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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. PETRI).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 25, 2006.

I hereby appoint the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

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

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 31 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GINGREY) at 2 p.m.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, out of Your infinite love, You call each of us by name. You tie us into a set of relationships and You position us in a particular place and time that we may accomplish Your holy will.

Since this democracy is government by the people, it is for the American people that this House of Representatives gathers today. Whether duly elected or employed by the taxpayers, all who work here, Lord, are called by You and accountable both to You and to the American people.

As ordinary individuals, You equip us to do our job well. We look to You for strength and guidance in all judgments. May all that we do be sanctified by Your presence and dignified by dedication to the common good of the American people both now and forever.

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 Texas (Mr. POE) come forward and lead the House in the Pledge of Allegiance.

Mr. POE 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.

TORTURE DEFINED

(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, Merriam-Webster defines torture as ''the infliction of intense pain, as from burning, crushing, or wounding.'' I would challenge those who oppose America's strenuous interrogation of known terrorists to explain how sleep deprivation and forced standing fits this description.

The Islamofascist movement seeks the destruction of modern civilization. To accomplish this twisted goal, no means are off limits. Rules of war and international treaties do not apply. These barbarians target civilians, they eagerly blow up innocent children, they behead their captives.

Our men and women in uniform are fighting to protect our families and our homeland from these mass murderers. It is important that America maintain its high moral standing in the global community. An honest debate about the treatment of terrorist detainees is certainly in order. Still, we cannot forget that our freedoms are under siege. We must employ all appropriate means to eradicate terrorism and protect American families in the global war on terror.

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

SITUATION IN IRAQ

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

Ms. MCCOLLUM of Minnesota. Mr. Speaker, the situation in Iraq is more deadly than ever before. During July and August, 6,600 Iraqi civilians were murdered by death squads, militias, and insurgents.

Today, it was reported that there are 23 armed and violent militias in Iraq, some with direct connections to the Iraqi Government officials and ministries. And we now know our own U.S.

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intelligence agencies are reporting that the Iraq war is fueling global terrorism, making America less safe. After nearly 3½ years of the war in Iraq, nearly 2,700 American lives lost, our own independent government agencies are saying the incompetence of the Bush administration's Iraq policy is radicalizing and inspiring the creation of terrorists around the world.

Democrats are focused on fighting the war on terror, not creating terrorists. Democrats are focused on keeping America secure and bringing our troops home from Iraq safe and soon.

''I PLEDGE ALLEGIANCE TO MEXICO''?

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

Mr. POE. Mr. Speaker, Federal judges have been trying to rip the pledge of allegiance out of our schools and have prevented it from being recited by school kids in nine States. Now our pledge is under siege again. Our kids are being intimidated into pledging allegiance to a foreign flag.

Velasco Elementary in Texas celebrated Mexican Independence Day by handing out small Mexican flags and making children as young as pre-kindergarten stand as parents recited the Mexican pledge in Spanish. That pledge honors the heroes of Mexico, promising always to be faithful and dedicate loyalty to that nation.

Pledging allegiance to a foreign flag is un-American. The principal of the school, Sam Williams, justified reciting the pledge meekly by saying, ''Well, we want to be diverse at our school.''

There is only one flag our children should uphold and hold. There is only one pledge that they should recite. The Mexican Government and illegals may have their sights on retaking the Southwest, but we will not hand it over to them one student at a time. In the words of the Texans who fought originally for Mexican independence, you'll have to ''come and take it.'' Our loyalty is to America, not to Mexico.

And that's just the way it is.

APPLAUDING THE CAPITOL FLAG OFFICE EMPLOYEES

(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, I rise today to applaud the courageous actions of employees in the U.S. Capitol flag office.

Last week, an armed intruder evaded security and broke into the Capitol, leading police on a chase spanning four floors of the building. The perpetrator represented a serious threat to the safety of Members, staff, and the visiting public. At the time of his capture, he was carrying a .22 caliber pistol and was high on crack cocaine. But thanks to the sharp instincts, quick thinking, and decisive action of a trio of Capitol flag office employees, Monday, September 18, was not to be a tragic day. According to published reports, these brave employees were able to subdue the intruder, holding him in custody until Capitol Police arrived.

Mr. Speaker, I have got some serious concerns, as I think we all do, regarding how easily Capitol security was breached last week. We have spent hundreds of millions of dollars on securing the Capitol and increasing the size of the police force since 9/11. But that is a debate for another time and place. Today, I want to use this time on the House floor to recognize individuals from the flag office involved in last week's security breach. They are part of a team who day in and day out ensure that constituents across the country receive their own crisp edition of the Stars and Stripes freshly flown over the Capitol dome. Their actions in a dangerous situation speak volumes, displaying a willingness to put their safety on the line for this institution and for their fellow workers.

ENGLISH AS THE OFFICIAL LANGUAGE

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, the old saying, ''united we stand, divided we fall,'' is so true. Just as common language can unite a people, the lack of a unified national language can be enormously divisive. However, the Senate's immigration bill failed the American people by giving them a watered down, feel-good statement that does nothing.

New immigrants already have to learn English to become citizens. It is only common sense that we come together under one unified language by making English the official language of the United States. Listen up, America: enough is enough. United we stand, and English we speak.

A BLESSED NATION

(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, we are a blessed Nation. We have not suffered another attack on our soil since September 11, and we are grateful. We have killed or captured dozens of members of al Qaeda and the Taliban. Our military and intelligence forces are working both hard and smart.

After two decades of having U.S. interests attacked by the terrorists, we have taken the war on terrorism to the terrorists' backyard. For decades, whether it was the Iranian hostage crisis, the bombing of Pan Am Flight 103, the first World Trade Center bombing, or the USS *Cole* bombing, we did not view terrorist attacks as a declaration of war. And that is what they were, but we didn't see it. We used law enforcement to go after terrorists and we sought to negotiate. What a mistake that was. But it is a mistake all too many who prefer appeasement want us to repeat.

Can any of us even imagine, after Pearl Harbor, President Roosevelt suggesting we negotiate a resolution or that we could simply prosecute those involved? Of course it is unimaginable. We are right to be in the Middle East, and we are right to treat this as the war it is.

BERRY COLLEGE

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

Mr. GINGREY. Mr. Speaker, I rise today to congratulate Berry College in Rome, Georgia, which this year was named as one of the top two colleges in the South by the prestigious U.S. News and World Report rankings.

For those of us who know Berry College, this honor comes as no surprise. This past spring I had the honor of addressing Berry College at the 2006 graduation ceremony. I was incredibly impressed by the student body. Berry is helping mold engaged, eager, driven students into the kind of leaders our communities are fortunate to have.

Berry College's founder and namesake, Martha Berry, once noted that education combines the head, the heart, and the hands. I know Berry students are receiving a superior education that combines high-quality academic learning with moral and spiritual growth and experience and worthwhile service to others. This makes Berry not only one of the top colleges in the South but in the Nation as well.

Mr. Speaker, I ask you to join me in congratulating Berry's president, Stephen Briggs, and the students, faculty, staff, and alumni that have made Berry College into a premier educational institution.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,
September 22, 2006.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER:

Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 22, 2006, at 9:15 a.m.:

That the Senate passed with an amendment H.R. 3127.

That the Senate passed S. Con. Res. 116.

That the Senate passed S. 2562.

With best wishes, I am,
Sincerely,

KAREN L. HAAS,
Clerk of the House.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC,
September 22, 2006.

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 22, 2006, at 11:20 a.m.:

That the Senate passed S. 3850.

With best wishes, I am,
Sincerely,

KAREN L. HAAS,
Clerk of the House.

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 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 after 6:30 p.m. today.

LOWER FARMINGTON RIVER AND SALMON BROOK WILD AND SCENIC RIVER STUDY ACT

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1344) to amend the Wild and Scenic Rivers Act to designate a segment of the Farmington River and Salmon Brook in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1344

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 ''Lower Farmington River and Salmon Brook Wild and Scenic River Study Act''.

SEC. 2. DESIGNATION OF ADDITIONAL SEGMENT OF FARMINGTON RIVER AND SALMON BROOK IN CONNECTICUT FOR STUDY FOR POTENTIAL ADDITION TO NATIONAL WILD AND SCENIC RIVERS SYSTEM.

(a) FINDINGS.—The Congress finds the following:

(1) The Farmington River and Salmon Brook in the State of Connecticut possess important resource values, including wildlife, ecological, and scenic values, and historic sites and a cultural past important to America's heritage.

(2) There is a longstanding interest among State and local officials, area residents, and river and brook users in undertaking a concerted cooperative effort to manage the river and brook in a productive and meaningful way.

(b) DESIGNATION.—Section 5(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1276(a)) is amended by adding at the end the following new paragraph:

''(139) LOWER FARMINGTON RIVER AND SALMON BROOK, CONNECTICUT.—The segment of the Farmington River downstream from the segment designated as a recreational river by section 3(a)(156) to its confluence with the Connecticut River, and the segment of the Salmon Brook including its mainstem and east and west branches.''.

(c) TIME FOR SUBMISSION.—Not later than three years after the date of the enactment of this Act, the Secretary of the Interior shall submit to Congress a report containing the results of the study required by the amendment made by subsection (b).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

□ 1415

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

Mr. Speaker, H.R. 1344, introduced by the gentlewoman from Connecticut (Mrs. JOHNSON) and amended by the House Resources Committee would designate a segment of the Farmington River and Salmon Brook in the State of Connecticut for study for potential addition to the National Wild and Scenic River Systems.

I urge adoption of the bill.

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

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

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

Ms. BORDALLO. Mr. Speaker, while the majority has decided to bypass the hearing and the committee consideration process for the pending legislation, H.R. 1344, since it simply authorizes a study of a proposed river designation, we have no objection to adoption of the bill by the House today.

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

Mr. RENZI. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Connecticut (Mrs. JOHNSON), the author of the bill.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank the gentleman from Arizona (Mr. RENZI); and I thank the gentlewoman from Guam for her concurrence in moving this study forward; and I thank the gentleman from California (Mr. POMBO), chairman of the Resources Committee, for allowing this matter to come to the floor of the House early in the week.

Mr. Speaker, I rise in strong support of H.R. 1344, the Lower Farmington River and Salmon Brook Wild and Scenic River Study Act. This important legislation builds on the designation of the west branch of the Farmington River which I initiated in 1994. The bill commissions a feasibility study to evaluate whether the lower Farmington River and Salmon Brook qualify as a Wild and Scenic Partnership River within the National Park Service's Wild and Scenic Rivers System. The lower Farmington is defined as a 40-mile stretch between the lower Collinsville Dam in Burlington and the Rainbow Dam in Windsor in the Fifth and First Congressional Districts.

The Farmington River and Salmon Brook's recreational and environmental contributions to our State are well-known and must be protected for future generations. The 14 miles of the Farmington River's West Branch, designated as a Wild and Scenic Partnership River in 1994, is a resounding environmental and economic success. Partnership designation for the West Branch has fostered public-private partnerships to preserve the area's environment and heritage, while yielding the economic benefits to river towns.

The West Branch of the river is home to trout, river otter and bald eagle populations; and historic structures still grace its banks. Fishermen, hikers, canoeists and kayakers enjoy the river and its banks year-round. In addition, a 2003 study by North Carolina State University found that partnership designation resulted in millions in economic activity and increased property values in the river towns of Barkhamsted, Canton, Colebrook, Hartland, and New Hartford.

I hope to see the rest of the Farmington River, as well as Salmon Brook, enjoy similar success. This new initiative is an ideal way to extend that protection and showcase the river's unique cultural and recreational resources, including native American archaeological sites and the Farmington River Canal remnants.

The Lower Farmington also offers recreational opportunities and has been the site of U.S. Olympic Team white water slalom trials. Additionally, the river is home to native brook trout and the slimy sculpin, two fish species only found in areas of high-quality water.

The study of the river is an essential step forward in the designation process. With its strong bipartisan support, I also would like to thank the Resources Committee for bringing this bill forward. I encourage my colleagues to support the legislation.

Mr. LARSON of Connecticut. Mr. Speaker, as a cosponsor of the Lower Farmington River and Salmon Brook Wild and Scenic River Study Act, I rise in strong support of this very important bill.

Connecticut is fortunate to be the home of the Farmington River, which hosts a wealth of natural beauty, a variety of wildlife, and a cultural past important to our state, region, and Nation. In 1994, Congress recognized the upper section of the Farmington—a 14 mile-long stretch that runs from the base of the Goodwin Dam in Hartland to the downstream border of Canton and New Hartford, as Wild and Scenic. As a federally protected river segment, the natural splendor and resources of

the Upper Farmington have been managed cooperatively on the local, state and federal level for over a decade. Regrettably, Salmon Brook, a major tributary, and the Lower Farmington that runs 40 miles from Canton to its confluence with the Connecticut River in Windsor do not share the same federal protection. Continued threats to the river's water quality reinforce the urgent need for a collaborative effort to preserve the unique character of both the Upper and Lower Farmington, as well as Salmon Brook, for present and future generations.

The Lower Farmington is a rare natural, cultural and recreational area for the people of the First District and throughout the entire state of Connecticut. The river's free-flowing waters support a rich ecological system and serves as the habitat for diverse fish species, including the American shad and the Atlantic salmon. The River is also home to trout, river otter and bald eagle populations. Since the 1600s, the River has prominently been featured in our state history, from the Tunxis Native American tribes who settled on its shores to the mills and dams that sprung up as part of the Industrial Revolution. Today, people from across Connecticut can enjoy the majestic views of the river along the Farmington River Trail—a former railroad line that when completed will run 26 miles along the shores of the Farmington.

Since 1968, the National Wild and Scenic Rivers System has protected the Nation's most valuable rivers. Through this system, rivers that possess remarkable scenic, recreational, natural, and cultural values are preserved in their free-flowing condition and are protected for the benefit and enjoyment of present and future generations. Designated rivers are afforded the federal protection necessary to maintain their resources and character.

The Lower Farmington River and Salmon Brook Wild and Scenic River Study Act is the first significant step towards designating the Lower Farmington in the National Wild and Scenic Rivers System. I urge my colleagues to join me in ensuring the environmental and historic preservation of these waterways by supporting the underlying bill.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 1344, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

AUTHORIZING NATIONAL PARK SERVICE TO PAY FOR SUBCONTRACTOR SERVICES COMPLETED AT GRAND CANYON NATIONAL PARK

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3961) to authorize the National Park Service to pay for services rendered by subcontractors under a General Services Administration Indefinite Deliver/Indefinite Quantity Contract issued for work to be completed at the Grand Canyon National Park.

The Clerk read as follows:

H.R. 3961

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

SECTION 1. DEFINITIONS.

As used in this Act, the following definitions apply:

(1) IDIQ.—The term ''IDIQ'' means an Indefinite Deliver/Indefinite Quantity contract.

(2) PARK.—The term ''park'' means Grand Canyon National Park.

(3) PGI.—The term ''PGI'' means Pacific General, Inc.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the National Park Service.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) The park issued approximately 40 task orders to PGI under an IDIQ between fiscal years 2002 and 2003 for a variety of projects.

(2) The value of these task orders was over $17,000,000 for various construction projects throughout the park.

(3) According to invoices sent to the park, PGI certified that proceeds of payments were being sent to subcontractors and suppliers.

(4) In January 2004, complaints were received by numerous subcontractors citing lack of payments by PGI.

(5) The National Park Service has paid over $10,000,000 to PGI, of which an estimated $1,300,000 was owed, but not paid to subcontractors.

(6) During an acquisition management review conducted by the Washington Contracting and Procurement Office of the National Park Service, it was found that the park had failed to ensure that PGI obtained the necessary payment and performance bonds required by the IDIQ and the Miller Act (40 U.S.C. 270a).

(7) On February 6, 2004, the National Park Service suspended further payment to PGI and issued a suspension notice to cease activity by the contractor.

(8) The National Park Service gave PGI every reasonable opportunity to resolve the situation, but PGI has effectively ceased doing business.

(9) Recovery by the Government of that $1,300,000 is unlikely.

(10) The National Park Service is prohibited from making payments to a contractor without obtaining payment and performance bonds.

(11) Contract law generally prohibits payment directly to subcontractors because of the lack of a direct, contractual relationship between the parties.

(12) The Federal Government has derived benefits from the work that has been completed.

(b) PURPOSE.—The purpose of this Act is to authorize the Secretary to pay for services rendered by subcontractors that should have been paid by PGI.

SEC. 3. AUTHORIZATION.

The Secretary is authorized to use $1,300,000 from the park's entrance fee revenues to pay subcontractors of PGI for work performed at the park under an IDIQ with PGI between fiscal years 2002 and 2003 provided that—

(1) the primary contract between PGI and the National Park Service is terminated;

(2) the amount owed to the subcontractors is verified;

(3) all reasonable legal avenues or recourse have been exhausted by the subcontractors to recoup amounts owed directly from PGI; and

(4) the subcontractors provide a written statement that payment of the amount verified in paragraph (2) represents payment in full by the United States for all work performed at the park under the IDIQ with PGI between fiscal years 2002 and 2003.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

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

Mr. Speaker, H.R. 3961, authored by myself, would authorize the National Park Service to pay up to 38 subcontractors for work they performed at the Grand Canyon National Park during the years 2002 and 2003. To date, these subcontractors still have not been paid a total of $1.3 million because the primary contractor went out of business. As it turned out, the primary contractor was not bonded, a fact that the National Park Service does not dispute. The Park Service has indicated it has the money and wishes to make the contractors whole, but requires a congressional directive to do so.

I thank the gentleman from New Mexico (Mr. PEARCE) whose perseverance on this issue has allowed us to get to this point today in helping to resolve the issue. I urge adoption of the bill.

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

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

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

Ms. BORDALLO. Mr. Speaker, first, I wish to thank the gentleman from Arizona (Mr. RENZI) for his work on this bill. We have no objection to the consideration of this legislation, H.R. 3961, and urge our colleagues to support it.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 3961.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SOUTHERN NEVADA READINESS CENTER ACT

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4382) to provide for the conveyance of certain land in Clark County, Nevada, for use by the Nevada National Guard.

The Clerk read as follows:

H.R. 4382

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 ''Southern Nevada Readiness Center Act''.

SEC. 2. NEVADA NATIONAL GUARD LAND CONVEYANCE, CLARK COUNTY, NEVADA.

Notwithstanding any other provision of law, Clark County, Nevada, may convey, without consideration, to the Nevada Division of State Lands for use by the Nevada National Guard between 35 and 50 acres of land in Clark County, Nevada, as generally depicted on the map entitled ''Southern Nevada Readiness Center Act'' and dated October 4, 2005.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

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

Mr. Speaker, H.R. 4382, introduced by the gentleman from Nevada (Mr. PORTER), would allow Clark County, Nevada, to convey 35 to 50 acres to the State and exempt them from paying 85 percent of the land value which is required by the Southern Nevada Public Lands Management Act. The State of Nevada would like to build a National Guard facility, the Southern Nevada Readiness Center, on this land. The Center would likely serve as the new Weapons of Mass Destruction Civil Support Team for the State and serve related purposes for the protection of McCarran airport. Currently, National Guard units in Las Vegas must serve and operate from locations spread over 25 miles.

I urge passage of the bill.

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

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

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

Ms. BORDALLO. Mr. Speaker, we support H.R. 4382; and I commend my colleague, the gentleman from Nevada (Mr. PORTER). We have no objection to the adoption of the legislation by the House today.

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

Mr. RENZI. Mr. Speaker, I yield such time as he may consume to the author of the bill, the gentleman from Nevada (Mr. PORTER).

Mr. PORTER. Mr. Speaker, I rise today to urge passage of H.R. 4382, the Southern Nevada Readiness Center Act. I would like to thank the gentleman from Nevada (Mr. GIBBONS) and the gentlewoman from Nevada (Ms. BERKLEY), as well as the Nevada National Guard and Clark County, Nevada, for their strong support of this legislation.

The purpose of H.R. 4382 is to convey 35 to 50 acres of land from the McCarran Airport Cooperative Management Area Boundary to the Nevada National Guard in the State of Nevada for the purpose of building the Nevada National Guard Readiness Center. This new center will reside in my district in southern Nevada.

The Nevada Army National Guard is an impressive group of soldiers whose work contributes to the United States military's overall mission of defending our homeland. More specifically, the Nevada National Guard maintains a three-part mission geared to the Federal, State and community. The underlying focus of each individual mission is for the safety, the protection and the well-being of the American people.

Under the Ronald W. Reagan National Defense Authorization for fiscal year 2005, over $12.8 million was secured to construct a new Nevada National Guard Readiness Center in southern Nevada. Additionally, during their 2005 legislative work period, the Nevada State legislature approved matching funds and has appropriated over $27 million for the construction of and projects associated with the Readiness Center.

The State of Nevada is firmly committed to ensuring that we do our part to defend our homeland and that our guard is prepared to respond to any national security threats facing our State and Nation.

The Southern Nevada Readiness Center is an essential link to helping the State meet its commitment to train guardsmen to respond to chemical, biological and other terrorist threats against Nevada and our Nation.

Therefore, Mr. Speaker, I urge my colleagues to support passage of this very important bill.

Ms. BORDALLO. Mr. Speaker, in closing, I just want to state my support for our National Guard Civil Support Teams and for H.R. 4382. We fought long and hard for our CST in Guam and just broke ground for our facility last month.

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

Mr. RENZI. Mr. Speaker, I have no additional speakers; and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 4382.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

WATER RESOURCES RESEARCH ACT AMENDMENTS OF 2006

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4588) to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under the Water Resources Research Act of 1984, as amended.

The Clerk read as follows

H.R. 4588

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 ''Water Resources Research Act Amendments of 2006''.

SEC. 2. WATER RESOURCES RESEARCH ACT AMENDMENTS.

(a) SCOPE OF RESEARCH; OTHER ACTIVITIES; COOPERATION AND COORDINATION.—Section 104(b)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(b)(1)) is amended to read as follows:

''(1) plan, conduct, or otherwise arrange for competent applied and peer reviewed research that fosters—

''(A) improvements in water supply reliability;

''(B) resolutions of other water problems;

''(C) the entry of new research scientists, engineers, and technicians into water resources fields; and

''(D) the dissemination of research results to water managers and the public.''.

(b) EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.—Section 104(e) of the Water Resources Research Act of 1984 (42 U.S.C. 10303 (e)) is amended—

(1) by striking ''5'' and inserting ''3''; and

(2) by inserting ''at producing measured results and applied water supply research'' after ''effectiveness''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 104(f)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(f)(1)) is amended to read as follows:

''(1) There is authorized to be appropriated to carry out this section, to remain available until expended, $12,000,000 for each of fiscal years 2007 through 2011.''.

(d) ADDITIONAL APPROPRIATIONS WHERE RESEARCH FOCUSED ON WATER PROBLEMS OF INTERSTATE NATURE.—Section 104(g)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303 (g)(1)) is amended by striking ''$3,000,000 for fiscal year 2001, $4,000,000 for each of fiscal years 2002 and 2003, and $6,000,000 for each of fiscal years 2004 and 2005'' and inserting the following: ''$6,000,000 for each of fiscal years 2007 through 2011''.

(e) COORDINATION.—Section 104(h)(2) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(h)(2)) is amended—

(1) by striking ''(2) REPORT'' and inserting ''(2) REPORTS''; and

(2) by inserting after the first sentence the following: ''As part of the annual budget submission to Congress, the Secretary shall also provide a crosscut budget detailing the expenditures on activities listed under subsection (a)(1) and a report which details the level of applied research and the results of the activities authorized by this Act, including potential and actual—

''(A) increases in annual water supplies;

''(B) increases in annual water yields; and

''(C) advances in water infrastructure improvements.''.

(f) ADMINISTRATIVE COSTS.—Section 107 of the Water Resources Research Act of 1984 (42 U.S.C. 10306) is amended by striking ''15'' and inserting ''5''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

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

H.R. 4588, sponsored by the gentleman from California (Mr. DOOLITTLE), reauthorizes the Water Resources Research Act of 1984 for 5 years. When originally authorized in 1984, the initial legislation established a Water Resource and Technology Institute at each of the 54 land grant colleges throughout the country to foster research and training of future scientists and engineers in the water resources field.

This legislation requires more focus on applied research and more oversight to ensure that the research has practical applications, improves water supply reliability, and helps to resolve real water problems outside the academic world. I urge my colleagues to support this bill.

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

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

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

Ms. BORDALLO. Mr. Speaker, we support H.R. 4588 to continue support of water resources research at public universities.

I might add that my district is home to one of these institutes, the Water and Environmental Research Institute of the Western Pacific, or WERI, at the University of Guam. WERI is integral to water research and the protection of water resources in Micronesia, our region of the world. This is an excellent partnership between USGCS and institutions of higher education across the country, and we are pleased to support this reauthorization.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 4588, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1430

OREGON WATER RESOURCES MANAGEMENT ACT OF 2006

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5079) to provide for the modification of an amendatory repayment contract between the Secretary of the Interior and the North Unit Irrigation District, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5079

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 ''Oregon Water Resources Management Act of 2006''.

SEC. 2. EXTENSION OF PARTICIPATION OF BUREAU OF RECLAMATION IN DESCHUTES RIVER CONSERVANCY.

Section 301 of the Oregon Resource Conservation Act of 1996 (division B of Public Law 104–208; 110 Stat. 3009–534) is amended—

(1) in subsection (a)(1), by striking ''Deschutes River Basin Working Group'' and inserting ''Deschutes River Conservancy Working Group'';

(2) by amending the text of subsection (a)(1)(B) to read as follows: ''4 representatives of private interests including two from irrigated agriculture who actively farm more than 100 acres of irrigated land and are not irrigation district managers and two from the environmental community;'';

(3) in subsection (b)(3), by inserting before the final period the following: '', and up to a total amount of $2,000,000 during each of fiscal years 2006 through 2015''; and

(4) in subsection (h), by inserting before the period at the end the following: '', and $2,000,000 for each of fiscal years 2006 through 2015''.

SEC. 3. WALLOWA LAKE DAM REHABILITATION ACT.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) ASSOCIATED DITCH COMPANIES, INCORPORATED.—The term ''Associated Ditch Companies, Incorporated'' means the nonprofit corporation established under the laws of the State of Oregon that operates Wallowa Lake Dam.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(3) WALLOWA LAKE DAM REHABILITATION PROGRAM.—The term ''Wallowa Lake Dam Rehabilitation Program'' means the program for the rehabilitation of the Wallowa Lake Dam in Oregon, as contained in the engineering document titled, ''Phase I Dam Assessment and Preliminary Engineering Design'', dated December 2002, and on file with the Bureau of Reclamation.

(b) AUTHORIZATION TO PARTICIPATE IN PROGRAM.—

(1) GRANTS AND COOPERATIVE AGREEMENTS.—The Secretary may provide grants to, or enter into cooperative or other agreements with, tribal, State, and local governmental entities and the Associated Ditch Companies, Incorporated, to plan, design, and construct facilities needed to implement the Wallowa Lake Dam Rehabilitation Program.

(2) CONDITIONS.—As a condition of providing funds under paragraph (1), the Secretary shall ensure that—

(A) the Wallowa Lake Dam Rehabilitation Program and activities under this section meet the standards of the dam safety program of the State of Oregon;

(B) the Associated Ditch Companies, Incorporated, agrees to assume liability for any work performed, or supervised, with Federal funds provided to it under this section; and

(C) the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence relating to a facility rehabilitated or constructed with Federal funds provided under this section, both while and after activities are conducted using Federal funds provided under this section.

(3) COST SHARING.—

(A) IN GENERAL.—The Federal share of the costs of activities authorized under this section shall not exceed 50 percent.

