

The SPEAKER pro tempore. Without objection, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

There was no objection.

Mr. GUTKNECHT. Mr. Speaker, I rise on the House floor tonight to talk about something that I think is one of the big solutions that we need to pursue here in the United States. And I would like to, first of all, talk about this first chart; and hopefully, Members can see it back in their offices. But this is a chart of the imports of petroleum as we have seen it from 1984 until 2005.

Back in 1984, we were importing less than 5.5 million barrels of oil a day; today, that number is over 13.5. In fact, I should say in 2005 it was about 13.5 million barrels a day. This is a scary chart because the direction is heading in the wrong direction.

Let's put some numbers on this. I am told that by this summer with $70-a-barrel oil, we will be spending about a billion dollars a day to buy oil from countries, in many cases who are not particularly friendly to the United States. This is a serious problem. It is a challenge to our economic security and it is a challenge to our national security.

Now, renewable fuels are only part of the solution. I voted to increase the CAFE standards. I think conservation is an important part of solving our energy problems here in the United States. I believe in developing other kinds of energy. I voted consistently to develop the oil and the natural gas which we know is up in Alaska. I voted to expand the many uses of other energies.

But, Mr. Speaker, one of the things that we have not talked enough about, in my opinion, is our ability to grow more of our own energy. And so tonight I want to talk about renewable energy in general and ethanol in particular because I think there is huge misunderstanding, and it is not just among Members of Congress and the general public, it is among many of the policymakers even in the Department of Energy.

Mr. Speaker, there is still a misunderstanding about how much it costs to produce ethanol. In fact, we had a hearing of the Science Committee about 6 months ago. We had three top energy experts who testified before the committee. I asked all of them, I said, How much does it cost to produce a gallon of ethanol? Well, they started to look at their watches and their shoes and it was clear they did not want to answer the question.

Well, I said, make a guess. And the low guess, and these are energy experts, the low guess among those three experts was $2 a gallon. The high estimate was $3 a gallon. And I said, Would it surprise you to know that we are actually producing ethanol in Minnesota for less than $1.20 a gallon? In fact, some of the plants at that time with lower natural gas prices were actually producing ethanol for about $1 a gallon.

Today, with corn at about $2 is a bushel and with oil at about $70 a barrel, the cost right now to produce a gallon of ethanol at an efficient plant in the upper Midwest is about $1.20 a gallon. Gasoline, on the other hand, right now costs about $2.10 a gallon for unleaded gas.

Now, I have to be clear, though, and we want to be fair in this discussion. You do not get as many Btus, British Thermal Units, out of a gallon of ethanol as you do a gallon of unleaded gasoline. In fact, it is about 20 to 25 percent less. So you get less energy out of a gallon, partly because ethanol is 35 percent oxygen. That is good, though, because it means it burns much cleaner than gasoline.

Ethanol is better for our environment. It is better for our economy because that billion dollars a day that we may be spending this summer we are sending to countries that in some respects do not like us, and in worst cases they may be using part of that oil revenue to actually fund the terrorists.

The beauty of producing energy here in the United States, clean-burning ethanol in the United States, is that all of that money stays here in America where it recycles through our own economy. A new plant, for example, recently opened just west of Mankato, Minnesota, in the little town of Lake Crystal, Minnesota, and they told us they will be employing, on average, 42 workers in that plant, and the average starting wage will be somewhere over $16 an hour plus benefits. These are good jobs that help our own economy right here in the United States.

But the point really needs to be made, not only is it better for our economy, it is better for our environment, but it is actually cheaper. So some people say, well, if it is better for the economy, if it is better for the environment and it is cheaper, why is more of it not available?

Well, the answer is simply this. The oil companies do not make any money on ethanol. I am not here to say that

the oil companies are evil, but right now they have a 98 percent market share, maybe a little less than 98 percent market share. They are not interested in giving away market share to ethanol, which is why I have introduced a bill called 10 By 10. And what it says, and I believe that success leaves clues, and what it says is that by 2010, 10 percent of our gasoline supply should be renewable energy. It is an idea whose time has come.

TEACHERS MAKE A DIFFERENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. ETHERIDGE) is recognized for 5 minutes.

Mr. ETHERIDGE. Mr. Speaker, this evening I come to the floor to remind my colleagues, just today we passed a tax bill that cuts taxes. In the next several weeks we will be back on this floor talking about the money for education. Unfortunately, we will be reducing our investment in education.

Tonight, though, I want to share with you a statement relating to our teachers. I was a great privilege on Saturday evening to speak to our State PTA in North Carolina; and they shared this story, and I want to share it with my colleagues because I think it ought to remind all of us what is important about the job we do, what is important here in America. Because too many times we get caught up in what people make and how much money they get, and today this Congress did just that. And let me share it with you.

Some dinner guests were sitting around the table discussing life. One man, a wealthy CEO, decided to explain the problem with education. He argued, What is a kid going to learn from someone who decided his best option in life was to become a teacher? He reminded the other dinner guests that it is true what they say about teachers. Those who can, do; those who cannot, teach.

To corroborate what he said, he turned to another guest. You are a teacher, Susan. Be honest. What do you make?

Susan, who had a reputation of being honest and frank, replied, You want to know what I make? I make kids work harder than they ever thought they could. I can make a C-plus feel like a Congressional Medal of Honor winner. And I can make an A-minus feel like a slap in the face if the student did not do his or her best. I can make kids sit through 40 minutes of study hall in absolute silence. I can make parents tremble in fear when I call home.

You want to know what I make? I make kids wonder. I make them question. I make them criticize. I make them apologize and mean it. I make them write and I make them read, read, read. I make them spell definitely beautiful, definitely beautiful, definitely beautiful over and over and over again until they will never misspell either of those words again.

I make them show all their work in math and hide it all on their final drafts in English. I make them understand that if you have the brains, then follow your heart. And if someone ever tries to judge you by what you make, you pay them no attention.

You want to know what I make? I make a difference.

Mr. Speaker, God bless all those who go into the classroom every day and make a difference, not because they are paid, but because they care about the future of this great country.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

(Mr. MCHENRY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CLIMATE CHANGES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. GILCHREST) is recognized for 5 minutes.

Mr. GILCHREST. Mr. Speaker, I would like to talk for 5 minutes on this issue known as climate change. Are humans affecting the climate or is it the natural influence of natural variabilities?

Mr. Speaker, if people will look back into their middle school and high school years, they will remember their silence class, their geography class, maybe their geology class, and they learned that the planet Earth over millions of years varied in its climate. Sometimes we had very warm periods and sometimes we had very cold periods. Sometimes the tropics were as far north as Canada and sometimes ice ages covered much of North America. But the point is, what do we remember about the details and the facts on how they occurred?

I think maybe Jay Leno should ask that question in a ''Jay Walking'' exercise, ''What do you know about climate change?'' Well, in past eons of times, tens of thousands of years ago, millions of years ago there were very few human beings on the planet and those human beings were not burning fossil fuel.

Today we have six billion people on planet Earth and many of those people are burning coal, natural gas, oil, gasoline. They are burning for their energy sources fossil fuel. And the fossil fuel that we are burning in the modern era of time is putting more greenhouse gasses into the atmosphere in decades than the natural variabilities of planet Earth locked up over millions of years.

Why is fossil fuel important when we are looking at the issue of climate change or global warming? When you burn fossil fuel it puts into the atmosphere a gas known as CO or carbon dioxide. Carbon dioxide is the chief element, the chief gas, in the atmosphere that controls climate, that controls the heat balance. We call this the ''greenhouse effect.'' Sunlight comes in, but because of COG, some of it cannot be radiated out so we have had a pretty good of balance of climate on the planet, at least for the last few thousand years.

Now, how much COG is in the atmosphere that has this huge effect on the climate?

□ 2015

Less than 1 percent of the atmosphere is made up of carbon dioxide. Way less than 1 percent of the atmosphere is made up of carbon dioxide, but it has a huge effect. So you can see that any variability in carbon dioxide will have quite severe consequences on the planet.

How much CO_2 was in the atmosphere 10,000 years ago, at the very edge of the end of that Ice Age? Ten thousand years ago, there were 180 parts per million of carbon dioxide in the atmosphere. Thousands of years later, with a warming trend, a natural warming trend on the planet, almost 10,000 years later, it was 280 parts per million.

Two hundred years ago on the planet, during the early American days, there were 80 parts per million CO_2 in the atmosphere. One hundred years ago, that increased by a small fraction; 100 years ago, there were 290 parts per million of CO_2 in the atmosphere. Now, this sounds like a lot of calculations and a lot of numbers. 100 years ago, 290 parts per million, heat balanced because of CO_2. One hundred years later, now, we are talking about 100 percentage points, 100 parts per million difference over 10,000 years.

What happened in the last 100 years? We are at 380 parts per million in the last 100 years. What normally would take 10,000 years to happen in a natural variation, variability, fluctuation, we did in 100 years. The estimate will be, by the year 2050, we are likely to be over 500 parts per million. That means we have had more of a dramatic increase in CO_2 that controls the climate in 100 years than happened 5 million years ago.

The Earth is warming because of the increase in CO_2 because of the burning of fossil fuel. The hottest years on record have happened since the 1980s. The major institutions of science in the United States have concluded that the matter of climate change is settled. Human activity is having an influence on the planet.

The SPEAKER pro tempore (Mr. INGLIS of South Carolina). Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

(Mr. EMANUEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE. addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. DREIER) is recognized for 5 minutes.

(Mr. DREIER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. KENNEDY) is recognized for 5 minutes.

(Mr. KENNEDY of Minnesota addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

(Mr. BROWN of Ohio addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

(Mr. MCDERMOTT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

(Mr. ALLEN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. BILIRAKIS) is recognized for 5 minutes.

(Mr. BILIRAKIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. SNYDER) is recognized for 5 minutes.

(Mr. SNYDER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kentucky (Mr. DAVIS) is recognized for 5 minutes.

(Mr. DAVIS of Kentucky addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. CORRINE BROWN) is recognized for 5 minutes.

(Ms. CORRINE BROWN of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

ASIAN PACIFIC AMERICAN HERITAGE MONTH

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) is recognized for 5 minutes.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I am here today to join my colleagues and the Nation in recognizing May as Asian Pacific American Month, a time to celebrate the numerous contributions that Asian Americans and Pacific Islanders have made to American life.

But first, I would like to recognize and congratulate my colleague, the gentleman from California (Mr. HONDA). As the Chair of the Congressional Asian Pacific American Caucus, Congressman HONDA has worked tirelessly to highlight the contributions of the Asian Pacific American community.

Congressman HONDA's leadership emphasizes the importance of diversity, cultural education, and awareness of the many beautiful cultures and heritages that are woven into the fabric of our country.

Thank you, Congressman HONDA, for your dedication and your passion.

May was chosen to commemorate the immigration of the first Japanese to the United States on May 7, 1843, and to mark the anniversary of the completion of the transcontinental railroad on May 10, 1869. The majority of the workers who laid the tracks were Chinese immigrants.

Asian Pacific American Heritage Month is celebrated with community festivals, government-sponsored activities, and educational activities for students. Currently, 15 million Asian Pacific Americans live in the United States.

With more than 25 Asian and Pacific Islander groups with different languages and unique histories, including Taiwanese, Vietnamese, Chinese, Filipinos, Indian, Pakistani, Korean, Japanese, and Bangladeshi, Asian Pacific American Heritage Month highlights the diversity that makes up our great Nation.

As an American Jew, I am proud to say that Asians and Jews have a unique and celebrated history of partnership and community. Asian Americans have developed many thriving communities in California and New York City, for example, where there are also a large number of Jewish communities.

Our cultural similarities and major emphasis on family and education present a variety of opportunities for cooperation between the communities, including community organizing, mutual support and political advocacy.

Asian Americans have impacted our Nation in several distinct ways: in science and technology; arts and media; and business and social work.

Approximately 1.1 million Asian Americans and Pacific Islanders own small businesses in the United States. Additionally, Asian Pacific Americans have served bravely in the United States Armed Forces, and more than 300,000 Asian Americans and Pacific Islanders are veterans.

The theme for this year's Asian Pacific American Heritage Month is ''Dreams and Challenges of Asian Pacific Americans.'' Throughout the month of May, this theme serves as a reminder that while this community has made several strides, many Asian and Pacific Americans face economic and societal challenges.

Affordable health care and education are among those challenges that all Americans, including Asian Pacific Americans, face. It is estimated that more than 2 million Asian Americans and Pacific Islanders currently have no health insurance, a figure that is far too large.

We must focus on policies that will provide all Americans the opportunity to prosper in our great country.

Throughout the month of May, Mr. Speaker, I ask all Americans to join me in raising awareness of this growing community as we celebrate together Asian Pacific American Heritage Month.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Illinois (Mrs. BIGGERT) is recognized for 5 minutes.

(Mrs. BIGGERT addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) is recognized for 5 minutes.

(Ms. GINNY BROWN-WAITE of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

30 SOMETHING WORKING GROUP

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes as the designee of the minority leader.

Mr. MEEK of Florida. Mr. Speaker, it is an honor to come before the House once again.

I would like to thank my colleagues, DEBBIE WASSERMAN SCHULTZ, and also my good friends from the great State of Massachusetts, Mr. BILL DELAHUNT. I am so glad Mr. DELAHUNT is here.

We were talking earlier. I had to chuckle there for a minute because Mr. DELAHUNT always takes the opportunity and the privilege to share with us the printed word, and it is good to have him here. Mr. RYAN will be joining us a little later, Mr. Speaker.

If I could just take a moment here, Mr. Speaker, to let the Members know that the great debate took place here on this floor, a number of amendments were proposed, to make sure that we pass a budget that is just and fair for every American. But I must bring to the Members' attention, because I think Members do not realize what is happening, or if they do realize what is happening, I want to make sure that it is in the RECORD that they know.

We talk about debt a lot in our 30 Something Working Group, and talking about debt and doing something about debt are two different things.

The Republican majority continues to spend in a record-breaking way that is bankrupting this country and changing the philosophy of this country, which is pay-as-you-go.

Democrats, we are the only party in this House that can say that we balanced the budget. We have actually done it. We have actually had surpluses as far as the eye can see.

Republicans can only talk about, well, we would like to cut it in half and we would like to cut it back a quarter or what have you; but I just want to make sure that folks understand that there was an article written on Tuesday of this week entitled, Another Possible Bump to the Debt Ceiling, $2.7 trillion budget plan pending before the House would raise the Federal debt ceiling by nearly 10 trillion less than 2 months after the Congress last raised the Federal debt borrowing limit. The provision is buried on page 121 of a 151-page blueprint. It serves as the backdrop for congressional action this week.

I think it is important, Mr. Speaker, and I usually have my letters here from the Secretary of the Treasury, but I think it is important that the American people and the Members of this House understand that what they are doing to this country, record-breaking debt.

I just want to make sure before we start off, and then I am going to be kind of quiet here tonight because I know that we have a lot to share. It is almost too much to share, Mr. Speaker, but I just want to share this with the Members one more time.

We are talking about who are we borrowing from. We are borrowing from Japan at $682.8 billion; China, $249.8 billion; the UK, $223.2 billion; the Caribbean, $115.3 billion; Taiwan, $71.3 billion; OPEC nations, including Saudi Arabia and a number of nations that we have issues with, $67.8 billion; Germany, $65.7 billion; Korea, $66.5 billion; Canada, $53.8 billion and climbing.

If we do not stop this Republican majority from continuing to raise this debt ceiling and burying it within the Federal budget on what they believe their Members have to vote for, and this budget vote has been postponed and postponed and postponed, not because, Mr. Speaker, the Republican majority did not have time to deal with it; they just did not want to do to their constituents what the majority wants them to do.

As long as we are here and we have breath in our bodies, we are going to share with the Members of this House that we will not allow this to be a ''back room with the lights off in the middle of the night'' proposition for the American people that they do not have any choices in, but the special interests do.

I just in closing, again, history making, this is not the KENDRICK MEEK report, DEBBIE WASSERMAN SCHULTZ, BILL DELAHUNT or TIM RYAN report. This is facts, not fiction. The U.S. Department of the Treasury backs this up: $1.01 trillion borrowed in 224 years, since 1776 to the year 2000, versus $1.05 trillion that was borrowed from 2001 to 2005 and counting from the President and the Republican majority Congress.

We are saying that we want to pay as we go. We are saying that we want to make sure that we are fiscally responsible. And we are saying that we are not going to allow the Republican majority to be able to have these countries look at America in a different way than they were prior to this administration and prior to this Republican Congress.

Mr. Speaker, I yield to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, thank you.

It is so great to be here with my 30 Something colleagues once again; and just to take off from where you left off, we try to help illuminate things during our hours and underscore for the American people, Mr. Speaker, what is really going on inside this Chamber and inside this Capitol and the debt, the colossal debt, that we are literally caving in under.

Mr. DELAHUNT. Just like that.

Ms. WASSERMAN SCHULTZ. Just like our poster here, the colossal debt that we are caving in under that Mr. MEEK just described.

Sometimes it is hard to get your arms around, or mind around, what 1 billion is. One billion is a very big number. So we took the time to analyze or break down for folks the things that are analogous to 1 billion, and let me just walk people through that, Mr. Speaker, and this might be helpful for you, Mr. Speaker, as well.

The question is, how much is $1 billion really. Well, for example, 1 billion hours ago, humans were making their first tools in the Stone Age. One billion seconds ago, it was 1975 and the last American troops had pulled out of Vietnam.

Gee, I guess we sort of wish we were 20 years in the future and we could be saying that about the troops in Iraq, but I digress.

One billion minutes ago, it was 104 A.D. and the Chinese had first invented paper, and $1 billion ago in Republican terms, Mr. Speaker, that was only 3 hours and 32 minutes at the rate that our government spends money.

So when you talk about people who live paycheck to paycheck, people who are struggling to make ends meet, people who are desperately trying to not live off of their credit cards, it does not appear to matter to the Republican leadership here, Mr. Speaker.

□ 2030

My colleagues, it really is astonishing to me. I have only been here 14 months. Both of you are more senior than me, but I am really surprised that some people actually believe what the Republican leadership says when they say they are the party of less government and more fiscal responsibility. Is an $8 trillion debt fiscally responsible? Is being in debt to OPEC responsible? I mean, where is the fiscal responsibility in that?

