

intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:  
**SEC. 8109. (a) ARMY SUPPORT FOR UNIVERSITY RESEARCH INITIATIVES.**—Of the amount appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY”, an additional amount of up to \$12,000,000 may be available for Program Element 0601103A for University Research Initiatives.

(b) **NAVY SUPPORT FOR UNIVERSITY RESEARCH INITIATIVES.**—Of the amount appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY”, an additional amount of up to \$13,000,000 may be available for Program Element 0601103N for University Research Initiatives.

(c) **AIR FORCE SUPPORT FOR UNIVERSITY RESEARCH INITIATIVES.**—Of the amount appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE”, an additional amount of up to \$5,000,000 may be available for Program Element 0601103F for University Research Initiatives.

(d) **SMART NATIONAL DEFENSE EDUCATION PROGRAM.**—Of the amount appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE”, an additional amount of up to \$9,000,000 may be available for Program Element 0601120D8Z for the SMART National Defense Education Program.

(e) **DARPA UNIVERSITY RESEARCH PROGRAM IN COMPUTER SCIENCE AND CYBERSECURITY.**—Of the amount appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE”, up to \$6,000,000 may be available for Program Element 0601101E the Defense Advanced Research Projects Agency Program in Computer Science and Cybersecurity.

(f) **SUPPLEMENT NOT SUPPLANT.**—Amounts made available by subsections (a) through (e) for the purposes specified in such subsections are in addition to any other amounts made available by this Act for such purposes.

**SA 4844.** Mr. SESSIONS (for himself, Mr. WARNER, and Mr. NELSON of Nebraska) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:  
**SEC. 8109.** Of the amount appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY”, up to \$77,000,000 may be available for Advanced Conventional Strike Capability (PE #64327N) for the Conventional Trident Modification Program.

**SA 4845.** Mr. PRYOR (for himself, Mr. FEINGOLD) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:  
**SEC. 8109.** Not later than March 31, 2007, the Secretary of Defense shall submit to the congressional defense committees a report set-

ting forth the assessment of the Secretary regarding the implementation of the new health care benefit to help the children of members of the Armed Forces who died on active duty, including—

(1) a statement of the reasons for the delay in implementation of such benefit;

(2) an analysis of the new call centers established to help survivors of such members obtain the benefits to which they are entitled; and

(3) an assessment of whether the various survivor benefit programs under the Department of Defense are adequately staffed to carry out their mission in a timely and efficient manner.

**SA 4846.** Mr. PRYOR submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 218, between lines 6 and 7, insert the following:

**SEC. 8109.** Of the amount appropriated or otherwise made available by title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY”, up to \$10,000,000 may be available for the Future Medical Shelter System.

**SA 4847.** Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:  
**SEC. 8109.** Of the amount appropriated or otherwise made available by title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE”, up to \$3,000,000 may be available for Small and Medium Caliber Recoil Mitigation Technologies (PE #1160402BB).

**SA 4848.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII, add the following:  
**SEC. 8109. (a) REPORTS TO CONGRESS AND NOTICE TO PUBLIC ON EARMARKS IN FUNDS AVAILABLE TO THE DEPARTMENT OF DEFENSE.**—The Secretary of Defense shall submit to Congress, and post on the Internet website of the Department of Defense available to the public, each year information as follows:

(1) A description of each earmark of funds made available to the Department of Defense by this Act, including the location (by city, State, country, and congressional district if relevant) in which the earmarked funds are to be utilized, the purpose of such earmark (if known), and the recipient of such earmark.

(2) The total cost of administering each such earmark including the amount of such earmark, staff time, administrative expenses, and other costs.

(3) The total cost of administering all such earmarks.

(4) An assessment of the utility of each such earmark in meeting the goals of the De-

partment, set forth using a rating system as follows:

(A) A for an earmark that directly advances the primary goals of the Department or an agency, element, or component of the Department.

(B) B for an earmark that advances many of the primary goals of the Department or an agency, element, or component of the Department.

(C) C for an earmark that may advance some of the primary goals of the Department or an agency, element, or component of the Department.

(D) D for an earmark that cannot be demonstrated as being cost-effective in advancing the primary goals of the Department or any agency, element, or component of the Department.

(E) F for an earmark that distracts from or otherwise impedes that capacity of the Department to meet the primary goals of the Department.

(b) **EARMARK DEFINED.**—In this section, the term “earmark” means a provision of law, or a directive contained within a joint explanatory statement or report accompanying a conference report or bill (as applicable), that specifies the identity of an entity, program, project, or service, including a defense system, to receive assistance not requested by the President and the amount of the assistance to be so received.

**SA 4849.** Mr. BOND submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_.** Of the amounts available for the activity described on pages 149 through 159 of Volume VI, Book I of the Fiscal Year 2007 Congressional Budget Justification Book of the Intelligence Community, up to \$8,000,000 may be available for personnel for that activity.