(B) EXCLUSIONS FROM FEDERAL SHARE.—There shall not be credited against the Federal share of such costs—

(i) any expenditure by the Bonneville Power Administration in the Wallowa River watershed; and

(ii) expenditures made by individual agricultural producers in any Federal commodity or conservation program.

(4) COMPLIANCE WITH STATE LAW.—The Secretary, in carrying out this section, shall comply with applicable Oregon State water law.

(5) PROHIBITION ON HOLDING TITLE.—The Federal Government shall not hold title to any facility rehabilitated or constructed under this section.

(6) PROHIBITION ON OPERATION AND MAINTENANCE.—The Federal Government shall not be responsible for the operation and maintenance of any facility constructed or rehabilitated under this section.

(c) RELATIONSHIP TO OTHER LAW.—Activities funded under this section shall not be considered a supplemental or additional benefit under Federal reclamation law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.)).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to pay the Federal share of the costs of activities authorized under this section, $6,000,000.

(e) SUNSET.—The authority of the Secretary to carry out any provisions of this section shall terminate 10 years after the date of the enactment of this section.

SEC. 4. LITTLE BUTTE/BEAR CREEK SUBBASINS, OREGON, WATER RESOURCE STUDY.

(a) AUTHORIZATION.—The Secretary of the Interior, acting through the Bureau of Reclamation, may participate in the Water for Irrigation, Streams and the Economy Project water management feasibility study and environmental impact statement in accordance with the ''Memorandum of Agreement Between City of Medford and Bureau of Reclamation for the Water for Irrigation, Streams, and the Economy Project'', dated July 2, 2004.

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to the Bureau of Reclamation $500,000 to carry out activities under this section.

(2) NON-FEDERAL SHARE.—

(A) IN GENERAL.—The non-Federal share shall be 50 percent of the total costs of the Bureau of Reclamation in carrying out subsection (a).

(B) FORM.—The non-Federal share required under subparagraph (A) may be in the form of any in-kind services that the Secretary of the Interior determines would contribute substantially toward the conduct and completion of the study and environmental impact statement required under subsection (a).

(c) SUNSET.—The authority of the Secretary to carry out any provisions of this section shall terminate 10 years after the date of the enactment of this section.

SEC. 5. NORTH UNIT IRRIGATION DISTRICT.

(a) SHORT TITLE.—This section may be cited as the ''North Unit Irrigation District Act of 2006''.

(b) AMENDMENT.—The Act of August 10, 1954 (68 Stat. 679, chapter 663), is amended—

(1) in the first section—

(A) by inserting ''(referred to in this Act as the 'District')'' after ''irrigation district''; and

(B) by inserting ''(referred to in this Act as the 'Contract')'' after ''1953''; and

(2) by adding at the end the following:

''SEC. 3. ADDITIONAL TERMS.

''On approval of the District directors and notwithstanding project authorizing legislation to the contrary, the Contract is modified, without further action by the Secretary of the Interior, to include the following modifications:

''(1) In Article 8(a) of the Contract, by deleting 'a maximum of 50,000' and inserting 'approximately 59,000' after 'irrigation service to'.

''(2) In Article 11(a) of the Contract, by deleting 'The classified irrigable lands within the project comprise 49,817.75 irrigable acres, of which 35,773.75 acres are in Class A and 14,044.40 in Class B. These lands and the standards upon which the classification was made are

described in the document entitled ''Land Classification, North Unit, Deschutes Project, 1953'' which is on file in the office of the Regional Director, Bureau of Reclamation, Boise, Idaho, and in the office of the District' and inserting 'The classified irrigable land within the project comprises 58,902.8 irrigable acres, all of which are authorized to receive irrigation water pursuant to water rights issued by the State of Oregon and have in the past received water pursuant to such State water rights.'.

''(3) In Article 11(c) of the Contract, by deleting ', with the approval of the Secretary,' after 'District may', by deleting 'the 49,817.75 acre maximum limit on the irrigable area is not exceeded' and inserting 'irrigation service is provided to no more than approximately 59,000 acres and no amendment to the District boundary is required' after 'time so long as'.

''(4) In Article 11(d) of the Contract, by inserting ', and may further be used for instream purposes, including fish or wildlife purposes, to the extent that such use is required by Oregon State law in order for the District to engage in, or take advantage of, conserved water projects as authorized by Oregon State law' after 'herein provided'.

''(5) By adding at the end of Article 12(d) the following: '(e) Notwithstanding the above subsections of this Article or Article 13 below, beginning with the irrigation season immediately following the date of enactment of the North Unit Irrigation District Act of 2006, the annual installment for each year, for the District, under the Contract, on account of the District's construction charge obligation, shall be a fixed and equal annual amount payable on June 30 the year following the year for which it is applicable, such that the District's total construction charge obligation shall be completely paid by June 30, 2044.'.

''(6) In Article 14(a) of the Contract, by inserting 'and for instream purposes, including fish or wildlife purposes, to the extent that such use is required by Oregon State law in order for the District to engage in, or take advantage of, conserved water projects as authorized by Oregon State law,' after 'and incidental stock and domestic uses', by inserting 'and for instream purposes as described above,' after 'irrigation, stock and domestic uses', and by inserting ', including natural flow rights out of the Crooked River held by the District' after 'irrigation system'.

''(7) In Article 29(a) of the Contract, by inserting 'and for instream purposes, including fish or wildlife purposes, to the extent that such use is required by Oregon State law in order for the District to engage in, or take advantage of, conserved water projects as authorized by Oregon State law' after 'provided in article 11'.

''(8) In Article 34 of the Contract, by deleting 'The District, after the election and upon the execution of this contract, shall promptly secure final decree of the proper State court approving and confirming this contract and decreeing and adjudging it to be a lawful, valid, and binding general obligation of the District. The District shall furnish to the United States certified copies of such decrees and of all pertinent supporting records.' after 'for that purpose.'.

"SEC. 4. FUTURE AUTHORITY TO RENEGOTIATE.

''The Secretary of the Interior (acting through the Commissioner of Reclamation) may in the future renegotiate with the District such terms of the Contract as the District directors determine to be necessary, only upon the written request of the District directors and the consent of the Commissioner of Reclamation.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

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

H.R. 5079, the Oregon Water Resources Management Act of 2006, is sponsored by Congressman GREG WALDEN. It incorporates language from H.R. 5019, S. 166, and S. 251. Each of the bills deals with Oregon water resource management issues. They all have bipartisan support from the Oregon delegation and during the 108th and 109th Congresses had been vetted through the committee hearing process on both the House and Senate sides.

I urge my colleagues to support this bill, which will result in better management of Oregon's water resources.

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

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

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

Ms. BORDALLO. Mr. Speaker, H.R. 5079 includes a number of provisions to improve water supplies and water management in the State of Oregon. We have no objections to the consideration of this legislation today

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 5079, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to update the management of Oregon water resources, and for other purposes.''.

A motion to reconsider was laid on the table.

ICE AGE FLOODS NATIONAL GEOLOGIC ROUTE DESIGNATION ACT OF 2006

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 383) to designate the Ice Age Floods National Geologic Trail, and for other purposes, as amended.

The Clerk read as follows

H.R. 383

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 ''Ice Age Floods National Geologic Route Designation Act of 2006''.

SEC. 2. PURPOSE.

The purpose of this Act is to designate the Ice Age Floods National Geologic Route in the States of Montana, Idaho, Washington, and Oregon, enabling the public to view, experience, and learn about the Ice Age Floods' features and story through the collaborative efforts of public and private entities.

SEC. 3. DEFINITIONS.

As used in this Act:

(1) ROUTE.—The term ''Route'' means the Ice Age Floods National Geologic Route designated in section 4.

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(3) FLOODS.—The term ''Ice Age Floods'' or ''floods'' means the cataclysmic floods that occurred in what is now the northwestern United States during the last Ice Age primarily from massive, rapid and recurring drainage of Glacial Lake Missoula.

SEC. 4. DESIGNATION OF THE ICE AGE FLOODS NATIONAL NATIONAL GEOLOGIC ROUTE.

(a) DESIGNATION.—In order to provide for the public appreciation, education, understanding, and enjoyment, through a coordinated interpretive program of certain nationally significant natural and cultural sites associated with Ice Age Floods that are accessible generally by public roads, the Secretary, acting through the Director of the National Park Service, with the concurrence of the agency having jurisdiction over such roads, is authorized to designate, by publication of a map or other description thereof in the Federal Register, a vehicular tour route along existing public roads linking such natural and cultural sites. Such route shall be known as the ''Ice Age Floods National Geologic Route''.

(b) LOCATION.—The location of the Route shall generally follow public roads and highways from the vicinity of Missoula in western Montana, across northern Idaho, through eastern and southern sections of Washington, and across northern Oregon in the vicinity of the Willamette Valley and the Columbia River to the Pacific Ocean, as generally depicted on the map titled ''Ice Age Floods National Geologic Trial'', numbered P43/80,000, and dated June 2004.

(c) MAPS.—

(1) REVISIONS.—The Secretary may revise the map by publication in the Federal Register of a notice of availability of a new map, as needed, in cooperation with Federal, State, local, or tribal governments, and other public or private entities.

(2) AVAILABILITY.—Any map referred to in paragraph (1) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(d) DESCRIPTION OF SITES; PLAN; INTERPRETIVE PROGRAM.—

(1) DESCRIPTION OF SITES; PLAN.—Not later than 3 years after the date that funds become available for this Act, the Secretary shall prepare a description of sites along the Route and general plan which shall include the location and description of each of the following:

(A) Unique geographic or geologic features and significant landforms.

(B) Important cultural resources.

(2) INTERPRETIVE PROGRAM.—The general plan shall include proposals for a comprehensive interpretive program of the Route.

(3) TRANSMISSION TO CONGRESS.—The Secretary shall transmit the description of sites and general plan to the Committee on Resources of the United States House of Representative and the Committee on Energy and Natural Resources of the United States Senate.

(4) CONSULTATION.—The description of sites and plan shall be prepared in consultation with other Federal agencies, the State of Montana, the State Idaho, the State of Washington, and the State of Oregon, units of local governments, tribal governments, interested private citizens, and nonprofit organizations, and the Ice Age Floods Institute.

SEC. 5. ADMINISTRATION.

(a) IN GENERAL.—The Secretary, acting through the Director of the National Park Service, shall administer a program to interpret the Route in accordance with this Act.

(b) PUBLIC EDUCATION.—With respect to sites linked by segments of the Route which are administered by other Federal, State, tribal, and local nonprofit or private entities, the Secretary

is authorized to provide technical assistance in the development of interpretive devices and materials pursuant to cooperative agreements with such entities. The Secretary, in cooperation with Federal, State, tribal, or local governments or nonprofit or private entities, shall prepare and distribute information for the public appreciation of sites along the Route.

(c) MARKERS.—The Secretary shall ensure that the Route is marked with appropriate markers to guide the public. With the concurrence and assistance of the State, tribal, or local entity having jurisdiction over the roads designated as part of the Route, the Secretary may erect thereon signs and other informational devices displaying the Ice Age Floods National Geologic Route marker. The Secretary is authorized to accept the donation of suitable signs and other informational devices for placement at appropriate locations.

(d) PRIVATE PROPERTY RIGHTS.—Nothing in this Act shall be construed to require any private property owner to allow public access (including Federal, State or local government access) to such private property or to modify any provision of Federal, State or local law with regard to public access to or use of private lands.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Secretary $250,000 for each fiscal year to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

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

H.R. 383, introduced by Congressman DOC HASTINGS, would designate the Ice Age Floods National Geologic Route from Missoula, Montana, to the Pacific Ocean. The National Park Service will be charged with administering a program of education and interpretation along the route. In 2001, the National Park Service completed a special resource study which proposed that the Ice Age Floods National Geologic Trail be established.

I urge support of H.R. 383.

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

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

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

Ms. BORDALLO. Mr. Speaker, with the changes made to the bill by the Resources Committee, we support H.R. 383 and have no objection to the adoption of the legislation by the House today

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 383, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: ''A bill to designate the Ice Age Floods National Geologic Route, and for other purposes.''.

A motion to reconsider was laid on the table.

JEAN LAFITTE NATIONAL HISTORICAL PARK AND PRESERVE BOUNDARY ADJUSTMENT ACT OF 2006

Mr. RENZI. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1515) to adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana, and for other purposes, as amended.

The Clerk read as follows

H.R. 1515

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 ''Jean Lafitte National Historical Park and Preserve Boundary Adjustment Act of 2006''.

SEC. 2. JEAN LAFITTE NATIONAL HISTORICAL PARK AND PRESERVE BOUNDARY ADJUSTMENT.

(a) IN GENERAL.—Section 901 of the National Parks and Recreation Act of 1978 (16 U.S.C. 230) is amended in the second sentence by striking ''twenty thousand acres generally depicted on the map entitled 'Barataria Marsh Unit-Jean Lafitte National Historical Park and Preserve' numbered 90,000B and dated April 1978,'' and inserting ''23,000 acres generally depicted on the map titled 'Boundary Map, Barataria Preserve Unit, Jean Lafitte National Historical Park and Preserve', numbered 467/80100, and dated August 2002,''.

(b) ACQUISITION OF LAND.—Section 902 of the National Parks and Recreation Act of 1978 (16 U.S.C. 230a) is amended—

(1) in subsection (a)—

(A) by striking ''(a) Within the'' and all that follows through the first sentence and inserting the following:

''(a) IN GENERAL.—

''(1) BARATARIA PRESERVE UNIT.—

''(A) IN GENERAL.—The Secretary may acquire any land, water, and interests in land and water within the boundary of the Barataria Preserve Unit, as depicted on the map described in section 901, by donation, purchase with donated or appropriated funds, but only with the consent of the owner, transfer from any other Federal agency, or exchange.

''(B) LIMITATIONS.—

''(I) FEDERAL LAND.—Any Federal land acquired in the areas identified on the map as the 'Bayou aux Carpes Addition' and 'CIT Tract Addition' (the 'Areas') shall be transferred without consideration to the administrative jurisdiction of the National Park Service.

''(ii) EASEMENTS.—Any Federal land in the Areas that is transferred under clause (I) shall be subject to any easements that have been agreed to by the Secretary and the Secretary of the Army.

''(iii) PRIVATE INTERESTS.—Any private land, water, or interests in land and water in the Barataria Preserve Unit may be acquired by the Secretary only with the consent of the owner.'';

(B) in the second sentence, by striking ''The Secretary may also'' and inserting the following:

''(2) FRENCH QUARTER.—The Secretary may'';

(C) in the third sentence, by striking ''Lands, waters, and interests therein'' and inserting the following:

''(3) ACQUISITION OF STATE LAND.—Land, water, and interests in land and water''; and

(D) in the fourth sentence, by striking ''In acquiring'' and inserting the following:

''(4) ACQUISITION OF OIL AND GAS RIGHTS.—In acquiring'';

(2) by striking subsections (b) through (f) and inserting the following:

''(b) RESOURCE PROTECTION.—With respect to the land, water, and interests in land and water of the Barataria Preserve Unit, the Secretary shall preserve and protect—

''(1) fresh water drainage patterns;

''(2) vegetative cover;

''(3) the integrity of ecological and biological systems; and

''(4) water and air quality.''; and

(3) by redesignating subsection (g) as subsection (c).

(c) HUNTING, FISHING, AND TRAPPING.—Section 905 of the National Parks and Recreation Act of 1978 (16 U.S.C. 230d) is amended in the first sentence—

(1) by inserting after ''Barataria Marsh Unit'' '', but only as to land, water, or interests in land and water managed by the Secretary''; and

(2) by striking ''within the core area'' and all that follows through ''he may'' and inserting ''the Secretary may''.

(d) ADMINISTRATION.—Section 906 of the National Parks and Recreation Act of 1978 (16 U.S.C. 230e) is amended—

(1) by striking the first sentence; and

(2) in the second sentence, by striking ''Pending such establishment and thereafter the'' and inserting ''The''.

SEC. 3. REFERENCES IN LAW.

(a) IN GENERAL.—Any reference in a law (including regulations), map, document, paper, or other record of the United States—

(1) to the Barataria Marsh Unit shall be considered to be a reference to the Barataria Preserve Unit; or

(2) to the Jean Lafitte National Historical Park shall be considered to be a reference to the Jean Lafitte National Historical Park and Preserve.

(b) CONFORMING AMENDMENTS.—Title IX of the National Parks and Recreation Act of 1978 (16 U.S.C. 230 et seq.) is amended—

(1) by striking ''Barataria Marsh Unit'' each place it appears and inserting ''Barataria Preserve Unit''; and

(2) by striking ''Jean Lafitte National Historical Park'' each place it appears and inserting ''Jean Lafitte National Historical Park and Preserve''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arizona (Mr. RENZI) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from Arizona.

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

H.R. 1515, introduced by Congressman JINDAL, adjusts the boundary of the Barataria Marsh Unit of the Jean Lafitte National Historic Park and Preserve. The bill would expand the park boundary by 3,900 acres and increases the statutory acreage ceiling to 23,000 acres. Willing seller language has been extended to include all potential additions to the park. Most of the lands to be included in the park boundary are federally owned wetlands.

I urge the support of H.R. 1515.

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

Ms. BORDALLO. I yield myself such time as I may consume.

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

Ms. BORDALLO. Mr. Speaker, I would note that we are taking up H.R. 1515 when a Senate-passed measure, S. 207, sponsored by Senator LANDRIEU and dealing with the same subject, was referred to the Resources Committee well over a year ago. However, we will not object to the adoption of H.R. 1515 by the House today.

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

Mr. RENZI. Mr. Speaker, I yield such time as he may consume to the author of the bill, Mr. JINDAL.

Mr. JINDAL. Mr. Speaker, I thank my colleagues for yielding me this time and for their support of this important legislation.

The legislation in its amended form on the House floor is now supported by not only the entire Louisiana delegation but the Jefferson Parish Council, the Town of Jean Lafitte, the Louisiana Wildlife Federation, the League of Women Voters, Marrero Land, as well as the Louisiana Audubon Council.

Now, I will just very briefly state for my colleagues why this is such an important bill for the State of Louisiana. This bill not only expands the preserve by over 3,900 acres, but it does a lot to protect Louisiana's important wetlands. Studies by our scientists have shown, since Hurricanes Katrina and Rita, the importance of wetlands as natural hurricane buffers which protect our levees.

While these wetlands cannot prevent the devastating effects of major hurricanes like Katrina and Rita, they are known to significantly reduce the storm surges associated with the more frequent tropical storms and smaller hurricanes. They absorb the energy. They reduce the hurricane surges, and as a result, they reduce some of the loss from the open water. Some experts believe that for every linear mile of wetlands, 2 to 4 miles of coastal wetlands reduces storm surge by a foot. Anybody that saw the devastating flooding last year caused by Katrina and Rita certainly understands why this is so important.

The preserve is a natural hurricane buffer that provides significant protection for the greater New Orleans area, particularly for the 500,000 residents of the west bank of Jefferson Parish.

I will close by saying this preserve in particular lies outside of the levees and so serves as a critical estuary for our wildlife, but also is a significant protection against hurricane and tidal surges.

I thank my colleagues for their support.

Ms. BORDALLO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. RENZI. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arizona (Mr. RENZI) that the House suspend the rules and pass the bill, H.R. 1515, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NEW HAMPSHIRE WILDERNESS ACT OF 2006

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5059) to designate the Wild River Wilderness in the White Mountain National Forest in the State of New Hampshire, and for other purposes.

The Clerk read as follows:

H.R. 5059

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 ''New Hampshire Wilderness Act of 2006''.

SEC. 2. DESIGNATION OF WILD RIVER WILDERNESS, WHITE MOUNTAIN NATIONAL FOREST, NEW HAMPSHIRE.

(a) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain National Forest System land in the White Mountain National Forest in the State of New Hampshire, comprising approximately 23,700 acres, as depicted on the map entitled ''Proposed Wild River Wilderness—White Mountain National Forest'', dated February 6, 2006, is designated as wilderness and and as a component of the National Wilderness Preservation System, which shall be known as the ''Wild River Wilderness''.

(b) MAP AND DESCRIPTION.—As soon as practicable after the date of enactment of this Act, the Secretary of Agriculture, acting through the Chief of the Forest Service (in this section referred to as the ''Secretary''), shall file a map and a legal description of the Wild River Wilderness with the committees of appropriate jurisdiction in the Senate and the House of Representatives. The map and legal description shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal description. The map and legal description shall be filed and made available for public inspection in the Office of the Chief of the Forest Service.

(c) ADMINISTRATION.—Subject to valid existing rights, the Secretary shall administer the Wild River Wilderness in accordance with laws applicable to the White Mountain National Forest and the Wilderness Act (16 U.S.C. 1131 et seq.), except that, with respect to the Wild River Wilderness, any reference in the Wilderness Act to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

(d) FISH AND WILDLIFE.—As provided in section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this section affects any jurisdiction or responsibility of the State of New Hampshire with respect to wildlife and fish in the State.

(e) WITHDRAWAL.—Subject to valid existing rights, all Federal land in the Wild River Wilderness are withdrawn from—

(1) all forms of entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under the mineral leasing laws (including geothermal leasing laws).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

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

I commend Congressman BASS for introducing this legislation to designate within his district 23,700 acres of new wilderness in the White Mountain National Forest. The Wild River Wilderness created in this bill was developed with the Forest Service through their forest planning process and with substantial input and involvement from the public and local interest groups. Since it has the strong support of New Hampshire's citizens, environmental groups, the forest products industry, elected officials, the Forest Service, and the administration, it deserves our support as well.

I urge you to vote in favor of H.R. 5059.

I include an exchange of letters with Chairman GOODLATTE of the Agriculture Committee on this bill and related H.R. 5062 and thank the chairman for his cooperation in scheduling this bill and H.R. 5062 today.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RESOURCES,
Washington, DC, September 25, 2006.

Hon. BOB GOODLATTE,
Chairman, Committee on Agriculture,
Washington, DC.

DEAR MR. CHAIRMAN: I ask your help in scheduling H.R. 5059 and H.R. 5062, two bills which establish wilderness areas in the State of New Hampshire, for consideration by the House of Representatives as soon as possible. H.R. 5059, authored by Congressman Charles Bass, and H.R. 5062, authored by Congressman Jeb Bradley, were both referred primarily to the Committee on Resources and additionally to the Committee on Agriculture. The bills implement two recent Forest Service recommendations for wilderness areas in the White Mountains of New Hampshire, H.R. 5059, the Wild River Wilderness, and H.R. 5062, the Sandwich Range Wilderness.

In hope that the Senate will be able to act on these bills this Congress, I ask that you allow the Committee on Agriculture to be discharged from further consideration of the bills. This action would not be considered as precedent for any future referrals of similar measures or seen as affecting your Committee's jurisdiction over the subject matter of the bills. Moreover, if the bills are conferenced with the Senate, I would support naming Agriculture Committee members to any conference committee.

I look forward to your response and would be pleased to include it and this letter in the Congressional Record during Floor consideration of the bills by the House of Representatives.

Sincerely,

RICHARD W. POMBO,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON AGRICULTURE,
Washington, DC, September 25, 2006.

Hon. RICHARD POMBO,
Chairman, House Committee on Resources, Washington, DC.

DEAR MR. CHAIRMAN: I understand your wish to expedite H.R. 5059 and H.R. 5062, which establish the Wild River Wilderness and the Sandwich Range Wilderness, respectively. The Committee on Agriculture received referrals for H.R. 5059 and H.R. 5062, both entitled the New Hampshire Wilderness Act of 2006.

Because of your wish to expedite this legislation and the history of cooperation between our Committees on these matters, I will agree to discharge H.R. 5059 and H.R. 5062 from further consideration by the Committee on Agriculture. The Committee on Agriculture will discharge the bill with the understanding that discharge does not waive any future jurisdictional claim over this issue or similar measures. Furthermore, in the event a conference with the Senate is requested on this matter, the Committee on Agriculture reserves the right to seek appointment of conferees.

Again, I am grateful for the cooperative spirit in which you have worked regarding this matter and others.

Sincerely,

BOB GOODLATTE,
Chairman.

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

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

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

Ms. BORDALLO. Mr. Speaker, since this bill was introduced in March, there has been no action on it by the Resources Committee. It would appear then that the impetus for movement on the legislation is the fact that the Senate last week passed S. 2463, which includes in part the wilderness designation provided for by H.R. 5059.

The wilderness designation made by H.R. 5059 is clean and would result in the protection of 23,700 acres of national forest land. As such, we have no objection to the adoption of the legislation by the House today.

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

Mr. PEARCE. Mr. Speaker, I yield such time as he may consume to the gentleman from New Hampshire (Mr. BRADLEY).

Mr. BRADLEY of New Hampshire. Mr. Speaker, I commend my colleagues from Guam and New Mexico for their support of this legislation.

This legislation was sponsored by my colleague Congressman BASS, who is unable to be here today. As the gentleman from New Mexico stated, it has broad support in New Hampshire. In fact, we are not aware of any opposition whatsoever. It has the support of a number of environmental groups as well as interested businesses that are in the forest products industry. It was a result of consensus among all of the interested parties in New Hampshire, and I urge its adoption.

Also, on a personal note, having hiked extensively in this area of the White Mountain National Forest, it is a worthy candidate for wilderness designation. It is one of the most beautiful areas of our State, and I urge my colleagues to support this bill unanimously

Ms. BORDALLO. Mr. Speaker I have no further requests for time, and I yield back the balance of my time.

Mr. PEARCE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 5059.

The question was taken.

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

Ms. BORDALLO. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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.

The point of no quorum is considered withdrawn.

NEW HAMPSHIRE WILDERNESS ACT OF 2006

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5062) to designate as wilderness certain National Forest System land in the State of New Hampshire.

The Clerk read as follows:

H.R. 5062

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 ''New Hampshire Wilderness Act of 2006''.

SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(2) STATE.—The term ''State'' means the State of New Hampshire.

SEC. 3. DESIGNATION OF WILDERNESS.

In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), certain Federal land managed by the Forest Service, comprising approximately 10,800 acres, as depicted on the map entitled ''Proposed Sandwich Range Wilderness Additions—White Mountain National Forest'', dated February 6, 2006, is designated as wilderness and incorporated in the Sandwich Range Wilderness, as designated by the New Hampshire Wilderness Act of 1984 (Public Law 98–323; 98 Stat. 259).

SEC. 4. MAP AND DESCRIPTION.

(a) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of the wilderness area designated by section 3 with the committees of appropriate jurisdiction in the Senate and the House of Representatives.

(b) FORCE AND EFFECT.—A map and legal description filed under subsection (a) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(c) PUBLIC AVAILABILITY.—The map and legal description filed under subsection (a) shall be filed and made available for public inspection in the Office of the Chief of the Forest Service.

SEC. 5. ADMINISTRATION.

(a) ADMINISTRATION.—Subject to valid existing rights, the wilderness area designated under this section shall be administered by the Secretary in accordance with—

(1) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and

(2) the Wilderness Act (16 U.S.C. 1131 et seq.).

(b) EFFECTIVE DATE OF WILDERNESS ACT.—With respect to the wilderness area designated by this Act, any reference in the Wilderness Act (16 U.S.C. 1131 et seq.) to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

(c) FISH AND WILDLIFE.—As provided in section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this Act affects any jurisdiction or responsibility of the State with respect to wildlife and fish in the State.