Mr. DELAHUNT. Mr. Speaker, if I can, I ran across a column in one of the publications that circulates throughout here on Capitol Hill. It was actually in the Roll Call newspaper. It was this past Monday when it was published.

The headline is entitled, ''GOP Banking on Economy.''

You know, it is no secret that a growing majority of the American people believe that the country is headed in the wrong direction. The last poll that I saw just recently exceeded 70 percent of the American people believe that the country is going in the wrong direction. I happen to share that particular view.

It seems to perplex some of our friends and colleagues on the Republican side of the aisle that while the economy in terms of macro statistics is growing, that they are receiving no political benefit. I noted that the House majority whip from Missouri, who happens to be a friend of mine and someone for whom I have great respect, had this to say, ''I spend a lot of time wondering about this myself. Why is it that with this incredibly strong economy people do not embrace the economy with the same kind of confidence that everything indicates that they should.'' That is what the House majority whip ROY BLUNT said in an interviewed taped by C–SPAN this past weekend.

Let me offer my own explanation.

It is because the benefit of the booming economy is extremely limited. The vast majority of Americans are not benefiting from the economic growth

that is occurring in our country. I think that is reflected in what happened here today in terms of the debate about the new tax cuts that are being proposed, Mr. Speaker, by our Republican colleagues and friends.

Let me just cite some interesting statistics. If you earn between $20,000 and $30,000, the benefit that you will receive from the tax cut that applies to dividends and capital gains amounts to $9 on the average. So as a result of today's work by this Bush Congress, if you earn between $20,000 and $30,000 you received a tax break of $9.

If you earn between $50,000 and $75,000, you got a tax break of $110. But, Mr. Speaker, if you earned more than $1 million, you get a check from Uncle Sam as a tax refund of $42,000. Let us just reflect on that for a moment. Who is benefiting from the policies of the Bush administration and the Bush administration Congress? Let me put this in other words, in different terms.

If you took what happened here today, what this Congress did today, 77 percent of American families, families now, had their taxes reduced by $30. That is 77 percent of American families had their tax bill reduced by $30 at the same time, Mr. RYAN, Mr. MEEK, Mr. Speaker, 0.02 percent of American families got a tax break of $42,000.

So what is happening? What we are doing is we are creating an America that is beginning to look like a banana republic. It would appear that those that have and really have, not just have a lot but have a stupendous amount of wealth, are receiving a totally disproportionate share of the prosperity that the country seems to be enjoying. But 77 percent are getting $30.

And to stop and think today, that tax cut, Mr. Speaker, amounted to $70 billion. And you know what, Mr. Speaker, to give that 0.02 percent $42,000, we are going to borrow, we are going to borrow that $70 billion and we are going to borrow it from China, from OPEC, from Japan, from Korea, and from Canada.

We are going to borrow, and you know what, Mr. Speaker? We are going to add to that deficit, and that is why people who are Republicans and conservative Republicans, like our former colleague Pat Toomey, who is the President of the Club for Growth, is saying things like this in the Philadelphia Inquirer, ''There is a very high level of frustration and disappointment among rank-and-file Republicans when they see a Republican-controlled Congress engaging in an obscene level of wasteful spending, and it is really coming home to roost.''

Mr. MEEK of Florida. He says more, right?

Mr. DELAHUNT. Yes. That is not all he said, Mr. Speaker.

Again, this is Mr. Toomey, President of Club for Growth, a conservative advocacy group, who served in this Congress, Mr. Speaker, and this is what he is saying about the Republican Congress: ''Republicans have abandoned the principles of limited government and fiscal discipline that historically have united Republicans and energized the Republican base. Too many Republicans have gotten too comfortable in office.''

That is what Pat Toomey, a former colleague, a member of this Congress a short time ago, is now saying about the Bush Congress.

Mr. RYAN of Ohio. Mr. Speaker, I agree with the gentleman and I agree with former Congressman Toomey. As you made the point about the wealthiest, the millionaires getting $42,000 back and the missed priorities and the schoolteacher in Ohio who is making $35,000 or $40,000 and getting just a few dollars back, we are not saying that the wealthy person does not make a certain contribution to society because they do. Make profits and make money, we want you to. But there is just as much value to our society by the teacher.

Mr. DELAHUNT. We are saying let us be fair. Fairness here.

Mr. RYAN of Ohio. And who actually needs the tax cut is that person who is a home health care aide, driving around, and the gas prices are high and everything else.

Mr. DELAHUNT talked about borrowing the money to do this and who we are borrowing it from. This is from 2001 to 2005, of the $1.18 trillion in debt that the Bush presidency, the Bush House and Bush Senate racked up, $1.16 trillion of the $1.18 trillion came from foreign nations. We are not even borrowing the money from National Citibank or some bank in our own country, we are borrowing this money from the Chinese government or the Japanese government. That at the end of the day makes us weak.

I want to show one more chart here. This is the public debt held by China. It has quadrupled under Bush. It was $62 billion in 2000, and it is $257 billion in 2005.

Mr. DELAHUNT. Mr. Speaker, if the gentleman would yield, I asked this today in a hearing in the International Relations Committee of Secretary Zoellick, and he indicated that now the debt is $262 billion that is owed by the United States Government to the Chinese.

Mr. RYAN of Ohio. And so if you are sitting in a community in Ohio or in the industrial Midwest or in New England or somewhere across this country where the jobs you have are being lost to China, and then you know that your government at the same time is borrowing money from China, and the Chinese government is using that money to undermine American business in the United States of America and we continue to borrow it, and that is just in the past year or so, another $5 billion has been borrowed from the Chinese. This is going on again and again.

The reason I bring this up is today we expanded this. We increased this even more. The $42,000 that we are going to give a millionaire, we do not have it.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I think we are going to need to do these charts on dry erase boards from now on because it changes so rapidly and in the wrong direction that we are wasting public resources by printing them on unchangeable paper.

Mr. RYAN of Ohio. Right. The money we pay in interest every year, $230 billion a year, we pay in interest on the debt. That is interest on the debt. Compared to education and homeland security and veterans, this is the number we are paying on interest. This is reckless spending. This is a Congress that has run away with the checkbook. They are taking the country off a cliff financially without any regard for what this is costing future generations.

This group started to talk about optimism and what the future was going to look like.

Mr. MEEK of Florida. Mr. Speaker, I cannot help but take this rubber stamp out. How did we get to where we are right now? It is not because of good policy making. It was not good policy making. It was because the Republican Congress, Mr. Speaker, has said, Mr. President, whatever you want, regardless of how bad it may make our fiscal situation in this country, we are willing to endorse it.

□ 2045

Today, in the Washington Post, folks want to talk about, if they think Mr. DELAHUNT just came up with these numbers, go on to Washingtonpost.com and they are right here, as it relates to what you will get if this budget passes the way the Republican administration wants it to pass.

And I think it is important that people realize that it is not the people that you send here to Washington, D.C., to represent you; it is the White House. Still, the Republican Congress is saying, even at low approval ratings, Mr. President, we are with you all the way. Whatever you want, we are willing to rubber-stamp it and we are willing to follow your lead, even if it is in the wrong direction, even if gas prices are higher now, even if we are borrowing record breaking, we are making history in borrowing $1.05 trillion and counting from foreign nations, that is okay.

Even if it comes down to us defending a special oil deal, and then we had it turn around on you, but even at the beginning, allowing it to happen, we are with you all the way. Mr. President, whatever you say, we are going to rubber-stamp it.

So I think it is important, when you think of this Republican majority, Mr. Speaker, and I think when a number of our Members look in the mirror, especially on the other side of the aisle, a rubber stamp has to be somewhere in the background because that is what has happened, and that is what has got us in the situation that we are in now, and the American people see it, crystal clear.

This is not a Democratic issue. I am going to yield to you in one second.

This is not a Democratic issue. You can't blame the Democrats on what the present situation is.

Mr. Speaker, I always say that bipartisanship is based on the leadership of the institution. The leadership of the institution has not allowed bipartisanship in policy-making, in the financial situation, or even making sure that we just work in harmony here on the major issues.

That has not happened, and that is the reason why, Mr. DELAHUNT, Mr. RYAN, and Ms. WASSERMAN SCHULTZ, the American people are hanging the failures of fiscal responsibility around the neck of the Republican majority and the White House, because they are in the same boat and they are rubber-stamping one another as they carry this country into further debt.

I yield.

Ms. WASSERMAN SCHULTZ. You know, Mr. MEEK, I can understand why you would have trouble seeing past that giant rubber stamp. That is simply because this Chamber, through the Republican caucus and their Republican leadership, have been engulfed by the rubber stamp.

You know, had our bobble-head Republican not turned up missing, we would be able to use that as yet another example of why you continually have these policies that are put forward by the Republican leadership, as rubber-stamped by the Republican majority, because their heads only move in one direction. I guess there is no hinge in this direction, only, yes, absolutely, we are glad to do whatever you say, anything you want, Mr. Speaker.

I mean, it is just unbelievable. Fourteen months here and, ''No, sorry, my conscience won't allow me to do that'' is just not part of their vocabulary. And like I said, the joints just don't seem to work in this direction as they do for the Democrats.

Now, you know, what makes matters worse about all of the things that we have been talking about, about the debt and the deficit and the bobble-head, rubber-stamp Republican majority that we have here, is that there are consequences. This stuff matters. It matters in real people's lives.

And what the Republican leadership would have you believe, especially in recent days, their new thing now is that the economy is doing great. Now, obviously they are now trying to shift to a new frame and help everybody understand that in spite of an $8 trillion deficit, in spite of the colossal debt that we are in to foreign countries across this globe, in spite of the fact that we have disproportionate trade deficits with many, many countries, Americans are doing great.

Really? Really?

Okay, well, let's examine that. I have here what the consequences actually are. We came up with a top ten list that describes the consequences of Republican economic policies. Since they raised the subject, they have brought it up recently and said, everything is rosy, red rosy, and so let's just take a walk down memory lane here in terms of what is really going on in the United States of America.

Number 10. I am Danielle Letterman this evening. Number 10, we have a projected surplus of $5.6 trillion that has vanished. It was replaced by a deficit in 2004 of $413 billion, which is the largest in our Nation's history, and a deficit of $318 billion in 2005, an almost $3.5 trillion deficit over the next 10 years.

Number 9. The Bush administration is the administration with the greatest average annual decline in household income. We are talking real people here. Since Bush took office, household income has declined by $1,670.

Mr. RYAN of Ohio. Just to make a point. We heard a lot today, and I know I heard on the floor today a lot about how, as you said, the economy was doing great and how incomes were up. I think we have some facts that say otherwise.

Ms. WASSERMAN SCHULTZ. We are talking third-party validators here. This is not stuff we are making up. This is not the Debbie Wasserman Schultz encyclopedia.

Mr. DELAHUNT. I think it is very important. I think that Number 9 explains the reason why the majority whip is perplexed, because what is clear to me is that the economy, if you were a student of economics and took a look at the macro view and saw growth, why the people aren't responding appropriately.

The reality is that the economy, Mr. Speaker, is superb. It is outstanding. It is phenomenal, if you are in the top 1 percent of the American population, Mr. Speaker.

Mr. RYAN of Ohio. And I would suggest that the President's approval rating wouldn't be at 31 or 32 percent if the economy was going great.

Ms. WASSERMAN SCHULTZ. If people thought everything was as rosy as they would describe.

Mr. RYAN of Ohio. Exactly.

I yield for Number 8.

Ms. WASSERMAN SCHULTZ. Number 8, 45.8 million Americans have no health insurance at all, 6 million more than in 2000.

Now, if things were getting better, that number would be, oh, I don't know, smaller, Mr. Speaker, not bigger, smaller. And you have, since then the cost of health insurance has risen nearly 59 percent. Yet workers' wages have only increased by 12 percent.

Now, we all do different things in our lives every day. We go to the supermarket. I am out on the soccer field or at dance class or on airplanes back and forth.

I am sitting next to a couple, a middle-aged couple, on the plane the other day from Tennessee. Not exactly a bastion of liberalism. They are from Tennessee. And do you know what they wanted to talk to me about when they found out I was a Member of Congress? What were we going to do about the cost of health care?

They owned a small business. They employed quite a number, 75 people. They employed 75 people and he literally said, the husband, the husband and wife team literally told me that within the next couple of years, if health care costs continue to go in this direction as they have since 2000, they would probably have to close their business. I mean, that is how bad it was getting.

So the garbage that the Republican leadership and this administration are trying to feed the American people, you know, that 31 percent, that number, I would expect would continue.

Mr. RYAN of Ohio. And it is a tough argument to make to say, when someone's struggling to say, no, no, you are really doing okay. Wait, no I am not. I have got to tell you it is kind of hard right now. No, I am telling you, you are really doing fine.

Mr. DELAHUNT. The economy grew.

Mr. RYAN of Ohio. I realize you are racking up credit card debt. I realize you can't afford to put gas in your tank.

Mr. DELAHUNT. And by the way, Mr. RYAN, it was interesting tonight on ABC News, for the 16th straight meeting of the Federal Reserve, interest rates were raised.

You know what that means, Mr. Speaker? That means that if you have an adjustable rate mortgage on your home, you are paying more money. You are paying more than that $30 that this Republican Congress refunded to 77 percent of American families today. You are paying a lot more. And the reason is that because of the reckless spending that Pat Toomey refers to here, because of the reckless spending, you are jacking up interest rates, Mr. Speaker.

The majority party in this House, in this Senate, is complicit with the White House in terms of hidden costs like mortgage interest, like credit card interest. A while back it was 11 percent on your credit card. You know what it is today, Mr. Speaker? Today, the average interest rate on your credit card, it is 16 percent. You think that is a savings for the American people? You wonder what's wrong.

And Ms. WASSERMAN SCHULTZ tells us that the median income for a family in this country has actually declined. And you think the economy is good?

Ms. WASSERMAN SCHULTZ. Mr. DELAHUNT, I guess they follow the philosophy and the idea that if you say it enough times, people will believe it. Maybe if you say it enough times, actually our governor, it must be in the genes, also subscribes to that theory in Florida, and really believes that if you say something enough times, then it will come true.

Mr. MEEK of Florida. Number 7?

Ms. WASSERMAN SCHULTZ. Yes, Number 7. Thirty-seven million Americans are living in poverty. We have a 12.7 percent poverty rate, which is on the rise, and 5.4 million people have fallen into poverty since the beginning

of the Bush administration, 5.4 million people.

You know, if they are going to talk about who is doing better, it is the wealthiest that are doing better. Their income is on the rise. Their life is getting better. Their lives are improving and their outlook is more rosy. The poor are getting poorer.

Number 6.

Mr. DELAHUNT. Ms. WASSERMAN SCHULTZ, please just don't say it is the poor. It is not the poor. It is the middle class.

Ms. WASSERMAN SCHULTZ. You are right.

Mr. DELAHUNT. It is even the relatively affluent. They are not doing anywhere near as well as the top 1 percent.

Ms. WASSERMAN SCHULTZ. Mr. DELAHUNT, when I have to pay $56 to fill up the gas tank in my minivan, believe me, you are right. It is not just the poor.

Mr. DELAHUNT. It is hurting the middle class.

Mr. RYAN of Ohio. And I would like to make a comment here, because that is, and I think that is the epitome of what this outfit is all about. It is always that, well, there is going to be a certain segment of our society that is poor. And you know what, it is tough to be in the middle class. And you know what, we can't come up with an alternative energy source. You know, well, conservation is a good personal virtue, but it is not a good, you know, public policy.

You know, this is not leadership. We should be trying to fix these problems, not just say, okay, we accept them. We accept 5.4 million people going into poverty in the last 5 years under the Bush administration. And when you look at who, you know, what? Mr. MEEK, I want you to look at this. This picture epitomizes, Mr. DELAHUNT, because the President is holding the hand of one of the most powerful Saudi leaders in the world.

Mr. MEEK of Florida. The Saudi king.

Mr. RYAN of Ohio. The king. And I want this President to come hold the hand of somebody in my district. Go hold the hand of one of the 5.4 million people that just slipped into poverty.

This man doesn't need his hand held. But we have got a lot of people in the country that need a little help, and not a handout, a hand up, an opportunity to succeed.

I yield for Number 6.

Mr. MEEK of Florida. Mr. RYAN, Ms. WASSERMAN SCHULTZ, it takes $53 to fill up an F–10 pickup truck. I mean, we have folks that are doing this on the credit card, Mr. Speaker, and guess what, after a couple of months of that, $50-some-odd, some folks' average balance that they have is $1,200 on a credit card. Soon they are not going to be able to do that, and they are going to be in the same situation this country is in, in debt.

Mr. DELAHUNT. And they are paying 16 percent on that credit card bill.

Mr. RYAN of Ohio. And not be able to go on a hunting trip, not be able to go on a fishing trip, not be able to go on some kind of family vacation.

Ms. WASSERMAN SCHULTZ. Not be able to get to work. How do people who are living paycheck to paycheck factor in $53, $56 into their weekly budget? And we have shown those charts, before too, and we can again. When your bottom line gas tank, filling-the-gas-tank cost goes from $20-something to $50-something every time you fill up, and people who have to drive any distance, I mean, we are from an urban community, a suburban community, as are both of you.

□ 2100

You just cannot zip around these communities in 2 seconds. You have to drive to get to most places. We are going to get to a point where people will lose their jobs because they will not be able to get to their jobs.

Mr. RYAN, let us just digress for a second and show what is going on.

Mr. RYAN of Ohio. I think this is very important when you ask why people are slipping into poverty.

Ms. WASSERMAN SCHULTZ. These are the consequences.

Mr. RYAN of Ohio. This is exactly right. This is a consequence of some faulty leadership in the Nation's capital. Oil companies profits in 2002, $34 billion. This is BP, Shell, Chevron, the whole bit. It gradually went up, in 2005, $113 billion in profits.

Now, something is wrong with the structure of our society when the oil companies are reaping $113 billion in profits and we have 5.4 million people slipping into poverty. We have college tuition costs doubling all over the country, Mr. DELAHUNT. We have a structure here that is just not working for the people any more.

Mr. DELAHUNT. You forgot one thing, Mr. RYAN.

Mr. RYAN of Ohio. Is that in addition to the $113 billion in profit, and three times, triple what it was 4 years ago? The American taxpayers, those that would be overhearing our conversation tonight, are subsidizing those same oil companies to the tune of about $16.3 billion.