**SA 4850.** Mr. LAUTENBERG (for himself, Mr. HARKIN, Ms. STABENOW, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. MENENDEZ, Ms. MIKULSKI, and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes; which was ordered to lie on the table; as follows:

On page 148, line 7, insert before the period at the end the following: “: *Provided*, That no funds appropriated or otherwise made available by this heading may be used to increase the cost sharing requirements established under paragraph (6) of section 1074g(a) of title 10, United States Code, for pharmaceutical agents available through retail pharmacies covered by paragraph (2)(E)(ii) of such section in excess of (1) \$3 in the case of generic agents, (2) \$9 in the case of formulary agents, or (3) \$22 in the case of nonformulary agents”.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. STEVENS, Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the

Senate on August 2, 2006, at 2 p.m., in open session to continue to receive testimony on the future of military commissions in light of the supreme court decision in *Hamdan v. Rumsfeld*.

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

COMMITTEE ON ARMED SERVICES

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, August 2, 2006, at 5 p.m., in closed session, regarding overhead imagery systems.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, August 2, 2006, at 10 a.m. to mark up an original bill entitled "Credit Rating Agency Reform Act of 2006."

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on August 2, 2006, at 2:30 p.m., to conduct a hearing on "Meeting the Housing Needs of Veterans."

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on August 2, 2006, at 11:30 a.m., to purpose of this meeting is to consider the nominations of John Ray Correll, Mark Myers, and Drue Pearce.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. STEVENS. Mr. President, I ask unanimous consent that on Wednesday, August 2, 2006, at 9:30 a.m. the Committee on Environment and Public Works be authorized to hold an oversight hearing to discuss The Toxic Substances Control Act and the Chemicals Management Program at EPA.

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

COMMITTEE ON FINANCE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Wednesday, August 2, 2006, at 10 a.m., in 215 Dirksen Senate Office Building, to hear testimony on "Border Insecurity, Take Two: Fake IDs Foil the First Line of Defense."

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

COMMITTEE ON FOREIGN RELATIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, August 2, 2006, at 9:30 a.m. to hold a hearing on nominations.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions meet in executive session during the session of the Senate on Wednesday, August 2, 2006, off the Senate floor at a time to be determined later.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Wednesday, August 2, 2006, at 10 a.m. for a hearing titled, "Iraq Reconstruction: Lessons Learned in Contracting and Procurement."

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

COMMITTEE ON INDIAN AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, August 2, 2006, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct a business meeting on S. 374, the Tribal Parity Act; S. 480, the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2005; S. 660, the Lumbee Recognition Act; S. 1439, the Indian Trust Reform Act of 2005; and S. 1535, the Cheyenne River Sioux Tribe Equitable Compensation Amendments Act of 2005.

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

COMMITTEE ON THE JUDICIARY

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet to conduct a hearing on "The Authority to Prosecute Terrorists Under the War Crime Provisions of Title 18" on Wednesday, August 2, 2006, at 9:30 a.m. in Dirksen Senate Office Building Room 226.

Panel I: Steven Bradbury, Acting Assistant Attorney General, Office of Legal Counsel, Department of Justice, Washington, DC; General Richard B. Myers, Former Chairman, Joint Chiefs of Staff, Washington, DC; Major General Scott Black, The Judge Advocate General, United States Army, Washington, DC; Rear Admiral Bruce MacDonald, Judge Advocate General, United States Navy, Washington, DC; Major General Jack Rives, the Judge Advocate General, United States Air

Force, Washington, DC, and Brigadier General Kevin M. Sandkuhler, Director, Judge Advocate Division, United States Marine Corps, Washington, DC.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on August 2, 2006, at 2:30 p.m. to hold a closed business meeting.

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

SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS, AND PROPERTY RIGHTS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary Subcommittee on the Constitution, Civil Rights and Property Rights be authorized to meet on Wednesday, August 2, 2006, at 2:30 p.m. to conduct a hearing on "Paying Your Own Way: Creating a Fair Standard for Attorney's Fees Awards in Establishment Clause Cases" in Room 226 of the Dirksen Senate Office Building.

*Witness list*

Rees Lloyd, Commander of District 21, The American Legion Department of California, Banning, CA; Marc Stern, Assistant Executive Director, American Jewish Congress, New York, NY; Mathew Staver, Founder and Chairman, Liberty Counsel, Interim Dean, Liberty University School of Law, Lynchburg, VA; Melissa Rogers, Visiting Professor of Religion and Public Policy, Wake Forest University Divinity School, Winston-Salem, NC; Shannon Woodruff, Senior Research Counsel, American Center for Law and Justice, Washington, D.C.

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

SUBCOMMITTEE ON FORESTRY, CONSERVATION, AND RURAL REVITALIZATION

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on Forestry, Conservation and Rural Revitalization of the Committee on Agriculture, Nutrition and Forestry be authorized to conduct a hearing during the session of the Senate on August 2, 2006, at 9 a.m. in SR-328A, Senate Russell Building. The purpose of this subcommittee hearing will be to discuss H.R. 4200, the Forest Emergency Recovery and Research Act.

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

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, on behalf of Senator KENNEDY, I ask unanimous consent that the following be granted floor privileges during the consideration of H.R. 5631, the Department of Defense appropriations bill, and any votes thereon: Tom Crowley, Navy detailee; and Rick Driscoll, State Department fellow.