(d) WITHDRAWAL.—Subject to valid existing rights, all Federal land in the wilderness area designated by section 3 are withdrawn from—

(1) all forms of entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) disposition under the mineral leasing laws (including geothermal leasing laws).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

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

I would like to thank Representative BRADLEY for introducing his legislation to designate, within his district, 10,800 acres of new wilderness in the White Mountain National Forest. The Sandwich Range Wilderness additions proposed in this bill were developed with the Forest Service through their forest planning process and with substantial input and involvement from the public and local interest groups. Since it has the strong support of New Hampshire's citizens, environmental groups, the forest products industry, elected officials, the Forest Service, and administration, it deserves our support as well.

I urge you to vote in favor of H.R. 5062.

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

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

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

Ms. BORDALLO. Mr. Speaker, like the bill we just considered, this measure also deals with the wilderness designation in New Hampshire and there has been no action on it by the Resources Committee. Legislation that the Senate passed last week, S. 2463, also includes the wilderness designation provided for by H.R. 5062.

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The wilderness designation made by H.R. 5059 is clean and would result in the protection of 10,800 acres of forest land. As such, we have no objection to the adoption of the legislation by the House today.

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

Mr. PEARCE. Mr. Speaker, I yield such time as he may consume to the gentleman from New Hampshire (Mr. BRADLEY).

Mr. BRADLEY of New Hampshire. Mr. Speaker, once again I thank my colleagues from Guam and New Mexico for their support of this legislation. Like Congressman BASS's bill previously, my bill expands by nearly 11,000 acres the Sandwich Range Wilderness Area in the central part of the White Mountain National Forest.

The Forest Service in the State of New Hampshire, working once again with environmental groups, with businesses involved in the forest products industry, developed a comprehensive plan for the management of the White Mountain National Forest. Both of these wilderness proposals have seen fit to have garnered the support of everyone in New Hampshire that I am aware of.

The Forest Service plan had absolutely no appeals and is in the process of being implemented. The legislation that myself and Congressman BASS have separately proposed would implement the two wilderness proposals and, as I have repeatedly stated, has received no objections.

It is certainly my hope, and I appreciate the support of my colleague on the other side of the aisle, as well as my colleague from New Mexico, for this legislation, should go forward this afternoon. It will protect the New Hampshire environment. It will also serve the forest products industry in my State. And I would urge my colleagues in the strongest possible way to vote for both of these bills later on today, despite the call for a vote potentially by my colleague on the other side of the aisle

Mr. VAN HOLLEN. Mr. Speaker, I rise to explain my votes in opposition to H.R. 5059 and H.R. While I agree with the substance of these bills, I strongly opposed the decision of the House Republican leadership to use these important bills as part of an effort to play politics with the environment. The Republicans had an opportunity to vote on the New England Wilderness Act (S. 2463), bipartisan legislation passed by the Senate last week that would designate wilderness areas in both New Hampshire and Vermont.

Instead they chose to separate the New Hampshire wilderness areas into two pieces of legislation and refused to include the Vermont wilderness in either bill. They apparently did this to hand a victory to the Republican representative from New Hampshire but deny Rep. SANDERS a legislative win on the eve of his upcoming Senate election in Vermont. Shame on them. By putting these bills on the Suspension Calendar, the Republican leadership ensured that wilderness bills in New England will not be signed into law this year as it is virtually impossible to reconcile the differences between the House and Senate bills given the amount of time left in this legislative session.

The New England Wilderness Act enjoys the full backing of the two states' bicameral, tripartisan delegation. It is disappointing that in the final days of this Congress, Republicans are abusing their power and the American people are paying the price.

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

Mr. PEARCE. Mr. Speaker, I have no additional speakers, and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 5062.

The question was taken.

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

Ms. BORDALLO. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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.

The point of no quorum is considered withdrawn.

NATIONAL HISTORIC PRESERVATION ACT AMENDMENTS OF 2006

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5861) to amend the National Historic Preservation Act, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5861

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 Historic Preservation Act Amendments of 2006''.

SEC. 2. HISTORIC PRESERVATION OFFICER RESPONSIBILITIES.

Section 101(b) of the National Historic Preservation Act (16 U.S.C. 470a(b)) is amended by adding at the end the following:

''(7) The State Historic Preservation Officer shall have no authority to require an applicant for Federal assistance, permit, or license to identify historic properties outside the undertaking's area of potential effects as determined by the Federal agency in accordance with the regulations implementing section 106.

''(8) If the State Historic Preservation Officer, Tribal representative, or Tribal Historic Preservation Officer fails to respond within 30 days after an adequately documented finding of 'no historic properties affected' or 'no adverse effect' as provided in the regulations implementing section 106, the Federal agency may assume that the State Historic Preservation Officer or Tribal Historic Preservation Officer has no objection to the finding.''.

SEC. 3. ADDITIONAL CRITERIA FOR CERTIFICATION OF LOCAL GOVERNMENTS TO CARRY OUT NATIONAL HISTORIC PRESERVATION ACT.

Section 101(c)(1) of the National Historic Preservation Act (16 U.S.C. 470a(c)(1)) is amended—

(1) by striking ''and'' at the end of subparagraph (D);

(2) by redesignating subparagraph (E) as subparagraph (F);

(3) by inserting after subparagraph (D) the following new subparagraph:

''(E) agrees that it shall not use any eligibility determination regarding the inclusion of any property or District on the National Register to initiate local regulatory requirements unless the entity provides full due process protection to the owner or owners of the property or District through a hearing process; and''; and

(4) in the matter below the subparagraphs, by striking ''through (E)'' and inserting ''through (F)''.

SEC. 4. HISTORIC PRESERVATION FUND.

Section 108 of the National Historic Preservation Act (16 U.S.C. 470h) is amended by striking ''2005'' and inserting ''2015''.

SEC. 5. ADVISORY COUNCIL ON HISTORIC PRESERVATION.

(a) MEMBERSHIP.—Section 201 of the national historic preservation act (16 U.S.C. 470i) is amended—

(1) in subsection (a)(4), by striking ''four'' and inserting ''seven'';

(2) in subsection (b), by striking ''(5) and (6)'' and inserting ''paragraph (6)''; and

(3) in subsection (f), by striking ''Nine'' and inserting ''Eleven''.

(b) FINANCIAL AND ADMINISTRATIVE SERVICES.—Section 205(f) of such Act (16 U.S.C. 470m(f)) is amended to read as follows:

''(f) Financial and administrative services (including those related to budgeting, accounting, financial reporting, personnel and procurement) shall be provided the Council by the Department of the Interior or, at the discretion of the Council, such other agency or private entity that reaches an agreement with the Council, for which payments shall be made in advance or by reimbursement from funds of the Council in such amounts as may be agreed upon by the Chairman of the Council and the head of the agency or, in the case of a private entity, the authorized representative of the private entity that will provide the services. When a Federal agency affords such services, the regulations of that agency for the collection of indebtedness of personnel resulting from erroneous payments, prescribed under section 5514(b) of title 5, United States Code, shall apply to the collection of erroneous payments made to or on behalf of a Council employee, and regulations of that agency for the administrative control of funds under sections 1513(d) and 1514 of title 31, United States Code, shall apply to appropriations of the Council. The Council shall not be required to prescribe such regulations.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 212(a) of the Act (16 U.S.C. 470t(a)) is amended by striking ''for purposes of this title not to exceed $4,000,000 for each fiscal year 1997 through 2005'' and inserting ''such amounts as may be necessary to carry out this title''.

SEC. 6. EFFECTIVENESS OF FEDERAL GRANT AND ASSISTANCE PROGRAMS IN MEETING PURPOSES AND POLICIES OF THE NATIONAL HISTORIC PRESERVATION ACT.

The National Historic Preservation Act is amended by inserting after section 215 (16 U.S.C. 470v–1) the following new section:

"SEC. 216. EFFECTIVENESS OF FEDERAL GRANT AND ASSISTANCE PROGRAMS.

''(a) COOPERATIVE AGREEMENTS.—The Council may enter into a cooperative agreement with any Federal agency that administers a grant or assistance program for the purpose of improving the effectiveness of the administration of such program in meeting the purposes and policies of this Act. Such cooperative agreements may include provisions that modify the selection criteria for a grant or assistance program to further the purposes of this Act or that allow the Council to participate in the selection of recipients, if such provisions are not inconsistent with the statutory authorization and purpose of the grant or assistance program.

''(b) REVIEW OF GRANT AND ASSISTANCE PROGRAMS.—The council may—

''(1) review the operation of any Federal grant or assistance program to evaluate the effectiveness of such program in meeting the purposes and policies of this Act;

''(2) make recommendations to the head of the Federal agency that administers such program to further the consistency of the program with the purposes and policies of this Act and to improve its effectiveness in carrying out those purposes and policies; and

''(3) make recommendations to the President and the Congress regarding the effectiveness of Federal grant and assistance programs in meeting the purposes and policies of this Act, including recommendations with regard to appropriate funding levels.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

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

Mr. Speaker, H.R. 5861, introduced by me, amends the National Historic Preservation Act to do five things:

It extends the Historic Preservation Fund to 2015 for State and tribal preservation activities.

Secondly, it reauthorizes the Advisory Council on Historic Preservation.

Third, requires certain local governments to provide full due process to property owners who object to a determination of eligibility on their property.

Fourth, it imposes a deadline on State or Tribal Historic Preservation Officers to respond to section 106 applications within 30 days of a ''no adverse effects'' determination.

And, fifth, prohibits a State historic preservation officer from requiring a Federal agency applicant to identify properties outside the area of potential effects.

From its auspicious start in April of 2004 as a discussion draft to the bill before us in the House today, H.R. 5861 has been the subject of more discussion and rewrite they any other bill that I have been involved with since becoming the chairman of the Subcommittee on National Parks.

While the bill may not be the final product that many envisioned, myself included, I believe H.R. 5861 represents a significant step towards improving the section 106 process under the National Historic Preservation Act by reducing some of the conflicts that exist between the business and preservation communities and the State and Tribal Preservation Officers.

In addition, H.R. 5861 will enhance private property protections in the listing process, under the Historic Preservation Act as well as improve the operation of the Advisory Council and extend the authorization of the Historic Preservation Fund.

Finally, this bill was a truly collaborative effort. I believe it is important to take a moment to thank those individuals and organizations for their help in crafting this important bill.

First of all, Congressman TURNER of Ohio; Vince Sampson of the Resources Committee majority staff; David Watkins of the Resources Committee minority staff; Chairman John Nau of the Advisory Council on Historic Preservation; the National Conference of State Historic Preservation Officers; Sonnenschein, Nath and Rosenthal; the National Mining Association, the National Trust For Historic Preservation; CTIA, the Wireless Association; the United South and Eastern Tribes; the National Association of Tribal Historic Preservation Officers; Preservation Action; the National Stone, Sand and Gravel Association; the American Cultural Resources Association; the American Association of State Highway and Transportation Officials; and Rob Howard, from the National Park Subcommittee majority staff.

I include a letter in support of the bill from CTIA, the Wireless Association.

CTIA,
THE WIRELESS ASSOCIATION,
Washington, DC, September 25, 2006.

Hon. RICHARD W. POMBO,
Chairman, Committee on Resources,
Washington, DC.

DEAR CHAIRMAN POMBO: I want to thank you and National Parks Subcommittee Chairman Pearce for all of your diligent efforts on H.R. 5861, the National Historic Preservation Act Amendments of 2006 (NHPA) and specifically the Section 106 provisions.

As you know, in 2004 a Nationwide Programmatic Agreement (NPA) was adopted to streamline the Section 106 tower siting review process. CTIA—The Wireless Association and its member companies greatly appreciate the fine work the Committee has done to clarity the NHPA relative to the NPA.

As such, for tile purposes of legislative history, under Section 800.3(c)(4) of the rules of the Advisory Council on Historic Preservation (ACHP), State Historic Preservation Officers (SHPOs) and Tribal Historic Preservation Officers (THPOs) are required to respond to a request for a review of a finding or determination regarding the impact of a proposed project within 30 days. If the SHPO or THPO fails to respond within 30 days, the agency official or its designee may proceed to the next step in the process or consult with the ACHP.

This technical amendment clarifies that this 30 day time period applies equally to SHPOs, THPOs and other tribal officials acting in the same capacity off tribal lands. Any SHPO, THPO or tribal representative acting in an official capacity that is asked to review a finding or determination of the impact (or lack thereof) of a proposed project must respond to such a request within 30 days.

All parties acting in such a role must affirmatively express any concerns about a proposed project within 30 days of notice. If no such affirmative concern is stated, consent is assumed and the project may proceed to the next stage in the process or the ACHP may be consulted.

Again, thank you for all the conscientious work that you and your National Parks Subcommittee Staff Director, Rob Howarth, have spent on this legislation.

Sincerely,

STEVE LARGENT.

Mr. Speaker, I urge adoption of the bill, and reserve the balance of my time.

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

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

Ms. BORDALLO. Mr. Speaker, H.R. 5861 is an acceptable compromise. While it makes technical changes to the Historic Preservation Act, it includes none of the highly controversial amendments that were first proposed by the majority.

The historic preservation community, including the Advisory Council, the Trust, and the State and Tribal Historic Preservation Officers support this legislation.

Mr. Speaker, we do not oppose H.R. 5861

Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 5861, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EXTENDING AUTHORIZATION FOR ESTABLISHING A MEMORIAL IN THE DISTRICT OF COLUMBIA TO HONOR VETERANS

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4275) to amend Public Law 106–348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States.

The Clerk read as follows

H.R. 4275

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

SECTION 1. AUTHORITY FOR ESTABLISHING MEMORIAL EXTENDED.

Section 1 of Public Law 106–348 is amended—

(1) in subsection (b), by adding at the end, before the final period, the following: '', except that section 8903(e) of title 40, United

States Code, shall not apply and the authorization for this Act shall expire on October 24, 2015''; and

(2) in subsection (d), by striking ''under section 10(b) of such Act (40 U.S.C. 1010(b))'' and inserting ''under subsection (b)''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

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

Mr. Speaker, H.R. 4275, introduced by Congresswoman SUE KELLY, would extend through October, 2015, the authority of the Disabled Veterans' Life Memorial Foundation to raise funds for a memorial in the District of Columbia to honor veterans who became disabled while serving in the Armed Forces of the United States. The organization has already secured a site from the National Park Service for this memorial.

I urge adoption of the bill.

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

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

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

Ms. BORDALLO. Mr. Speaker, we supported the original authorization for a memorial to disabled veterans here in Washington, D.C. Through no fault of the memorial proponents, complications regarding the final site selection have delayed the approval process.

Mr. Speaker, this is a very important piece of legislation that is near and dear to many of our hearts. Just this summer, I attended a Purple Heart pinning ceremony for a young soldier from Guam, Sergeant Jeremy Balamonte, who was wounded in action in Iraq early in the war. Another soldier, Jilario Bermanis, from Micronesia, was paralyzed in combat.

Mr. Speaker, we have had a number of fatalities and wounded soldiers fighting in this war. So, again, I would like to emphasize that this is something that is very, very dear to my heart.

We support this extension to allow this project the time it needs to move forward.

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

Mr. PEARCE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from New York (Mrs. KELLY).

Mrs. KELLY. Mr. Speaker, 6 years ago, Congress created the American Veterans Disabled for Life Memorial Foundation. We tasked them with establishing a memorial in Washington, D.C., honoring veterans who became disabled while serving in the Armed Forces of the United States.

The Foundation's work is important, but it is not yet complete. When they are finished, they will have created a memorial that is long overdue to pay tribute to our Nation's veterans who have returned from the battlefield bearing the scars of war.

I have been working closely with the Foundation to help them in their efforts. I have introduced legislation in the House, H.R. 1951, that would mint a commemorative coin in honor of our disabled veterans. The proceeds of this coin will go towards the efforts of the Foundation to build the memorial.

This legislation currently has 195 cosponsors, and I invite my colleagues to cosponsor this legislation that pays tribute to our veterans in two ways, by minting a coin honoring our Nation's disabled veterans, and by helping the Foundation in their efforts to build a memorial to disabled veterans.

I would like to quote from a letter from Bradley Barton, the National Commander of the Disabled American Veterans, which has endorsed the American Veterans Disabled for Life Memorial Coin Act.

Commander Barton says, ''We express our pride, patriotism, values and national identity through memorials that signify and define who we are as a Nation; and it is important that we maintain public recognition and awareness of the extraordinary sacrifices disabled veterans have made on behalf of their fellow citizens and our country.''

DISABLED AMERICAN VETERANS,
Washington, DC, September 21, 2006.

Hon. SUE KELLY,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE KELLY: Once again, Congress is prepared to adjourn sine die without addressing the ''American Veterans Disabled for Life Commemorative Coin Act,'' H.R. 1951. The Senate bill, S. 633, passed on May 25, 2006. It has been held since then, pending House action.

This legislation provides for the minting and sale of special coins to commemorate living disabled American veterans and authorizes special surcharges on these coins to be contributed to the fund for construction of a memorial to disabled veterans on grounds near the Nation's Capitol in accordance with legislation already enacted.

We express our pride, patriotism, values, and national identity through memorials that signify and define who we are as a nation, and it is important that we maintain public recognition and awareness of the extraordinary sacrifices disabled veterans had made on behalf of their fellow citizens and our country.

The coins will be minted starting in 2010, the same year that the groundbreaking and dedication of the American Veterans Disabled for Life Memorial will take place. A portion of the proceeds from this coin will support the construction of this Memorial. Please don't let this legislation die in the 109th Congress. I call upon you to cosponsor H.R. 1951.

Please let me know if you plan to cosponsor and support this legislation.

Sincerely,

BRADLEY S. BARTON,
National Commander.

The Foundation's cofounder and chairwoman is Lois Pope, a woman who is dedicated and committed to making this memorial a reality. To date, the Foundation has raised more than $25 million of the $65 million needed to build the memorial.

More telling still is the sheer number of people they have enlisted to help in their efforts. Within the last 2 years alone, more than 550,000 individual Americans have contributed in support of the memorial.

H.R. 4275, the bill before the House today, would extend the American Veterans Disabled for Life Memorial Foundation's charter until 2015. This would provide the Foundation with ample time to complete their fundraising, design and construction efforts on the disabled veterans memorial.

The National Park Service also supports the extension. National Park Deputy Director Donald Murphy testified before the House National Parks Subcommittee on May 25, saying that, ''The Foundation has proceeded in a professional and responsible manner in all aspects of the memorial process, and we feel it is fair to allow the Foundation additional time to continue fundraising and complete design development.''

The Foundation was created by an act of Congress in 2000, and the Congress should extend its charter so this organization can complete the important work we have tasked them with. I encourage every Member of this House to support H.R. 4275, and I support the great work that the American Veterans Disabled for Life Memorial Foundation continues doing to honor our Nation's disabled veterans.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to support H.R. 4275, to amend Public Law 106–348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States.

The passage of H.R. 4275 would authorize an additional 8 years for the Disabled Veterans' LIFE Memorial Foundation, Foundation to establish the American Veterans Disabled for Life Memorial in the District of Columbia. The original authorization date to establish the memorial was October 24, 2000 and is set to expire on October 24, 2007 if the Foundation has not secured a permit to begin construction from the National Park Service, NPS, before that date.

Mr. Speaker, we must pass H.R. 4275 to ensure that the well-deserved memorial to honor disabled veterans can come to its fruition. I am virtually certain that we all value the time and service of all of our veterans, who have faithfully served to protect the interests of this great Nation and its citizens. We certainly would like to express that sentiment here today by passage of H.R. 4275 to honor permanently disabled veterans.

A mere technical permit incompletion cannot be allowed to erase our wholehearted intent and desire to support the establishment of an appropriate memorial to honor our disabled veterans—those men and women who have unselfishly sacrificed dreams for duty, and limbs and lives for liberty.

The extension request is certainly a reasonable one. Given the unique aspects of the site and the need to secure adequate traffic patterns in order to achieve both a site worthy of

this memorial and the appropriate urban design in relation to the U.S. Capitol and the U.S. Botanic Gardens, the Foundation should be given additional time for the continued fundraising, design and development that is necessary. If giving extra time is crucial to the successful completion of this memorial, it is only fair to give it. For these honorable veterans have already given us their time.

Indeed, allowing an extension for this memorial project is not new. We have granted other similar extensions for the completion of memorials. These extensions include the memorials to Women in Military Service for America, George Mason, World War II, Martin Luther King, Jr., and the Victims of Communism.

There are over 3 million living disabled veterans in this country, a number which unfortunately continues to rise as we remain engaged in the Iraq and Afghanistan conflicts. Let us respect and honor the invaluable service of all past and future disabled veterans by ensuring that the Foundation is granted an extension necessary to complete the Americans Disabled Veterans For Life Memorial.

I urge my colleagues to support this resolution.

□ 1500

Ms. BORDALLO. Mr. Speaker, I have no further speakers, and I yield back my time.

Mr. PEARCE. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 4275.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AUTHORIZING LAND CONVEYANCE TO THE MISSOURI RIVER BASIN LEWIS AND CLARK INTERPRETIVE TRAIL AND VISITOR CENTER FOUNDATION

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3871) to authorize the Secretary of Interior to convey to The Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. certain Federal land associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as an historical interpretive site along the trail, as amended.

The Clerk read as follows:

H.R. 3871

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

SECTION 1. LAND CONVEYANCE, LEWIS AND CLARK NATIONAL HISTORIC TRAIL, NEBRASKA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Interior may convey, without consideration, to The Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc., a 501(c)(3) not-for-profit organization with operational headquarters at 100 Valmont Drive, Nebraska City, Nebraska, 68410, all right, title and interest of the United States in and to the federally owned land under jurisdiction of the Secretary consisting of 2 parcels as generally depicted on the map titled ''Lewis and Clark National Historic Trail'', numbered 648/80,002, and dated March 2006.

(b) SURVEY; CONVEYANCE COST.—The exact acreage and legal description of the land to be conveyed under section (a) shall be determined by a survey satisfactory to the Secretary. The cost of the survey and all other costs incurred by the Secretary to convey the land shall be borne by the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc.

(c) CONDITION OF CONVEYANCE, USE OF CONVEYED LAND.—The conveyance authorized under subsection (a) shall be subject to the condition that the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. use the conveyed land as a historic site and interpretive center for the Lewis and Clark National Historic Trail.

(d) DISCONTINUANCE OF USE.—If Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. determines to discontinue use of the land conveyed under subsection (a) as an historic site and interpretive center for the Lewis and Clark National Historic Trail, the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. shall convey lands back to the Secretary without consideration.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) or the conveyance, if any, under subsection (d) as the Secretary considers appropriate to protect the interests of the United States.

(f) AUTHORIZATION OF APPROPRIATIONS.—To assist with the operation of the facility there is authorized to be appropriated $150,000 per year for a period not to exceed 10 years.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

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

H.R. 3871, introduced by Congressman JEFF FORTENBERRY, would authorize the Secretary of the Interior to convey to the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation specified Federal land associated with the Lewis and Clark National Historic Trail in Nebraska. This land would be used as an historic site and interpretive center for the trail.

I urge your support for H.R. 3871.

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

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

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

Ms. BORDALLO. Mr. Speaker, this is a noncontroversial measure, and it contains appropriate safeguards regarding the property being conveyed for use as a visitor center for the Lewis and Clark National Historic Trail.

We urge the adoption of H.R. 3871.

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

Mr. PEARCE. Mr. Speaker I yield such time as he may consume to the gentleman from Nebraska (Mr. FORTENBERRY), the author of the legislation.

Mr. FORTENBERRY. Mr. Speaker, I thank the gentleman from New Mexico.

Mr. Speaker, I rise in strong support of H.R. 3871, a bill to authorize the Secretary of the Interior to convey a Lewis and Clark visitor center in my district from the National Park Service to a well-respected nonprofit organization. As the sponsor of this bill, I encourage my colleagues to support this important legislation.

I would like to begin by expressing my sincere appreciation to the distinguished gentleman from California (Mr. POMBO), the chairman of the House Committee on Resources, and the distinguished gentleman from New Mexico (Mr. PEARCE), the chairman of the Subcommittee on National Parks, for their outstanding work on bringing this legislation to the floor. We appreciate it.

I would also like to take this opportunity to express my gratitude to Nancy Hoch from Nebraska City, who has played such a key role in the construction of the visitor center and its ongoing operation. Her vision and leadership have been instrumental in making the center such an outstanding success.

The bill is very straightforward. It would simply convey certain Federal land near Nebraska City associated with the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center to the related nonprofit group, the Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Incorporated.

The bill also authorizes $150,000 annually for 10 years to operate the facility. It is important to note that the National Park Service currently provides about $200,000 annually to subsidize operations at the center. As a result, enactment of this legislation would actually save the Federal Government about $50,000 per year.

It is also important to note that I worked with the National Park Service in drafting the language for the bill, and this proposed conveyance fits with the long-range plans for the center. I also believe that it would be the most cost-effective option for the Park Service.

H.R. 3871 is cosponsored by both of my colleagues from Nebraska, Representatives LEE TERRY and TOM OSBORNE. A companion bill in the Senate, S. 1957, has the support of both Nebraska Senators, CHUCK HAGEL and BEN NELSON.

The Interpretive Trail and Visitor Center is an outstanding resource and an impressive facility. The nonprofit organization associated with it includes a committed group of individuals who have spent many years making the center a reality and ensuring that it provides a meaningful and educational experience for those who visit

it. This legislative action is needed to fulfill the original plan for operating the visitor center.

The Missouri River Basin Lewis and Clark Interpretive Center is truly unique. It is the only visitor center or museum in the United States to focus on the flora and fauna and scientific discoveries recorded by Lewis and Clark.

The Lewis and Clark Expedition was a watershed mark in American history. Two centuries later, the courageous story of these two outstanding explorers and the Corps of Discovery continues to inspire Americans of all ages. This legislation will help ensure that future generations will have the opportunity to learn about this remarkable journey.

Again, Mr. Speaker, I would encourage my colleagues to vote for H.R. 3871.

Ms. BORDALLO. Mr. Speaker, I have no further speakers, and so I yield back my time.

Mr. PEARCE. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 3871, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

RIVER RAISIN NATIONAL BATTLEFIELD STUDY ACT

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5132) to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including in the National Park System certain sites in Monroe County, Michigan, relating to the Battles of the River Raisin during the War of 1812, as amended.

The Clerk read as follows:

H.R. 5132

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 ''River Raisin National Battlefield Study Act''.

SEC. 2. SPECIAL RESOURCE STUDY, MONROE COUNTY, MICHIGAN, SITES RELATING TO BATTLES OF THE RIVER RAISIN.

(a) STUDY REQUIRED.—The Secretary of the Interior shall conduct a special resource study of sites in Monroe County, Michigan, relating to the Battles of the River Raisin on January 18 and 22, 1813, and their aftermath to determine—

(1) the national significance of the sites; and

(2) the suitability and feasibility of including the sites in the National Park System.

(b) REQUIREMENTS.—The study conducted under subsection (a) shall include the analysis and recommendations of the Secretary on—

(1) the effect on Monroe County, Michigan, of including the sites in the National Park System; and

(2) whether the sites could be included in an existing unit of the National Park System.

(c) CONSULTATION.—In conducting the study under subsection (a), the Secretary shall consult with—

(1) appropriate Federal agencies and State and local government entities; and

(2) interested groups and organizations.

(d) APPLICABLE LAW.—The study required under subsection (a) shall be conducted in accordance with Public Law 91–383 (16 U.S.C. 1a–1 et seq.).

(e) REPORT.—Not later than three years after the date on which funds are first made available for the study, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report containing—

(1) the findings of the study; and

(2) any conclusions and recommendations of the Secretary.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

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

Mr. Speaker, H.R. 5132 directs the Secretary of the Interior to study the feasibility and suitability of including certain lands related to the Battle of the River Raisin during the War of 1812 in Monroe County, Michigan, as part of the National Park System.