So let us be clear. Out of the 100, not only is this outfit here, these oil companies getting $113 billion, our friend is saying, corporate welfare from this Republican-led institution, gave these guys $16.3 billion of taxpayer money.

Mr. DELAHUNT. What do we get? Do you know what we get? We get a price of gasoline per gallon that cost $1.45 4 years ago. We now can buy it for $3.25. That is what we get.

Mr. MEEK of Florida. Mr. DELAHUNT, that is the reason why we know it made number 6 on this chart. We want to make sure that we know it went to number 5. I want to make sure we believe in third-party validators here.

I just pulled this out of my notebook here because I want to make sure while we are talking about this, Mr. Speaker, Washington Post, November 16, 2005, page 1, White House documents showed that executives from big oil companies met with Vice President DICK CHENEY, Energy Task Force 2001, something long suspected by environmentalists but denied recently as of November, 2005.

Last week, industry officials testified before Congress. The document obtained this week by the Washington Post shows that officials from Exxon Mobil Corporation, Conoco, before the merger with Phillips, Shell Oil Company, and BP of America met in a White House complex with Cheney aides who were developing a national energy policy, parts of which became law, and parts which are still being debated.

Ms. WASSERMAN SCHULTZ. There is no end in sight. No end in sight to the rising gas prices. What will happen with number 7, where we have a 12.7 percent poverty rate that is on the rise and 5.4 million more people who have fallen into poverty. That number is going to get bigger. It is costs like these that send people into poverty.

You have number 6 here that talks about the Consumer Confidence Board's index. Its expectation index is the lowest it has been in 3 years.

Number 5, Congressional Republicans defeated a Democratic amendment recently to increase the minimum wage from $5.15 to $7.25. If the minimum wage kept pace with inflation, it would be $8.88 right now. It hasn't been increased since 1997. That is 9 years ago. 9 years?

I mean, if you are a person who is living on the minimum wage, struggling to pay, to fill your gas tank, struggling to put food on the table, you have no health insurance, do you really want the Bush administration and the Republican leadership to tell you how great the economy is? Do you believe them?

Mr. RYAN of Ohio. That is an insult. The more I think about it, that is a real insult.

Ms. WASSERMAN SCHULTZ. It is a slap in the face, and, really, a bigger and bigger percentage of the population is being engulfed by the struggle just to make ends meet.

Let us go to number 4.

Mr. RYAN of Ohio. You know what, it would be nice to represent a district where the economy is going great, would it not? Yes, it is going great. Look around, everybody is having a nice time. That will be great. Fortunately, I think in most districts that is not the case.

Ms. WASSERMAN SCHULTZ. Maybe they live in an alternative universe, bizarre world.

Mr. RYAN of Ohio. Maybe this is a supernatural thing.

Ms. WASSERMAN SCHULTZ. I know, maybe they watch Star Trek.

Mr. RYAN of Ohio. Maybe it is supernatural. That is what we all know.

Ms. WASSERMAN SCHULTZ. Maybe it is.

Mr. DELAHUNT. I think this is fascinating, as you go through this litany

of consequences of, you know, Bush, Republican, neoconservative economic policies.

I think what we see here, the cumulative effect in the aggregate of all of these policies is the erosion of the middle class in this country. Debbie, you are correct. More and more people are getting closer to falling into that poverty.

The middle class, if this reckless spending, policies that advantage only the extremely wealthy continue in this country, we won't have a middle class. We will look like some banana republic in Central America.

This is the reality that we face. I think we can all agree that without a healthy vibrant middle class our very democracy is at risk.

Mr. RYAN of Ohio. How about the common good?

Ms. WASSERMAN SCHULTZ. Oh, please.

Mr. RYAN of Ohio. How about the common good? How about the good of everybody where everybody contributes and everybody benefits. The common good. Rising tide lifts all boats, Mr. DELAHUNT. Everybody benefits from our economic policy, not this stuff.

How is this good for society? The guy in the pickup truck is paying $57 to fill up gas tanks and the oil companies are making $113 billion in profits, 5.4 million are following into poverty, tuition costs triple. Health care is up how many percent above the rate of increase in wages?

All of these things say that this Republican Congress and Republican administration is about a very small group of people. All we are making the argument more here is we are America. We are a family.

Where is the American family, Ms. WASSERMAN SCHULTZ? Let us start worrying about all of us. Because if we lose a couple, it is bad for everybody.

I yield to my friend.

Ms. WASSERMAN SCHULTZ. Mr. RYAN, I think I have figured it out. You have broken the code. The Republicans are the party of the cavernous abyss. They don't mind sending people right off the cliff into it, whether it is expanding poverty, sinking job growth, increasing the number of uninsured by millions each year.

The party of the cavernous abyss is the party that created this Medicare prescription drug program with another cavernous abyss that senior citizens fall into just after they spend a little amount of money on their prescription drugs. So you have to ask where the American family is. They are engulfed by the Republican cavernous abyss.

Number 4, I think we are on now. Yes, number 4. There are now 1.3 million more unemployed private sector workers than there were in January of 2001, the beginning of the party of the cavernous abyss. The long-term unemployment rate, which is people who are unemployed for more than 26 weeks, has nearly doubled since that time.

This is the rosy economy that we are living in, Mr. MEEK. This is how great we are doing.

Mr. DELAHUNT. But the economy is growing, Ms. WASSERMAN SCHULTZ, the economy is growing.

Ms. WASSERMAN SCHULTZ. The economy is growing so well that we have number 3, in which the Bush administration, it has become clear, has the slowest job growth of any administration in over 70 years. Since January of 2001, 2.9 million manufacturing jobs have been lost. That is entire towns in Mr. RYAN's district.

Mr. DELAHUNT. But the economy is growing. But the economy has grown.

Ms. WASSERMAN SCHULTZ. Rosy, rosy. Things are rosy, rosy. Number 2, since President Bush took office the economy that is rosy, rosy has posted only 15 months of job gains of 150,000 or more. That is since he took office, that is in 6 years. That is the number of jobs needed to keep up with the population growth. So we are not talking about anything to write home to talk about.

Finally, number 1 of the top 10 worst consequences of Republican economic policies, 7.2 million Americans remain unemployed today with an additional 4.2 million who want a job, but are not counted among the unemployed because they have been looking so long they get taken off the rolls. The economy is rosy.

Mr. RYAN of Ohio. Let us do better.

Mr. DELAHUNT. But the economy is growing.

Mr. RYAN of Ohio. Let us do better. Let us implement some of these ideas that we have. Let us implement some of this innovation agenda where we are going to have broadband in every household, Mr. DELAHUNT. That will create a whole new class of people that will understand how to benefit from the Internet.

Let's have the research and development tax credit that the Democrats have in our innovation agenda. Let's make sure we get the real security going so we can make sure that we have the proper energy process, the proper energy plan for the United States of America.

Why is it still going to be energy independent and the United States of America still gambling in this game that we have in the Middle East? It's a big game that we are losing. Everybody is losing. It leads to the war on terrorism. It leads to these tremendous profits at the cost of average people, Mr. DELAHUNT. It is polluting the environment.

We have all kinds of problems because we refuse to say, we want to be a leader in alternative energies in the world. Brazil is doing it, why can't we? Why is there a magnetic levitation train in Shanghai that goes 270 miles an hour and not in the United States, Mr. DELAHUNT?

Quite frankly, I think this President and this Congress has given our generation, the 30-something generation, a pretty raw deal. You know, you think about it, we are going to have more debt. We are going to have a dirtier environment. We have got higher tuition costs. We have got more debt, higher credit card rates, higher interest rates, less control, because we borrowed so much money from all of these foreign countries. What legacy are you leaving to the next generation, which is what we originally started coming to this floor for?

It is terrible. That is poor leadership. I don't care if you are a Democrat or you are a Republican. That is poor leadership. You left the country worse off than you found it. That is not the American way. That is not the American dream. Give us a chance, Mr. Speaker. Put us in coach. I mean, God, we couldn't do any worse. We have ideas to unleash the potential of this country and move the country forward.

Mr. MEEK.

Mr. MEEK of Florida. I just have something to share, but I am willing to yield to my colleagues. Mr. DELAHUNT, I know that you had, you had your glasses out, I know that you wanted to share something with us.

Mr. DELAHUNT. I think just to underscore, Mr. Speaker, what we are talking about here tonight is the overall Republican economic policy that favors the top 1 percent of the American people.

Mr. RYAN of Ohio. It doesn't work.

Mr. DELAHUNT. I think we have made our case. Can I just give you one more statistic?

Mr. RYAN of Ohio. You can do whatever you want.

Mr. DELAHUNT. Back in 1991.

Mr. RYAN of Ohio. 1991?

Mr. DELAHUNT. Give me just a minute. Back in 1991, the top 1 percent of the American people, the population, top 1 percent, owned 38 percent of the corporate wealth in this country. One percent in 1991 owned 38 percent of the corporate wealth in this country.

□ 2115

Today, today, the top 1 percent of the American population in terms of wealth owns 58 percent of the corporate wealth.

Let me suggest it is more than just an economic policy that is creating this economic divide in this country that is truly making us a class society that is dangerous for democracy. It is more than that. It has, I would submit, no moral underpinning.

There is no basis in morality for this level of disparity of wealth and income among Americans. This is economic Darwinism. This is, as you said so eloquently, Mr. RYAN, not what America is about. This doesn't reflect the social compact that we all adhere to as Americans, where we encourage individual initiative, but at the same time, recognize mutual responsibilities and a willingness to share.

This is not sharing. This is just, I don't want to use the word ''immoral,'' but it doesn't have, I would suggest, the kind of moral underpinning that reflects American values.

Mr. RYAN of Ohio. And I would like to make a point, because as the oil companies reap these profits, and again I am not saying for you not to make profits, but not at the expense of everyone else in society.

So I want to make this point: The oil companies benefit a great deal from the public, from what the taxpayers support, A, point number one, the $16.3 billion in corporate welfare that they are getting from the public tax dollars that is going to them. So they can't say they don't benefit from the public.

But their product is sold on roads that are funded by the taxpayer. Those roads are protected by the taxpayer, paved by the taxpayer, secured by the taxpayer. The ports in which the oil comes in and out of our country, all funded by the taxpayers. The Coast Guard, by the taxpayers. The military, the over $400 billion budget that we have here that we spend on our military that goes to protect the transportation lines and the oceans, and as the ships start distributing this all over the world, that is protected by the taxpayer.

So all we are arguing here, Mr. Speaker, is that the taxpayer has an interest; and when this company and this certain industry benefits so much from the public tax dollars, they should be responsive to the public in these instances.

I would be happy to yield to any one of you to wrap up this brilliant discussion. I am going to yield to Debbie.

Ms. WASSERMAN SCHULTZ. Thank you.

The only thing I want to add to tie a ribbon on this whole discussion is that what we have all noticed, whether we are in our districts with our constituents or talking to people across the country, when we interact with them, is that people have reached the breaking point. They don't buy it. They don't buy the garbage that is being fed to them by this administration that the economy is rosy, that everything is going well, that everything is hunky-dory.

They are falling off the cliff into the Republican cavernous abyss, and they are tired of it, and they want to have the Democrats or someone other than the people who are taking them in this direction that they no longer are willing to go, to fix it. Even their former House Speaker Newt Gingrich said that they are seen by the country as being in charge of a government that can't function.

Mr. DELAHUNT. Newt Gingrich, former Republican Speaker of this House.

Ms. WASSERMAN SCHULTZ. It is time to move this country in a new direction and restore America's confidence in their government. We know we have a plan that we can do that.

Mr. RYAN of Ohio. Mr. Speaker, as we go through this tonight, the 30 Something's two key third-party validators are the former Speaker of the House Newt Gingrich and former Congressman Pat Toomey, now president of the Club for Growth, both saying that there is out-of-control spending, out-of-control government, dysfunctional, and the American people know that.

Any Members who would like to come to our Web site, www.housedemocrats.gov/30Something, www.housedemocrats.gov/30Something.

Mr. MEEK of Florida. Also, Mr. RYAN, I want to share with the Members, Mr. Speaker, that all of the charts tonight will be on that Web site, on the 30 Something front page.

Also, I would like to share with the Members that Ranking Member GEORGE MILLER and also U.S. Senator DICK DURBIN put forth a proposal to reverse the raid on student loans. Earlier this year, as you know, $12 billion was cut out of the Federal student loan program in order to help finance tax breaks for the wealthiest Americans.

This proposal will roll that back and cut in half interest rates from 6.8 percent to 3.4 percent. And it has to be done sooner rather than later. If not, it will be a financial burden after July 1 for so many kids that want to go to college. They will actually qualify, but kids will be priced out and not be able to make it to college.

Of course, this wouldn't be a discussion if the Democrats were in control, but we hope that we can work in a bipartisan way to change that.

Mr. Speaker, I would like to thank all of my colleagues who joined us here tonight on the floor and thank the Democratic leadership for the hour.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair has shown lenience toward the rather informal pattern by which Members have been claiming and yielding and reclaiming the time controlled by the gentleman from Florida. But Members should bear in mind that the Official Reports of Debate cannot be expected to transcribe two Members simultaneously.

Members should not participate in debate by interjection and should not expect to have the reporter transcribe remarks that are uttered when not properly under recognition.

THE CONTINUED MISDIRECTION OF THE COUNTRY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Missouri (Mr. CARNAHAN) is recognized for 60 minutes.

Mr. CARNAHAN. Mr. Speaker, I am glad to be here in the House tonight and be joined by some of our colleagues in the freshman Democratic class that was elected in 2004.

I believe my colleague, Congresswoman DEBBIE WASSERMAN SCHULTZ from Florida, is going to stay on and talk with us a little bit tonight, and we expect to be joined by some other of our colleagues to talk about the continued direction of our country and, in particular, this budget and tax plan that has been put before this Congress by President Bush and congressional Republicans.

I really want to rise and express my deep, deep concern about this budget. The cuts in programs across the board, no other word can be given, but they are staggering. This budget does not provide for the average American. It continues to line the pockets of the wealthiest Americans.

Like so many of the President's priorities, this budget is a misplaced opportunity to actually effect positive change for our citizens. I would like to draw particular attention to the energy provisions in this budget.

Last week, the AP reported that the average cost of a gallon of regular, unleaded gasoline was $2.92, up 35 cents from just a month ago. Moreover, U.S. drivers are now paying about 14 percent more to fill their tanks than just 1 year ago. Recent polls show that over 65 percent of Americans are suffering from financial hardship due to rising gas prices. But we don't need a poll to tell us that when we fill our tanks.

DEBBIE, you told us earlier, like many of us, we go to fill up our tank of gas, and it is nothing to pay $50 or more to fill our tank of gas, just to do our routine chores and drive around town where we live.

Ms. WASSERMAN SCHULTZ. And the astronomical increase we have had in gas prices, which affects everyday Americans every single day, has just been unbelievable.

Actually, Mr. CARNAHAN, we have a chart that illustrates those drastic increases, that is being brought over right now, that I think would be helpful; because I am a visual person, and graphically depicting some of these significant problems is really helpful.

Mr. CARNAHAN. I have to add, by the way, you have great graphs.

Ms. WASSERMAN SCHULTZ. Thank you.

Mr. CARNAHAN. And I loved your top ten.

Ms. WASSERMAN SCHULTZ. We have good graph-makers among our staff.

You talk about summer gas prices. Just look at the difference over the years since the Republicans have been in charge.

In 2002, Mr. CARNAHAN, the average price of a gallon of gas was $1.39; that was the summer of 2002. Then you go to the summer of 2003, it was $1.57. 2004, $1.90. Move over to the summer of just last year, $2.37. And then this April, just last month, we hit $2.91. Now, most of us in the last several weeks have all paid over $3 in most communities across America.

So this is the reality of the rosy Republican economy that they have been describing and painting for us over the last several days.

Mr. CARNAHAN. It certainly is. And we have all had the stark awakening as we fill our tanks each week.

I am reminded, as you were talking about President Bush, in his State of the Union Address in this very Chamber, he told the Nation that our country was addicted to oil. He also said that this administration was committed to reducing our dependence on foreign oil. But then the very next day, the President's own Energy Secretary was back-pedaling on the President's promises.

The President's solution in his budget was to end our dependence on foreign oil with just paltry, really crumbs, from our budget. Our budget is a document that sets our national priorities, and a mere $130 million was set aside for all, for all renewable energy programs.

Not only is this increase in renewable energy programs insufficient, the President proposed to eliminate research on other renewables, including geothermal and hydropower.

As reported in the Atlanta Journal Constitution in February, the total proposed increase in clean energy research is equal to just 7 percent of ExxonMobil's profit for the fourth quarter of 2005. So while big oil companies are recording record profits, the Bush administration is showing limited increases in funding for renewable energy. In fact, his budget would not get renewable energy efficiency back even to where it was at the end of the Clinton administration, this at a time when gas prices are squeezing the American families.

President Bush's budget should reflect the needs of all Americans. It should be a budget that supports programs to end independence from oil and not one that encourages it. The energy provisions in this budget do not meet the needs of our country, and this budget should be defeated.

I am pleased to be joined here tonight by my good friend and colleague and fellow Missourian, EMANUEL CLEAVER.

Mr. CLEAVER. It is good to be here. We were sworn in together to this Congress, and I have often been asked, what has surprised you the most?

In fact, today, a group of students from the Bloch School of Business at the University of Missouri in Kansas City was here, the Bloch School named after Henry Bloch, the founder H&R Block, who is a Kansas Citian; and the question they asked was, what has surprised you the most?

Having served as mayor of Kansas City for two terms, I have seen a lot in the political environment. So they were obviously wanting me to describe what I saw here as opposed to and what was different from what I saw as mayor.

The number one issue I always report is the incivility. I don't think any of us who were sworn into the 109th Congress expected the incivility to be at the level that we have witnessed.

I have gone to some of the long-time Members of Congress from the Democrat side and asked, for example, when we were in the majority, did we do mean-spirited things? Did we leave the vote open for 3 hours? Did we lock the door to keep people out from the other side?

□ 2130

And they said, we did shamefully some things. We never left the vote open for 3 hours. We never locked out people from a markup. And I cannot tell you how upset I became to find out last year, that just before Christmas, many of us sat here all night for a vote on the defense bill, and the American public probably does not know that there is not a single human being on planet Earth who read the bill, because the bill actually was a compilation from a number of committees. And so while there may have been one group familiar with one part of the budget, there was nobody, no group familiar with the entire budget. And I sat on the front row, and I actually fell asleep about 6 a.m. and I got up and I said, I am not going to vote for this.

And then a number of my colleagues came over and said, yeah, this is wrong, they should not have done it. But you have to vote for it because if you do not vote for it, they will send e-mails throughout your district saying that you were opposed to the troops, you were against supporting the troops in Afghanistan and Iraq.

And I said, will they do things like that? And so I wondered if they were overstating it. I voted for it like most Members of Congress. And then 1 week later, e-mails were sent all over the State of Missouri, in fact I received a phone call from a constituent in Congressman CARNAHAN's district because I voted against a bill to protect the symbols of Christmas.

I could not believe that the Congress of the United States, the 109th Congress, with $4 billion being spent every month in Iraq, with No Child Left Behind not receiving full funding within my State, and in Congressman CARNAHAN's State there have been 97,000 people kicked off Medicaid. When you consider the fact that we do not have an energy policy in this country, at least not one that makes sense, I could not understand why the Congress of the United States needed to protect Christmas. As if, you know Christmas was in danger, and if we did not vote, if the people in here did not vote, Christmas was not going to occur.

And so I voted against it, because I thought it was ridiculous then, I think it is ridiculous now. I have a master's degree in theology and never read anything which would suggest that God needed the help of the 109th Congress.

But it gives you an idea about the civility or lack thereof. And so it causes me a great deal of pain to see many of the things that are occurring. I do not want to suggest that we do not have some people on our side who may also from time to time contribute to the vitriol that I see. The difference, of course, is our vitriol means very little because we do not have the power and the ability to bring legislation up.

And so when I go home and tell people, they say, well, why do you not introduce a bill to do such and such? And I said, you do not understand. I can introduce 1,000 bills. If I introduced a bill that would cure cancer, it would never get a hearing. And it is always a surprise for the public to hear that because they do not understand that you cannot introduce legislation no matter how great the merit, if you are not with the majority party.

Mr. CARNAHAN. We have also been joined by our colleague, Congresswoman SCHWARTZ from Pennsylvania. And welcome. It is great for you to be with us tonight.

Ms. SCHWARTZ of Pennsylvania. Thank you. I appreciate the opportunity. As my colleagues know, I am a Member of the Budget Committee. I serve on that committee in an effort to, both of course, understand the budget and the decisions that we make in this Congress on behalf of the country, on behalf of American families, and hoping to speak up on behalf of American families and their priorities.

I was particularly interested in coming out this evening to talk on the perspective as a new Member of Congress. I came from the State Senate. As for most State Senates in this country, the States have to balance their budget. We have to make decisions, and we have to decide the priorities. We cannot spend money we do not have.

And so as a State Senator, those were difficult choices we often made, in how to do that. And certainly as a Member of this freshman class, I recognize that many of us come with broad perspectives and experiences that we bring. Some of us come from State legislatures, many of us do, so we have that experience in how to make those decisions in our priorities.

Some came from running small businesses and being mayors, being on city councils, being in county government, again tough choices that we have to make. And I think on the eve of what we expect tomorrow, the Republicans to bring their proposal before us and ask for a vote on it, I think it is a time for us to use our perspective as new Members of Congress coming maybe even closer than some of our other colleagues from hearing the concerns of our constituents, of the families, of the seniors, of even the kids in our districts, certainly of our local governments.

And to be able to really ask some of the tough questions of this budget, to be able to say, and I think we should all be thinking about, if I could just lay out a few, and then maybe you want to add some of your comments and thoughts about this.

I think we do have to think about the budget at the time when we do decide on our priorities, when we do think about what is important to us as Americans, and how we should best use our taxpayer dollars. And so as we face this

decision tomorrow, certainly I think we have to talk about and think about does this Republican budget value fiscal discipline? Is it honest budgeting?

Did the Republican leadership make those tough choices needed to balance the budget to pay down the debt, to be able to use those resources really well? The answer I would say on that score is no.

This Republican budget continues the borrow and spend policies that we have seen certainly in the 2 years that we have been here. It certainly does not balance the Federal Government's checkbook. And it does, in fact, run a new deficit to this coming year of $348 billion of new deficit to add to the debt that of course is already at $8 trillion and that we know we will pass along to our children and grandchildren.

Second, does this Republican budget value our shared economic future? Does it do some of the things that I think we have heard about already this evening? Are we making the wise investments in education, in workforce development, in some of the energy discussions that you were having already, and whether we, in fact, are investing in alternative fuels and renewable fuels and really reducing our reliance on foreign oil so we can be competitive in a global marketplace?

Again, the Republican budget does not do this. It cuts funding in education and renewable energy initiatives and in fact impedes some of the concerns that we have on health care and education.

Third, I would just say two more, then I am going to yield to my colleagues. But to say that this Republican budget, we have to ask does this Republican budget value enhanced security and a strong defense? In fact, does it provide for the men and women who have served this country in Iraq and Afghanistan and in previous wars? And the answer is no, it does not.

It cuts veterans health care, and it does not, we are concerned, does not provide for the troops in the field the way it should. So we are looking at a cut of $6 billion in veterans health care.

And our ability to make sure that our current homeland security is as strong as it needs to be? Again, we have had numerous debates on the floor of Congress. But this budget does not meet all that we know that we should be doing so that we can assure our constituents and our families that in fact they are secure at home.

And finally I would say, does this Republican budget, is it based on, in fact, sound and fair tax policies? Does it recognize the priorities of everyday Americans? And the fact that again this Republican budget is relying on what is the major goal, it seems to me, of the other side of the aisle, and that is to provide tax cuts to the wealthiest Americans.

That seems to be their singular purpose, and all else flows from that. When in fact, there are so many, as I point out, issues and concerns. We, in fact, need to make sure, because the tax cuts that they are looking at really benefit, and 90 percent of the tax cuts go to the wealthiest Americans.

Is that really what we want to be doing in this country at this particular time with this kind of debt in this country and with this kind of growing deficit? So I would say this budget fails on so many levels to meet fiscal discipline, to meet the priorities of American families, for us to be able to go home and say, we came here to fight for our constituents, for everyday Americans, and does this budget do it?

And I think the answer has to be that it does not, that we can do better, that we must do better, and we must put forward the needs of American families. I would be happy to add on what I think we ought to be doing, because you should know, and of course as you know the Democrats put forward a Democratic alternative on the Budget Committee.

I was part of crafting that. I am proud to say that I have done it. And what we have done is to be able to say that we can live within our means, we can, in fact, meet our obligations, and we can, in fact, build a budget that begins to pay down the debt, the enormous debt that this country is in, at the same time making the important investments that we need for the future in this country.

So that is our obligation to me as a Member of Congress of what we bring as freshmen. It seems funny to call ourselves freshmen. You are experienced people who have brought a lot to our first tenure here.

But the fact is that we should draw on these experiences that we have had in the private sector and in other areas of the public sector to say that we know that we have to make these tough choices, and we should, and we should do so in a way that is fiscally responsible, that in fact we can say proudly to our constituents, to our children, to our grandchildren that in fact we have done right in making the right investments, and, in fact, we have done so in a fiscally disciplined way.

It would be wonderful to be voting on that kind of budget tomorrow. But, unfortunately, it is unlikely that we will have that opportunity, at least for the majority budget that is going to be presented to us.

Mr. CARNAHAN. Thank you. I just want to say I am so proud to be one of the new Democrats in the House and be here with you all tonight.

I was listening to you and thinking about our freshman class, and particularly the Democrats involved. Almost all of them came from prior experience in the State government, in the State legislatures, like Congresswoman SCHWARTZ, and I know Congresswoman WASSERMAN SCHULTZ was also in the State legislature, and Congressman CLEAVER was Mayor in Kansas City, a lot of experience.

And we all had to work with our State and local budgets and be fiscally responsible, the same way that many of our American families have to be with their household budgets. And the way that priorities have been set in this budget are so skewed from what the average people in this country need.

And probably one of the best examples of that is the energy bill that we passed. And I know all of us voted against it here on the floor tonight. At a time when we provided $14 billion in tax breaks to the big oil companies, and weeks later, just weeks later, they announced the biggest profits in the history of the world. And now we see the prices at the pump, we continue to pay. Again, very, very misplaced priorities.

Ms. SCHWARTZ of Pennsylvania. In fact, we are often asked, how would we find additional resources in a budget? And you make a good point, that there are, in fact, expenditures that we would not make, that we would choose to use in different ways.

And certainly, the subsidies that we offered, that the Republicans pushed through for the oil industry at a time when there were record profits, we are talking about $113 billion profits for the oil industry last year, and that is not revenue, that is profits.

$36 billion just for Exxon Mobil. It is really sort of an extraordinary sum. But there are other ways that we would also cut. We would not spend some of the dollars that they have. There are enormous subsidies given to the HMOs for the Medicare prescription drug benefit.

That has been talked about a good bit, too. Should we continue those subsidies for the HMOs rather than making sure that more of our seniors have access to prescription drugs and in fact reduce the cost of that program to Government? Is that the choice we make?

We are looking at tax loopholes that still incentivize companies to ship their jobs overseas. What about closing those loopholes, bringing those dollars home, investing that in workforce development, for example?

Or a favorite of ours on the Budget Committee is the fact that there are in fact billions of dollars of tax revenue that is not collected in this country. And there is an interesting report recently that suggests as much as $350 billion is not collected from people who owe taxes to this government.

If we went out and just got 10 or 20 percent of that, you are talking about $35 or $70 billion that we then could use, that would go to some of the priorities that we are talking about. That is the kind of way we would be more fiscally responsible in drawing on money that is being spent now, that could be spent in a better way for everyday Americans to be able to meet their responsibilities and their goals for themselves, their families and for our country.

Ms. WASSERMAN SCHULTZ. You are absolutely right. One of the other elements of our alternative budget plan would embrace once again, as was the policy during the Clinton administration and when Democrats controlled the United States Congress, was the concept of PAYGO.

□ 2145

That is, I know, with you as a member of the Budget Committee and Mr. SPRATT as the ranking member, is an idea that our Democratic Members have championed as a part of our alternative. And we have done that on a number of occasions and attempted to get the Republicans to go along with us and the concept of PAYGO.

PAYGO is very simple. We came from States, and in our State legislatures you have to operate in the black. Just like people who are members of their families, they struggle not to have to go into debt, not to have to live paycheck to paycheck and not to have to go into massive credit card debt.

Unfortunately, the Republican leadership here does not subscribe to that philosophy, and that is evidenced by their rejection of pay-as-you-go rules whereby we would not spend more than we have.

On March 17 of last year, Mr. SPRATT, our ranking member on the Budget Committee, offered a substitute amendment to the 2006 budget resolution that failed 165 to 264, no Republicans supporting pay-as-you-go legislation. And we have the rollcall indicating that we were supportive.

Again, Mr. SPRATT offered another amendment dealing with PAYGO that would have reestablished PAYGO, 224 Republicans voting ''no,'' none voting ''yes,'' and it failed, to 232. So we have certainly tried. It is not for our lack of trying to make sure that we restore some fiscal discipline here.

The thing that has been the most frustrating for me as a new Member of Congress, and I am sure it is a frustration you have faced, is that the Republicans try to lead people to believe that they are the party of fiscal responsibility. Yet, I am someone who believes that actions have to back up words and talk is cheap, and that seems to be all that they have been about since I have gotten here.

Ms. SCHWARTZ of Pennsylvania. It was interesting in the Budget Committee when we talked about the principle that you are talking about, that we should know where the revenues are coming from if we are going to spend money. That is really what we are talking about.

It is basically being unable to meet their obligations. It is knowing where that money is coming from. Of course, we do budget not just for next year, but we budget out 5 years. We used to budget to 10 years. But we do see those kinds of numbers so we can anticipate what we think might be happening.

And what was interesting about that discussion in the Budget Committee is that there, in fact, is some interest, I think, on the other side of the aisle in doing this. They understand as well that, I think some of them do know, of course, they would not let that pass, but in fact I think if we really, truly could sit down in a bipartisan way and say, look, we have a responsibility to do this in a way that does not create a debt we do not even have any way of repaying at this point.

The Republicans have, of course, taken certain things off budget. That means, of course, that let's not really consider what the cost to Katrina is, for example; the real cost of the war in Iraq and Afghanistan in which some estimates in the budget this year have been $50 billion when we know that it could well get up to $400 billion.

Well, if you know that, we have to be straight with the American people. We have to be able to say, this is what we know it is going to cost us. How are we going to have the revenues to support that? Where is it going to come from? Let's have that as a serious discussion and let's make the hard choices we have to make.

We know we want to support our troops. We want to make sure that they have all the equipment they need. That has been a discussion. Of course, we will support the troops in that. But let's be real about what it will cost us and let's be honest with the American people about how we will do that.

I think there is some interest on the other side of the aisle, but in fact if we do that, there is no way they could go ahead with the kind of budget that we will be faced with tomorrow because it does not reveal all that we need to know about what our obligations are.

And as you point out, for American families who struggle every day to figure out how do they pay, we talk about gasoline prices. That throws budgets into a real problem when you have budgeted really tight.

It is not a problem to budget really tight if you do not have any contingency, if you are not really honest with yourself that there will be an expense next month. But in fact we are making it harder on American families by not being honest with them.

And we are making it harder on them by not bringing down gasoline prices. We are making it harder on them by not helping their kids going to college. We are making it harder on them by not allowing ways for us to be sure that their business can pay for health insurance.

You can almost name any issue and we are making it harder on American families when in fact it does not have to be that way.

Mr. CLEAVER. May I inquire of the gentlewoman from Pennsylvania, Congressman CARNAHAN and I are from Missouri. We are in the middle of the country and we are not prone to extremes, so we believe you are supposed to balance the budget. Congressman CARNAHAN's father was the Governor twice in the State of Missouri; he balanced the budget. I had to do the same as Mayor of Kansas City.

In fact, there is a State law in Missouri that you must balance your budgets. There is no such thing as you did not do it this year. You must balance the budget.

Ms. SCHWARTZ of Pennsylvania. I think that is true in all of our States.

Mr. CLEAVER. Maybe as a member of the Budget Committee you can help me understand why the money for the gulf coast reconstruction and the money for Iraq was not budgeted. I mean, we do not have two of the most costly items in the U.S. budget factored in, and as a new Member that troubles me.

It would trouble the American public if they knew. You mean you do not put in the cost of the war in Iraq? You mean you do not add in the budget the rebuilding of the most devastated region in the history of the United States? Well, how are we going to do it?

So maybe you could address that.

Ms. SCHWARTZ of Pennsylvania. There is an explanation. I cannot necessarily and I do not want to make explanations about why it was done this year. I will talk about that for a minute.

The fact is that it is reasonable for us to say that there is going to be an emergency that happens in this country that we cannot budget for. Katrina is an example. We could not have anticipated that a year ahead of time there would be an emergency as catastrophic as Katrina and the devastation it caused in the gulf States. And I have been there and many of you have been there to see the devastation.

So that is why we allow for a process that we can have a supplemental appropriations. We get an emergency appropriation, as it is called; and that is appropriate because we need to act quickly. We need to act appropriately to help Americans.

We have done it to help people in other countries as well.

That is certainly true in time of war as well. If you go to war, you did not anticipate going to war. Then you have an emergency appropriation, a supplemental is what we call it, and that is appropriate.

What is less understandable and I think that you make clear is what about a year later? What about 2 years later? Why cannot we anticipate at least in a better way what in fact the costs will be to clean up in Katrina? If we are wrong, we might need to do a supplemental.

But now to not say we are in Iraq. There is a cost; we know what it is costing us every week. We know what it is costing us every month to put $50 billion in when all the estimations are that it will be at least $200, probably $300 billion at least. It is really just not being honest about what it is going to cost us in the future.

For Katrina, again let's decide what we can accommodate to pay for and

what we should. And if we have to stretch, then we have an obligation. As you point out, all of us have had to balance budgets. We should have to balance a budget here. We should be able to say, where should that money come from? Where does it come from? Are we asking Americans to all kick in? Are we going to sell Katrina bonds or something?

I am throwing out ideas. Maybe there are ways we can sit down and say, okay, we do not have all the money for this. How can we do it in a way that is fair to the American people, is fair to people of different incomes? Maybe ask them to join in and be helpful as so many Americans did after Katrina, the number of dollars we got from charities, people wanted to help dramatically.

There are ways for us to do this in a way that does not put our country into fiscal difficulties, and in fact respects the kind of budgeting that we should be doing in this country.

Mr. CARNAHAN. If I could interject and amplify on that, I think the process has been very disingenuous when we do know we are going to have ongoing expenses for disaster relief, ongoing expenses for the ongoing efforts in fighting terrorism overseas. And it really, I think, is an effort to separate those questions from really making proper budget choices, and do we want to have more tax cuts for the wealthy and pay for that versus the cost of rebuilding the gulf? Or paying for our military or our education or our Medicare program?

I think that really is kind of an accounting gimmick that we have seen throughout this process, to play down a lot of those serious expenses, but also to water down the quality of the debate.

Ms. SCHWARTZ of Pennsylvania. I appreciate those comments. I think there are some, the term ''gimmick'' is one that I am almost reluctant to use. My staff and I discussed whether we should talk about some of these gimmicks because it is such a serious process we are in.

What we do matters in the lives of American families. I take it seriously. I know we all do. But the fact is, this is at least an accounting gimmick, if nothing else, in not recognizing some of the very serious expenses that we know we have and we have an obligation to meet.

And again, just as in American families, we need to figure out how to do it. And if we cannot do it, we need to say that too. So in some of these situations, we are not going to say ''no.'' So we should in fact meet the obligations.

Again, the example came up about veterans' health care. And I think we all go home. We all want to be respectful of our veterans, but whether in fact we fund veterans' health care or not really matters in each and every one of their lives. It is not so much about the rhetoric we have at home. It is really about what we do in this budget that allows them to get the health care that they need.

I see that our colleague has a chart he may want to talk about in terms of the national debt and the deficit and the national debt that it has led to.

Mr. CLEAVER. As I raised the question earlier, my concern was and I knew we would eventually get to this point, was that the money that we do not budget we borrow. And most Americans are outraged over the U.S. debt which is rising even as we speak here tonight.

When we borrow the money for the rehabilitation of the gulf coast and the ongoing conflict in Afghanistan and Iraq, we are borrowing those dollars. And right now we owe Japan $683 billion. And then next to them we owe China $249 billion.