Currently, the main battlefield is occupied by an abandoned paper mill. The city of Monroe has received a $1 million grant to clean up the location in preparation for possible listing as a National Historic Landmark. The National Park Service testified that there is intact archaeological evidence of the battle and that this site has impressive integrity as a battlefield if it is preserved.

I urge your support for H.R. 5132.

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

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

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

Ms. BORDALLO. Mr. Speaker, while most Americans are aware of the significance of the Revolutionary War or the Civil War, the importance of the War of 1812 is not as widely understood.

The Dean of this House, Representative JOHN DINGELL, is to be commended for his experience and effectiveness in bringing this important legislation to the floor. It is always an honor to work with Mr. DINGELL, and we urge our colleagues to support H.R. 5132.

Mr. Speaker, it is now indeed my honor to yield as much time as he may consume to the distinguished gentleman from Michigan (Mr. DINGELL), the Dean of this House and the sponsor of this legislation.

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

Mr. DINGELL. Mr. Speaker, I intend to show my appreciation to the distinguished gentlewoman by revising and extending my remarks and also my respect and affection for the gentleman from New Mexico.

I rise to support the legislation. I urge the House to pass this legislation. It was the bloodiest battle. It commemorates the bloodiest battle in the history of Michigan, the bloodiest battle in the War of 1812, and the loss of 700 citizens and more, mostly from Kentucky, who came to Michigan to save it from the British and the Indians. The end result was that ''Remember the River Raisin'' became the battle cry in the War of 1812.

Our work today, I want you to know, makes a very important contribution to us remembering the history of Michigan, the history of the War of 1812 and matters important, not just to my people in Monroe, but to all of us.

I thank the gentleman from New Mexico and the distinguished gentlewoman from Guam and my friend, chairman of the committee, Mr. POMBO

Mr. Speaker, in six years our nation will mark the bicentennial of the War of 1812. The War of 1812 is one of the least studied, but most important episodes in our nation's history. Following the Revolutionary War, America was a weak nation and was preyed upon by Britain, France and Spain. Britain aimed to re-conquer the newly independent former colonies.

The legislation we are considering here today will preserve one of the most important stories of that war, the Battle of the River Raisin.

This legislation, quite simply, would direct the Secretary of the Interior to study the suitability of including the site of the River Raisin massacre into the National Park system.

The legislation already has support from the people of Monroe, Michigan, our governor, historians, archeologists and the National Park Service.

When the war broke out, it was expected that Britain would quickly defeat the poorly equipped and poorly trained Americans. Washington was burned, and British troops torched the Capitol.

Along the Western frontier, in what is today Michigan, Ohio and Kentucky, the war raged. When Detroit fell to the British a contingent of Kentuckians, under the direction of Gen. William Henry Harrison marched to retake the city.

On January 18, 1813 American forces crossed the River Raisin and attacked the British encampment on the other side. They forced the British to retreat. Four days later, British forces and their Native American allies counter-attacked. The Americans were routed.

When the British withdrew, they took with them any American who could travel as a prisoner. The injured were left. The next day, the Native allies returned and massacred the Americans and burned the surrounding town to the ground.

Of the 900 strong American force only 33 escaped death or capture. Throughout the American Army the cry ''Remember the Raisin'' rallied our troops. Soon thereafter, spurred by the memory of the Raisin, the Americans liberated Detroit and won the decisive Battle of the Thames in Ontario—guaranteeing America's victory in the war.

The River Raisin Battle is still the bloodiest battle ever in Michigan, and was the most violent battle on continental U.S. soil outside of the Civil War. It is an important episode in American history that needs to be recognized.

Since 1813, the site of the battle and massacre has been encroached upon increasingly by the town of Monroe. What was once a small farming settlement is now a bustling city.

Homes have been built where the American soldiers crossed the river. A factory, at one time, operated on the site; buildings were built and later torn down. Now, most of the land where the battle took place is in the possession of the City of Monroe and they want to make sure that it is protected for all Americans to visit.

The State of Michigan has provided $1 million for Brownfield redevelopment and rehabilitation of the site. The City of Monroe and the Monroe County Historical Society have each pledged $35,000 for the creation of a master plan for the entire battlefield site, and they will soon be applying for a Battlefield Protection Grant through the National Park Service.

A citizens' group has also formed to guide the development of the battlefield, raise funds for historic preservation and develop educational programs.

I am confident that the energy and commitment of the community would make this a wise inclusion into our National Park system.

I can think of no better way to honor the hundreds who gave their lives at the River Raisin than to make the site a permanent memorial to their bravery and sacrifice.

We need to do this in order to protect an important piece of our Nation's heritage.

Ms. BORDALLO. Mr. Speaker, I have no further speakers, and I yield back my time.

Mr. PEARCE. Mr. Speaker, I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 5132, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

MISSISSIPPI RIVER TRAIL STUDY ACT

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1796) to amend the National Trails System Act to designate the route of the Mississippi River from its headwaters in the State of Minnesota to the Gulf of Mexico for study for potential addition to the National Trails System as a national scenic trail, national historic trail, or both, and for other purposes.

The Clerk read as follows:

H.R. 1796

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 ''Mississippi River Trail Study Act''.

SEC. 2. DESIGNATION OF ROUTE OF THE MISSISSIPPI RIVER FOR STUDY FOR POTENTIAL ADDITION TO THE NATIONAL TRAILS SYSTEM.

(a) DESIGNATION.—Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended—

(1) by redesignating the first paragraph after paragraph (40) as paragraph (41) and, in such paragraph, by striking ''The'' and inserting ''LONG WALK TRAIL.—The'';

(2) by redesignating the second paragraph after paragraph (40) as paragraph (42); and

(3) by adding at the end the following new paragraph:

''(43) MISSISSIPPI RIVER TRAIL.—The route of the Mississippi River from its headwaters in the State of Minnesota to the Gulf of Mexico.''.

(b) RELATION TO OTHER STUDIES.—The study required by the amendment made by this section is intended to complement, and not duplicate, other studies of the scenic or historical importance of the Mississippi River that may be underway or undertaken.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

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

H.R. 1796 would designate the route of the Mississippi River for study as a potential addition to the National Trails System as a national scenic trail, national historic trail or both. The route would stretch from its headwaters in the State of Minnesota to the Gulf of Mexico.

Establishing a national trail along the river will connect the nearly 40 existing public land units on or very near the river which includes national forests, national parks, and wildlife refuges.

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

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

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

Ms. BORDALLO. Mr. Speaker, Representative BETTY MCCOLLUM is to be commented for her foresight in introducing this legislation and her diligence in working to get her bill to the floor today.

The importance of the mighty Mississippi in her district and all along its route as it bisects this country before reaching the Gulf of Mexico can never be overstated.

I am a proud cosponsor of this legislation, and I urge my colleagues to support H.R. 1796.

Mr. Speaker, I yield as much time as she may consume to my friend and our colleague from St. Paul, Minnesota (Ms. MCCOLLUM), the sponsor of this legislation.

Ms. MCCOLLUM of Minnesota. Mr. Speaker, I would like to thank my colleague from Guam, a fellow alumni from the College of St. Catherine's located in St. Paul, Minnesota, on the banks of the Mississippi River.

Mr. Speaker, I rise today in support of H.R. 1796, the Mississippi River Trail Study Act, which will help connect America and Americans in the future to the Mississippi River and focus attention on its incredible natural resource.

The Mississippi River Trail Study Act authorizes the Secretary of the Interior to conduct a study examining the feasibility and the suitability of including the Mississippi corridor in our National Trails System.

This study will be an important step towards coordinating the public and private amenities along the river, preserving its natural treasures, and recognizing the Mississippi's historic and cultural values for our country.

This will be the first time the Mississippi River corridor is considered for inclusion in our National Park System, and it should be for, after all, the Mississippi River is America's river.

On its journey from Lake Itasca in my home State of Minnesota to the Gulf of Mexico, the Mississippi River touches 10 States.

□ 1515

It shapes the everyday life for more than 11 million Americans living in communities along its banks and contributes to the enjoyment of millions of domestic and international tourists who visit the Mississippi River attractions each year.

The mighty Mississippi continues to be a working river, moving goods safely and inexpensively along America's natural artery of commerce.

The Mississippi River Trail Study Act is supported by local and multistate groups. For example, the Mississippi Parkway Commission, the Audubon Minnesota and the Mississippi River Trail Corporation have offered to help the National Park Service complete the study by contributing data, local contacts and other tangible forms of assistance, and these are just a few of the examples that the Park Service can expect all up and down the Mississippi River corridor.

The Park Service said, with this help and cooperation from groups, they will be able to save time and money in completing the study.

In the past, the Mississippi River has been a powerful story line in America's narrative. Today, the River continues to shape our identity, strengthen our economy, and its beauty continues to be breathtaking. The Mississippi River a national treasure, deserving consideration authorized by this legislation.

Once again, I thank my colleagues from Guam and New Mexico for helping with the floor debate.

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

Ms. BORDALLO. Mr. Speaker, I thank Representative MCCOLLUM for her remarks. I have no further speakers.

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

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

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 1796.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PIEDRAS BLANCAS HISTORIC LIGHT STATION OUTSTANDING NATURAL AREA ACT OF 2005

Mr. PEARCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3534) to designate the Piedras Blancas Light Station and the surrounding public land as an Outstanding Natural Area to be administered as a part of the National Landscape Conservation System, and for other purposes.

The Clerk read as follows

H.R. 3534

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

SECTION 1. SHORT TITLE; DEFINITIONS.

(a) SHORT TITLE.—This Act may be cited as the ''Piedras Blancas Historic Light Station Outstanding Natural Area Act of 2005''.

(b) DEFINITIONS.—For the purposes of this Act, the following definitions apply:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(2) LIGHT STATION.—The term ''Light Station'' means Piedras Blancas Light Station.

(3) PUBLIC LANDS.—The term ''public lands'' has the meaning stated in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1703(e)).

(4) OUTSTANDING NATURAL AREA.—The term ''Outstanding Natural Area'' means the Piedras Blancas Historic Light Station Outstanding Natural Area established pursuant to section 3.

SEC. 2. FINDINGS.

Congress finds as follows:

(1) The publicly owned Piedras Blancas Light Station has nationally recognized historical structures that should be preserved for present and future generations.

(2) The coastline adjacent to the Light Station is internationally recognized as having significant wildlife and marine habitat that provides critical information to research institutions throughout the world.

(3) The Light Station tells an important story about California's coastal prehistory and history in the context of the surrounding region and communities.

(4) The coastal area surrounding the Light Station was traditionally used by Indian people, including the Chumash and Salinan Indian tribes.

(5) The Light Station is historically associated with the nearby world-famous Hearst Castle (Hearst San Simeon State Historical Monument), now administered by the State of California.

(6) The Light Station represents a model partnership where future management can be successfully accomplished among the Federal Government, the State of California, San Luis Obispo County, local communities, and private groups.

(7) Piedras Blancas Historic Light Station Outstanding Natural Area would make a significant addition to the National Landscape Conservation System administered by the Department of the Interior's Bureau of Land Management.

(8) Statutory protection is needed for the Light Station and its surrounding Federal lands to ensure that it remains a part of our historic, cultural, and natural heritage and to be a source of inspiration for the people of the United States.

SEC. 3. DESIGNATION OF THE PIEDRAS BLANCAS HISTORIC LIGHT STATION OUTSTANDING NATURAL AREA.

(a) IN GENERAL.—In order to protect, conserve, and enhance for the benefit and enjoyment of present and future generations the unique and nationally important historical, natural, cultural, scientific, educational, scenic, and recreational values of certain lands in and around the Piedras Blancas Light Station, in San Luis Obispo County, California, while allowing certain recreational and research activities to continue, there is established, subject to valid existing rights, the Piedras Blancas Historic Light Station Outstanding Natural Area.

(b) MAPS AND LEGAL DESCRIPTIONS.—The boundaries of the Outstanding Natural Area as those shown on the map entitled ''Piedras Blancas Historic Light Station: Outstanding Natural Area'', dated May 5, 2004, which shall be on file and available for public inspection in the Office of the Director, Bureau of Land Management, United States Department of the Interior, and the State office of the Bureau of Land Management in the State of California.

(c) BASIS OF MANAGEMENT.—The Secretary shall manage the Outstanding Natural Area as part of the National Landscape Conservation System to protect the resources of the area, and shall allow only those uses that further the purposes for the establishment of the Outstanding Natural Area, the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), and other applicable laws.

(d) WITHDRAWAL.—Subject to valid existing rights, and in accordance with the existing withdrawal as set forth in Public Land Order 7501 (Oct. 12, 2001, Vol. 66, No. 198, Federal Register 52149), the Federal lands and interests in lands included within the Outstanding Natural Area are hereby withdrawn from—

(1) all forms of entry, appropriation, or disposal under the public land laws;

(2) location, entry, and patent under the public land mining laws; and

(3) operation of the mineral leasing and geothermal leasing laws and the mineral materials laws.

SEC. 4. MANAGEMENT OF THE PIEDRAS BLANCAS HISTORIC LIGHT STATION OUTSTANDING NATURAL AREA.

(a) IN GENERAL.—The Secretary shall manage the Outstanding Natural Area in a manner that conserves, protects, and enhances the unique and nationally important historical, natural, cultural, scientific, educational, scenic, and recreational values of that area, including an emphasis on preserving and restoring the Light Station facilities, consistent with the requirements section 3(c).

(b) USES.—Subject to valid existing rights, the Secretary shall only allow such uses of the Outstanding Natural Area as the Secretary finds are likely to further the purposes for which the Outstanding Natural Area is established as set forth in section 3(a).

(c) MANAGEMENT PLAN.—Not later than 3 years after of the date of the enactment of this Act, the Secretary shall complete a comprehensive management plan consistent with the requirements of section 202 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1712) to provide long-term management guidance for the public lands within the Outstanding Natural Area and fulfill the purposes for which it is established, as set forth in section 3(a). The management plan shall be developed in consultation with appropriate Federal, State, and local government agencies, with full public participation, and the contents shall include—

(1) provisions designed to ensure the protection of the resources and values described in section 3(a);

(2) objectives to restore the historic Light Station and ancillary buildings;

(3) an implementation plan for a continuing program of interpretation and public education about the Light Station and its importance to the surrounding community;

(4) a proposal for minimal administrative and public facilities to be developed or improved at a level compatible with achieving the resources objectives for the Outstanding Natural Area as described in subsection (a) and with other proposed management activities to accommodate visitors and researchers to the Outstanding Natural Area; and

(5) cultural resources management strategies for the Outstanding Natural Area, prepared in consultation with appropriate departments of the State of California, with emphasis on the preservation of the resources of the Outstanding Natural Area and the interpretive, education, and long-term scientific uses of the resources, giving priority to the enforcement of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa et seq.) and the National Historic Preservation Act (16 U.S.C. 470 et seq.) within the Outstanding Natural Area.

(d) COOPERATIVE AGREEMENTS.—In order to better implement the management plan and to continue the successful partnerships with the local communities and the Hearst San Simeon State Historical Monument, administered by the California Department of Parks and Recreation, the Secretary may enter into cooperative agreements with the appropriate Federal, State, and local agencies pursuant to section 307(b) of the Federal Land Management Policy and Management Act of 1976 (43 U.S.C. 1737(b)).

(e) RESEARCH ACTIVITIES.—In order to continue the successful partnership with research organizations and agencies and to assist in the development and implementation of the management plan, the Secretary may authorize within the Outstanding Natural Area appropriate research activities for the purposes identified in section 3(a) and pursuant to section 307(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1737(a)).

(f) ACQUISITION.—State and privately held lands or interests in lands adjacent to the Outstanding Natural Area and identified as appropriate for acquisition in the management plan may be acquired by the Secretary as part of the Outstanding Natural Area only by—

(1) donation;

(2) exchange with a willing party; or

(3) purchase from a willing seller.

(g) ADDITIONS TO THE OUTSTANDING NATURAL AREA.—Any lands or interest in lands adjacent to the Outstanding Natural Area acquired by the United States after the date of the enactment of this Act shall be added to and administered as part of the Outstanding Natural Area.

(h) OVERFLIGHTS.—Nothing in this Act or the management plan shall be construed to—

(1) restrict or preclude overflights, including low level overflights, military, commercial, and general aviation overflights that can be seen or heard within the Outstanding Natural Area;

(2) restrict or preclude the designation or creation of new units of special use airspace or the establishment of military flight training routes over the Outstanding Natural Area; or

(3) modify regulations governing low-level overflights above the adjacent Monterey Bay National Marine Sanctuary.

(i) LAW ENFORCEMENT ACTIVITIES.—Nothing in this Act shall be construed to preclude or otherwise affect coastal border security operations or other law enforcement activities by the Coast Guard or other agencies within the Department of Homeland Security, the Department of Justice, or any other Federal, State, and local law enforcement agencies within the Outstanding Natural Area.

(j) NATIVE AMERICAN USES AND INTERESTS.—In recognition of the past use of the Outstanding Natural Area by Indians and Indian tribes for traditional cultural and religious purposes, the Secretary shall ensure access to the Outstanding Natural Area by Indians and Indian tribes for such traditional cultural and religious purposes. In implementing this section, the Secretary, upon the request of an Indian tribe or Indian religious community, shall temporarily close to the general public use of one or more specific portions of the Outstanding Natural Area in order to protect the privacy of traditional cultural and religious activities in such areas by the Indian tribe or Indian religious community. Any such closure shall be made to affect the smallest practicable area for the minimum period necessary for such purposes. Such access shall be consistent with the purpose and intent of Public Law 95–341 (42 U.S.C. 1996 et seq.; commonly referred to as the ''American Indian Religious Freedom Act'').

(k) NO BUFFER ZONES.—The designation of the Outstanding Natural Area is not intended to lead to the creation of protective perimeters or buffer zones around area. The fact that activities outside the Outstanding Natural Area and not consistent with the purposes of this Act can be seen or heard within the Outstanding Natural Area shall not, of itself, preclude such activities or uses up to the boundary of the Outstanding Natural Area.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Mexico (Mr. PEARCE) and the gentlewoman from Guam (Ms. BORDALLO) each will control 20 minutes.

The Chair recognizes the gentleman from New Mexico.

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

H.R. 3534 establishes the Piedras Blancas Light Station Outstanding Natural Area in San Luis Obispo County, California. Federal, State and local officials, as well as private groups, have long sought a way to protect, conserve and enhance the nationally important land in and around the Piedras Blancas Light Station.

This bill would require the lighthouse to be managed as part of the National Landscape Conservation System, and, as such, would protect the historical structures and habitat of the area. I urge the passage of this measure.

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

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

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

Ms. BORDALLO. Mr. Speaker, Representative LOIS CAPPS, the author of this legislation, has been a tireless advocate for conservation of the stunning natural resources found in her district. H.R. 3534 continues her efforts by protecting and interpreting an historic light station and the incredibly rich natural resources surrounding it. We urge our colleagues to support H.R. 3534.

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

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

Ms. BORDALLO. Mr. Speaker, lastly, I want to thank my friend, the gentleman from New Mexico (Mr. PEARCE), and my friend, the gentleman from Arizona (Mr. RENZI), for their work today. It has been a pleasure to manage these bills with them this afternoon.

Mrs. CAPPS. Mr. Speaker, I rise in strong support of H.R. 3534, Piedras Blancas Historic Light Station Outstanding Natural Area Act.

First, I want to thank my colleague from California, the chairman of the Resources Committee, Mr. POMBO, the chairman and ranking member of the Subcommittee on Forests and Forest Health, Mr. WALDEN and Mr. TOM UDALL, as well as the ranking member of the full Committee, Mr. RAHALL for expediting the consideration of this legislation and for bringing H.R. 3534 before us today.

H.R. 3534 would designate the Piedras Blancas Historic Light Station—located in my congressional district—as an Outstanding Natural Area within the BLM's National Landscape Conservation System.

The Piedras Blancas Light Station is located on an 18 acre-parcel of BLM administered land along the Pacific Coast in San Luis Obispo County. The property is adjacent to Pacific Coast Highway and the Hearst Castle State Historic Monument, and it looks over a pristine coastal area that includes the southern portion of the Monterey Bay National Marine Sanctuary and California Coastal National Monument.

The Light Station is nationally recognized as an important monitoring point for migrating whales, and is used by the U.S. Geological Survey, the National Marine Fisheries Service and a number of universities and colleges for marine wildlife and plant research.

Finally, the Light Station and the surrounding area are important for tourism. For example, the national historic Light House—built in 1879—is a main destination focal point on the Central Coast, and the peninsula is very popular for viewing sea otters, elephant seals, and sea lions from shore. The elephant seal colony at Piedras Blancas attracts an estimated 400,000 visitors annually.

In 2001, BLM assumed ownership and management of the Light Station from the U.S. Coast Guard. Since then, BLM, state and local agencies, community stakeholders and conservation groups have developed a very successful partnership to preserve the Light Station.

Some of these partners include: the Piedras Blancas Light Station Association; California State Parks; San Luis Obispo County; the cities of Cambria and San Simeon; the California Coastal Conservancy and Coastal Commission; NOAA; and the Hearst Corporation.

As a result of their hard work, the site was re-opened to public tours in 2003—for the first time in 128 years! These partners continue to work together on a series of environmental education, historical restoration and resource protection programs. And I'm confident they will each support and showcase this national designation if enacted.

Mr. Speaker, my legislation tracks the successful model of designating the Oregon Coast's Yaquina Head as an Outstanding Natural Area, which was signed into law in 1980. Yaquina Head was later included in the National Landscape Conservation System.

Like Yaquina Head, the addition of the Piedras Blancas Light Station to the NLCS would be an important step in protecting and preserving this valuable natural and historic resource. It will also focus attention on the restoration of the Light Station and surrounding area, specifically the three on-site National Register properties. And, it will serve as a means to increase public awareness of the Light Station's scientific, cultural and educational values.

Specifically, H.R. 3534 stresses long-term conservation of the Light Station by requiring timely completion of a management plan. The management plan would be developed through a public process and include guidelines for restoration of the National Register of Historic Places buildings, including the Light House; public access; ecological and cultural resource management; and, fostering scientific study and research opportunities.

Mr. Speaker, the Piedras Blancas Light Station is a wonderful resource. It has the potential to serve as a model for future resource management, and therefore would be an appropriate addition to the BLM's National Landscape Conservation System.

Again, I would like to thank the Committee on Resources for supporting this bill to designate Piedras Blancas Historic Light Station as an Outstanding Natural Area, and urge its immediate passage.

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

Mr. PEARCE. Mr. Speaker, I would like to thank the gentlewoman from Guam for her hard work in this body for managing these bills on the floor today.

I have no additional speakers, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 3534.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. PEARCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the 15 bills just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS, AND EXPLOSIVES (BATFE) MODERNIZATION AND REFORM ACT OF 2006

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5092) to modernize and reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, as amended.

The Clerk read as follows

H.R. 5092

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 ''Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATFE) Modernization and Reform Act of 2006''.

SEC. 2. GRADUATED PENALTIES FOR CIVIL VIOLATIONS BY FEDERAL FIREARMS LICENSEES.

(a) IN GENERAL.—Section 923 of title 18, United States Code, is amended by striking subsections (e) and (f) and inserting the following:

''(e)(1)(A) If the Attorney General determines that a licensee under this section has willfully violated any provision of this chapter or any regulation prescribed under this chapter, the Attorney General may—

''(i) if the violation is of a minor nature—

''(I) impose on the licensee a civil money penalty of not more than $1,000 for each such violation, except that the total amount of penalties imposed on a licensee under this subclause for violations arising from a single inspection or examination shall not exceed $5,000; or

''(II) suspend the license for not more than 30 days, and specify the circumstances under which the suspension is to be terminated, if, in the period for which the license is in effect, there have been at least 2 prior occasions on which the licensee has been determined to have violated this chapter; or

''(ii) if the violation is of a serious nature—

''(I) impose on the licensee a civil money penalty of not more than $2,500 for each such violation, except that the total amount of penalties imposed on a licensee under this subclause for a violations arising from a single inspection or examination shall not exceed $15,000;

''(II) suspend the license for not more than 90 days, and specify the circumstances under which the suspension is to be terminated;

''(III) revoke the license; or

''(IV) take the actions described in subclauses (I) and (II), or subclauses (I) and (III).

''(B)(i)(I) In determining the amount of a civil money penalty to impose under subparagraph (A) on a licensee, the nature and severity of the violation involved, the size of the firearms business operated by the licensee, and the prior record of the licensee shall be considered.

''(II) On request of the licensee, the Attorney General may consider the ability of the licensee to pay a civil money penalty, and may allow the licensee to submit documents and information to establish the ability of the licensee to pay. The Attorney General shall not make part of any public record any document or information so submitted, and shall return to the licensee any such document or information.

''(III) The total amount of penalties imposed on a licensee under subparagraph (A) with respect to violations of a minor nature and of a serious nature arising from a single inspection or examination shall not exceed $15,000.

''(ii) For purposes of subparagraph (A), violation of a provision of this chapter with respect to 2 or more firearms during a single transaction shall be considered a single violation of the provision.

''(iii) The Attorney General may defer, or suspend, in whole or in part, the imposition of a civil money penalty on a licensee whose license is suspended under this paragraph.

''(C) For purposes of subparagraph (A):

''(i) A violation of this chapter shall be considered to be of a serious nature if the violation—

''(I) results in or could have resulted in the transfer of a firearm or ammunition to a person prohibited from possessing or receiving the firearm or ammunition under this chapter or under State or local law;

''(II) obstructs or could have obstructed bona fide criminal investigation or prosecution, or an inspection or examination under this chapter; or

''(III) prevents or could have prevented a licensee from complying with subsection (a)(7), (a)(8), (b)(1), (b)(3), (b)(4), (j), (k), (o), or (p) of section 922, subsection (g)(7) of this section, or subsection (b) or (h) of section 924.

''(ii) A violation of this chapter shall be considered to be of a minor nature if the violation is not of a serious nature.

''(D) The Attorney General may not commence an enforcement action under subparagraph (A) with respect to a violation, after the 5-year period that begins with—

''(i) the date the violation occurred; or

''(ii) if the licensee intentionally obstructed discovery of the violation, the date the violation is discovered.

''(2)(A) Not less than 30 days before the effective date of any penalty imposed on a licensee by reason of a determination made under paragraph (1), the Attorney General shall send the licensee a written notice—

''(i) of the determination, and the grounds on which the determination was made;

''(ii) of the nature of the penalty; and

''(iii) that the licensee may, within 30 days after receipt of the notice, request a hearing to review the determination.

''(B) A hearing to review a determination made under paragraph (1) with respect to a licensee shall not be held unless the licensee requests such a hearing within 30 days after receiving the notice of the determination sent pursuant to subparagraph (A).

''(C) On timely receipt from the licensee of a request for such a review, the Attorney General shall stay the imposition under paragraph (1) of any penalty involved, pending resolution of the review, unless, in the case of a suspension or revocation of a licensee, the Attorney General establishes, at a hearing before an administrative law judge, by clear and convincing evidence, that the continued operation by the licensee of the business poses an immediate and grave threat to public safety.

''(3)(A) Within 90 days after timely receipt from a licensee of a request to review a determination made under paragraph (1) (or at such later time as is agreed to by the Attorney General and the licensee), an administrative law judge shall hold a hearing, at a location convenient to the licensee, to review the determination.