We even owe OPEC $67 billion. And at a time when we are talking about reducing our dependence on foreign oil, it does not make sense to me, I am from the middle of the country so there are some things maybe I do not understand. It does not make sense to me that we are talking about reducing our dependence on foreign oil while at the same time borrowing more money from OPEC.

There is a scripture, Proverbs 22:7 which says that the borrower is always at the whim of the lender. And when we are talking about owing OPEC $67 billion, I am not sure that we are in any kind of position to be influential with folks to whom we owe billions of dollars.

And the debt continues to rise with even our neighbor to the north, Canada. And most Americans cannot understand that debt because we have to pay our bills each month. And with the gasoline prices reaching $3 a gallon it means that someone who is earning minimum wage, $5.15, works the first hour of their week to buy 1 7/10 gallons of gasoline. That is obscene.

And so it means that the first day they work, the first day they work of a 5-day work week, 7 hours of that, of that first day goes to fill up that tank of gas at the minimum wage of $5.15, which means that wages are not keeping up with the cost of living. And so it continues to roll on when you look at the average price per gallon today which is just under $3; and of course in many cities on the East Coast it has already reached $3 a gallon, and people are hemorrhaging with this kind of gasoline cost.

I think it is absolutely obscene that the gasoline cost is rising at this level while, as my colleague, Congressman CARNAHAN mentioned earlier, the oil barons are reaping the largest profits in history. He said of the world; I think it is of the galaxy. No corporate institution has ever earned that kind of profit.

□ 2200

That becomes even more obscene when you add to that the fact that the CEO of one of the major companies has a retirement package that almost equals $400 million.

Ms. WASSERMAN SCHULTZ. What makes that more obscene is that the energy bill that Mr. CARNAHAN referred to at the beginning of our hour highlighted the fact that not only did the oil companies make universal record profits. Let us take it beyond the galaxy, we gave away our rights to collect revenue from them in exchange for the drilling rights.

I mean, what so many people do not realize is that the government owns the land underneath where the drilling takes place, whether it is in the gulf or whether it is on land. The United States Government owns that property, and we give the oil companies the right to drill there in exchange for tax revenue and fees. In that legislation last summer, we forgave all of those fees. We gave it to them for free.

Then a few weeks later they are making universal, history making, record, earth shattering profits and now people are paying more than $3 a gallon for gas, and we gave them our gas rights, our oil rights. It is unbelievable.

Mr. CARNAHAN. Mr. Speaker, the cynicism is layer upon layer, but here is the other cynical part of this. They are also using, the Republicans and the Bush administration, this as an excuse to say, well, now, we need to go drill in Alaska, in wilderness areas, and now we need to drill offshore in many of our reserved areas off our States along our coast.

Those would not be available for years. They are a small fraction of production that we need, and if we would just channel that money back into true, aggressive investing in research and getting transitioned to a new economy with alternative fuel, ethanol, biodiesel fuels that we can grow and produce in the Midwest, instead of depending on the Middle East, our economy would be so much stronger. It would produce jobs. It would be a cleaner environment, and it would truly lessen our dependence on foreign oil.

Ms. SCHWARTZ of Pennsylvania. Mr. Speaker, if the gentleman would yield, what is interesting, I think that something I learned more about, oh, the last year is how close we are to really being able to, in terms of scale up, if you will, the use of some of the biofuels and some of the alternative fuels. So I think something one would say, most of us would say how far is that; will it take years and years?

Well, for most of us in my area, we are seeing ethanol being finally introduced as a mixture, probably 5 percent of our gasoline. We know that we can make it 15 percent, 20 percent. There is even an E–85. We can have 85 percent of the gallon be ethanol which we produce in this country by growing corn, and it has been taking longer to get from the middle part of the country to the East Coast. We have to bring some of the ethanol, but in fact it is coming. We need to make it happen much faster.

There needs to be incentives to make that happen. I think it will happen as consumers make more demands to make sure that that happens because in fact we do want more fuel efficiency. We want cleaner fuel, and we want less reliance on foreign oil because there is, as the gentleman from Missouri (Mr. CLEAVER) pointed out, it is also creating a dynamic internationally that is not really very helpful to us as we look towards a more peaceful and stable world.

So that, in fact, we could be doing much more, and this budget cuts, rather than adds, to the initiatives that have actually been making these biofuels and the research and technology and using the innovation in this country to be able to push forward much, much more quickly.

I think that Americans want to see the price of gasoline go down. It works for their pocketbooks, but they also understand that they want to know, well, where is it going? If it is going to just keep going up, how can I make this work?

I am proposing this as Democrats. I introduced a $250 million initiative that we could have put in or maybe even should be more money, but it is much more money than this budget proposes, and really pushing forward on renewables and research and development and more fuel efficient vehicles and more fuel efficient cars.

So there is a lot of things that can go into all of this. In fact, we are there already. We are really close to making it happen. We will be looking at American innovation and moving forward and not just borrowing and spending, which is really what this budget puts forward, and putting an enormous debt on our children and grandchildren.

Mr. CARNAHAN. It is really exciting that we not only have the ability to grow the corn, to produce ethanol, and soybeans, to produce biodiesel, but we also have our auto industry retooling, and I want to yield to my friend Congressman CLEAVER to tell about some exciting things happening in his area in Kansas City.

Mr. CLEAVER. Mr. Speaker, the Ford plant in Kansas City is now in mass production of a hybrid, which they are placing on the market because there is hopefully going to be a great demand, and we think that in the middle of the country it makes perfect sense for us to manufacture hybrids because, after all, we produce the agricultural products that were mentioned earlier that can be used for E–85.

We probably are in a situation now where we need to look at the situation with oil as a security issue. It is an issue that digs deeply into the pocketbooks of most Americans, but in addition, it is a security issue, and it is a security issue because the people of the United States, I am sure, do not want to owe this kind of money to China or OPEC or any of the other countries, for that matter, and so we need to think about this issue.

Gasoline is an international commodity, and I think with the increased use of gasoline by China and India it is going to drive the demand up, and so the price of gasoline, in all probability, is going to rise.

However, the Congress of the United States ought to get serious about trying to address this problem in the long run. I introduced a bill today that would require all Members of Congress when their lease expires on an MRA, the Members Representation Account, the money we get to run our offices, that when the lease expires on their automobiles, that they would have to lease or could lease only automobiles that are energy efficient as defined by the GSA.

Now, the reason I have done this is because people are poking fun at Congress. The numbers in terms of our approval rating is always down, and one of the reasons is they think we are hypocrites. I mean, we talk about energy on the floor. We talk about it when we go home with press conferences, but then they look at us and see us driving big SUVs and it does not click. It is the thing that troubles us.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, if the gentleman will yield, only to clarify who the hypocrites are, because if you separate where the Democrats' voting record is on energy and making sure that we focus on alternative energy like in our Innovation Agenda we rolled out in November, which includes an ironclad commitment that when we take control of this Chamber that we will within 10 years wean ourselves off of foreign oil and become energy independent. So the hypocrisy exists on the other side of the aisle. So I just want to make sure whose hypocrisy we are talking about.

Mr. CLEAVER. Mr. Speaker, I think that the whole energy issue is quite convoluted because we are never able to address the issues that we want the American public to benefit from because there are always little tricks.

For example, LIHEAP was placed in the energy bill last year, which is money for low-income individuals to get assistance in their heating costs, and so that is placed in there. So that, if you vote against it, it means that you are against poor people, and of course I voted against it because at some point I came to the conclusion that I had to be faithful to who I am. I am not voting for any of those things anymore, where they do what we call the ''got you'' legislation, and I am not voting for that anymore because the American public ends up suffering every time we do that.

But the question that I think is going to be raised here is will Congress make the decision to allow legislation to surface that would require that they give up gas guzzlers when they use government money to do the lease. Now, this is not private vehicles, but what the public may not know is many Members of Congress legitimately will lease automobiles. They can only lease them for 2 years because we are only here for 2 years, and then we must go up for reelection. So we are saying that when the lease expires, if you really believe in energy efficiency, then let us make sure that the public can see us as ones who are embracing what we are preaching. It is a horrible, horrible thing to advocate in a commercial that people should drink Coca-Cola and then people visit your home and you have Pepsi.

So I think one of the things Congress must do, it is a moral thing I believe to stand up and say we are going to drive energy efficient cars. It gives us the right then to begin to talk to the public about some legitimate sacrifices that all of us are going to have to make.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, we have been talking about energy supplies and the cost of a tank of gas and how difficult it has been for Americans to deal with those increases, and another equally important issue is how people are going to continue to be able to educate their children from their youngest age all the way through higher education.

One of the things I think it is important for us to highlight tonight is the devastating budget cuts that this Republican budget puts forward in terms of the public education needs that we have.

Literally, the Republican House budget resolution would make the biggest cut, and I think I am right, correct me if I am wrong, the biggest cuts to the Department of Education in 23 years. I guess the only thing that would be worse would be when they proposed to completely eliminate the Department of Education, but they are not doing that. They simply have the biggest cut in 23 years.

The budget resolution cuts next year's Department of Education budget by $2.2 billion, with a B, below this year's funding level. It matches the President's budget cuts in his budget proposal dollar for dollar. Rather than increase education funding, both of the budgets, the Republican leadership's budget and the President's, grossly underfund education, social services and training programs. They cut those programs $4.6 billion below the amount needed to maintain current services. They eliminate completely 42 different education programs, not ones that people would think are not necessary anymore, but things like vocational education, safe and drug free school State grants, a college readiness program for low income students and both parts of the Federal Perkins loan program. It is just really unbelievable. You talked about priorities. This is where the Republicans priorities are compared to where we are as Democrats.

Ms. SCHWARTZ of Pennsylvania. Mr. Speaker, the gentlewoman makes an important point, and I think one of the ways to help Americans understand what this really means to them because these numbers are very big, it is sort of hard to say, well, you cut $1 billion here, $1 billion there, how does

that matter in the lives of our constituents?

The other day I met with some of the school superintendents in my district, and they told me, I will say all things are really new, but they were pleading with me because they said we want to be held accountable. We want our teachers, our schools to perform at the highest levels possible. So the concept of No Child Left Behind, in fact, we support it, as do I, but the fact that they are not getting the funding for that that the government promised to them, again it is about meeting our promises, about meeting our obligations to our children.

If we said we will not leave any child behind, but then walk away, then we have, in fact, left them behind, and this is what is happening. For Americans who have children in schools, they know what that means. They are being challenged without additional resources, and it also means to all of us that our local and State taxes are likely to go up to make up for the difference.

What we have done is pass along the burden to our State and local governments, and in fact Americans are going to have to pay for it one way or the other.

I will just mention two other areas because I know I hear this a lot, and I am sure you do as well in education, and that is special education. I know when I served in the State Senate, I was the Democratic Chair of the Education Committee for a number of years. I served on the State Board of Education. We heard over and over again that there were remarkable new ways to educate children with many different needs.

□ 2215

More children are being identified with early childhood learning disabilities. In fact, early intervention is making an enormous difference in their being successful in school. Then, of course, there are some of the very seriously challenged students. When we passed the original legislation, not we, we weren't there then, we freshmen, but when the original legislation was passed, it was called IDEA, but when the special education legislation was passed, the Federal Government said, You know what, we want you to educate every child regardless of what their needs are and to challenge them to be the best they can be. And we are going to pick up 40 percent of the cost. Regardless of what it costs, we will pick up 40 percent. Well, they never have.

So what does that mean? Right now the Federal Government is paying about 17 percent of that cost, not even half of what was promised years ago. So what that means is that local school districts are picking up the tab. States are picking up the tab. What we ought to be doing is meeting our commitments, meeting our obligations and being honest and straightforward with the American people, that this is what we promised to do, it is what you want us to do, it is what we should be doing.

Last, you point out a college education. We talked about families already being stretched, but we are at a time when we know our young people and increasingly older people who also are being retrained or reeducated need to go to college. Sometimes it is a community college, sometimes it is a postsecondary technical college, sometimes it is a 4-year university. But the fact is that we need to be sure that the best and brightest in this country have access to higher education. And we know we are competing not just with our neighboring States or our neighboring communities or even countries who used to be our trading partners, we are just a global economy, a global marketplace, and our young people have to be prepared.

Yet what this budget does is, in fact, cut the Federal grants that so many people relied on to do their college education. So we are saying it is going to even be harder at a time when our young people should be going to college, for you to be able to go to college, be successful and to be able to not be in so much debt when you come out of college.

So, yes, could we do these things? That is what I get asked. Could we do these? The answer is, of course we could, if in fact we recognize that it is our priority, that we were honest about what kind of dollars we needed and we made it a priority in our budget instead of something else. Again, the Democratic alternative that will be available tomorrow does that.

So, again, I hope that my constituents, your constituents understand that we come again as first-term Members with a real interest, maybe that is not strong enough, but a demand for us to do it better, to do it right, to meet these obligations and to do it this year as a beginning because we can't wait any longer. Whether it is on education, on higher education, whether it is on energy, whether it is on paying down the debt. These are things we have to start working on, on security, health care. We could go on for hours. Fortunately we are limited, from our viewers' point of view, to an hour. But the fact is that we have so many opportunities for us to be building that future for Americans, American children, American families. This budget simply doesn't do it. It is why we should reject it.

Mr. CLEAVER. If the gentlewoman would yield, I found some money and I want to announce it right now to the world. If we rescind the tax cuts for individuals with an adjusted gross income in excess of $200,000, the revenue effect of that would be $24.5 billion in fiscal year 2007 and over 5 years it would be $137 billion. The tax cuts that this Congress gave in 2001 and 2003 disproportionately benefited the wealthiest people of the Nation. At the same time we have been unable to increase the minimum wage from $5.15. And we are giving tax cuts to the wealthiest people in the country. The tax cuts that were given would allow the wealthiest Americans with 46.8 percent of the tax benefits proposed in the President's fiscal 2007 budget and extended from 2001 and 2003, it would benefit 4.1 percent of the taxpayers of this country. People who are going to get up early in the morning to drive to their job and most of the money they earn that day is to buy gasoline are not going to be thinking kindly of what is happening to them.

There is a tsunami of frustration rolling across America. People are frustrated with what they see going on here. It is revealed in the polling data that is coming in from every polling source. It is bipartisan. Newspapers, whether they are the conservative Washington Post or the progressive New York Times are coming up with the same numbers, and that is the people of this country are frustrated. Incivility continues. We don't attack issues. We attack people. We don't try to come together and sit down and try to figure out ways in which we can help this country. We lock the doors. We lock people out of meetings. We won't allow a discussion or a debate on issues that are critically important to this Nation.

Ms. WASSERMAN SCHULTZ. Mr. CLEAVER, they do those things. It is the Republicans that do those things. I just want to point that out. When you are using ''we,'' that includes us and we don't do that.

Mr. CLEAVER. That is absolutely correct. The reason that I used ''we'' and it is a dangerous use of the word ''we,'' is that what many people see coming out of this body, they attribute to all of us when the truth of the matter is we don't have, we, those of us on this side, don't have the capacity because we are the minority, to effect the kinds of changes that I think we need to effect.

And so the tsunami of frustration continues to roll across America. Something needs to be done. If not, I think that we are headed dangerously toward a number of crises, some of which this Nation has never ever experienced before.

Ms. SCHWARTZ of Pennsylvania. Your comments, I think, do speak to the frustrations we hear from Americans. But I hope that as we end this evening's discussion, we can also leave with the understanding that Americans, I hope, will feel hopeful. Because, in fact, you point out that if we use common sense, if we use our political will, if we sit down to work out these issues, we could do that. I think that is what the American people expect of us and it is also something that I think as freshmen we are offering back, that we want to be able to say we can do this, we want to do it, we want to be able to tackle these problems and we want all of the best ideas, and there are so many out there, to be able to offer the

American people the secure Nation that they want, the opportunities for their children economically and educationally and the kind of hope for the future that they all want.

MEDICARE PART D

The SPEAKER pro tempore (Mr. FITZPATRICK of Pennsylvania). Under the Speaker's announced policy of January 4, 2005, the gentleman from Georgia (Mr. GINGREY) is recognized for 60 minutes as the designee of the majority leader.

Mr. GINGREY. Mr. Speaker, it is a pleasure to take this hour designated by the Speaker, by the leadership, we refer to it as the leadership hour, and to take an opportunity to talk about things that are important to this majority, are important, indeed, to the American people and that is what we are going to do during this hour.

We are going to talk about the Medicare part D prescription drug benefit. But I want to digress for just a minute, Mr. Speaker. Our colleagues on the other side of the aisle just spent the better part of an hour talking about the budget. During the course of that colloquy, we heard the word ''hypocrisy'' used a number of times. I want to address this just for a moment, because the hypocrisy, of course, is to suggest that the tax cuts that this administration and this Republican majority have enacted and just today continued those tax cuts, refused to let the other side of the aisle in this body raise taxes on the American people.

They spent a good deal of time talking about the fact that the rich get the biggest tax break. Well, the hypocrisy of that argument, Mr. Speaker, is that the rich, if you call someone with an adjusted gross income of $75,000 a year rich, then so be it. But these are the people that are paying most of the taxes. These are the people that are paying at the 39.6 marginal rate, the highest rate. So for them in any across-the-board tax cut, and indeed that is exactly what this is, every taxpayer saves money. But those that are paying the most in taxes with an across-the-board cut, Mr. Speaker, are quite naturally on a dollar amount, not a percentage amount but on a dollar amount, are going to get the biggest tax break. Of course they are.

But what is that enabling them to do, the small business men and women in this country who create probably 75 percent of the jobs? It is to grow their businesses, because of the opportunity to rapidly depreciate for capital improvements and bricks and mortar and putting in a new product line in their business, to hire some of these people who today because of their unemployment are not paying any taxes.

It is really hard, I think, and I think my colleagues understand this, the American people understand it, it is really pretty hard to get a tax refund when you are not paying any taxes. But indeed we do that, too. The child tax credit, increasing them from $600 to $1,000. Those are refundable tax credits that are going to people who indeed are not paying any taxes.