''(B) Not less than 30 days before the hearing, the Attorney General shall deliver to the licensee—

''(i) a document identifying each person whom the Attorney General intends to call as a witness during the hearing;

''(ii) a copy of each document which will be introduced as evidence at the hearing; and

''(iii) copies of all documents on which the determination is based.

''(C) Within 90 days after the hearing, the administrative law judge shall issue a written decision setting forth findings of fact and conclusions of law, and a decision as to whether to affirm, modify, or reverse the determination.

''(D) On request of the licensee, the Attorney General shall stay the effective date of any penalty, suspension, or revocation until there has been a final, nonreviewable judgment with respect to the determination involved, unless, in the case of a suspension or revocation of a licensee, the Attorney General establishes, at a hearing before an administrative law judge, by clear and convincing evidence, that the continued operation by the licensee of the business poses an immediate and grave threat to public safety.

''(E) The action of an administrative law judge under this subsection shall be considered final agency action for all purposes, and may be reviewed only as provided in subsection (f).

''(4) This subsection shall not be interpreted to affect the authority of the Attorney General under section 922(t)(5).

''(f)(1) Within 60 days after a party receives a notice issued under subsection (d)(3) of a decision to deny a license, or a notice issued under subsection (e)(3)(C) of a determination to impose a civil money penalty or to suspend or revoke a license, the party may file a petition with the United States district court for the district in which the party resides or has a principal place of business for a de novo review of the decision or determination.

''(2) In a proceeding conducted under this paragraph, the court shall, on application of a party, consider any evidence submitted by the parties to the proceeding whether or not the evidence was considered at the hearing held under subsection (d)(3) or (e)(3).

''(3) If the court decides that the decision or determination was not authorized, the court shall order the Attorney General to take such action as may be necessary to comply with the judgment of the court.

''(4) If criminal proceedings are instituted against a licensee alleging any violation of this chapter or of a regulation prescribed under this chapter, and the licensee is acquitted of the charges, or the proceedings are terminated, other than upon motion of the Government before trial on the charges, the Attorney General shall be absolutely barred from denying a license under this chapter, suspending or revoking a license granted under this chapter, or imposing a civil money penalty under subsection (e), if the action would be based in whole or in part on the facts which form the basis of the criminal charges.

''(5) The Attorney General may not institute a proceeding to suspend or revoke a license granted under this chapter, or to impose a civil money penalty under subsection (e), more than 1 year after the filing of the indictment or information.''.

(b) CONFORMING AMENDMENT TO PROCEDURE APPLICABLE TO DENIAL OF APPLICATION FOR LICENSE.—Section 923(d) of such title is amended by adding at the end the following:

''(3) If the Attorney General denies an application for a license, an administrative law judge of the Department of Justice shall, on request by the aggrieved party, promptly hold a hearing to review the denial, at a location convenient to the aggrieved party. If, after the hearing, the administrative law judge decides not to reverse the denial, the administrative law judge shall give notice of the final denial decision to the aggrieved party.''.

SEC. 3. CONSIDERATION OF FEDERAL FIREARMS LICENSE APPLICATIONS.

(a) IN GENERAL.—Section 923(d) of title 18, United States Code, as amended by section 2(b) of this Act, is amended by redesignating paragraphs (2) and (3) as paragraphs (3) and (4) and inserting after paragraph (1) the following:

''(2) The Attorney General shall make a preliminary determination as to whether to approve or deny an application submitted under subsection (a) or (b). If the preliminary determination is to deny the application, the Attorney General shall notify the applicant in writing of the preliminary determination and the reasons for the preliminary determination, and shall afford the applicant an opportunity to supplement the application with additional information and to request a hearing on the application. If the applicant, in a timely manner, requests such a hearing, the Attorney General shall hold the hearing at a location convenient to the applicant, and shall notify the applicant in writing of the time and place of the hearing.''.

(b) CONFORMING AMENDMENT.—Section 923(f) of such title, as amended by section 2(a) of this Act, is amended by striking ''(d)(3)'' each place it appears and inserting ''(d)(4)''.

SEC. 4. DEFINITION OF WILLFULLY.

Section 923(e) of title 18, United States Code, as amended by section 2(a) of this Act, is amended by adding at the end the following:

''(5) For purposes of this subsection, the term 'willfully' means, with respect to conduct of a person, that the person knew of a legal duty, and engaged in the conduct knowingly and in intentional disregard of the duty.''.

SEC. 5. ESTABLISHMENT OF FORMAL INSPECTION, EXAMINATION, AND INVESTIGATIVE GUIDELINES.

The Attorney General shall establish guidelines for how the Bureau of Alcohol, Tobacco, Firearms, and Explosives is to conduct inspections, examinations, or investigations of possible violations of chapters 40 and 44 of title 18, United States Code.

SEC. 6. REVIEW BY THE INSPECTOR GENERAL OF THE DEPARTMENT OF JUSTICE OF THE GUN SHOW ENFORCEMENT PROGRAM; REPORT.

(a) REVIEW.—The Inspector General of the Department of Justice shall conduct a review of the operations of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, for the purpose of assessing the manner in which the Bureau conducts the gun show enforcement program and blanket residency checks of prospective and actual firearms purchasers.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Inspector General of the Department of Justice shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a written report that contains the findings of the review required by subsection (a), and includes such recommendations as may be appropriate.

SEC. 7. LIMITATIONS ON USE OF FIREARMS PURCHASER INFORMATION.

Section 923(g)(1)(D) of title 18, United States Code, is amended in the last sentence by inserting '', except that information identifying a person who has purchased or received firearms or ammunition and who is not prohibited from doing so may not be so made available or so provided unless the agency involved has certified that the agency will not disclose the information to any entity other than a court, federal, State or local law enforcement agency, or prosecutor'' before the period.

SEC. 8. LIQUIDATION OF INVENTORY IN FEDERAL FIREARMS LICENSE EXPIRATION, SURRENDER, OR REVOCATION CASES.

Section 923 of title 18, United States Code, is amended by adding at the end the following:

''(m)(1) Except as provided in paragraph (2), a person whose license issued under this chapter is expired, surrendered, or revoked shall be afforded 60 days from the effective date of the expiration, surrender, or revocation to liquidate the firearms inventory of the person, which time may be extended upon a showing of reasonable cause. During such 60-day period (including any extension of the period), the license involved shall continue to be considered valid.

''(2) Paragraph (1) shall not apply with respect to a person if a United States District Court for the judicial district in which the person resides or in which the principal place of business of the person subject to the license is located finds, by clear and convincing evidence, that the continued operation by the person of the business poses an immediate and grave threat to public safety.''.

SEC. 9. OPPORTUNITY TO CURE VIOLATIONS AFTER ACQUISITION OF FIREARMS BUSINESS.

Section 923 of title 18, United States Code, is further amended by adding at the end the following:

''(n) If the Attorney General is made aware that a business licensed under this chapter has transferred to a surviving spouse or child of the licensee, to an executor, administrator, or other legal representative of a deceased licensee; or to a receiver or trustee in bankruptcy, or an assignee for benefit of creditors, and, before the transfer, or on the first inspection or examination by the Attorney General of the records of the licensee after the transfer, the licensee is found to be operating the business in violation of this chapter, the Attorney General—

''(1) shall notify the transferee of the violation by the transferor; and

''(2) shall not presume that the transferee is committing the violation.''.

SEC. 10. STANDARDS FOR CRIMINAL VIOLATIONS OF RECORDKEEPING REQUIREMENTS.

Section 922(m) of title 18, United States Code, is amended—

(1) by striking ''any false entry'' and inserting ''a materially false entry'';

(2) by striking ''appropriate entry'' and inserting ''a materially significant entry''; and

(3) by striking ''properly maintain'' and inserting ''retain custody of''.

SEC. 11. AUTHORITY TO COLLECT INFORMATION ON EXPLOSIVES STORED UNDER STATE LAW; REGULATIONS GOVERNING STORAGE OF EXPLOSIVES MADE APPLICABLE TO STORAGE OF EXPLOSIVES BY AGENCIES OPERATING UNDER STATE LAW.

(a) AUTHORITY TO COLLECT INFORMATION ON EXPLOSIVES STORED UNDER STATE LAW.—

(1) IN GENERAL.—Section 846 of title 18, United States Code, is amended by adding at the end the following:

''(c) Each agency operating under the law of any State or political subdivision thereof that stores or keeps explosive materials shall submit to the Attorney General, at such time as the Attorney General shall prescribe in regulations, a written report that specifies each location at which the agency stores or keeps explosive materials that have been shipped or transported in interstate or foreign commerce, and the types and amounts of such explosive materials that are stored or kept at the location.''.

(2) REGULATIONS.—Within 6 months after the date of the enactment of this section, the Attorney General shall prescribe the regulations referred to in section 846(c) of title 18, United States Code.

(b) REGULATIONS GOVERNING STORAGE OF EXPLOSIVES MADE APPLICABLE TO STORAGE OF EXPLOSIVES BY AGENCIES OPERATING UNDER STATE LAW.—Subpart K of part 555 of subchapter C of chapter II of title 27, Code of Federal Regulations, shall apply with respect to the storage by agencies operating under the law of any State or political subdivision thereof of explosive materials that have been shipped or transported in interstate or foreign commerce.

SEC. 12. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect at the end of the 180-day period that begins with the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5092 currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 5092, the Bureau of Alcohol, Tobacco, Firearms, and Explosives Modernization and Reform Act of 2006. The bill is a bipartisan bill aimed at providing ATF with a full complement of enforcement tools needed to ensure compliance by Federal firearms licensees with Federal regulations.

A series of oversight hearings by the Crime Subcommittee showed that ATF'S existing enforcement authorities actually hinder its ability to enforce our Nation's gun laws and unfairly impact Federal firearms licensees. This legislation provides a comprehensive response to the concerns raised in those hearings.

For too many years, ATF has labored under a restrictive enforcement scheme which forces the ATF to either revoke a license or do nothing at all. This bill would provide ATF with graduated penalties so that licensees will face the possibility of civil penalty suspensions and the ultimate penalty, revocation of the license. No longer will ATF have to try to cajole licensees to comply or threaten them with heavy-handed revocation proceedings. With this measure ATF will be able to seek a penalty that fits the infraction, depending upon the seriousness of the violation.

In addition, the bill replaces the existing adjudicatory system, which consists of former ATF employees who sit as Administrative Law Judges, with a professional and neutral staff of ALJs who will sit and hear enforcement cases. The bill includes deadlines for hearings and decisions so that enforcement will be expedited. The bill also authorizes ATF to shut down licensees who pose a serious harm to the public.

The bill also remedies a significant problem of enforcement. ATF has used

its enforcement authority to threaten revocation of licenses against gun dealers who make inadvertent or technical mistakes in their paperwork. The subcommittee has heard testimony on this issue, which revealed that ATF treats virtually all errors in dealers records, no matter how few or how minor, as willful violations.

For example, a witness cited that a licensee received a revocation notice for writing a ''Y'' or an ''N'' instead of writing out ''yes'' or ''no'' on a firearms transactions form. That does not make sense. Or in a number of transactions, a revocation notice cited the failure of a firearm arms purchaser to identify country of residence, although the purchaser listed county of residence.

Such enforcement activities are not fair to any notion of due process. The bill clarifies that violations must be knowing and intentional violations versus good faith or technical mistakes in recordkeeping.

I urge my colleagues to vote in favor of this bipartisan bill, which will improve ATF's enforcement authorities and fairness and justice of their treatment of gun dealers

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

Mr. VAN HOLLEN. Mr. Speaker, at the outset, I yield 3½ minutes to the gentleman from Virginia (Mr. SCOTT), even though he is in support of the bill.

Mr. SCOTT of Virginia. I thank the gentleman for yielding.

Mr. Speaker, I rise in support of H.R. 5092. I join with the gentleman from North Carolina, the subcommittee chairman, Mr. COBLE, in developing this bill, which will focus on improving the due process and effectiveness in ATF enforcement of Federal gun laws and regulations.

Currently as many as 98 percent of violations cited by ATF against gun dealers result in nothing more than a letter of reprimand or meeting with ATF officials at their office, backed by some threats of revocation. There are complaints, on the one hand, that the enforcement system treats Federal firearms licensees unfairly by focusing too much on minor technical violations with threats of revocation. So, on the occasional, though rare, occasion, where the gun dealer's license is actually revoked for what is perceived to be a minor violation, it generates perceptions of unfairness and breeds disrespect of the regulatory process.

If a violation is challenged, the system perpetuates a further appearance of unfairness by using ATF employees, responsible to their supervisors, to decide the case. On the other hand, there are complaints that ATF is unable to effectively license the licensees, because the only available sanction is revocation, and licensees note they are unlikely to be revoked for anything more than a serious violation. Therefore, they can be casual with a lesser violation since they are unlikely to receive anything less than a warning.

H.R. 5092 addresses these problems with a system of intermediate sanctions, applied on a graduated basis. For violations the ATF designates as minor, the bill makes available to the ATF fines of up to $1,000, with cumulative fines up to $5,000 per inspection process. After two incidences of minor violations, suspensions up to 30 days are available.

For violations designated as serious, there can be fines up to $2,500 per violation, up to $15,000 per inspection; and in addition to such fines, suspensions up to 90 days or revocation are also available. The ATF will decide by regulation what constitutes a minor violation or a major violation. But anything which actually endangers the public will count as a major violation.

I would also note that, under the bill, any violation that results in or could have resulted in the transfer of a firearm to a prohibited person, or prevents the dealer from complying with gun tracing or anything like that, must be considered a major violation. Therefore, the suggestion that the bill allows for unaccounted-for guns to be treated as a minor violation is not true.

To ensure fairness in the process, the bill revamps the hearing process by requiring that hearings be conducted by Administrative Law Judges.

Mr. Speaker, in summary, for minor violations, virtually all of which are now treated with just a letter of reprimand or warning, the bill provides for substantial fines and treats repeat offenders with suspensions and/or additional fines. For major violations, the vast majority of which also result only in a letter of reprimand or a warning, the bill provides for even more substantial fines, longer suspensions or revocations. That will result in improved, fair and meaningful enforcement of our gun laws.

For that reason, I urge my colleagues to support the bill.

Mr. VAN HOLLEN. Mr. Speaker, this bill says that its purpose is to, and I quote, modernize and reform, unquote, the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

But what it really does, under the guise of so-called modernization and reform, is to make it virtually impossible for Federal law enforcement officers in the ATF to revoke the licenses of those gun dealers who have violated the gun laws. It guts their power to go after the worst offenders.

You don't have to take my word for it. Let me just read to you from the first paragraph of a letter that was sent to Members of Congress on June 30 of this year:

> As former officials of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, we write to urge you to oppose H.R. 5092, the so-called ATF Modernization and Reform Act. Far from modernizing ATF, this legislation would severely undermine the Bureau and protect corrupt gun dealers and gun traffickers. If passed, this bill would make it extremely difficult for ATF to successfully prosecute gun traffickers and dealers who break the law or to revoke dealers' licenses.

□ 1530

They go on to specifically point out that the requirement that the ATF prove that a gun trafficker or corrupt gun dealer not only broke the law, only specifically intended to break the law, would make it virtually impossible for ATF to successfully enforce our Nation's gun laws. That is signed by a number of former members of the ATF, including two of the former directors of ATF.

Let me also quote from David DiBetta, who is an 18-year veteran of the ATF and who is President of the Federal Law Enforcement Officers Association's ATF Division. He said it very simply: ''It could be crippling.''

Look, people have said when various Members of Congress have proposed new gun safety laws. They have said, just enforce the laws on the books. And we need to enforce the laws on the books. So what is especially troubling is that we are here today not to increase enforcement of the laws on the books but to weaken the ability of Federal law enforcement officers to go after the worst offenders.

I find it somewhat puzzling that we are gathered here in what has been dubbed by some so-called ''Security September'' to consider a bill that ties the hands of Federal law enforcement officers and gives a break to those few bad apples among the gun dealers who sell mostly to the criminal market. That is what is especially puzzling.

According to the ATF itself, nearly 60 percent of the guns that are sold to the criminal market are sold by just 1 percent of the gun dealers. The vast majority of people who are selling guns in this country are honest, law-abiding citizens. But this bill isn't designed to help them. This bill will help those who are the worst violators.

In a little bit I am going to go into how this impacts my State of Maryland where the ATF has been trying to revoke the license of one of the worst violators. But he ran down here to Capitol Hill to lobby against the ATF officials, and here we are on the floor. His voice seems to have a stronger influence than the voice of so many law enforcement officers who are out here, as well as others.

I will just close this portion with this. This has also been presented to us, this bill, as part of the so-called ''American Values Agenda.'' This bill is part of the American Values Agenda. And I just want to know, Mr. Speaker, since when did protecting the worst violators of the law become part of an American value?

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. COBLE).

Mr. COBLE. Mr. Speaker, I thank the gentleman from Wisconsin, chairman of the full committee.

Mr. Speaker, this bill has been mischaracterized in many ways since its inception. The distinguished gentleman from Virginia, Mr. Bobby

Scott, and I cosponsored this bill. We have attracted 152 cosponsors, including 32 Democrat Members.

I regard this bill, Mr. Speaker, as a streamlined management tool for ATF. It, furthermore, creates a revenue stream. When gun dealers are in fact found guilty of violations, fines may now be imposed, creating an incentive, if for no other reason, to comply with the law at hand.

I have had some calls from gun dealers around the country complaining about the bill because they say it opens the door for them to be the beneficiary of fines to be imposed against them. Well, if they commit violations, I think fines are appropriate and in order.

I think this is a good bill, as evidenced, as I said before, by 152 of our colleagues who obviously believe it is. It establishes graduated penalties for civil violation by Federal firearms licensees, it imposes graduated civil penalties, and it includes fines, suspensions and/or revocation against licensees who violate gun laws. The penalties are graduated based on whether the violation is a serious or a non-serious violation. The nature and the severity of the violation, the size of the firearms business and the prior record for compliance by these dealers are considered in determining the civil penalty imposed.

I think, on balance, it is long overdue. This addresses an issue that should have long ago been addressed. Under the law today, the ATF, in response to a gun dealer having committed a violation, has one of two choices: He either does nothing or he revokes.

By the way, Mr. SCOTT and I conducted at least three hearings on this matter. At one of the hearings, we learned that a purchaser of a firearm in response to an answer, and I don't recall whether it was yes or no, but let's assume for the sake of discussion it was no, the purchaser inserted the initial ''N'' rather than spelling out no. Well, this was deemed to be a violation. Technically, I guess it was a violation, but it was an accidental, incidental violation. Obviously, there was no willfulness involved, nothing for which the door should be slammed upon a dealer. I think this bill will provide this sort of latitude and enlarge the parameters as the ATF goes about its business of enforcing the laws of our land.

Finally, I don't mean to speak for Mr. SCOTT, but I think neither Mr. SCOTT nor I are interested in hamstringing the ATF. I am pro-ATF, but I know for a fact that in some instances the ATF agents have become heavy-handed, maybe even unruly, particularly in the Virginia situation. So I think this will address that problem.

I find it very interesting, Mr. Speaker, and I have told the chairman this earlier, the silence has been deafening as far as response from the ATF. Gun owners of America, they have not come to me in opposition to this bill.

So I want to thank my good friend from Virginia, Mr. SCOTT, Mr. Vassar and our very able staff on our side, Michael and his assistants. We have put together a good piece of legislation. I urge its passage

Mr. VAN HOLLEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Speaker, I thank the distinguished gentleman from Maryland, who has put so much of his time and intelligence into an examination of H.R. 5092, which is called the ''Modernization and Reform Act.''

This bill is taken up as the reported incidence of gun violence continues to rise. It is truly unfortunate that some would advance a proposal such as this, because this measure only threatens to make a troubling situation even more problematic.

Earlier this month, the Department of Justice told us that criminal gun violence grew by nearly 50 percent between the years 2004 and 2005. And up until now, what has been the majority's response to this growing epidemic? Well, simply to take up a bill that will only lead to an additional increase in the number of illegal firearms that on a daily basis constantly go on our streets and communities.

The measure before us, ladies and gentlemen, promises to all but eliminate the ATF's current authority to revoke the Federal firearms licenses of corrupt dealers. If enacted, it would make it virtually impossible for ATF to shut down rogue gun dealers by elevating current burden of proof requirements beyond that of any other major industry.

So let us understand: This is not about going after honest firearms dealers, which constitute the majority of those in the trade. It is not about that. This is about giving a break to the rogue dealers.

This is what is a bit disturbing, because we create in this proposal two vague classifications of gun laws: the serious and the non-serious. It allows for license revocation only for serious violations. But it, unfortunately, defines these violations in such a way that enforcement would be extremely rare.

It excludes many violations that are, in fact, quite dangerous, such as when a gun dealer has numerous weapons lost from its inventory with no record of sale. The bill would require Alcohol, Tobacco and Firearms to automatically stay or postpone the imposition of a fine, a suspension or revocation pending completion of an administration hearing, no matter how egregious the violation.

This standard strongly favors the violator and should be changed so that the alleged violator is required to prove the likelihood of the success of his challenge, as is the current practice for most civil proceedings.

Keeping dangerous firearms out of the hands of violent criminals continues to be one of the most pressing concerns of our Nation. I know somebody besides me is going to talk about the newly released data that shows a total of 3,012 children and teens were killed by gunfire in the United States in one year. That roughly comes out to approximately one child every 3 hours, eight children every day, and more than 50 children every week.

This is what we are legislating under a suspension of the rules. I predict that this suspension is in big trouble, because more and more people are listening to the remarks of the gentleman from Maryland, who has made it clear that most of the community that enforces gun laws is against this.

Now, let's look at it globally. American children are more often at risk from firearm-related injuries and fatalities than any other industrialized nation on the planet. Firearms were reportedly used to kill 19 young people in Great Britain, 57 in Germany, 153 in France, and a staggering 5,285 children in the United States.

As a concerned Member of Congress who serves on this committee, we need to do more to protect our children, and not less. To protect our children and adequately address such problems, we must empower the ATF with the necessary tools and resources to properly police unscrupulous firearms dealers. That is what this measure is about. Unfortunately, the proposals contained therein have taken us in the opposite direction.

So I conclude by pointing out why I join in opposition to this measure. Because the International Brotherhood of Police Officers is against this measure, because the International Association of Chiefs of Police is opposed to this measure, because the Major Cities Chiefs of Police is opposed to this measure, and because the Attorney General of California and two former directors of the Bureau are opposed to this measure.

So I urge my colleagues to let common sense prevail and let the interests of our citizens trump the rogue dealers who have a mysterious way of keeping losing weapons in their inventory with no record of sale. We are on to them. We know what it means. Nobody here is that naive.

□ 1545

So here, ladies and gentlemen, is going to be a very important test, and I hope that the majority of those that will vote on this measure will join me in causing a defeat in the suspension of this measure, H.R. 5092.

SEPTEMBER 18, 2006.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: The Major Cities Chiefs write to express our strong opposition to H.R. 5092, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) ''Modernization and Reform'' Act. This legislation would have a devastating effect on the ability of law enforcement to stem the flow of firearms from lawbreaking gun dealers to violent criminals.

H.R. 5092 would make it virtually impossible for ATF to revoke the licenses of gun dealers who violate federal law. Instead, ATF would be limited to imposing minimal fines and temporary suspensions, but only if it met a new, extraordinary burden of proof that would make even these meager sanctions incredibly rare. If H.R. 5092 is enacted into law, ATF's ability to stop corrupt gun dealers from supplying firearms to the criminal market will be crippled.

For example, H.R. 5092 redefines violations of many of our nation's gun laws as only ''minor'' violations. License revocation would be prohibited for these so-called ''minor'' violations, no matter how many times a dealer violated these federal laws or how egregious those violations may be. Included as ''minor'' violations are what are, in fact, serious violations such as a dealer's failure to account for large numbers of firearms missing from its inventory. A dealer may claim that hundreds or thousands of weapons have been ''lost,'' preventing ATF from completing a trace of any such guns recovered at crime scenes. Missing firearms also frequently indicate ''off-the-book'' sales to gun traffickers or felons. Yet H.R. 5092 would remove ATF's power to revoke the licenses of these gun dealers, greatly jeopardizing ATF's ability to enforce federal gun laws and our ability to use crime gun traces to protect our communities from illegal guns.

Another dangerous provision of H.R. 5092 would allow gun dealers whose licenses have been revoked for violations of federal law to continue operating for 60 days after revocation. ATF would have no discretion to waive this 60-day sales period, even if it found that a dealer posed a dire threat to public safety. The idea that ATF would be required by law to allow a lawbreaking gun dealer to continue selling guns for 60 days after its license has been revoked simply makes no sense.

It is not hard to see the devastating effect that H.R. 5092 would have on law enforcement around the country. Crime gun data compiled by ATF shows that just 1% of our nation's gun dealers supply nearly 60% of all crime guns. If ATF is unable to revoke the licenses of corrupt gun dealers, our communities will continue to be flooded with firearms from these irresponsible gun sellers. It is imperative that ATF have the power to stop the flow of guns from, lawbreaking gun dealers to violent criminals in our cities.

We urge you to stand up for law enforcement and oppose H.R. 5092. Thank you.

Sincerely,

HAROLD L. HURTT,
President,
Major Cities Chiefs.

SEPTEMBER 22, 2006.

DEAR MEMBERS OF CONGRESS: As former officials of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (''ATF''), we write to urge you to oppose H.R. 5092, the so-called ATF ''Modernization and Reform Act,'' passed by the House Judiciary Committee on September 7, 2006. Far from ''modernizing'' ATF, this legislation would severely undermine the Bureau and protect corrupt gun dealers. If passed, this bill would make it extremely difficult for ATF to revoke the licenses of gun dealers who break the law.

Federal law already impedes ATF's law enforcement powers by requiring it to meet a heightened burden of proving a ''willful'' violation of federal law to revoke the licenses of dealers who blatantly break the law. This ''willfulness'' standard was imposed by Congress in 1986. To meet this standard for license revocations, ATF must show that a dealer was plainly indifferent to known legal obligations, for example, by proving that the dealer repeatedly broke the law. *See, e.g., Willingham Sports, Inc.* v. *ATF*, 415 F.3d 1274, 1276 (11th Cir. 2005). H.R. 5092 would redefine the definition of ''willful,'' overriding court rulings on the meaning of this burden of proof. H.R. 5092 would instead require that ATF prove a lawbreaker's specific mental state and purpose. This requirement that ATF prove that a corrupt gun dealer not only broke the law but also specifically intended to break the law would make it virtually impossible for ATF to revoke federal firearms licenses. There is no reason to protect lawbreakers, at the expense of public safety, by requiring such an extraordinary burden of proof.

H.R. 5092 also redefines most violations of federal gun laws as ''minor.'' It prohibits license revocations for such so-called ''minor'' violations, no matter how egregious the violations. License revocations would be limited to so-called ''serious'' violations. The bill excludes from so-called ''serious'' violations the most common and serious record keeping violations for which ATF is able to produce evidence to revoke the licenses of rogue dealers. Such record keeping violations include the failure to account for weapons missing from inventory, a dangerous practice that may be used by a federally licensed dealer to mask illegal sales or gun trafficking. A dealer may claim that hundreds or thousands of weapons have been ''lost,'' preventing ATF from completing a trace of any such guns recovered at crime scenes. H.R. 5092 would remove ATF's power to revoke the licenses of such gun dealers, greatly jeopardizing ATF's ability to enforce federal gun laws and protect our communities from illegal guns.

H.R. 5092 also grants ATF the ability to impose fines and temporary license suspensions, although it then places such severe impediments on ATF's ability to impose these sanctions as to make them nearly meaningless. For example, it caps damages at $15,000 for all ''serious'' violations uncovered by an ATF inspection and $5,000 for ''minor'' violations. Under H.R. 5092, if ATF uncovered 5,000 violations at one inspection because of massive numbers of ''lost'' guns with no record of sale, it would be limited to a $5,000 cap in fines, or an average of only a meager $1 fine per violation. It also requires stays of fines and temporary license suspensions in most cases, through all administrative hearings and court appeals. This means that an ATF attempt to impose a few thousand dollars in fines or suspend a license for a month could be delayed through years of litigation. It also requires courts to review ATF administrative findings de novo, requiring courts to reconsider a case without giving any weight to the findings of an administrative hearing, and allows a dealer to introduce new evidence in court that was not submitted at the agency hearing. These procedures simply encourage prolonged litigation as a way of delaying fines or license suspension through years of court battles. Instead of these illogical limits and procedures, ATF should be allowed to impose real fines and license suspensions without automatic stays for the most egregious violators.

H.R. 5092 also contains other unreasonable restrictions on ATF that favor lawbreakers. It allows even the most dangerous violators of federal law to continue selling guns for 60 days after they have had their licenses revoked or if their licenses expire. ATF should have the discretion to limit such sales where they pose a risk to the community and the nation's law enforcement officers. The bill also redefines record keeping requirements by making it more difficult to sanction dealers who fail to keep proper records of their firearms. For example, it would end the requirement that dealers keep their records organized according to long-standing regulations, instead requiring them simply to keep ''custody'' of such records, in any manner or method chosen by the dealer. This would shield rogue dealers by requiring ATF inspections to sort through records kept in disarray, greatly increasing the cost and length of inspections and the likelihood that record keeping violations will not be discovered.

ATF already faces severe constraints in its ability to crack down on gun dealers who violate the law. H.R. 5092 would further jeopardize ATF's ability to enforce the law against these rogue elements. Instead of enacting H.R. 5092, Congress should support legislation that gives ATF the power to impose fines and license suspensions on gun dealers who violate the law without extraordinarily high burdens of proof, automatic stays, and unreasonably low maximum fines.

Stephen Higgins, Director (Ret.) ATF 1982–1993,
Joseph J. Vince, Jr., Chief (Ret), Crime Gun Analysis Branch, ATF,
Gerald Nunziato, Special Agent in Charge (Ret), National Tracing Center, ATF,
Frank Wandell, Special Agent & District Senior Operations Officer (Ret), ATF,
Rex Davis, Director (Ret.) ATF 1966–1978,
William Vizzard, Special Agent in Charge (Ret), ATF,
Julius Wachtel, Resident Agent in Charge (Ret), ATF, Long Beach Field Office,
Gerald C. Benedict, Special Agent in Charge, Louisville District (Ret), ATF.

STATE OF CALIFORNIA,
OFFICE OF THE ATTORNEY GENERAL,
Sacramento, CA.

Re: *H.R. 5092.*

Hon. F. JAMES SENSENBRENNER, Jr.,
Chairman, House Judiciary Committee, House of Representatives, Washington, DC.

DEAR CONGRESSMAN SENSENBRENNER: I am writing to express the strong opposition of the California Department of Justice to H.R. 5092, which is now pending in the United States Congress. If H.R. 5092 were to become law, it would dangerously undermine the regulation of the nation's gun dealers on both the state and federal level.

H.R. 5092 would eviscerate the ability of the federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to regulate federally licensed firearms dealers (FFLs). Under H.R. 5092, ATF would only be able to revoke a license when it proved that a dealer ''willfully'' committed a ''serious'' violation. Only three types of violations would be classified as ''serious'' under H.R. 5092. All other firearms and weapon offenses (including the importation, possession or sale of a machine gun; possession of a firearm without a serial number; possession of a bomb, grenade, rocket or missile) would be considered ''non-serious.''

H.R. 5092's distinction between ''serious'' and ''non-serious'' violations would undercut the enforcement of state laws, as well as federal laws. Federal law makes it a felony to sell a firearm in violation of a state law [18 U.S.C. §922(b)(2)]. For example, it is a crime for an FFL to sell a rifle to a California resident that is considered an assault weapon under California law. Under current law, the dealer would be subject not only to criminal prosecution, but also FFL revocation for the offense. Under H.R. 5092, ATF would be unable to revoke a dealer's license for failure to comply with state law because that crime would not be considered a ''serious'' violation.

Even ''serious'' violations by firearms dealers would rarely result in license revocation. H.R. 5092 would require that in order to revoke an FFL, ATF would have to prove that

the dealer deliberately intended to commit the ''serious'' violation. Current law allows ATF to revoke a federal firearms license in cases where a dealer ''willfully'' violates a provision of the Gun Control Act of 1968, or any rule or regulation issued pursuant to the Act. (18 U.S.C. §923(e).) A person commits a willful violation when the person knows of his legal duty, and disregards or is plainly indifferent to that duty. (Perri v. Department of the Treasury, 637 F.2d 1332, 1336 (9th Cir. 1981).)

H.R. 5092 redefines the term ''willfully'' in a radical manner that conflicts with common sense and legal precedent. While Merriam-Webster's Dictionary of Law defines the term ''willful'' to mean ''not accidental: done deliberately or knowingly and often in conscious violation or disregard of the law, duty, or the rights of others,'' H.R. 5092 gives it a completely different meaning: ''intentionally, purposely, and with the intent to act in violation of a known legal duty.''

By redefining a familiar, accepted and well-established term, H.R. 5092 would make it virtually impossible for ATF to shut down rogue gun dealers, even when their violations are numerous, repeated, or linked to crimes involving guns. The standard to prove a ''willful'' violation is unprecedented in administrative law and more difficult to prove the mental state required in most criminal prosecutions. I am aware of no other federal regulatory agency that is held to such a high standard in its attempt to regulate licensees.

The only sanction for ''non-serious'' violations under H.R. 5092 would be temporary suspension and fines, even when the violations are numerous and repeated. The fines set by H.R. 5092 appear to be much lower than fines set in administrative schemes for other licensees. Fines can only be assessed by ATF, furthermore, for ''willful'' violations of ''non-serious'' provisions.

For these reasons, and many others, H.R. 5092 would directly and negatively affect the State of California. The Firearms Division of California DOJ works closely and collaboratively with ATF to monitor firearms dealers in the state for compliance with state and federal laws. California DOJ inspectors notify ATF when they observe dealers who are in violation of federal law and are likewise notified when ATF agents observe state violations. Our ability to monitor dealers in the state will be compromised if ATF's authority to enforce federal law is weakened.

At a time when it is paramount for law enforcement agencies to work collaboratively to combat the threat of terrorism, it is outrageous that legislation would be proposed to hamper law enforcement cooperation. Without any evidence that ATF has abused its ability to revoke FFLs, it is outrageous to propose gutting that power. In fact, H.R. 5092 undercuts the fundamental rationale for the Gun Control Act of 1968: ''to provide support to Federal, State, and local law enforcement officials in their fight against crime and violence.'' Therefore, I urge you in the strongest terms to reject it.

Sincerely,

BILL LOCKYER,
Attorney General.

LAW ENFORCEMENT OPPOSITION TO H.R. 5092, THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES (ATF) MODERNIZATION AND REFORM ACT

U.S. CONGRESS,
The Capitol,
Washington, DC:

The undersigned law enforcement organizations/association and law enforcement executives represent law enforcement officers who are actively engaged in providing law enforcement, public safety and homeland security services in the United States. We are writing to join with the Major City Chiefs Association to express our strong opposition to H.R. 5092, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) ''Modernization and Reform'' ACT. This legislation would have a devastating effect on the ability of law enforcement to stem the flow of firearms from lawbreaking gun dealers to violent criminals.

H.R. 5092 would make it virtually impossible for ATF to revoke the licenses of gun dealers who violate federal law. Instead, ATF would be limited to imposing minimal fines and temporary suspensions. but only if it met a new, extraordinary burden of proof that would make even these meager sanctions incredibly rare. If H.R. 5092 is enacted into law, ATF's ability to stop corrupt gun dealers from supplying firearms to the criminal market will be crippled.

For example. H.R. 5092 redefines violations of many of our nation's gun laws as only ''minor'' violations. License revocation would be prohibited for these so-called ''minor'' violations, no matter how many times a dealer violated these federal laws or how egregious those violations may be. Included as ''minor'' violations are what are, in fact, serious violations such as a dealer's failure to account for large numbers of firearms missing from its inventory. A dealer may claim that hundreds or thousands of weapons have been ''lost,'' preventing ATF from completing a trace of any such guns recovered at crime scenes. Missing firearms also frequently indicate ''off-the-book'' sales to gun traffickers or felons. Yet H.R. 5092 would remove ATF's power to revoke the licenses of these gun dealers, greatly jeopardizing ATF's ability to enforce federal gun laws and our ability to use crime gun traces to protect our communities from illegal guns.

Another dangerous provision of H.R. 5092 would allow gun dealers whose licenses have been revoked for violations of federal law to continue operating for 60 days after revocation. ATF would have no discretion to waive this 60-day sales period, even if it found that a dealer posed a dire threat to public safety. The idea that ATF would be required by law to allow a lawbreaking gun dealer to continue selling guns for 60 days after its license has been revoked simply makes no sense.

It is not hard to see the devastating effect that H.R. 5092 would have on law enforcement around the Country. Crime gun data compiled by ATF shows that just 1% of our nation's gun dealers supply nearly 60% of all crime guns. If ATF is unable to revoke the licenses of corrupt gun dealers, our communities will continue to be flooded with firearms from these irresponsible gun sellers. It is imperative that ATF have the power to stop the flow of guns from lawbreaking gun dealers to violent criminals in our cities.

We urge you to stand up for law enforcement and oppose H.R. 5092. Thank you.

Major City Chiefs Association.
International Brotherhood of Police Officers.
National Black Police Association.
School Safety Advocacy Council.
National Latino Police Officers Association.
Minnesota Association of Chiefs of Police.
Michigan Association of Chiefs of Police.
Chief R. Gil Kerlikowske, Seattle Police Department, Seattle, WA.
Commissioner Sylvester Johnson, Philadelphia Police Department, Philadelphia, PA.
Chief Scott Knight, Chaska Police Department, Chaska, MN.
Michael J. Chitwood, Superintendent of Police, Upper Darby Township Police Department, Upper Darby, Pa.
Chief Michael J. Carroll, West Goshen Township Police Department, West Chester, Pennsylvania, 4th Vice President, International Association of Chiefs of Police.
Mark L. Whitman, Police Commissioner, York, PA, IACP General Chair, State Associations of Chiefs of Police.
Curtis S. Lavarello, Executive Director, School Safety Advocacy Council, Sarasota, FL.

Mr. VAN HOLLEN. Mr. Speaker, let me thank my colleague from Michigan, the ranking member of the Judiciary Committee, Mr. CONYERS, for his leadership on this and for pointing out the law enforcement agencies that are opposed to this important legislation and in favor of the arguments that we put forth in opposition. And, again, I just cite from David DiBetta, who is the president of Federal Law Enforcement Officers Association ATF division, who said: ''This bill would be crippling to their efforts to enforce our gun laws.''

INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS,
Alexandria, VA, September 20, 2006.

U.S. CONGRESS,
Washington, DC.

DEAR REPRESENTATIVE: The International Brotherhood of Police Officers (IBPO). representing federal, state and local police officers around the country, strongly opposes H.R. 5092, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) ''Modernization and Reform'' Act. This senseless legislation would serve only to cripple law enforcement's ability to track and prevent the flow of illegal guns across the country.

H.R. 5092 diminishes the ATF's ability to revoke, suspend or fine gun dealers by unnecessarily raising the standard of proof required for adverse action from federal investigators against gun dealers who blatantly violate federal law regulating the sale and transfer of guns.

In addition, H.R 5092 reclassifies serious violations of federal gun to lesser or ''minor'' violations resulting in negligent or criminal dealers being held to a lower standard, and in some cases, giving them a free ride because guns claimed as ''lost'' from their inventory would be impossible to trace if recovered at a crime scene.

Another shameless provision of H.R. 5092 would allow gun dealers whose licenses have been revoked for violations of federal law to continue operating for 60 days after revocation. The ATF would have to allow these negligent or criminal gun dealers to continue to sell guns for 60 days after issuing a revocation.

The IBPO stands strongly against H.R. 5092 because of its detrimental effects to proven, successful crime fighting tools used by federal agents and local police. A vote for H.R. 5092 in any form is a vote against police officers and it's a vote against the safety of our communities. H.R. 5092 serves no justifiable purpose to law enforcement or legitimate gun owners.

We urge you to vote against this unnecessary and dangerous legislation.

Respectfully,

STEVE LENKART,
Director of Legislative Affairs.

AMERICAN BAR ASSOCIATION,
GOVERNMENTAL AFFAIRS OFFICE,
Washington, DC, September 25, 2006.

DEAR REPRESENTATIVE: We understand that the House of Representatives will soon consider H.R. 5092, the Bureau of Alcohol, Tobacco, Firearms and Explosives (''BATFE'') Modernization and Reform Act

of 2006. I am writing on behalf of the American Bar Association to express, our opposition to this legislation and to urge you to vote against it.

H.R. 5092 would restructure BATFE revocation powers regarding federal gun dealer licensing and create a new administrative process for review of gun dealer violations of federal law. Foremost among our concerns among the proposed changes to current law contained in H.R. 5092 is that regarding the standard of proof required in civil penalty proceedings brought against defendant gun dealers. H.R. 5092 would amend the current standard of ''willful'' misconduct to require proof that a defendant in acting willfully acted ''intentionally, purposely, and with the intent to act in violation of a known legal duty.'' This latter standard is exceptionally high for a civil penalty proceeding and has been generally limited only to criminal prosecutions of complex and arcane tax laws. See Cheek v. U.S., 498 U.S. 192, 199 (1991). Penalty proceedings in this area of law are currently rare and involve violations of laws that are not complex. We do not believe there is a demonstrable reason to change the current ''willful'' standard of proof.

We are also concerned with the proposed new regulatory scheme in H.R. 5092 that would creates a range of new non-criminal penalties. H.R. 5092 would replace BATFE revocation of federal licenses in most instances with a new regime of minor fines and temporary license suspensions. Its proposed provisions are particularly troubling in regard to offenses often related to illegal gun trafficking. It would limit fines for violations from a single inspection or examination to minimal amounts no matter how many guns are ''missing'' from inventory records and unaccounted for. Furthermore, multiple gun sales violations—often incident to illegal gun trafficking—would only result under H.R. 5092 in a maximum fine of $15,000, an amount too modest to deter crime.

We remain concerned that, despite bipartisan efforts to moderate key provisions in H.R. 5092 during its consideration by the Judiciary Committee, H.R. 5092 would unduly weaken BATFE oversight of federal gun dealers. We believe the proposed new standard of proof for penalty proceedings brought against gun dealers and the new administrative regime proposed in H.R. 5092 would make actions against rogue or corrupt gun dealers too difficult and would weaken the agency's oversight role.

For these reasons, we urge you to vote against H.R. 5092.

Sincerely,

ROBERT D. EVANS.

BRADY CAMPAIGN—TO PREVENT GUN VIOLENCE

HOW H.R. 5092 WOULD PROTECT CORRUPT GUN DEALERS AND WEAKEN FEDERAL GUN LAWS

H.R. 5092, the so-called Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) ''Modernization and Reform Act,'' would undermine law enforcement and protect corrupt gun dealers. The bill would make it virtually impossible for ATF to revoke the licenses of gun dealers who violate federal law.

The problem of rogue gun dealers is vividly illustrated by National Rifle Association Board Member Sanford Abrams, operator of Valley Gun shop of Baltimore, Maryland. Valley Gun violated federal law over 900 times, and after nearly a decade of violations, ATF was family able to revoke its firearms license. The U.S. Department of Justice called Valley Gun an ''irresponsible gun shop'' that has engaged in ''dangerous operations'' as a ''serial violator'' of federal gun laws.

Under H.R. 5092, in cases like Abrams' where an irresponsible dealer was serially violating federal gun laws, the burden imposed by the legislation to show ''willfulness''—defined in the bill as requiring a specific intent to break the law—would make license revocation nearly impossible. Because the bill imposes the same new definition of ''willfulness'' for fines and suspensions, those lesser remedies would be unrealistic as well and, in any event, could be delayed through years of legal appeals.

H.R. 5092 CHANGES THE DEFINITION OF A ''WILLFUL'' VIOLATION OF FEDERAL LAW TO PROTECT CORRUPT GUN DEALERS (SECTION 4)

Federal law currently places severe restraints on ATF's ability to revoke licenses from gun dealers who break the law. Even though ATF inspections often reveal scores of illegal acts by gun dealers, ATF rarely is able to revoke a dealer's federal firearms license. In 2003, ATF inspectors found violations at 1,812 gun dealers, averaging over 80 violations per dealer. Despite this large number of dealers with multiple violations, ATF issued license revocation notices for only 54 dealers that year.

ATF's limited ability to revoke licenses of lawbreaking gun dealers is due, in part, to the overly burdensome requirement that ATF prove a dealer ''willfully'' violated the law. Courts have defined ''willfulness'' as requiring proof that the dealer not only broke the law but also knew that his or her conduct was unlawful. Yet H.R. 5092 would make it even more difficult to revoke the licenses of gun dealers who break the law by changing the current legal definition of ''willfulness'' to require that ATF prove that a lawbreaker not only knew of the requirements of the law and broke the law, but also specifically intended to violate the law. H.R. 5092's requirement that ATF prove a lawbreaker's specific mental state and purpose would present a nearly insurmountable burden. This dangerous provision is contrary to Supreme Court precedent and would cripple ATF's ability to enforce firearms laws.

H.R. 5092 REDEFINES MANY SERIOUS FEDERAL GUN CRIMES TO BE ''MINOR'' VIOLATIONS AND PROHIBITS DEALER LICENSE REVOCATION FOR THESE CRIMES (SECTION 2)

H.R. 5092 re-classifies federal gun laws as ''serious'' and ''minor,'' and allows license revocation only for so-called ''serious,'' willful violations. So-called ''serious'' violations would be rare and would exclude many violations that are extremely dangerous, such as when a dealer has ''lost'' numerous weapons from its inventory with no record of sale. Even so-called ''minor'' violations would be nearly impossible to prove, as these also would require proof of a specific intent to break the law. For example, ATF occasionally revokes licenses of dealers who fail to maintain records for hundreds or thousands of guns. Without proper records, any such guns recovered in crime would be virtually untraceable, severely hindering law enforcement's ability to solve gun crimes. Yet it would be nearly impossible for ATF to prove that a dealer failed to maintain records with the specific intent to break the law, as this bill requires.

H.R. 5092 ALLOWS ATF TO IMPOSE MEAGER FINES AND TEMPORARY LICENSE SUSPENSIONS, BUT ONLY IF IT MEETS A NEARLY INSURMOUNTABLE BURDEN OF PROOF AND ONLY AFTER LENGTHY DELAYS FAVORING LAWBREAKERS (SECTION 2)

H.R. 5092 would allow ATF to impose fines up to $5,000 for so-called ''minor'' violations of federal law and $15,000 for ''serious'' violations, but only if ATF proves a dealer specifically intended to violate the law, making it unlikely that ATF could impose any fines at all. This maximum fine applies to all violations uncovered at an inspection, no matter how many occurred. For example, ATF recently revoked the license of Trader Sports, a San Leandro, California gun dealer that supplied hundreds of guns to criminals. ATF found 7,477 firearms unaccounted for and dozens of other violations at Trader Sports, but under H.R. 5092 the maximum possible fine would be $15,000, or an average fine of only a few dollars per violation. In comparison, the Consumer Product Safety Commission can impose fines on sellers of most unsafe consumer products of $8,000 per violation, up to a maximum of $1,825,000.

The bill also allows license suspension of up to 30 days for so-called ''minor'' violations and 90 days for ''serious'' violations. The bill would require proof of a specific intent to violate the law in order to suspend a license, however, making it unlikely that ATF could meet this difficult burden. Moreover, suspensions could only be imposed for so-called ''minor'' violations after a gun dealer violated federal gun laws on two prior occasions.

The bill would require ATF to stay (postpone) a fine, suspension or revocation through administrative hearings and years of possible court appeals, in most cases. It also requires courts to review ATF administrative findings de novo, giving no weight to administrative judges' findings, rendering the administrative process largely meaningless and a waste of resources.

H.R. 5092 ALLOWS GUN DEALERS WHO VIOLATE FEDERAL LAW TO CONTINUE SELLING GUNS EVEN AFTER THEY HAVE HAD THEIR LICENSES REVOKED (SECTION 8)

H.R. 5092 would allow dealers who violate federal gun laws to continue selling guns for 60 days after they have had their license revoked for willful violations of federal gun laws or after their federal firearms license expires, even if they pose a dire threat to public safety. This makes a mockery of license revocation by allowing dealers to evade revocation and continue operating even though they committed federal crimes, and allows dealers to temporarily avoid renewing licenses as currently required by federal law.

H.R. 5092 PROTECTS GUN DEALERS WHO FAIL TO KEEP TRACK OF THEIR GUNS (SECTION 10)

H.R. 5092 redefines federal law to make it more difficult to sanction dealers who fail to keep proper records of their firearms and allows dealers to keep records in disarray. If dealers are not required to properly maintain records, it makes it much more difficult for ATF to determine if firearms are missing or if the dealer is failing to keep proper records of firearm transactions. This provision would allow dealers to attempt to hide missing firearms by maintaining records in disarray, but still in their ''custody.'' For example, a dealer who had been in business for 50 years could simply throw all of its files in a back room, maintaining ''custody'' of them but making it very difficult for ATF to audit the dealer's records to discover violations.

VIOLENCE POLICY CENTER,
Washington, DC, September 22, 2006.

Hon. JOHN CONYERS,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE CONYERS: The Violence Policy Center (VPC) urges you to oppose H.R. 5092. This dangerous legislation will only make it harder to crack down on illegal gun trafficking—even as new Department of Justice statistics show a steep increase in gun crime. H.R. 5092 is scheduled for House floor consideration under suspension of the rules on Monday, September 25, 2006.

H.R. 5092 will turn Supreme Court precedent on its head by significantly increasing

the burden of proof required to revoke the license of a corrupt gun dealer by changing the definition of ''willfulness'' as it applies to revocation proceedings. Section 4 of the bill would establish a definition of ''willfulness'' that would operate as an ''ignorance of the law'' excuse for corrupt gun dealers.

This major weakening of current law will make it much more difficult to stop illegal gun trafficking since corrupt gun dealers are the number one source of illegally trafficked firearms according to the Bureau of Alcohol, Tobacco, Firearms and Explosives' 2000 report Following the Gun.

The Supreme Court stated in Bryan v. U.S., 534 U.S. 184 (1998) that a ''willfulness'' standard that excuses ignorance of the law only applies in the context of highly technical tax code and cash reporting violations that present ''the danger of ensnaring individuals engaged in apparently innocent conduct.'' The court found such a heightened standard to be unnecessary and inappropriate in the context of illegal gun trafficking.

Rather than making it easier for corrupt dealers to skirt the law, the focus should be on stopping illegal gun trafficking. The Violence Policy Center urges you to oppose H.R. 5092.

Sincerely,

M. KRISTEN RAND,
Legislative Director.

Mr. Speaker, I yield 5 minutes to the gentlewoman from New York (Mrs. MCCARTHY) and thank her for her leadership on this very important matter.

Mrs. MCCARTHY. Mr. Speaker, I have to say, in my 10 years in Congress I have never seen a bill with a more misleading name than this legislation. Instead of modernizing or reforming the ATF, it makes it tougher for ATF to crack down on illegal guns. I know the vast majority of gun sellers are honest, and we know that. But why does Congress feel the need to protect the small minority who sell guns illegally?

This legislation ties the hands of the ATF in its dealings with 1 percent, you have heard that figure before, 1 percent. Why aren't we going after that 1 percent? I know the mayor of New York has been trying to go after that 1 percent, because in New York that is where the illegal guns are coming from, this 1 percent, and they are killing our police officers, they are killing our citizens. And you wonder why some of us get so up in arms about this.

We should be giving the ATF the tools to crack down on these illegal guns. The bill relaxes recordkeeping requirements by no longer requiring dealers to properly maintain the records. Not maintaining the records. Again, it was said by my colleague that we should be enforcing the laws on the books. All of us agree on that, and there is not one of us that is trying to take away the right of someone to own a gun. But, again, the NRA comes down here, and we hear on how many people have signed on to this bill. Actually, more than that will be there because they are petrified of the NRA. Why? Because the NRA will organize their members and basically just go after that Member if they dare to vote against them.

But even if the ATF is able to revoke a corrupt unlicensed dealer, this bill gives the dealer 60 days to sell off the remaining inventory. How crazy is that? You know, we hear constantly that we are after DWI drivers all the time. And if a tavern is proven to be selling constantly to underage drivers, they lose their license. They don't have any time to sell off all their liquor. I mean, let's have a little common sense here. I mean, we seem to be going backwards constantly in going forward in trying to protect our police officers and certainly our front liners out there.

Proponents of this bill will tell you that it is to protect honest gun sellers who are unfairly targeted by the ATF. I don't know why the gun dealers aren't standing up and saying let's go after these unscrupulous gun dealers. They are the ones who are giving them the bad name. The current law already protects honest dealers.

In fact, while the ATF regularly uncovers illegal acts of gun dealers, it is very rare that it is able to revoke their license. In fact, and the last we have is from 2003, the ATF found violations at more than 1,800 gun dealers in 2003. The ATF found an average of 80 violations. That is not an overlook, 80 violations, that is someone that is committing a crime at these gun dealers, but only issued license revocation notifications at 54.

The ATF is doing its job. It is looking at who the bad guys are and going after them. It is clear that only the worst violators lose their licenses. Every gun dealer who acknowledges selling a gun to a criminal reflects poorly on the entire gun industry. It is in the best interests of the gun industry that dishonest and negligent sellers are forced to shut their doors. This is a misguided piece of legislation that allows a small minority of corrupt gun sellers to continue to sell guns to criminals without penalties.

You know, we are starting to see crime go up continuously in our small communities, in our cities. We are seeing guns flooding our streets; we see gangs being able to buy guns illegally. Where are they coming from? Where are they coming from? Our police departments are seeing statistics going up constantly, and especially from 2005 to 2006. We have seen more police officers die in the line of duty killed by illegal guns. Why aren't we doing something to crack down on the illegal guns? That is what this country should be doing; that is what this Congress should be doing, and not certainly backing down to the NRA because we have an election coming up. This is juice for all their members. It is crazy.

You know, this debate on gun violence certainly since I have been here has gone backwards and backwards and backwards. We talk about how many people have died every year because of gun violence. A lot of that is accidental deaths, a lot of those are certainly guns that people have in their homes.

No one even talks about the survivors, how it is costing this health care system over $1 billion a year because of gun violence. We can do a better job. We should be doing a better job.

Mr. VAN HOLLEN. Mr. Speaker, I urge opposition to the bill.

Mr. KING of New York. Mr. Speaker, I rise today in opposition to H.R. 5092 the Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATFE).

We have been granted the right to bear arms; however, this right is granted to those who can operate safely and responsibly within the auspices of the law. Those who cannot operate within the law should not be given greater opportunities to obtain weapons. Rather than address this problem, this legislation actually weakens our current law, and makes it easier for dangerous weapons to get into the hands of criminals. Instead of weakening current law, we should be giving law enforcement better tools to combat gun trafficking.