Mr. Speaker, again, as I said at the outset, what we are talking about tonight has got to be one of the most important things that we have done for the American people since Medicare was first passed when I was a freshman medical student in 1965, where there was a part A, the hospital part; a part B, the doctor part; but no part D, the drug part. For many years, I am going to say probably within 5 years of the passage of that bill, people were starting to wonder why we didn't have that benefit of prescription drugs when more and more of these wonder drugs, whether we are talking about pharmaceuticals or antibiotics or whether we are talking about beta blockers for heart disease and high blood pressure and irregular heart rhythms, whether we are talking about oral, by-mouth chemotherapy. And we realized, of course, it wasn't just surgery, cutting something out, a diseased organ, that we really need to put our emphasis on, it is preventive health care and allowing people to be able to afford to get prescription drugs to lower the blood sugar, to prevent the ravages of diabetes, such as losing your limb or having your kidneys fail and going on renal dialysis and maybe eventually needing a kidney transplant. Or to treat high blood pressure, a condition which for a long time has no symptoms, absolutely no symptoms. It is incipient. We use that word. A person could end up in the emergency room having already had a stroke before anybody knew that they had high blood pressure. Or talk about coronary artery disease which most people have in adult life. And until we realized that elevated cholesterol and certain type lipids in the blood stream is what caused those plaques to form in those coronary arteries that supply blood, and oxygen, of course, to the heart muscle, when we finally realized that if we could lower cholesterol and lipids in the body, that we could prevent heart disease, coronary artery disease, heart attacks, and not have to resort to what we know, of course, today as bypass surgery. It is such a compassionate thing to prevent these diseases rather than to treat them when people are really, really in danger of sudden death or a stroke.

That is what this is all about. That is what this Republican leadership, President Bush, has delivered to the American people, a promise that other Congresses have made.

□ 2230

I can assure you that work was done on this in the past, but former Presidents, former administrations, former Congresses just failed to deliver.

And so we are very proud to stand here tonight and talk about this wonderful addition to Medicare, the part D prescription drug part. It is optional. It is just like part B, Mr. Speaker; a person doesn't have to sign up for it.

Yes, it is premium based. There is a monthly premium often deducted from the Social Security check of those who can afford it. And those who cannot afford it, it is not going to cost them anything.

The low-income seniors who qualify for the Medicare supplement on this wonderful program, for them, they pay no deductible, they pay no monthly premium. There is no gap in the coverage. They have catastrophic coverage, and the only cost may be $1 for a month's supply of a generic drug, or up to $5 for a month's supply of a brand name drug.

There are approximately 42.7 current Medicare beneficiaries in this country today. And, Mr. Speaker and my colleagues, I want to draw your attention to my first slide because this really shows you the success that we have had in this 6-month opportunity, starting November 15 through upcoming, in 6 days, May 15. Of those almost 43 million Medicare beneficiaries, most of them, because of age 65, possibly 5 or 6 million because of a disability at a younger age—look at this, Mr. Speaker—37 million seniors now have prescription drug coverage under Medicare part D, 37 million.

Now, we want to get this up to 40 million in the next 6 days. And that is really why I am here tonight, to get this message out to let those few stragglers, if you will, in regard to signing up, to do everything we can. And we will do that back in our districts. We have been doing it. In fact, I have been working on that, talking about trying to get that message out for over 2 years, when we first passed this Medicare Modernization Prescription Drug Act in November of 2003, a very proud moment for this physician-Member, by the way, to support such a wonderful program.

But now we have got the latest count, 37 million, and that is, I think, a fantastic achievement in this first sign -p period.

Why is it so important? Well, seniors, if you can see on this next slide, Mr. Speaker, my colleagues, seniors are saving an average of $1,100 a year with Medicare prescription drug coverage. Maybe more importantly, though, that is average for the 37 million that are signed up. But maybe more importantly, the low-income seniors are saving an average of $3,700 a year. $3,700 a year, that is a lot of money.

Mr. Speaker, in regard to that number that I just shared with my colleagues, $3,700 a year for those low-income seniors, and that is why we are pushing so hard in these next 6 days.

Of the 6 million, I said 37 million have signed up out of almost 43 million. Of those 6 million that haven't, we are estimating, pretty accurately, that close to 3 million of those are low income. They qualify for this subsidy, and some of them, as I say, their only cost of these lifesaving prescriptions would be a $1 copay. And so it is very important, most important that we get

the word out to them in these next few days, and to get them signed up, because this is literally a Godsend.

It is a no-brainer. And for whatever reason, maybe they have heard some of the disingenuous, well, downright, you know, they talked about the H word in their hour just a few minutes ago, hypocrisy from the other side. Regrettably, I feel that that is part of the reason why the most needy, 3 million of them, have missed the opportunity thus far, but we are determined to get the word out to them. That is the compassionate thing to do and we are doing it.

Proof of the pudding, Mr. Speaker. More than a million seniors have enrolled in Medicare part D just since April. I am talking about a 2-week period. So we are talking about almost 500,000 people have signed up just in the last 2½ weeks. So we are getting the word out, and thank God, our seniors are responding.

Well, how is the program working for those that may have signed up on November 15, 2005, and immediately, January 1, 2006, started getting their prescriptions with a prescription drug benefit? Before that, of course, we know that the seniors, probably the only group of patients that go to the drug store, went to the drug store and had to pay sticker price. They weren't getting any deals, and nobody negotiated any discount for them because of volume buying.

It was just like going to buy a new automobile and paying that price on the windshield that we refer to as sticker price. Most people don't have to do that. But that is what the seniors were doing. Well, really, that is what some were doing. A lot were just too embarrassed to even go into the drug store knowing that they couldn't afford to pay even half that amount.

But what has happened since January 1 over this 5-month period? Well, 90, and I want to call my colleagues' attention to this next slide. I know the printing is a little small, but look closely because these numbers are very telling. Ninety-one percent of seniors say their plan is convenient to use at their pharmacy.

And I want to thank our pharmacists, too, by the way, especially our independent pharmacists because a lot of times it is just them and maybe a clerk up front, and yet they are spending the time to explain; and I know it is at significant cost to their bottom line. And I think that they are to be commended because they have helped make this program a success, and we are committed to continuing to work with them.

I know, Mr. Speaker, in my district, I have met just within the last 10 days with some good personal friends who are independent pharmacists, and they are bringing some concerns to us. There is still some heartburn on their part, and I understand that, and we are going to continue to work with them because of the great work that they have done for us.

Going back to the slide, 90 percent say that they know how their plan works and they know how to use it. Eighty-five percent say their plan covers all the medicines they need. And nearly 80 percent are happy with the amount of coverage they have, and this is so important, they would recommend their plan to others.

I don't want to miss this opportunity to say, my colleagues, and I am sure on both sides of the aisle, you have had similar experiences. My mom, God bless my mom. I am thinking about her of course a lot this week because of Mother's Day coming up on Sunday. But the greatest Mother's Day gift that I gave to her, Mom is 88 years old, I don't think she would mind me telling that because she looks like she is 68, and if it wasn't for a couple of gimpy knees, she would still be out on the golf course.

But I sat down with Mom a couple of months ago and we went through this. It was a little bit time consuming, maybe a little bit more confusing than I thought or she thought it would be. But she is saving about $1,200 a year now. And this is what we are talking about, real, real savings.

Mom's very happy with the program. She picked her own drug store, very close by her home in Aiken, South Carolina, and she didn't have to change a thing and is very pleased with the program.

Listen to what some of the senior organizations are saying about this program today. And, Mr. Speaker, I remember during the debate, and of course we got accused of passing this bill in the dark of night; I would say to my colleagues in regard to that, we started the debate late in the afternoon and we were determined to get our work done, so we ended up on final passage, yes, in the dark of night. But had we started our debate in the dark of night, we would have passed this bill in the bright sunshine of the afternoon. That is just the way the clock works.

I look at my job, Mr. Speaker, as a 24/7 job, and I am not a clock-watcher, just like I wasn't when I practiced medicine and delivered babies before coming to this body. People were always coming to me saying, don't all babies come in the middle of the night? And I said, well, no. But it seems that way because the patient either comes in in the middle of the night and ends up delivering in the daytime or comes in in the daytime and ends up delivering in the middle of the night.

We delivered this baby in the middle of the night, but a beautiful, beautiful baby it was and is.

And the other side criticized that great senior organization known as the AARP, of which I have been a member for, started at age 50, I won't tell you how many years. I don't want to tell my age because my wife says that will tell her age.

But they were so mad, so mad that this organization, AARP, with 37 million seniors as part of that group, had the audacity to support a Republican bill.

Look what the AARP says today, Mr. Speaker. With the Medicare drug program, more older Americans than ever before have access to affordable prescription drugs.

The focus right now needs to be on helping people, not playing politics. Discouraging enrollment is a disservice to the millions who could be saving money on prescription drug bills. That's a quote from the president and CEO of the AARP, Bill Novelli. And I know Mr. Novelli, and my colleagues on both sides of the aisle know him and know that he doesn't play politics. He is just stating the facts. No hypocrisy here, Mr. Speaker.

Well, I am not a regular reader of the New York Times, maybe the Washington Times. The New York Times is not known as a bastion of conservatism. But listen to what they say: ''The Medicare drug benefit's success depends heavily on getting lots of healthy people to sign up so that their premiums can help subsidize medicine for the chronically ill. The May 15 deadline should serve as a useful product to force fence-sitters to make a decision.'' Now, that is a New York Times editorial, April 3, 2006.

Mr. Speaker, when we were debating, we had this resolution, Nancy Johnson, the distinguished chairwoman of the Health Subcommittee of Ways and Means, put forward a resolution this evening encouraging all Members of this body to work hard over this next week to get people signed up. But the other side continues to try to put up a fence to be obstructionist to say, you know, don't sign up, and criticizing us for encouraging them to sign up, saying that we are cruel, that we are going to enact a penalty if they don't.

Well, Mr. Speaker, the fact is, a lot of people, good people, good seniors are just like this senior. They have a tendency to procrastinate.

□ 2245

If it was not for the April 15 deadline, I would never get my tax return in. Even with that, if there is an opportunity to extend it without significant penalty, I am going to take that opportunity. I have done that probably every year for the last 10 or so, waiting until absolutely until the last minute when really I had the facts, I had the information, and I needed to go ahead and get that done. But I just kind of put it off until the last minute. That is why we have a deadline. It is not to be cruel or to be coercing or forcing anybody to do anything.

But, clearly, we anticipate that because of that deadline, and kind of a wake-up call to people, that 1.6 million more will sign up between now and next Monday. That is what that is all about. The New York Times certainly understands that. I can't understand why our colleagues on the other side of the aisle who probably, most of whom read that newspaper every day, it is

kind of maybe sort of biblical for them. They can't understand that, or maybe they missed that particular article.

Listen to what the St. Petersburg Times said. Here is good news. Without exception, every senior I saw on the way out of the Gulfport Senior Center, that is in St. Petersburg, was happy or relieved.

Carolyn Toliver, Dallas Texas Area on Aging. Carolyn Toliver, the benefits counseling coordinator at the Dallas Area Agency on Aging says she is not phased by the prospect of a last-minute surge. She even admits to wishing for one. I hope we are overrun, she said. This is a generous benefit. I don't want anyone to miss out on it.

Here, again, from the New York Times editorial pages, it says many seniors are clearly saving money on drugs purchases. I quote, complaints and call waiting times are diminishing and many previously uninsured patients are clearly saving money on drug purchases. That was in The New York Times, an article entitled Medicare Drug Challenges. It was an editorial, actually, on April 3rd of this year.

Mr. Speaker, the news indeed, is good despite, again, a lot of negativism on the other side. There were a number of things that were suggested when the opposition for this program was so strong. But today, as I pointed out at the outset, 37 million have signed up.

Listen to this breakdown, because this is important too; 8.9 million enrolled in the stand-alone prescription drug plan, almost 9 million, 5.9 million are enrolled some Medicare Advantage. That is the program that used to be Medicare+Choice, but because of Medicare modernization, Mr. Speaker, it is much, much improved. Almost 6 million of the so-called dual eligibles, those people that because of their low-income and age were eligible not only for Medicare but Medicaid.

Almost 7 million retirees are enrolled in a Medicare retiree subsidy. That is a supplemental plan that includes prescription drug coverage. There are still people that had the option, and I think is real important for us to remember that nobody is forced into Medicare part D. If they have got something that is just as good if not better, then we have encouraged them to stay in those programs. They are.

Then, of course, there are 3.5 million that are covered under Federal retiree coverage, 1.9 million are could have had under TRICARE, 1.6 million are covered through the Federal employee health benefit plan, and then 5.8 million Medicare beneficiaries have some alternative source of what we referred to as credible prescription drug coverage.

Some examples of that, Mr. Speaker, would be like Veterans Affairs, people are getting their medication. They are 65, they are on Medicare, they are eligible, part A and part B. But as far as the prescription drug part, they are utilizing the Veterans Administration. There are about 3.2 million that are using the VA. There are probably at least 100,000 that are getting their prescriptions through the Indian Health Service.

There are maybe another half a million who are still working at age 65 and older, and they have a health insurance program that includes prescription drugs. Even though they are eligible for Medicare, they opt for those programs.

If those programs, we call them credible programs, if they are just as good or better than the part D, and then something happens to one of those plans, maybe the premium is raised, maybe the copay is raised. Maybe the things that are covered are lessened. The coverage is not as good. Then a senior, and this is important information, this question is asked almost every time I have a town hall meeting, then if they want to switch into Medicare part D, that can be done, Mr. Speaker, without any penalty, without any penalty whatsoever. That kind of brings me to a point that I think is very important to make.

Our friends on the other side keep saying that we are going to enact a 7 percent Medicare tax. That is the 1 percent per month additional premium that seniors have to pay if they miss the deadline. They say that we are imposing that tax, that Medicare tax, on those who can least afford it.

Now, here again, the H word that I referred to earlier, this time is not hypocrisy, this time it is honesty and lack of. Because the fact is that there will be no penalty for anyone, those almost 3 million that we think are low income and have not signed up yet, we are going to continue to look for them. We are going to continue to talk to them in every way we can, print out, print media, television spots, town hall meetings by Members, hopefully on both sides of the aisle, to get them signed up beyond May 15, if they miss a deadline with absolutely no penalty.

There will be a penalty for those others who are blessed with more assets, more resources, more income, who failed to sign up for whatever reason. But I guess the majority of those just would be simple procrastination. They will have to pay that penalty.

So we are doing, I think, and that 37 million represents 87 percent of Medicare beneficiaries we think will get to 90 percent by Monday. For the first year of a program, and, indeed, the first of 6-month opportunity to sign up, that ain't too shabby.

I think that as these that don't sign up that miss the deadline, realize, and, of course, they are not going to be able to get into the program until the next sign up period, which is November 15 of this year through December 31. Even though they are going to be faced with a 7 percent additional premium, they are going to come in.

I think we are going to be approaching the high 90s, just like the optional program part B that covers doctor care and outpatient surgery and outpatient testing. That is such a good program that, of course, was enacted in 1965. A lot of people back then said, oh, that is too confusing. I am not sure I want to do that.

Well, you look, Mr. Speaker, my colleagues today, when people turn 65, there is no question because they have the history of the success of part B. The same thing is going to happen with part D.

We are making great progress, and my own State of Georgia, I would be remiss if I didn't give a little statistic on that. But we, in the State of Georgia, overall, are approaching a 90 percent signup rate. We have total people in Georgia now with prescription drug coverage on the Medicaid, 785,000 and growing.

Mr. Speaker, I wanted to take a few minutes and talk about some of the things that we have heard during the debate on this program. One of the things that keeps coming up is this issue of drug reimportation, of being able to buy medications either over the Internet, mail order from another country, particularly Canada, or to actually, if you live on the northern border to actually go across the border and buy prescription drugs and get them a lot cheaper than they were in this country.

Before we came forward in November of 2003 with this program, that is what people were having to do. The seniors literally were being forced to do something that was not approved by the secretary of HHS, the Secretary under President Clinton, the Secretary under George H. W. Bush, because there was some concern about safety, about packaging and contamination and bioterrorism.

But, nevertheless, people were doing that, taking a chance and buying those medications because they were saving. But listen to what's happened since this program started January 1st of this year. This is from an article in a newspaper in Minnesota, which is one of those border States by the way.

While enrollment in the Medicare drug benefit rose by 9 percent, sales of low-cost Canadian drugs last month fell by 52 percent.

Why do you think that happened, my fellow colleagues? It happened because all of a sudden seniors were realizing now they were able to get their medication from their corner druggist right down the street at almost as low, maybe even as low or lower than what they were paying in going across the border and buying prescription drugs and taking a risk with their health.

So while I was concerned, and I think that if this program was not working, that I would tend to agree with some of my colleagues who want to say, well, it ought to be legal to buy drugs from Canada. I think that we have negated the need for that with this program. That is what I hope we would accomplish. Indeed we have.

There was just another thing, Mr. Speaker, that I want to talk about too,

that is the pharmaceutical drug discount program. Our pharmaceutical industry is a profitable industry. They get lambasted a lot by the other side of the aisle, about making too much profits and that sort of thing.

But I don't ever hear them commending the pharmaceutical industry because of the compassion that they have shown with their prescription drug discount program, not just for low-income seniors, but for low-income everybody. They literally are giving away prescription drugs to people who meet certain criteria. Maybe they are not eligible for Medicaid in the State in which they live because they make a little bit too much, or maybe they have a few too many assets.

But the pharmaceutical companies, and each one's programs, is a little bit different. But, you know, let's say somebody is on Lipitor or on Pravachol or on Prevocet or on one of these expensive medications. They are literally getting those drugs for free.

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Some people that signed up for the Medicare part D have been concerned because if they reach the donut hole and have to pay a lot out of their pocket, they feel like maybe they are in a program that is costing them more money because they had to come off of those pharmaceutical prescription drug discount programs.

Well, the Inspector General had confused the pharmaceutical companies a little bit, and there was some concern about these programs and if they could legally continue. I want to tell you that Members of this body, I think really on both sides of the aisle, went to CMS, talked with the Inspector General and said, you know, that is not right. We need to let these companies continue to do that.

Listen to what the result of that effort was, Mr. Speaker: Drug makers can continue assistance programs for seniors. HHS secretary Mike Leavitt: ''This is excellent news. In a legal opinion that could help many thousands of Medicare beneficiaries, drug manufacturers were told Tuesday,'' that was a couple of week ago, Mr. Speaker, ''that they can continue giving free medicine to poor people even if they are enrolled for the new drug benefit.''

Each year, large drug companies routinely give millions of free prescriptions to the poor. However, most of the drug companies had said that they would discontinue this practice for senior citizens now that they could get coverage through Medicare.