According to a 2000 ATF report, corrupt gun dealers are the number one source of illegal firearm trafficking. With that information, we should be working to impose tighter measures and better law enforcement, so that we can protect innocent Americans who often fall victim to crimes caused by firearm abuse. Instead, H.R. 5092 does just the opposite by sympathizing with the gun dealer and adding obstacles to law enforcement.

Under current law, the ATF can punish gun dealers for illegal gun sales. H.R. 5092 makes punishment more difficult. In addition, this bill would prohibit the ATF from considering large amounts of ''lost'' firearms as a violation of law. It is this same type of ''lost inventory'' that armed the DC sniper.

It is important that we give our law enforcement agents the proper tools to end gun trafficking, not make it more difficult. It is unthinkable to me to support any type of legislation that favors the rights of criminals over the protection of our friends and family. Finally, I would like to commend Mayor Mike Bloomberg for his dedication to this issue and his opposition to this legislation. I also oppose H.R. 5092, and I encourage my colleagues to do the same.

Ms. WATSON. Mr. Speaker, I rise in opposition to H.R. 5092. This bill does not protect small businesses. In fact, it victimizes them, and the general public, because it would make it more difficult for the Federal government to shut down the rogue gun dealers who are arming the gangs that plague our neighborhoods.

Mr. Speaker, the vast majority of American gun dealers are legitimate businesspeople. They play by the rules, and deserve to have their government support them rather than harass them. The problem is that H.R. 5092 doesn't protect legitimate gun dealers. In fact, there is absolutely no evidence that legitimate gun dealers are falling victim to an overzealous Federal government.

In reality, H.R. 5092 is a giveaway to those few gun dealers who just can't be bothered to comply with the law. As such, H.R. 5092 doesn't help average, law-abiding gun dealers. Instead, it puts them at a disadvantage to the few bad actors who see dollar signs in the carnage that plagues our neighborhoods.

Most gun dealers know that they have a unique responsibility to make sure their products do not fall into the wrong hands. And so,

they put in the extra effort to make sure they keep track of the guns in their inventory. But why should any small businessperson put in the effort to comply with their responsibilities if the Federal government cannot shut down the guy across the street who acts irresponsibly? Why would anyone take the time and expense to do the right thing if they are going to be run out of business by the few bad apples doing the wrong thing?

This is the danger we face if H.R. 5092 becomes law. This law will not protect law-abiding gun dealers. In fact, it will make them victims of the lawbreakers, by tying the hands of the hard-working Federal agents who work to keep illegal guns off our streets. I urge my colleagues to vote ''no'' on H.R. 5092, and protect small businesspeople and the general public from those few gun dealers who are too irresponsible to comply with the law.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I appreciate this opportunity to explain my concerns with the bill, H.R. 5092. My primary concern with the bill is that it hampers the ability of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATF) to put corrupt gun dealers out of business, and thus help reduce the carnage taking place in many of the Nation's major urban centers.

H.R. 5092 was introduced by Mr. COBLE and Mr. SCOTT as a bipartisan attempt to address enforcement issues raised during ATF oversight hearings conducted by the Judiciary Subcommittee on Crime, Terrorism, and Homeland Security. Specifically, those hearings focused on ATF's Richmond gun show enforcement program and generally on ATF's licensing and revocation authority over Federal Firearms Licensees.

The bill addresses a number of issues relating to ATF's enforcement authority, including authorization of civil penalties (e.g., fines and suspensions); creation of independent Administrative law Judges to hear enforcement cases; definition of serious and non-serious violations; DOJ Inspector General investigation of ATF gun show enforcement program; limitation on ATF authorities; clarification of several enforcement regulations; and, most significantly, modification of the requisite intent for violations.

The bill provides in Sec. 4, entitled ''Definition of Willfully,'' that ''willfully'' is defined as: ''intentionally, purposely, and with the intent to act in violation of a known legal duty. ''

My concern with this provision of the bill is that it defines ''willfully'' to impose a much higher standard of proof upon law enforcement officials than currently. There does not appear to be any compelling reason for increasing the government's evidentiary burden at this time. The definition of willfullness is well-settled in the law and means that defendant knew his conduct was unlawful; not that he knew of the specific statute he is accused of violating or had the specific intent to violate that precise provision.

Mr. Speaker, changing the evidentiary standards governing elements of penal offenses should be done sparingly and with the utmost care. This is particularly true where, as here, we do not have the benefit of the considered views of thoughtful criminal law scholars, experienced prosecutors and police officers with front-line experience, or the Department of Justice.

The redefinition of ''willfully'' contained in the bill illustrates my concern. As I noted, the bill defines willfully as ''intentionally, purposely, and with the intent to act in violation of a known legal duty.'' This definition, however, has been repeatedly rejected by the Federal courts. *Bryan* v. *U.S.*, 524 U.S. 184 (1998); *U.S.* v. *Andrade*, 135 F.3d 104 (1st Cir. 1998); *U.S.* v. *Allah*, 130 F.3d 33 (2d Cir. 1997); *U.S.* v. *Collins*, 957 F.2d 72 (2d. 1992)

In the Bryan case, the defendant was convicted of willfully dealing in firearms without a Federal license. Specifically, the defendant did not have a Federal firearms license; he used ''so-called ''straw purchasers'' in Ohio to acquired pistols he could not have bought himself; that he knew the straw purchasers made false statements when purchasing the guns; that defendant assured the straw purchasers that he would file off the serial numbers; and that defendant resold the guns on Brooklyn street corners known for drug dealing. Despite this conduct, defendant claimed that he could not be convicted under the Federal firearms laws unless the government proved he knew of the Federal licensing requirement. The Supreme Court rejected this claim, stating:

''the willfulness requirement . . . does not carve out an exception to the traditional rule that ignorance of the law is no excuse; knowledge that the conduct is unlawful is all that is required.'' 524 U.S. at 193.

Similarly, in another case, U.S. v. Collins, the Second Circuit rejected the argument that willfully requires proof that defendant had specific knowledge of the Federal firearms license requirements, stating:

''[T]he element of willfulness not contained in §922(a)(1) was meant to be read broadly to require only that the government prove that defendant's conduct was knowing and purposeful and that the defendant intended to commit an act which the law forbids.'' 957 F.2d at 76.

According to the court, the government was not required to prove more than just the defendant's general knowledge that he or she is violating the law.'' Id. at 75.

Other courts have reached similar conclusions and I list them in my statement. The point, Mr. Speaker, is that the Federal firearms license statute is and has been an important tool for law enforcement to crack down on the illegal trafficking in firearms and the wanton violence this conduct exacerbates. I do not believe that a compelling case has been made on this record to take this tool away from law enforcement. Neither does the American Bar Association nor several former directors of the ATF. Therefore, I would urge my colleagues to vote against the bill.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 5092, 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. VAN HOLLEN. 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.

AUTHORIZING SALARY ADJUSTMENTS FOR JUSTICES AND JUDGES OF THE UNITED STATES

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5454) to authorize salary adjustments for Justices and judges of the United States for fiscal year 2007.

The Clerk read as follows:

H.R. 5454

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

SECTION 1. AUTHORIZATION OF SALARY ADJUSTMENTS FOR FEDERAL JUSTICES AND JUDGES.

Pursuant to section 140 of Public Law 97–72, Justices and judges of the United States are authorized during fiscal year 2007 to receive a salary adjustment in accordance with section 461 of title 28, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 5454 currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 5454, to provide a cost-of-living adjustment for Federal judges in fiscal year 2007.

In 1975, Congress enacted the Executive Salary Cost of Living Adjustment Act to give judges and Members of Congress and high-ranking executive branch officials automatic COLAs accorded other Federal employees unless rejected by Congress. In 1981, Congress amended the statute by enacting section 140 of Public Law 97–92, which requires specific congressional authorization to grant judges a COLA. The legislation we consider today is substantially similar to other cost-of-living increases for Federal judges approved in previous fiscal years.

Mr. Speaker, I believe in fairness, which is why I introduced this bill to ensure that Federal judges receive a COLA when other civil servants, including Members of Congress, receive theirs. I urge Members to support this legislation.

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

Mr. CONYERS. Mr. Speaker, I ask unanimous consent to control the remainder of the legislation under suspension.

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

There was no objection.

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

I rise in support of the legislation. It is a collection of a number of bills, a majority of which have passed favorably through the Subcommittee on Courts with little or no controversy.

There are five titles: the Pay Adjustment for Federal Judges; the Courts and Intellectual Property Legislation; the Jurisdiction of Federal Circuit over Patent Cases; the Diversity Jurisdiction of Federal Courts; and, finally, the Multidistrict Litigation in the Lexecon case before the Supreme Court.

The most important is the pay adjustment for Federal judges, because we provide a cost-of-living pay adjustment for 2007. The Federal judges do not receive such COLAs unless Congress provides specific statutory authorization each year. It is my hope that some day we will make it automatic. Members of the Federal judiciary deserve this raise. We have a number of Federal judges who are forced to turn back their appointment because the salary is inadequate to their basic needs.

We appreciate the hardworking men and women who serve; and to me, this is an important part of the constitutional democracy that we have formed here, and we must do everything to ensure that we attract and retain the highest quality of judges.

Now, these members of the judiciary are called to duty by a sense of honor, and the judges already make far less than most of them could earn in private firms. And while this pay disparity will exist, Congress should at least ensure that judicial pay does not effectively shrink. And so the failure to give judges a COLA would constitute in effect such a reduction in pay.

Title II contains a number of measures. We respond in part to the devastation caused by Hurricane Katrina by permitting the Patent and Trademark Office director to extend deadlines during emergencies.

Section 202 is a resolution honoring the 25th anniversary of the Bayh-Dole Act, and that is Senator Bayh, Sr., who formerly served from the great State of Indiana. And this measure enhanced public and private partnerships for the commercialization of inventions.

Section 203 of the bill requires that each Federal or State court recognize out-of-state notarial acts that meet the following two conditions that are indicated in the measure.

Title III of the bill clarifies the Federal Circuit Court of Appeals has exclusive jurisdiction to hear patent appeals, and that I think is extremely important. The goal of title III is to maintain the integrity of the patent system.

Title IV amends the laws governing diversity jurisdiction. And this is an important and critical area.

And then finally we have the Multidistrict Litigation, which has been passed several times, but never acted on by the other body.

□ 1600

This title would overturn the Supreme Court case called the Lexecon decision. While I have supported this legislation in the past, I have consistently noted several concerns that I hope will be able to be addressed in our discussions that I anticipate with the Senate. I urge my colleagues to support this measure before the House on the suspension calendar.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield myself the balance of my time.

I want to clarify the record. The only thing that is in H.R. 5454 is the judges' COLA. I think it is relatively noncontroversial, but it is a housekeeping thing that we have to do before the session adjourns.

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

The SPEAKER pro tempore (Mr. CAMPBELL of California). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 5454.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

COPYRIGHT ROYALTY JUDGES PROGRAM TECHNICAL CORRECTIONS ACT

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 1036) to amend title 17, United States Code, to make technical corrections relating to Copyright Royalty Judges, and for other purposes.

The Clerk read as follows:

Senate amendment:

On page 16, line 4 through 7, strike and insert the following:

SEC. 5. PARTIAL DISTRIBUTION OF ROYALTY FEES.

Section 801(b)(3)(C) of title 17, United States Code, is amended—

(1) by striking all that precedes clause (i) and inserting the following:

''(C) Notwithstanding section 804(b)(8), the Copyright Royalty Judges, at any time after the filing of claims under section 111, 119, or 1007, may, upon motion of one or more of the claimants and after publication in the Federal Register of a request for responses to the motion from interested claimants, make a partial distribution of such fees, if, based upon all responses received during the 30-day period beginning on the date of such publication, the Copyright Royalty Judges conclude that no claimant entitled to receive such fees has stated a reasonable objection to the partial distribution, and all such claimants—''; and

(2) in clause (i), by striking ''such'' and inserting ''the''.

SEC. 6. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided under subsection (b), this Act and the amendments made by this Act shall be effective as if included in the Copyright Royalty and Distribution Reform Act of 2004.

(b) PARTIAL DISTRIBUTION OF ROYALTY FEES.—Section 5 shall take effect on the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1036, the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 1036, the Copyright Royalty Judges Program Technical Corrections Act. This legislation amends certain technical aspects of the copyright act that were substantively amended by Congress' enactment of the Copyright Royalty and Distribution Reform Act of 2004.

At the outset, it should be noted that H.R. 1036 was considered by the House under suspension of the rules last November and passed by a voice vote. The other body took up the bill in July and amended it to incorporate related noncontroversial language from the text of H.R. 5593, the Royalty Distribution Clarification Act of 2006.

Copyright Royalty Judges are responsible for distributing hundreds of millions of dollars in royalty payments to rightful copyright holders to make partial distributions of any noncontested royalties prior to the end of a distribution proceeding. The purpose of H.R. 5593 and the Senate amendment now before us is to provide the judges the ability to more efficiently administer their fiduciary duties and enable copyright holders whose works are used under the various compulsory licenses contained in title 17 of the United States Code to have greater access to their own funds.

Like the earlier version approved by the House, this iteration of H.R. 1036 makes only noncontroversial changes in the copyright royalty and distribution system.

The enactment of this bill will assist the CRJs and the Library of Congress in administering the copyright royalty and distribution system and help to resolve disputes in a more efficient, predictable, and rational and manner.

I urge my colleagues to support this bill and send it to the President for his signature.

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

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

Mr. Speaker, the Copyright Royalty Technical Corrections Act is just that. It is a major accomplishment of the Subcommittee on Courts and makes a number of technical corrections.

Two substantive improvements I would bring to the floor's attention at this point:

It clarifies the decisions of the new copyright tribunal will serve as precedent for later decisions, establishes consistency for written statements to the tribunal, and provides for fee waivers for those claiming royalties in excess of $1,000.

The other major substantive change resolves the ambiguity about when partial payments or distributions of royalties to content owners are allowed.

This measure before us would permit Copyright Royalty Judges, upon the motion of a claimant and after publication of a request for responses, to make a partial distribution of cable and satellite royalty fees at any time after the filing of claims for distribution if no eligible claimant has stated a reasonable objection.

I think the committee is in accord with this bill. I urge that Members of the House support this legislation.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Speaker, I would like to thank the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Committee on the Judiciary, for yielding me this time.

Mr. Speaker, as Chairman SENSENBRENNER just stated, H.R. 1036, the Copyright Royalty Judges Program Technical Corrections Act, amends certain technical aspects of the Copyright Act which itself was amended by the Copyright Royalty and Distribution Reform Act of 2004.

A chief objective of the Copyright Reform Act was to delineate between functions of the Copyright Office and the functions of the newly established Copyright Royalty Judges, or CRJs.

Unfortunately, during the bill enrollment process, the law was written to state that the Librarian of Congress was charged with authorizing the distribution of funds. The language could be subject to an interpretation that Congress wanted the Librarian to retain a role that had clearly been intended to be exercised only by the new CRJs.

The purpose behind this bill is to correct errors such as this and to enable the reform act to operate as Congress originally intended.

In addition, the bill contains a number of other noncontroversial stylistic, technical, clarifying, and conforming changes that have been considered and agreed to by Members on both sides of the aisle.

As Chairman SENSENBRENNER noted, H.R. 1036 has already passed the House of Representatives without objection on November 16, 2005.

The reason the bill has returned is because the other body amended it to include language from H.R. 5593, the Royalty Distribution Clarification Act of 2006, which was a bill I authored and introduced along with Ranking Members CONYERS and BERMAN. The purpose of that bill and the incorporated language is to provide the CRJs with explicit statutory language to distribute, prior to the end of a royalty distribution proceeding, part of the royalty pool when it is established who the rightful claimants are.

Mr. Speaker, I urge Members to support the amended Copyright Royalty Judges Program Technical Corrections Act and send the bill directly to the President for his signature.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 1036.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

TRADEMARK DILUTION REVISION ACT OF 2006

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 683) to amend the Trademark Act of 1946 with respect to dilution by blurring or tarnishment.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

(a) SHORT TITLE.—This Act may be cited as the ''Trademark Dilution Revision Act of 2006''.

(b) REFERENCES.—Any reference in this Act to the Trademark Act of 1946 shall be a reference to the Act entitled ''An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes'', approved July 5, 1946 (15 U.S.C. 1051 et seq.).

SEC. 2. DILUTION BY BLURRING; DILUTION BY TARNISHMENT.

Section 43 of the Trademark Act of 1946 (15 U.S.C. 1125) is amended—

(1) by striking subsection (c) and inserting the following:

''(c) DILUTION BY BLURRING; DILUTION BY TARNISHMENT.—

''(1) INJUNCTIVE RELIEF.—Subject to the principles of equity, the owner of a famous mark that is distinctive, inherently or through acquired distinctiveness, shall be entitled to an injunction against another person who, at any time after the owner's mark has become famous, commences use of a mark or trade name in commerce that is likely to cause dilution by blurring or dilution by tarnishment of the famous mark, regardless of the presence or absence of actual or likely confusion, of competition, or of actual economic injury.

''(2) DEFINITIONS.—(A) For purposes of paragraph (1), a mark is famous if it is widely recognized by the general consuming public of the United States as a designation of source of the goods or services of the mark's owner. In determining whether a mark possesses the requisite degree of recognition, the court may consider all relevant factors, including the following:

''(i) The duration, extent, and geographic reach of advertising and publicity of the mark, whether advertised or publicized by the owner or third parties.

''(ii) The amount, volume, and geographic extent of sales of goods or services offered under the mark.

''(iii) The extent of actual recognition of the mark.

''(iv) Whether the mark was registered under the Act of March 3, 1881, or the Act of February 20, 1905, or on the principal register.

''(B) For purposes of paragraph (1), 'dilution by blurring' is association arising from the similarity between a mark or trade name and a famous mark that impairs the distinctiveness of the famous mark. In determining whether a mark or trade name is likely to cause dilution by blurring, the court may consider all relevant factors, including the following:

''(i) The degree of similarity between the mark or trade name and the famous mark.

''(ii) The degree of inherent or acquired distinctiveness of the famous mark.

''(iii) The extent to which the owner of the famous mark is engaging in substantially exclusive use of the mark.

''(iv) The degree of recognition of the famous mark.

''(v) Whether the user of the mark or trade name intended to create an association with the famous mark.

''(vi) Any actual association between the mark or trade name and the famous mark.

''(C) For purposes of paragraph (1), 'dilution by tarnishment' is association arising from the similarity between a mark or trade name and a famous mark that harms the reputation of the famous mark.

''(3) EXCLUSIONS.—The following shall not be actionable as dilution by blurring or dilution by tarnishment under this subsection:

''(A) Any fair use, including a nominative or descriptive fair use, or facilitation of such fair use, of a famous mark by another person other than as a designation of source for the person's own goods or services, including use in connection with—

''(i) advertising or promotion that permits consumers to compare goods or services; or

''(ii) identifying and parodying, criticizing, or commenting upon the famous mark owner or the goods or services of the famous mark owner.

''(B) All forms of news reporting and news commentary.

''(C) Any noncommercial use of a mark.

''(4) BURDEN OF PROOF.—In a civil action for trade dress dilution under this Act for trade dress not registered on the principal register, the person who asserts trade dress protection has the burden of proving that—

''(A) the claimed trade dress, taken as a whole, is not functional and is famous; and

''(B) if the claimed trade dress includes any mark or marks registered on the principal register, the unregistered matter, taken as a whole, is famous separate and apart from any fame of such registered marks.

''(5) ADDITIONAL REMEDIES.—In an action brought under this subsection, the owner of the famous mark shall be entitled to injunctive relief as set forth in section 34. The owner of the famous mark shall also be entitled to the remedies set forth in sections 35(a) and 36, subject to the discretion of the court and the principles of equity if—

''(A) the mark or trade name that is likely to cause dilution by blurring or dilution by tarnishment was first used in commerce by the person against whom the injunction is sought after the date of enactment of the Trademark Dilution Revision Act of 2006; and

''(B) in a claim arising under this subsection—

''(i) by reason of dilution by blurring, the person against whom the injunction is sought willfully intended to trade on the recognition of the famous mark; or

''(ii) by reason of dilution by tarnishment, the person against whom the injunction is sought willfully intended to harm the reputation of the famous mark.

''(6) OWNERSHIP OF VALID REGISTRATION A COMPLETE BAR TO ACTION.—The ownership by a person of a valid registration under the Act of March 3, 1881, or the Act of February 20, 1905, or on the principal register under this Act shall be a complete bar to an action against that person, with respect to that mark, that—

''(A)(i) is brought by another person under the common law or a statute of a State; and

''(ii) seeks to prevent dilution by blurring or dilution by tarnishment; or

''(B) asserts any claim of actual or likely damage or harm to the distinctiveness or reputation of a mark, label, or form of advertisement.

''(7) SAVINGS CLAUSE.—Nothing in this subsection shall be construed to impair, modify, or supersede the applicability of the patent laws of the United States.''; and

(2) in subsection (d)(1)(B)(i)(IX), by striking ''(c)(1) of section 43'' and inserting ''(c)''.

SEC. 3. CONFORMING AMENDMENTS.

(a) MARKS REGISTRABLE ON THE PRINCIPAL REGISTER.—Section 2(f) of the Trademark Act of 1946 (15 U.S.C. 1052(f)) is amended—

(1) by striking the last two sentences; and

(2) by adding at the end the following: ''A mark which would be likely to cause dilution by blurring or dilution by tarnishment under section 43(c), may be refused registration only pursuant to a proceeding brought under section 13. A registration for a mark which would be likely to cause dilution by blurring or dilution by tarnishment under section 43(c), may be canceled pursuant to a proceeding brought under either section 14 or section 24.''.

(b) OPPOSITION.—Section 13(a) of the Trademark Act of 1946 (15 U.S.C. 1063(a)) is amended in the first sentence by striking ''as a result of dilution'' and inserting ''the registration of any mark which would be likely to cause dilution by blurring or dilution by tarnishment''.

(c) CANCELLATION.—Section 14 of the Trademark Act of 1946 (15 U.S.C. 1064) is amended, in the matter preceding paragraph (1) by striking '', including as a result of dilution under section 43(c),'' and inserting '', including as a result of a likelihood of dilution by blurring or dilution by tarnishment under section 43(c),''.

(d) MARKS FOR THE SUPPLEMENTAL REGISTER.—The second sentence of section 24 of the Trademark Act of 1946 (15 U.S.C. 1092) is amended to read as follows:

''Whenever any person believes that such person is or will be damaged by the registration of a mark on the supplemental register—

''(1) for which the effective filing date is after the date on which such person's mark became famous and which would be likely to cause dilution by blurring or dilution by tarnishment under section 43(c); or

''(2) on grounds other than dilution by blurring or dilution by tarnishment, such person may at any time, upon payment of the prescribed fee and the filing of a petition stating the ground therefor, apply to the Director to cancel such registration.''.

(e) DEFINITIONS.—Section 45 of the Trademark Act of 1946 (15 U.S.C. 1127) is amended by striking the definition relating to the term ''dilution''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 683 currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 683, the Trademark Dilution Revision Act of 2006.

The foundation of trademark law is that certain words, images and logos convey meaningful information to the public, including the source, quality and goodwill of a product or service.

Unfortunately, there are those in both commercial and noncommercial settings who would seize upon the popularity of a trademark at the expense of the rightful owner and the public. Dilution refers to conduct that lessens that distinctiveness and value of a mark. This conduct can debase the value of a famous mark and mislead the consuming public.

A 2003 Supreme Court decision, Mosely v. V Secret Catalogue, Inc., compelled the Committee on the Judiciary to review the Federal Trademark Dilution Act. H.R. 683 was drafted based on this review and is intended to clarify what Congress meant when it passed the dilution statute a decade ago. Enactment of this bill will eliminate confusion on key dilution issues that have increased litigation and resulted in uncertainty among the regional circuits.

H.R. 683 provides that the owner of a famous distinctive mark is entitled to an injunction against any person who uses in commerce a mark that is likely to cause dilution by blurring or tarnishment. The bill states that a mark may only be ''famous'' if it is widely recognized by the general consuming public in the United States. In determining whether a mark is famous, a court is permitted to consider all relevant factors, including the duration, extent, and geographic reach of advertising and publicity of the mark.

Finally, the bill provides that the owner of a famous mark is only entitled to injunctive relief under the bill, unless the defendant acted willfully. In the case of a willful act, the owner may also seek damages, costs, and attorneys' fees as well as destruction of the infringing articles under separate Lanham Act provisions.

Mr. Speaker, the House passed this bill on April 19, 2006, by a roll call vote of 411–8. The other body amended the bill on March 8, 2006, and passed the version before us by unanimous consent. The amendments narrow the application of the dilution statute to trademark dress law; creates a free-speech exclusion for noncommercial use of a mark; and shifts the burden of proof in certain trade-dress actions to the plaintiff. These changes were negotiated with the full participation of interested legislators and stakeholders, including Internet service providers and the American Civil Liberties Union.

I urge my colleagues to support this important legislation.

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

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

Mr. Speaker, I support House passage of this measure, H.R. 683, as amended and passed by the Senate. An almost identical version of this bill passed this Congress with a roll call vote of 411–8 and subsequently passed the other Chamber as amended by unanimous consent.

The measure makes a number of changes to the Federal Trademark Dilution Act of 1995. The primary change amends the required standard of proof so that owners of famous trademarks can maintain protection of their trademark before actual harm occurs to the mark.

In addition, the bill clearly codifies the cause of action of dilution by tarnishment in order to prevent harm to a trademark owner's reputation, resulting, for example, from a disparaging usage of a same or similar mark by others.

Finally, this measure narrows the scope of what may be considered a famous mark by elucidating the specific factors necessary to meet the definition of a famous trademark.

There was support, I think it was unanimous for this measure, in the Judiciary Committee. I am happy to urge its favorable vote under the suspension of the rules proceedings today.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 3½ minutes to the gentleman from Texas (Mr. SMITH).

Mr. SMITH of Texas. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Judiciary Committee, for yielding me this time.

Mr. Speaker, trademark law is relevant to the life of every consumer in America. Trademarks give consumers assurance that the goods or services they are buying are the product that the trademark represents.

If a customer has purchased items in the past from a specific company that bears a specific mark or logo, the customer has an impression of that company and the goods or services it produces. So trademark law empowers consumers by giving them information that is often critical to their purchasing decisions.

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Dilution alters the public perception of a trademarked product or service by diminishing its uniqueness over time. The idea of protecting famous trademarks from dilution surfaced in the

1920s. Since then, roughly half of the States have enacted dilution statutes, and Congress passed the Federal Trade Dilution Act nearly a decade ago.

As Chairman SENSENBRENNER noted, the Federal dilution statute is being amended for two main reasons: first, a 2003 Supreme Court decision involving Victoria's Secret ruled that the standard of harm in dilution cases is actual harm. Based on testimony taken at our two hearings, this is contrary to what Congress intended when it passed the dilution statute and is at odds with the concept itself of dilution. Diluting needs to be stopped at the outset. Once it occurs, the goodwill of a mark cannot be restored.

Second, the regional circuits have split as to the meaning of what constitutes a ''famous'' mark, ''distinctiveness,'' ''blurring,'' and ''tarnishment.'' This bill more clearly defines these terms. This will clarify rights and eliminate unnecessary litigation, an outcome that especially benefits smaller businesses that cannot afford to have a misunderstanding of what is permissible under the Federal dilution statute.

Finally, amendments developed by the subcommittee and the other body will more clearly protect traditional first amendment uses, such as parody and criticism. These amendments provide balance to the law by strengthening traditional fair-use defenses.

In sum, Mr. Speaker, H.R. 683 clarifies a muddied legal landscape and enables the Federal Trademark Dilution Act to operate as Congress intended.