We have reversed that. As Secretary Leavitt said, and I will give a quote here, ''this is excellent news for the many people with Medicare who have relied on these valuable patient assistance programs.''

The bottom line is a senior now can enjoy both the advantage of being on a Medicare part D prescription drug program and also the benefit when they get to the point where they otherwise would have to pay the full price at somewhat of a discount out of their own pocket, then the pharmaceutical companies can come in and fill that gap. A great program.

Mr. Speaker, I wanted to take some time to talk about individual cases. I think a lot of times my colleagues, we talk and tell facts and try to make our points, but I don't think anything does that better than what we refer to as anecdotal evidence. In other words, real live situations, people that give their testimonial.

Listen to some of these. Mae Thacker of Kingston, Georgia, that is in the Eleventh District, my district in Bartow County, northwest of Atlanta, May was paying $781 a month for her medications. That is a lot of money. She had heard Medicare part D wouldn't save her any money and wasn't worth her time.

That is sad, because that is the kind of rhetoric that far too many seniors have been hearing over the last couple of years.

But its detractors were wrong. Mae learned about the program and she enrolled. She enrolled. And, guess what? With Medicare part D, Mae Thacker now pays only $178 a month. $781 a month with no Medicare part D; $178 a month with it. Total savings, my colleagues, $600 a month. That means I think that Mae Thacker can now pay her utility bill, buy her groceries, have a roof over her head and afford to get those prescription drugs that can save her life.

Here is another. This is an e-mail that I received again from the Eleventh District of Georgia. Jerry O'Brien, Cobb County, my home county for the last 30 years. Here is what Jerry says. ''I went to Medicare.gov, www.medicare.gov, and I found a comparison of various programs. I chose one for my wife at a premium of $70 a month, but no deductible.

The deductible, I think everybody knows, cannot be more than $250 a month for Medicare to approve that as a prescription drug plan. It can't be more than $250 a month, but it can be less. Jerry found one by going to the website that had no deductible and a $70 a month premium.

Jerry goes on to say, ''We had no prescription insurance before and find Medicare part D to be very effective. We saved enough on the first prescriptions to pay for two months of the premiums.'' So the first prescriptions they saved $140.

''I realize the program got off to a shaky start, but as far as I am concerned, it is now working well.'' Jerry O'Brien, Cobb County, Georgia.

Let's go out to Colorado, about as far as you can get in this country from Georgia, heading out west. Lyda, Lyda B lives in Colorado Springs, Colorado. Lyda had no prescription drug coverage and she was paying $1,200 a year for her medications. She found out she was eligible for extra help as a low income senior.

Remember we talked about those, and really that has been the major emphasis of my discussion tonight, about how important it is to get to those 3 million here in the next 6 days. We are going to get close. We are going to get close.

She found out she was eligible for the extra help, and, thank goodness, Lyda enrolled in a plan for her, not only no deductible, but no monthly premium. There is a premium, but Medicare pays for that because she qualifies because of low income and low assets.

With Medicare Part D, Lyda now pays only $3 per prescription, saving her hundreds of dollars a month. Just think about that. $3 a prescription. A prescription would be a month's supply. If she were on one drug, then she is paying $36 a year. If she were on two, it would be $72 a year. If it were three, it would be just over $100. Compared to $1,200? A great deal for Lyda. Thank God she has taken advantage of it.

Mr. Speaker, here is another. I don't have but about 15 minutes left, but I probably could spend 2 hours sharing these testimonials. Fern from Peabody, Massachusetts, she was paying $2,100 a year for medications. With Medicare Part D, Fern now pays only $660 a year. She says the savings are worth the time, and the enrollment process was not confusing or complicated.

There is lots of help. The health insurance assistance programs in all 50 States, they are called different things, I think it is Georgia Cares in the State of Georgia, but this organization, plus all these senior organizations that volunteer their time at senior centers, maybe at your local library, the pharmacist in the drugstores, particularly the chain drugstores, CVS, Walgreens, Eckards, they have something called Medicare Tuesdays, Medicare Part D Tuesdays, where a pharmacist, instead of being behind a counter, there is one behind the counter filling prescriptions, but there is another one dedicated all day long to just sitting there and welcoming seniors to come in and let them explain the program to them and give them some options and help them get through the little confusion to get signed up.

These are just a few of the stories. I particularly wanted to, Mr. Speaker, talk about a lady in Polk County, one of my favorite counties in my district. Lola Squires of Polk County was paying $1,016 a month for her medications. As a widow on a fixed income, she often had to choose between buying food and buying medicine. With Medicare Part D, Lola now pays only $27 a month and her savings are almost $1,000 a month, $989.

Well, the whole point is the initial enrollment period ends May 15, Monday. Again, we want to say to those 5½, 6 million not signed up, sign up now to avoid the premium increase penalties. There will be no, and I repeat, no premium increase penalties on the low income. It is important that I say that over and over again, because the other

side is suggesting just the opposite, and it is flat out not true.

The way to do it, www.medicare.gov, or just pick up the telephone and dial 1–800–Medicare. Log on or call 24 hours a day, 7 days a week, for personalized assistance with Medicare Part D. The amount of personnel has been beefed up tremendously in this last 6 weeks so when you dial that number the wait time probably is not going to be more than 45 seconds.

We are making the effort, and we will continue to make the effort, because it is the right and compassionate thing to do, Mr. Speaker.

I would just like to say in conclusion, we fuss and fight a lot around here, my colleagues. We all know that. Sometimes we embellish a little bit the arguments we make. And sometimes, very usually in a very honest way, we have differences of opinion on legislation and amendments and how you can make a bill a little bit better. We try to always not let the perfect get in the way and destroy the good. And that is the typical process.

But in something like this, I think that even though when we passed this bill, so-called in the wee hours of the night in November of 2003, there was bipartisan support. There was a lot of rhetoric back and forth, but in the final analysis there was bipartisan support.

It is time for the losing side, if you will, to get over that, to put that behind them, and not to continue to be obstructionists in a program that is a God-send for so many of our seniors and an absolute no-brainer as to whether or not they should sign up.

Back then, 2 years ago, you saw Members come to the well and symbolically tear up their AARP card because that organization had the nerve to support a Republican program, or to take that prescription drug discount card, that transitional program, remember my colleagues, where low income seniors got a $600 credit towards the purchase of each of those drugs, for 2 years, $1,200 real money before we got this program up and running January 6? Our colleagues on the other side of the aisle were saying, tear up those cards.

Well, that is all history. That is all water over the dam, regrettable. But it is definitely time for us to say to our colleagues, put that behind you. It is an election year. We know that. We can fight and fuss over other things. We can try to create wedge issues and play ''gotcha'' and make the other side look bad, and hope we can on our side keep the majority and on your side gain it. That is fine. That is fair. That is what this process is all about.

But in a program like this, where we are talking about needy seniors, let's don't play politics with it at all. Let's do the right thing, and the right thing is to get out there, Members, on both sides of the aisle. When you come home late tomorrow night or early Friday morning, have a town hall meeting on Friday, maybe one on Saturday and one on Monday, and tell the seniors, even if you don't think this program is what it should have been and you could have presented a better program, let them know that there is a good benefit here and they need to sign up for it.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. COLE of Oklahoma (during the Special Order of Mr. GINGREY), from the Committee on Rules, submitted a privileged report (Rept. No. 109–460) on the resolution (H. Res. 810) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 5122, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007

Mr. COLE of Oklahoma (during the Special Order of Mr. GINGREY), from the Committee on Rules, submitted a privileged report (Rept. No. 109–461) on the resolution (H. Res. 811) providing for consideration of the bill (H.R. 5122) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2007, and for other purposes, which was referred to the House Calendar and ordered to be printed.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BROWN of Ohio) to revise and extend their remarks and include extraneous material:)

Mrs. MCCARTHY, for 5 minutes, today.

Mr. ETHERIDGE, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. ALLEN, for 5 minutes, today.

Mr. SNYDER, for 5 minutes, today.

Ms. CORRINE BROWN of Florida, for 5 minutes, today.

Ms. WASSERMAN SCHULTZ, for 5 minutes, today.

(The following Members (at the request of Mr. BURGESS) to revise and extend their remarks and include extraneous material:)

Mrs. BIGGERT, for 5 minutes, today.

Ms. GINNY BROWN-WAITE of Florida, for 5 minutes, today.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1382.—An act to require the Secretary of the Interior to accept the conveyance of certain land, to be held in trust for the benefit of the Puyallup Indian tribe.

ADJOURNMENT

Mr. GINGREY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 15 minutes p.m.), the House adjourned until tomorrow, Thursday, May 11, 2006, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

7385. A letter from the Acting Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Oil and Gas and Sulphur Operations in the Outer Continental Shelf — Incident Reporting Requirements (RIN: 1010-AC57) received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7386. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Oil and Gas and Sulphur Operations in the Outer Continental Shelf (OCS), 30 CFR 250 Subpart A, General — Data Release and Definitions (RIN: 1010-AC99) received April 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7387. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Mackeral, Squid, and Butterfish Fisheries; Closure of the Quarter II Fishery for Loligo Squid [Docket No. 051209329-5329-01; I.D. 041406A] received May 3, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

7388. A letter from the Director, Regulations & Disclosure Law, Customs and Border Division, Department of Homeland Security, transmitting the Department's final rule — Establishment of Port of Entry at New River Valley, Virginia, and Termination of the User-Fee Status of New River Valley Airport [USCBP-2005-0030; CBP Dec. 06-10] received April 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7389. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Rates for Pilotage on the Great Lakes [USCG-2002-11288] (RIN: 1625-AA38 (Formerly RIN: 2115-AG30) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7390. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; China Basin, San Francisco, CA [CGD11-05-020] (RIN: 1625-AA09) received March 16, 2006, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7391. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; GICW MM60 to GICW MM90, Longbeach, MS to Biloxi, MS [COTP Mobile-05-020] (RIN: 1625-AA00) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7392. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; GICW MM90 to GICW MM128, Pascagoula, MS to Dauphin Island Bridge [COTP Mobile-05-021] (RIN: 1625-AA00) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7393. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; GICW MM128 to GICW MM155, Mobile, AL to Gulf Shores, AL [COTP Mobile-05-022] (RIN: 1625-AA00) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7394. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; GICW MM155 to GICW MM225 Orange Beach, AL to Santa Rosa Island, FL [COTP Mobile-05-023] (RIN: 1625-AA00) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7395. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; GICW MM225 to GICW MM350 Santa Rosa Beach, FL to Aucilla River, FL [COTP Mobile-05-024] (RIN: 1625-AA00) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7396. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River, Mile Marker 430.0 to the Entrance of the Southwest Pass Safety Fairway, LA [COTP New Orleans-05-029] (RIN: 1625-AA00) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7397. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ohio River, Miles 603.0 to 604.0, Louisville, KY [COTP Ohio Valley 05-010] (RIN: 1625-AA00) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7398. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ohio River, Mile Marker 918.5 to 932.0, Paducah, KY [COTP Ohio Valley-05-012] (RIN: 1625-AA00) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7399. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Allegheny and Ohio Rivers Surrounding the Point, Pittsburgh, Pennsylvania [COTP Pittsburgh-05-012] (RIN: 1625-AA00) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7400. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ohio River Mile Marker 42.9 to Mile Marker 43.3, Chester, West Virginia [COTP Pittsburgh-05-013] (RIN: 1625-AA00) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7401. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ohio River Mile Marker 66.1 to Mile Marker 66.5, Weirton, West Virginia [COTP Pittsburgh-05-014] (RIN: 1625-AA00) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7402. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Allegheny River Mile Marker 0.0 to Mile Marker 0.7, Pittsburgh, Pennsylvania [COTP Pittsburgh-05-015] (RIN: 1625-AA00) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7403. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Sabine River, Orange, TX [COTP Port Arthur-05-012] (RIN: 1625-AA00) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7404. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Savannah River, Savannah, GA [COTP Savannah-05-110] (RIN: 1625-AA87) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7405. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Upper Mississippi River Mile Marker 282.0 to Mile Marker 284.0, Louisiana, MO [COTP St. Louis-05-010] (RIN: 1625-AA00) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7406. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Fair St. Louis 2005, Upper Mississippi River Mile Marker 179.2 to Mile Marker 180.0, St, Louis, MO [COTP St. Louis-05-012] (RIN: 1625-AA87) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7407. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Upper Mississippi River Mile Marker 614.8 to Mile Marker 615.2, Guttenburg, IA [COTP St. Louis-05-013] (RIN: 1625-AA00) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7408. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Missouri River Mile Marker 28.2 to Mile Marker 28.8, St. Charles, MO [COTP St. Louis-05-014] (RIN: 1625-AA00) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7409. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Upper Mississippi River Mile Marker 482.2 to Mile Marker 482.8, Davenport, IA [COTP St. Louis-05-015] (RIN: 1625-AA00) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7410. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Illinois River Mile Marker 179.7 to Mile Marker 180.3, Chillicothe, IL [COTP St. Louis-05-016] (RIN: 1625-AA00) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7411. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Weather Takeoff Minimums; Miscellaneous Amendments [Docket No. 30475; Amdt. 3150] received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7412. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30476; Amdt. 3151] received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7413. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30479; Amdt. No. 3153] received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7414. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30481; Amdt. No. 3155] received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7415. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Cessna Aircraft Company Models 208 and 208B Airplanes [Docket No. FAA-2006-23648; Directorate Identifier 2006-CE-07-AD; Amendment 39-14514; AD 2006-06-06] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7416. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Models RB211 Trent 768-60, Trent 772-60, and Trent 772B-60 Turbofan Engines [Docket No. FAA-2006-23605; Directorate Identifier 2005-NE-48-AD; Amendment 39-14500; AD 2006-05-03] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7417. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No. FAA-2006-24110; Directorate Identifier 2006-NM-020-AD: Amendment 39-14508; AD 2006-05-11] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7418. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 720 and 720B Series Airplanes [Docket No. FAA-2006-24162; Directorate Identifier 2006-NM-031-AD; Amendment 39-14513; AD 2006-06-05] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7419. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 757-200 and -300 Series Airplanes [Docket No. FAA-2005-23282; Directorate Identifier 2005-NM-210-AD; Amendment 39-14496; AD 2006-04-14] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7420. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-200F, 747-200C, 747-400, 747-400D, and 747-400F Series Airplanes [Docket No. FAA-2005-22526; Directorate Identifier 2005-NM-008-AD; Amendment 39-14499; AD 2006-05-02] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7421. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF34 Series Turbofan Engines [Docket No. 2000-NE-42-AD; Amendment 39-14501; AD 2006-05-04] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7422. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747SP, 747SR, 747-100, -100B, -100B SUD, -200B, -200C, -200F, and -300 Series Airplanes [Docket No. 2001-NM-213-AD; Amendment 39-14479; AD 2006-03-15] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7423. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; MT-Propeller Entwicklung GmbH Propellers [Docket No. FAA-2005-20856; Directorate Identifier 2004-NE-25-AD; Amendment 39-14502; AD 2006-05-05] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7424. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 777-200 Series Airplanes [Docket No. FAA-2005-23357; Directorate Identifier 2005-NM-207-AD; Amendment 39-14505; AD 2006-05-08] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7425. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 and Model Avro 146-RJ Airplanes [Docket No. FAA-23477; Directorate Identifier 2005-NM-181-AD; Amendment 39-14507; AD 2006-05-10] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7426. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747-200C, -200F, -400, -400D, and -400F Series Airplanes [Docket No. FAA-2005-23196; Directorate Identifier 2005-NM-187-AD; Amendment 39-14506; AD 2006-05-09] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7427. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 747 Airplanes [Docket No. FAA-2005-22715; Directorate Identifier 2005-NM-108-AD; Amendment 39-14503; AD 2006-05-06] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7428. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Aerospatiale Model ATR42-300 and -320 Airplanes [Docket No. FAA-2005-20220; Directorate Identifier 2004-NM-152-AD; Amendment 39-14504; AD 2006-05-07] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7429. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model SA-365N, SA-365N1, AS-365N2, and SA-366G1 Helicopters [Docket No. FAA-2005-23159; Directorate Identifier 2005-SW-10-AD; Amendment 39-14510; AD 2006-06-02] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7430. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Model EC 155B and B1 Helicopters [Docket No. FAA-2005-22697; Directorate Identifier 2004-SW-46-AD; Amendment 39-14509; AD 2006-06-01] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7431. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cessna Model 500, 501, 550, S550, 551, and 560 Airplanes [Docket No. FAA-2005-20970; Directorate Identifier 2004-NM-53-AD; Amendment 39-14511; AD 2006-06-03] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7432. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-9-10, -20, -30, -40 and -50 Series Airplanes, and Model DC-9-81 (MD-81), and DC-9-82 (MD-82) Airplanes [Docket No. FAA-2005-221221; Directorate Identifier 2004-NM-128-AD; Amendment 39-14512; AD 2006-06-04] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7433. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 Airplanes; and Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, and -145EP Airplanes [Docket No. FAA-2005-23283; Directorate Identifier 2005-NM-185-AD; Amendment 39-14483; AD 2006-04-02] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7434. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF34-1A, -3A, -3A1, -3A2, -3B, and -3B1 Series Turbofan Engines [Docket No. FAA-2004-18648; Directorate Identifer 2004-NE-26-AD; Amendment 39-14494; AD 2006-04-12] (RIN: 2120-AA64) received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PUTNAM: Committee on Rules. House Resolution 810. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 109–460). Referred to the House Calendar.

Mr. COLE of Oklahoma: Committee on Rules. House Resolution 811. Resolution providing for further consideration of the bill (H.R. 5122) to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, to prescribe military personnel strengths for fiscal year 2007, and for other purposes (Rept. 109–461). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. PRICE of Georgia (for himself and Mr. KLINE):

H.R. 5336. A bill to amend title XVIII of the Social Security Act to suspend the Medicare prescription drug late enrollment penalty during 2006; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BLUNT (for himself, Ms. PRYCE of Ohio, Mrs. MALONEY, Mr. CROWLEY, Mr. KING of New York, Mr. HOEKSTRA, Mr. BARTON of Texas, Mr. SMITH of Texas, Mr. YOUNG of Alaska, Mr. MANZULLO, Mr. REYNOLDS, Mr. BAKER, Mr. BACHUS, Mr. NEY, Mrs. KELLY, Mr. FOLEY, Mr. FOSSELLA, Mrs. BIGGERT, Mrs. MYRICK, Mr. DOOLITTLE, Ms. HARRIS, Mr. SHAYS, and Mr. MCCOTTER):

H.R. 5337. A bill to ensure national security while promoting foreign investment and the creation and maintenance of jobs, to reform the process by which such investments are examined for any effect they may have on national security, to establish the Committee on Foreign Investment in the United States, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Energy and Commerce, and International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLEAVER:

H.R. 5338. A bill to prohibit the use of amounts in a Members' Representational Allowance to provide any vehicle which does not use alternative fuels; to the Committee on House Administration.

By Ms. LEE (for herself and Mr. SERRANO):

H.R. 5339. A bill to confirm the jurisdiction of the Consumer Product Safety Commission

with respect to releasing systems on residential window bars and to establish a consumer product safety standard ensuring that all such bars include a quick-release mechanism; to the Committee on Energy and Commerce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIND:

H.R. 5340. A bill to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin, and for other purposes; to the Committee on Resources.

By Mr. BACHUS (for himself, Mr. FRANK of Massachusetts, Mr. HENSARLING, Mr. MOORE of Kansas, Mr. RENZI, Mrs. MALONEY, Mr. DAVIS of Kentucky, Mr. DAVIS of Alabama, Mr. SHAYS, Ms. HOOLEY, Mr. JONES of North Carolina, Mr. MATHESON, Mrs. BIGGERT, Mr. HINOJOSA, Mr. GARRETT of New Jersey, Ms. WASSERMAN SCHULTZ, Mr. NEUGEBAUER, Mr. CLAY, and Mrs. MCCARTHY):

H.R. 5341. A bill to amend section 5313 of title 31, United States Code, to reform certain requirements for reporting cash transactions, and for other purposes; to the Committee on Financial Services.

By Mr. FOSSELLA:

H.R. 5342. A bill to prohibit certain agency actions regarding the use of certain electronic devices onboard air born commercial airlines; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOHMERT:

H.R. 5343. A bill to protect State and Federal judges by clarifying that Federal judicial immunity covers all acts undertaken by judges pursuant to legal authority; to the Committee on the Judiciary.

By Ms. HOOLEY:

H.R. 5344. A bill to amend the Richard B. Russell National School Lunch Act to improve the summer food service program for children; to the Committee on Education and the Workforce.

By Mr. MATHESON (for himself and Mr. RENZI):

H.R. 5345. A bill to require ratings labels on video games and to prohibit the sales and rentals of adult-rated video games to minors; to the Committee on Energy and Commerce.

By Mr. MORAN of Kansas (for himself, Mr. UDALL of Colorado, and Mr. FORTENBERRY):

H.R. 5346. A bill to amend the Solid Waste Disposal Act to establish a program to provide reimbursement for the installation of alternative energy refueling systems; to the Committee on Energy and Commerce.

By Mr. SHAYS (for himself, Ms. WATERS, Mr. LEACH, Mr. WATT, Mr. DAVIS of Alabama, Mr. LEWIS of Georgia, Mr. FORD, Mr. WEXLER, Mrs. CHRISTENSEN, Mr. EVANS, Mr. GUTIERREZ, Mr. CUMMINGS, Mr. BOEHLERT, Mr. SCOTT of Georgia, Mr. OWENS, Mr. MEEKS of New York, Mr. PAYNE, Mr. KUCINICH, Mr. MILLER of North Carolina, Mr. COOPER, Mrs. JOHNSON of Connecticut, Mrs. MALONEY, Mr. UPTON, Ms. KAPTUR, Mr. CONYERS, and Mr. HOLT):

H.R. 5347. A bill to reauthorize the HOPE VI program for revitalization of public housing projects; to the Committee on Financial Services.

By Mr. STARK (for himself, Mr. RANGEL, Mr. LEWIS of Georgia, Mr. EMANUEL, and Mr. ENGEL):

H.R. 5348. A bill to amend title XVIII of the Social Security Act to restore financial stability to Medicare anesthesiology teaching programs for resident physicians; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANCREDO (for himself and Ms. LORETTA SANCHEZ of California):

H.R. 5349. A bill to amend the Higher Education Act of 1965 to establish a student loan forgiveness program for nurses; to the Committee on Education and the Workforce.

By Mr. UDALL of New Mexico:

H.R. 5350. A bill to amend the Federal Deposit Insurance Act and the Truth in Lending Act to prohibit federally insured institutions from engaging in high-cost payday loans, to expand protections for consumers in connection with the making of such loans by uninsured entities, and for other purposes; to the Committee on Financial Services.

By Mr. MEEKS of New York (for himself and Mr. MCNULTY):

H. Res. 812. A resolution expressing gratitude to Mrs. Deloris Jordan and the James Jordan Foundation for improving the lives of inner city youth in the United States and initiating a public-private collaborative to establish a women and children's hospital in Nairobi, Kenya, and supporting the current Nairobi Women's Hospital for its dedication and commitment to the residents of Nairobi; to the Committee on International Relations.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 226: Mr. OXLEY.

H.R. 378: Mr. HASTINGS of Florida and Mr. JEFFERSON.

H.R. 503: Mr. LINCOLN DIAZ-BALART of Florida.

H.R. 550: Mrs. TAUSCHER.

H.R. 559: Mr. KILDEE, Mr. PALLONE, and Ms. MATSUI.

H.R. 583: Ms. NORTON and Mrs. LOWEY.

H.R. 633: Mr. UDALL of Colorado.

H.R. 807: Mr. BOSWELL.

H.R. 808: Mr. LEWIS of Kentucky.

H.R. 819: Mrs. CAPITO and Mr. PENCE.

H.R. 891: Mr. BURGESS.

H.R. 916: Mr. JONES of North Carolina and Mr. CASE.

H.R. 964: Mr. CLAY.

H.R. 997: Mr. SIMPSON.

H.R. 1070: Mr. BARTON of Texas.

H.R. 1217: Ms. KAPTUR.

H.R. 1227: Mr. UPTON and Mr. BOYD.

H.R. 1264: Mr. ENGEL.

H.R. 1298: Ms. WOOLSEY and Mr. HEFLEY.

H.R. 1306: Mr. MCHENRY, Mr. MICA, Mr. SULLIVAN, and Mr. JINDAL.

H.R. 1415: Mr. MORAN of Virginia.

H.R. 1425: Mr. WAXMAN, Mr. PALLONE, Ms. CORRINE BROWN of Florida, Mr. MORAN of Virginia, and Mr. GERLACH.

H.R. 1426: Mr. FILNER.

H.R. 1504: Mr. RUPPERSBERGER.

H.R. 1522: Mr. NEAL of Massachusetts.

H.R. 1621: Mr. LEVIN, Mr. DICKS, and Mr. GRIJALVA.

H.R. 1709: Mr. FORD.

H.R. 1933: Mr. BOREN.

H.R. 2178: Ms. SCHAKOWSKY and Mr. THOMPSON of California.

H.R. 2231: Mr. RYAN of Wisconsin, Mr. LARSON of Connecticut, Mr. ISSA, Mrs. NAPOLITANO, Mr. LEWIS of Georgia, Mr. PORTER, Mr. BUTTERFIELD, Mr. KANJORSKI, Mr. LINCOLN DIAZ-BALART of Florida, Ms. DELAURO, Mr. ROTHMAN, Mr. NUNES, Mr. FOLEY, Mr. STARK, Mr. CHABOT, Ms. ROYBAL-ALLARD, Mr. DAVIS of Tennessee, and Mr. RAHALL.

H.R. 2234: Mr. HOYER.

H.R. 2238: Mr. MOLLOHAN, Mr. MCHUGH, and Mrs. CAPITO.

H.R. 2323: Ms. ZOE LOFGREN of California.

H.R. 2376: Mrs. BONO.

H.R. 2429: Mr. DEFAZIO.

H.R. 2533: Mr. THOMPSON of Mississippi, Mr. CANNON, and Mr. NUSSLE.

H.R. 2635: Mr. LANGEVIN.

H.R. 2828: Mr. DELAHUNT.

H.R. 2943: Mr. UDALL of Colorado.

H.R. 2962: Mr. HOLT.

H.R. 3011: Mr. WOLF.

H.R. 3159: Mr. EVANS.

H.R. 3183: Ms. SCHAKOWSKY.

H.R. 3385: Mr. REHBERG.

H.R. 3547: Mr. MEEKS of New York.

H.R. 3559: Mr. BOREN, Mr. SHAYS, Mr. GONZALEZ, Mr. EDWARDS, Ms. MCCOLLUM of Minnesota, Mr. MCKEON, Ms. KAPTUR, and Mr. ABERCROMBIE.

H.R. 3859: Mr. SHAYS.

H.R. 3861: Ms. NORTON and Mr. CUELLAR.

H.R. 3949: Mrs. JO ANN DAVIS of Virginia.

H.R. 3964: Ms. SCHAKOWSKY.

H.R. 4063: Mr. GORDON.

H.R. 4157: Mr. MARCHANT.

H.R. 4166: Mr. FORD.

H.R. 4188: Mr. MEEKS of New York.

H.R. 4222: Mr. JEFFERSON.

H.R. 4381: Mr. CHANDLER, Mr. MCCAUL of Texas, Mr. MCCOTTER, Mr. COLE of Oklahoma, Ms. JACKSON-LEE of Texas, Mr. ORTIZ, Mrs. KELLY, and Mr. KING of New York.

H.R. 4384: Mrs. JOHNSON of Connecticut, Mr. WEXLER, Mr. PETERSON of Minnesota, Mr. CASE, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 4434: Mr. MCCOTTER.

H.R. 4435: Mr. MCCOTTER.

H.R. 4527: Mr. BISHOP of Georgia.

H.R. 4551: Mr. MARCHANT.

H.R. 4596: Mr. MCCOTTER.

H.R. 4600: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 4621: Mr. SIMMONS and Mr. BARTLETT of Maryland.

H.R. 4681: Mrs. WILSON of New Mexico and Mr. SCOTT of Virginia.

H.R. 4703: Mr. FOSSELLA.

H.R. 4710: Mr. CASE.

H.R. 4715: Mr. RENZI.

H.R. 4725: Mr. CONAWAY and Mrs. CUBIN.

H.R. 4730: Mr. ENGLISH of Pennsylvania.

H.R. 4736: Mr. BASS.

H.R. 4751: Mr. BASS, Mr. GERLACH, Ms. LORETTA SANCHEZ of California, and Mr. DENT

H.R. 4753: Mr. CONYERS.

H.R. 4761: Mr. FORTENBERRY, Mr. GILLMOR, Mr. GARY G. MILLER of California, and Mr. BISHOP of Utah.

H.R. 4472: Ms. FOXX and Mr. MCHENRY.

H.R. 4777: Mr. UPTON, Mr. BERRY, Mr. BROWN of South Carolina, Mr. CRAMER, Mrs. CUBIN, FOLEY, Ms. GRANGER, Mr. HALL, Mr. HULSHOF, Mr. LEWIS of Kentucky, Mr. SCOTT of Georgia, Mr. TAYLOR of North Carolina, and Mr. THORNBERRY.

H.R. 4810: Mr. GARRETT of New Jersey.

H.R. 4867: Mr. MOORE of Kansas.

H.R. 4894: Mr. FRELINGHUYSEN and Mr. WELLER.

H.R. 4922: Mr. MARCHANT.

H.R. 4932: Mr. SHERMAN, Mr. KUHL of New York, and Mr. BOUCHER.

H.R. 4949: Mr. FERGUSON.

H.R. 4960: Mr. FERGUSON.

H.R. 5013: Mr. SOUDER.

H.R. 5035: Mr. VAN HOLLEN.

H.R. 5051: Mrs. JOHNSON of Conecticut, Ms. SCHAKOWSKY, and Ms. WOOLSEY.

H.R. 5055: Mrs. MALONEY.

H.R. 5058: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 5106: Mr. GERLACH, Mr. GRIJALVA, Mr. OWENS, Mr. GUTIERREZ, Mr. PAYNE, Mr. SCOTT of Virginia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GENE GREEN of Texas, Mr. DOGGETT, Mr. WEXLER, and Ms. Velázquez.

H.R. 5113: Mr. BAIRD.

H.R. 5116: Mrs. MALONEY and Mr. MORAN of Virginia.

H.R. 5129: Mr. KLINE and Mr. SODREL.

H.R. 5134: Mr. GORDON, Mr. MOORE of Kansas, Mr. ROSS, Mr. RAHALL, Mr. SNYDER, and Mr. BARTLETT of Maryland.

H.R. 5139: Mr. FITZPATRICK of Pennsylvania.

H.R. 5140: Mr. RUPPERSBERGER.

H.R. 5159: Ms. BERKLEY, Mr. BLUMENAUER, Mrs. BONO, Mr. BOOZMAN, Mr. CANTOR, Mr. CROWLEY, MR. DEAL of Georgia, Mr. ENGLISH of Pennsylvania, Mr. GINGREY, Mr. GOHMERT, Mr. HAYWORTH, Mr. KUCINICH, Mr. GARY G. MILLER of California, Mr. OTTER, Mr. POMEROY, Ms. PRYCE of Ohio, Ms. ROS-LEHTINEN, Ms. SCHAKOWSKY, Mrs. SCHMIDT, Mr. WALDEN of Oregon, Mr. WOLF, Mr. MARIO DIAZ-BALART of Florida, Mr. MARSHALL, and Mr. HOEKSTRA.

H.R. 5170: Mr. GALLEGLY, Mr. BASS, Mrs. CUBIN, Mrs. BLACKBURN, and Mr. FITZPATRICK of Pennsylvania.

H.R. 5171: Mrs. SCHMIDT and Mr. OXLEY.

H.R. 5173: Mr. RENZI.

H.R. 5177: Mr. MURTHA, Ms. HART, Mr. HOLDEN, and Mr. RAHALL.

H.R. 5201: Mr. MICHAUD, Mr. UDALL of Colorado, Mr. MURTHA, Mr. CUELLAR, Mr. SPRATT, Mr. GONZALEZ, Mr. SMITH of Washington, Mr. FRANK of Massachusetts, Mr. FERGUSON, Mr. THOMPSON of California, Mr. STUPAK, Mr. VAN HOLLEN, Mr. CARDOZA, Mr. PLATTS, Mr. DOGGETT, and Ms. LEE.

H.R. 5224: Mr. JOHNSON of Illinois.

H.R. 5230: Mr. BISHOP of Utah.

H.R. 5232: Ms. SCHWARTZ of Pennsylvania.

H.R. 5234: Mr. WEXLER and Mr. GORDON.

H.R. 5244: Mr. BERMAN, Mr. SCHIFF, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 5246: Mr. CANTOR, Mrs. MYRICK, Mr. GENE GREEN of Texas, Mr. JINDAL, Mr. MCKEON, Mr. FILNER, Mr. TIBERI, Mr. LEACH, Mr. BARROW, Mr. MCCAUL of Texas, Mr. JENKINS, Mr. BONNER, Mr. BOSWELL, Mr. GERLACH, Mr. MATHESON, Mr. PRICE of Georgia, Mrs. MALONEY, Mr. POE, Mr. WELDON of Florida, Mr. PICKERING, Mr. NEAL of Massachusetts, Mr. CLEAVER, Mr. FORD, Mr. SCOTT of Georgia, Mr. GOODE, Mr. FOLEY, Mr. HAYWORTH, Mr. RAMSTAD, Mr. SPRATT, Mr. LINCOLN DIAZ-BALART of Florida, Mr. BACHUS, Mr. THOMPSON of Mississippi, Mr. BONILLA, Mr. PAUL, Mr. MARIO DIAZ-BALART of Florida, Mr. MICHAUD, and Mr. CULBERSON.

H.R. 5278: Mr. GERLACH, Mr. SOUDER, and Mr. ENGLISH of Pennsylvania.

H.R. 5291: Mr. KUHL of New York, Mrs. MILLER of Michigan, Mrs. BIGGERT, Mr. WELDON of Pennsylvania, Mr. DAVIS of Kentucky, Mr. ENGLISH of Pennsylvania, Mr. FRELINGHUYSEN, Mr. FITZPATRICK of Pennsylvania, and Mr. WELLER.

H.R. 5292: Mr. FEENEY and Mr. HASTINGS of Florida.

H.R. 5313: Mr. WELLER and Mr. ENGLISH of Pennsylvania.

H.R. 5315: Mr. SANDERS.

H.R. 5316: Mr. BOOZMAN, Mr. SALAZAR, and Mr. MARCHANT.

H.R. 5319: Mr. KUHL of New York and Mr. SHAYS.

H.R. 5333: Mr. HYDE.

H. Con Res. 42: Mr. PAUL.

H. Con. Res. 106: Mr. WELLER.

H. Con. Res. 323: Ms. BERKLEY.

H. Con. Res. 346: Mr. BILIRAKIS and Mr. TANCREDO.

H. Con. Res. 348: Mr. CONYERS.

H. Con. Res. 367: Mr. CASTLE, Mr. GOODLATTE, and Mrs. JO ANN DAVIS of Virginia.

H. Con. Res. 368: Ms. PRYCE of Ohio.

H. Con. Res. 380: Mr. COBLE, Mrs. BLACKBURN, and Mr. WEXLER.

H. Con. Res. 395: Mr. LARSEN of Washington.

H. Con. Res. 397: Mr. HYDE.

H. Res. 222: Ms. HARRIS.

H. Res. 566: Mr. FILNER.

H. Res. 765: Mrs. JONES of Ohio.

H. Res. 773: Mr. SAM JOHNSON of Texas and Mr. BISHOP of New York.

H. Res. 776: Mr. BISHOP of Utah.

H. Res. 780: Mr. BERMAN.

H. Res. 784: Mr. MILLER of North Carolina, Ms. MCCOLLUM of Minnesota, and Mrs. MALONEY.

H. Res. 785: Mr. BROWN of Ohio and Mrs. CAPPS.

H. Res. 792: Mr. RANGEL and Mr. FALEOMAVAEGA.

H. Res. 795: Mr. LAHOOD, Mr. ROGERS of Michigan, and Ms. HARRIS.

PETITIONS, ETC.

Under clause 3 of rule XII,

115. The SPEAKER presented a petition of the Missouri River Township Democratic Club, Missouri, relative to a Resolution to Impeach President George W. Bush and Vice President Richard Cheney; to the Committee on the Judiciary.