Mr. WU. Mr. Speaker, I rise once again to oppose the Trademark Dilution Revision Act.

Trademark law was originally about consumer protection, ensuring consumers were not confused or harmed by the misuse of a famous trademark. However, with the passage of the Federal Trademark Dilution Act in 1995, the issue of trademark dilution became more an issue of property protection. The purpose of that law was to enable businesses to protect the investment that companies have made in branding their products. Consumer confusion was no longer required to establish "dilution." Not surprisingly, private lawsuits in this area jumped from 2,405 in 1990 to 4,187 in 2000.

For example, Starbucks went after a local coffee shop in my district that was named after its owner, Samantha Buck Lundberg. The coffee shop bore the nickname given to her by her family and friends—Sambuck. Ringling Bros.-Barnum and Bailey Circus sued the State of Utah over Utah's advertising slogan that it had "The Greatest Snow on Earth." To the circus this slogan was an obvious play on the long time identification of the circus as "The Greatest Show on Earth." Microsoft sued to prevent use of the term "Lindows" for the Linux operating system software and website produced by Lindows, Inc., arguing that it was clearly an attempt to play on the Windows designation of its own operating system. Lindows eventually changed the name of the product and website to "Linspire" after losing court cases. Best Western International (the hotel/motel chain) appears to be trying to claim sole right to the word "Best" when it comes to using the word in names of hotels or motels. It has sued both Best Inns and Best Value Inns, contending that those names infringe on its trademark.

In recent years, the Supreme Court addressed these lawsuits in Moseley, et al., DBA Victor's Little Secret v. V Secret Catalogue, Inc., et al., in which Victoria's Secret sued a small business in Kentucky. In its opinion, the Court ruled that companies under the Federal Trademark Dilution Act have to prove that their famous brand is actually being damaged before they can use dilution law to force another person or company to stop using a word, logo, or color.

Since trademark laws have an effect not only on famous companies but also on the many small businesses witH legitimate business interests, any antidilution legislation should be very carefully considered so as not to interfere with the rights of small businesses. The goal must be to protect trademarks from subsequent uses that blur, dilute or tarnish that trademark, but it must also be the protection of small business interests from its more powerful corporate counterparts.

Unfortunately, this bill will change trademark law to make it easier for large companies to sue individuals and businesses for trademark dilution, thus potentially creating rights in perpetuity for trademarks. This bill states that no actual harm will have to be proven; large companies will be able arbitrarily to file lawsuits against small businesses and private citizens.

I agree with the Supreme Court in its unanimous decision in Moseley. I think that companies in seeking to impose their trademarks upon the public must show actual harm. If not, we run the risk of trademark owners being able to lock up large portions of our shared language. This open-ended invitation to litigate is especially troubling at a time when even colors and common words can be granted trademark protection.

I urge my colleagues to oppose this bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 683.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PRIVATE PROPERTY RIGHTS IMPLEMENTATION ACT OF 2006

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4772) to simplify and expedite access to the Federal courts for injured parties whose rights and privileges under the United States Constitution have been deprived by final actions of Federal agencies or other government officials or entities acting under color of State law, and for other purposes, as amended.

The Clerk read as follows:

H.R. 4772

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 ''Private Property Rights Implementation Act of 2006''.

SEC. 2. JURISDICTION IN CIVIL RIGHTS CASES CONCERNING REAL PROPERTY.

Section 1343 of title 28, United States Code, is amended by adding at the end the following:

''(c) Whenever a district court exercises jurisdiction under subsection (a) in an action in which the operative facts concern the uses of real property, it shall not abstain from exercising or relinquish its jurisdiction to a State court if the party seeking redress does not allege a violation of a State law, right, or privilege, and no parallel proceeding is pending in State court, at the time the action is filed in the district court, that arises out of the same operative facts as the district court proceeding.

''(d) In an action in which the operative facts concern the uses of real property, the district court shall exercise jurisdiction under subsection (a) even if the party seeking redress does not pursue judicial remedies provided by a State or territory of the United States.

''(e) If the district court has jurisdiction over an action under subsection (a) in which the operative facts concern the uses of real property and which cannot be decided without resolution of an unsettled question of State law, the district court may certify the question of State law to the highest appellate court of that State. After the State appellate court resolves the question so certified, the district court shall proceed with resolving the merits. The district court shall not certify a question of State law under this subsection unless the question of State law—

''(1) is necessary to resolve the merits of the Federal claim of the injured party; and

''(2) is patently unclear.

''(f)(1) Any claim or action brought under section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983) to redress the deprivation of a property right or privilege secured by the Constitution shall be ripe for adjudication by the district courts upon a final decision rendered by any person acting under color of any statute, ordinance, regulation, custom, or usage, of any State or territory of the United States, which causes actual and concrete injury to the party seeking redress.

''(2) For purposes of this subsection, a final decision exists if—

''(A) any person acting under color of any statute, ordinance, regulation, custom, or usage, of any State or territory of the United States, makes a definitive decision regarding the extent of permissible uses on the property that has been allegedly infringed or taken, without regard to any uses that may be permitted elsewhere; and

''(B) one meaningful application to use the property has been submitted but denied, and the party seeking redress has applied for but is denied one waiver and one appeal, if the applicable statute, ordinance, regulation, custom, or usage provides a mechanism for waiver by or appeal to an administrative agency.

The party seeking redress shall not be required to apply for a waiver or appeal described in subparagraph (B) if such waiver or appeal is unavailable or can not provide the relief requested, or if pursuit of such a mechanism would otherwise be futile.''.

SEC. 3. UNITED STATES AS DEFENDANT.

Section 1346 of title 28, United States Code, is amended by adding at the end the following:

''(h)(1) Any claim brought under subsection (a) that is founded upon a property right or privilege secured by the Constitution, but was allegedly infringed or taken by the United States, shall be ripe for adjudication upon a final decision rendered by the United States, which causes actual and concrete injury to the party seeking redress.

''(2) For purposes of this subsection, a final decision exists if—

''(A) the United States makes a definitive decision regarding the extent of permissible uses on the property that has been allegedly infringed or taken, without regard to any uses that may be permitted elsewhere; and

''(B) one meaningful application to use the property has been submitted but denied, and the party seeking redress has applied for but is denied one waiver and one appeal, if the applicable law of the United States provides a mechanism for waiver by or appeal to an administrative agency.

The party seeking redress shall not be required to apply for a waiver or appeal described in subparagraph (B) if such waiver or appeal is unavailable or can not provide the relief requested, or if pursuit of such a mechanism would otherwise be futile.''.

SEC. 4. JURISDICTION OF COURT OF FEDERAL CLAIMS.

Section 1491(a) of title 28, United States Code, is amended by adding at the end the following:

''(3) Any claim brought under this subsection founded upon a property right or privilege secured by the Constitution, but allegedly infringed or taken by the United States, shall be ripe for adjudication upon a final decision rendered by the United States, that causes actual and concrete injury to the party seeking redress. For purposes of this paragraph, a final decision exists if—

''(A) the United States makes a definitive decision regarding the extent of permissible uses on the property that has been allegedly infringed or taken, without regard to any uses that may be permitted elsewhere; and

''(B) one meaningful application to use the property has been submitted but denied, and the party seeking redress has applied for but is denied one waiver and one appeal, if the applicable statute, ordinance, regulation, custom, or usage provides a mechanism for waiver by or appeal to an administrative agency.

The party seeking redress shall not be required to apply for a waiver or appeal described in subparagraph (B) if such waiver or appeal is unavailable or can not provide the relief requested, or if pursuit of such a mechanism would otherwise be futile.''.

SEC. 5. CLARIFICATION FOR CERTAIN CONSTITUTIONAL PROPERTY RIGHTS CLAIMS.

Section 1979 of the Revised Statutes of the United States (42 U.S.C. 1983) is amended by adding at the end the following: ''If the party injured seeks to redress the deprivation of a property right or privilege under this section that is secured by the Constitution by asserting a claim that concerns—

''(1) an approval to develop real property that is subject to conditions or exactions, then the person acting under color of State law is liable if any such condition or exaction, whether legislative or adjudicatory in nature, including but not limited to the payment of a monetary fee or a dedication of real property from the injured party, is unconstitutional;

''(2) a subdivision of real property pursuant to any statute, ordinance, regulation, custom, or usage of any State or territory, or the District of Columbia, then such a claim shall be decided with reference to each subdivided lot, regardless of ownership, if such a lot is taxed, or is otherwise treated and recognized, as an individual property unit by the State, territory, or the District of Columbia; or

''(3) alleged deprivation of substantive due process, then the action of the person acting under color of State law shall be judged as to whether it is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.

For purposes of the preceding sentence, 'State law' includes any law of the District of Columbia or of any territory of the United States.''.

SEC. 6. CLARIFICATION FOR CERTAIN CONSTITUTIONAL PROPERTY RIGHTS CLAIMS AGAINST THE UNITED STATES.

(a) DISTRICT COURT JURISDICTION.—Section 1346 of title 28, United States Code, is amended by adding at the end the following:

''(i) If a claim brought under subsection (a) is founded upon a property right or privilege secured by the Constitution that concerns—

''(1) an approval from an executive agency to permit or authorize uses of real property that is subject to conditions or exactions, then the United States is liable if any such condition or exaction, whether legislative or adjudicatory in nature, including but not limited to the payment of a monetary fee or a dedication of real property from the injured party, is unconstitutional;

''(2) a subdivision of real property pursuant to any statute, ordinance, regulation, custom, or usage of any State or territory, or the District of Columbia, then such a claim against an executive agency shall be decided with reference to each subdivided lot, regardless of ownership, if such a lot is taxed, or is otherwise treated and recognized, as an individual property unit by the State or territory, or the District of Columbia, as the case may be; or

''(3) an alleged deprivation of substantive due process, then the United States shall be judged as to whether its action is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.

In this subsection, the term 'executive agency' has the meaning given that term in section 105 of title 5.''.

(b) COURT OF FEDERAL CLAIMS JURISDICTION.—Section 1491 of title 28, United States Code, is amended by adding at the end the following:

''(4) If a claim brought under subsection (a) is founded upon a property right or privilege secured by the Constitution that concerns—

''(A) an approval from an executive agency to permit or authorize uses of real property that is subject to conditions or exactions, then the United States is liable if any such condition or exaction, whether legislative or adjudicatory in nature, including but not limited to the payment of a monetary fee or a dedication of real property from the injured party, is unconstitutional;

''(B) a subdivision of real property pursuant to any statute, ordinance, regulation, custom, or usage of any State or territory, or the District of Columbia, then such a claim against an executive agency shall be decided with reference to each subdivided lot, regardless of ownership, if such a lot is taxed, or is otherwise treated and recognized, as an individual property unit by the State, or territory, or the District of Columbia, as the case may be; or

''(C) an alleged deprivation of substantive due process, then the United States shall be judged as to whether its action is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.

In this paragraph, the term 'executive agency' has the meaning given that term in section 105 of title 5.''.

SEC. 7. DUTY OF NOTICE TO OWNERS.

(a) IN GENERAL.—Whenever a Federal agency takes an agency action limiting the use of private property that may be affected by the amendments by this Act, the agency shall, not later than 30 days after the agency takes that action, give notice to the owners of that property explaining their rights under such amendments and the procedures for obtaining any compensation that may be due them under such amendments.

(b) DEFINITIONS.—For purposes of subsection (a)—

(1) the term ''Federal agency'' means ''agency'', as that term is defined in section 552(f) of title 5, United States Code; and

(2) the term ''agency action'' has the meaning given that term in section 551 of title 5, United States Code.

SEC. 8. SEVERABILITY AND EFFECTIVE DATE.

(a) SEVERABILITY.—If any provision of this Act or the amendments made by this Act or the application thereof to any person or circumstance is held invalid, the remainder of this Act, the amendments made by this Act, or the application thereof to other persons not similarly situated or to other circumstances shall not be affected by such invalidation.

(b) EFFECTIVE DATE.—The amendments made by this Act shall apply to actions commenced on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 4772, currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 4772, the Private Property Rights Implementation Act, to help all Americans defend their property rights.

We are all painfully aware of one Supreme Court decision that threatens to deny Americans their constitutionally protected property rights. I refer to the notorious case of Kelo vs. The City of New London, in which the Supreme Court held that a city can take private property from one citizen and give it to a large corporation for ''economic development'' purposes. I led the charge to correct that terrible decision by introducing H.R. 4128, which passed the House of Representatives by the overwhelming bipartisan margin of 376–38. However, that bill now languishes in the other body despite overwhelming popular support.

Unfortunately, the Supreme Court's recent disregard for constitutionally protected private property is not confined to the Kelo decision. In the case of Williamson County v. Hamilton Bank, which was reaffirmed last term in the case of San Remo Hotel v. City and County of San Francisco, the Supreme Court upheld a set of procedural rules that effectively prohibit property owners from ever getting into Federal court to have their Federal property rights claims heard on the merits. I applaud the gentleman from Ohio (Mr. CHABOT) for authoring this vital legislation which will allow property owners to finally have their Federal property rights protected by the Federal courts.

This bipartisan legislation was reported out of the House Judiciary Committee by a voice vote on July 12, and I hope that this bill will receive similar bipartisan support on the floor today.

I urge my colleagues to defend the private property rights of all Americans by supporting this bill.

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

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

Mr. Speaker, I rise in disagreement with this bill, the Private Property Rights Implementation Act, just as I have done in the 105th and 106th Congresses. I also call to the attention of the Members of the House that this bill is different from the Kelo Supreme Court decision that dealt with eminent domain, another, to me, unhappy decision which I was not overjoyed about.

But this bill does little more than single out developers and corporations for a special fast track into the Federal court.

In November of last year, I was proud to join with my colleagues on both sides of the aisle to protect property owners from takings in the name of ''economic development.'' Such takings did not constitute public uses and were found to be totally inconsistent with the fifth amendment to our Constitution. But today my friends on the other side of the aisle are arguing that the bill we are taking up today, 4772, is another effort to protect property owners. They say the bill simply makes it easier for property owners to have their day in court, in Federal court, that is.

H.R. 4772 will permit land developers to forum shop between State and Federal courts when they pursue regulatory takings claims against the government. And, unfortunately, instead of advancing our constitutional principles, this bill undermines longstanding interpretations of the fifth amendment. The Supreme Court has ruled on two different occasions, in Williamson County and in San Remo, that landowners must pursue remedies for just compensation from the State in a State court. This bill goes directly against that concept.

The Court has confirmed that a Federal court cannot properly consider a takings claim unless or until a landowner has been denied an adequate remedy. To do otherwise would make cases unconstitutionally ripe for Federal review and also limit a Federal court's ability to abstain from State questions.

Unfortunately, that is exactly what H.R. 4772 will do. It will allow regulatory takings claims into Federal courts prematurely. With the threat of Federal litigation, States and localities will be restricted in their land use decisions. For example, it will be harder for jurisdictions to protect against groundwater contamination or waste dumps or adult bookstores. This is a serious proposition, and once again I think the committee is moving in the wrong direction to bring it to the floor at this time.

Most disturbingly, this bill elevates the rights of property owners over all other categories of persons with constitutional claims. Are the rights of real estate developers more important than the rights of other Americans?

It is simply not true that there is anything special or unique about real property takings that warrants special protections for developers. This is unfortunate legislation which undermines equal justice under law, which, to me, is the very cornerstone of our legal system.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 7 minutes to the author of the bill, the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Speaker, I thank the gentleman for yielding.

And I would just point out, before I get out to my main statement, I think to the contrary, rather than elevating private property rights above other constitutional rights, it basically puts them on the same level, the same playing field, right to free speech, right to religion. In the fifth amendment it says a person's property cannot be taken away without due process of law, and all we are doing is putting people's rights relative to property under the same constitutional rights as all the others, which they have not had up to this point.

I introduced H.R. 4772, the Private Property Rights Implementation Act, earlier this year to help Americans defend their constitutionally protected rights. And I want to thank the gentleman from Tennessee (Mr. GORDON) for his leadership in this area and for being the principal Democratic cosponsor. We thank him very much for that.

Most Americans are familiar with one recent decision involving all Americans' property rights, which Chairman SENSENBRENNER referred to earlier, the case of Kelo v. The City of New London, in which the Supreme Court held that the Constitution allows government to take private property from one citizen and give it to businesses. The House of Representatives acted to correct that decision by passing H.R. 4128, under the leadership of Chairman SENSENBRENNER, by a very wide margin, 376–38.

However, the Supreme Court, during its last term, handed down another bad decision that fails to protect the private property rights of all Americans, and correcting that decision through this legislation we will be addressing today should have the same bipartisan support.

Here is the problem: strange as it sounds, under current law property owners are now blocked from raising a Federal fifth amendment takings claim in Federal court. Here is why:

The Supreme Court's 1985 decision in which Williamson County v. Hamilton Bank requires property owners to pursue to the end all available remedies for just compensation in State court before the property owner can file suit in Federal court under the fifth amendment. Then just last year, in the case of San Remo Hotel v. City and County of San Francisco, also referred to by Chairman SENSENBRENNER, the Supreme Court held that once a property owner tries their case in State court, the property owner is prohibited from having their constitutional claim heard in Federal court even though the property owner never wanted to be in the State court with their Federal claim in the first place.

The combination of these two rules means that those with Federal property rights claims are effectively shut out of Federal court on their Federal takings claims, setting them unfairly apart from those asserting any other Federal rights such as those asserting free speech or religious freedom rights, as I mentioned before.

The late Chief Justice Rehnquist commented directly on this unfairness, observing in his concurring opinion in San Remo that ''the Williamson County decision all but guarantees that claimants will be unable to utilize the Federal courts to enforce the fifth amendment's just compensation guarantee.'' The Second Circuit Court of Appeals has also noted that ''it is both ironic and unfair if the very procedure that the Supreme Court required property owners to follow before bringing a fifth amendment takings claim, a State court takings action, also precluded them from ever bringing a fifth amendment takings claim'' in Federal court.

H.R. 4772, the Private Property Rights Implementation Act, this act, which I introduced along with, again, Congressman GORDON, will correct the unfair legal bind that catches all property owners in what amounts to a catch-22. This bill, which is based on Congress's clear authority to define the jurisdiction of the Federal courts and the appellate jurisdiction of the U.S. Supreme Court, would allow property owners raising Federal takings claims to have their cases decided in Federal court without first pursuing a wasteful and unnecessary litigation detour, and possible dead end, in State court.

H.R. 4772 would also remove another artificial barrier blocking property owners' access to Federal court. The Supreme Court's Williamson County decision also requires that before a case can be brought for review in Federal court, property owners must first obtain a final decision from the State government on what is an acceptable use of their land. This has created an incentive for regulatory agencies to avoid making a final decision at all by stringing out the process and thereby forever denying a property owner access to court. Studies of takings cases in the 1990s indicate that it took property owners nearly a decade of litigation, which most property owners cannot afford, before takings claims were ready to be heard on the merits in any court.

To prevent that unjust result, H.R. 4772 would clarify when a final decision has been achieved and when the case is

ready for Federal court review. Under this bill if a land use application is reviewed by the relevant agency and rejected, a waiver is requested and denied, and an administrative appeal is also rejected, then a property owner can bring their Federal constitutional claim in a Federal court.

□ 1630

The bill would not change the way agencies resolve disputes. Rather, H.R. 4772 simply makes clear the steps the property owner must take to make their case ready for court review.

H.R. 4772 also clarifies the rights of property owners raising certain types of constitutional claims in the following ways:

First, it would clarify that conditions that are imposed upon a property owner before they can receive a development permit must be proportional to the impact that development might have on the surrounding community.

Second, it would clarify that if property units are individually taxed under State law, then the adverse economic impact of a regulation has on a piece of property should be measured by determining how much value the regulating is taking away from the individual lot affected, not the development as a whole.

And, third, the bill would clarify that due process violations involving property rights should be found when the Government has been found to have acted in an arbitrary and capricious manner.

This legislation also applies the same clarifications to cases in which the Federal Government is taking the private property. And I would just note that some of the groups that strongly support this legislation are the home builders, the Realtors, the Chamber of Commerce, the National Federation of Independent Business and the U.S. Farm Bureau.

I would urge my colleagues to join in supporting this bipartisan legislation. I want to again thank Mr. GORDON for his leadership.

Mr. CONYERS. Mr. Speaker, I yield such time as he may consume to the ranking member of the Subcommittee on the Constitution, the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Speaker, I think we all agree that the Constitution's protection of property rights must be preserved.

Let us be clear. This bill has nothing do with the Kelo decision, though they keep mentioning that. It has nothing to do with eminent domain procedures. Separate issue.

The Constitution provides for just compensation when Government takes property for a public purpose; and when it does it up front, that is eminent domain. On that much there is general agreement.

This bill is something different, something radically and dangerously different. It goes far outside the bounds of the Constitution to reward big developers and polluters whenever local government tries to preserve the quality of life in our communities by controlling the spread of huge landfills or sprawling subdivisions or factory farms or adult bookstores. It does it primarily by making a number of changes to the substance of law. I will not even talk about, I will allude to it, but I am not going to talk in detail about the forum shopping that this brings into Federal court.

By the substantive changes in the law, the bill attempts to accomplish a partial legislative override of the so-called property as a whole rule in takings litigation.

The bill states that taking claims shall be decided with reference to each subdivided lot regardless of ownership, ''if such lot is taxed or is otherwise treated and recognized as an individual property unit by State, territory or the District of Columbia.''

Regulations, local zoning regulations, wetlands regulations, commonly restrictive elements of some proportion of a property, while allowing development of other portions.

Under the well-established property as a whole rule, courts evaluating tax's claims, that is, evaluating a claim that some regulation is in fact a taking of private property without due process of law and therefore unconstitutional, must consider the impact of the regulation on the owner's entire property.

Courts routinely apply this rule in situations where the property has been subdivided to separate tax lots or otherwise legally subdivided on the grounds that this type of property subdivision is irrelevant to the taking's analysis.

This bill would override this established application of the property as a whole rule. For example, if a developer owned property subdivided into 100 lots, two of which were classified as wetlands, the bill would force taxpayers to pay the developer to prevent the development of those two lots, notwithstanding that he is able to build on 98 percent of the land.

The Constitution and our historic traditions have never guaranteed the ability to build on every square inch of property. This modification of the property as a whole rule would represent a substantial change in takings doctrine and would force taxpayers to pay someone for any reduction in the inability to use any inch of property under any zoning regulation.

So if you own a single family home in a suburb and you do not want to see every inch built right up to your lot line, have your Congressman vote for this bill, if you do want to see that, rather.

If you want to protect the ability of your town council to say we want zoning on half-acre lots, then you cannot support this bill. Because any town council that said you have to have at least a half acre or quarter acre or whatever is saying you cannot build on every inch and the public must pay for that.

The public will never pay for that. It is much too expensive, which means you cannot have any zoning regulations, you cannot have any limitation on density, and you cannot have any environmental regulations to prevent building on wetlands or other environmentally sensitive areas. That is what this bill does.

The bill also provides that in a case alleging a deprivation of substantive due process, the Government actions ''shall be judges to whether it is arbitrary, capricious and abuse of discretion or otherwise not in accordance with law.''

Prior to the New Deal, prior to 1937, in the so-called Lochner era, the due process clause provided the constitutional basis for a very activist Supreme Court decision striking down a wide variety of regulations: Minimum wage laws are unconstitutional, maximum hour laws are unconstitutional, factory safety laws are unconstitutional. Why? Because it was a violation of substantive due process.

This bill language seeks to revive this Lochner doctrine by promoting the revival of an expansive reading of the due process clause. Since the 1930s, the courts have applied the due process clause with considerable deference toward the elected branch of the government. Republicans talk all the time about activist courts, we do not want them, they say deference to the elected branch of the government, except here.

Reflecting this approach, Justice Samuel Alito, while sitting as a Judge of the Court of Appeals for the 3rd Circuit, rejected a due process challenge to a municipal ordinance on the basis that the Government action violates substantive due process only when it ''shocks the conscience.''

This bill would replace this relatively deferential, widely accepted standard with a wider standard focusing on whether the Government acted arbitrarily, capriciously or with an abuse of discretion.

In addition, the bill states the Government action should be judged based on whether it is otherwise not in accordance with law. This language would convert every single legal dispute over the application of garden variety zoning regulations, garden variety maximum hour, minimum wage, factory safety, environmental, whatever laws into a constitutional due process issue.

This bill goes so far to destroy the ability of communities to control the spread of huge landfills or of sprawling subdivisions or factory farms or adult bookstores. You want an adult bookstore on every block, and the town council cannot stop it, vote for this bill.

A developer can circumvent local government and normal State court consideration, drag our local governments into Federal Court and demand payment every time our constituents want to preserve their health or quality of life.

The threat of Federal court litigation is real and troubling. One representative of the National Association of Homebuilders said this bill would be a hammer to the head of every local official. Is that what we should be doing? Congress and the Federal Courts will now become a super national zoning board?

Whatever danger to the environment this legislation may pose, it is green in at least one respect. It is an outstanding example of recycling, taking us all back to those memorable days of Newt Gingrich's Contract on America, where even the Republican Congress rejected this kind of legislation in those days.

Later versions of that effort, which have been called kinder and gentler by at least one legal scholar, focused on procedural issues, a euphemism for the kind of forum shopping in this bill.

This bill is much less kind and less gentle. It greatly expands the definition of a taking. It would require the Government to provide compensation in the kinds of cases I spoke of a few minutes ago where the Constitution does not require compensation. It would allow developers to game the system by dividing their lots to squeeze money out of our communities.

Should we have to pay someone off to keep them from poisoning our drinking water? Should we have to pay people off if we want to control suburban sprawl? Is it a taking if we make them pay for some or all of the costs of the new roads, sewer lines, water lines and schools that will be needed when they are done? This bill says ''yes''.

Should local taxpayers have to pay a developer whenever any conditions are imposed on a developer before allowing them to move forward? This bill says ''yes''.

My Republican colleagues on the Judiciary Committee often rail against ''trail lawyers'' who engage in forum shopping. Now this bill, proposed by those same Members, would write forum shopping into the law to benefit one large group against everybody else: large real estate developers against every member of local government and every local constituent who cares about their community.

Let us have no doubt that this is a big developers' bill.

One of the majority's witnesses at the hearing we had on this bill last year was Frank Kottschade, a major local developer. Another was an attorney who made an impassioned plea for small property owners. But it turned out that the bio from his firm's Web site said that he represented such small property owners as Wal-Mart, the Rumpke landfill in a major expansion effort, Home Depot and General Electric. That is who this bill is for.

And let me clear up some confusion. Many Members of this House were outraged by the Supreme Court's Kelo decision, which dealt with the use of eminent domain to promote economic development. This bill, I will repeat, has nothing to do with Kelo, nothing to do with eminent domain. This bill has to do with destroying the ability of our local communities to enforce the zoning regulations, environmental protection, environmental regulation and any kind of limitation on any kind of development.

If that is what you want to do, if you want the Federal Government to come in and be the master of zoning and overrule all local regulations so that local government may as well go out of business, because Congress knows best, and in fact not even Congress, the courts know best, then vote for this bill.

Mr. SENSENBRENNER. Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. GORDON), showing that this bill is truly bipartisan.

Mr. GORDON. Mr. Speaker, this legislation fixes an unfairness that too often deprives small and middle class property owners of their rights.

The Constitution prohibits the Government from taking private property without giving due compensation to the owner. Unfortunately, this right is being lost because the property owners are being denied their day in Federal Court. Instead, the Supreme Court forces them to pursue their compensation claims in State courts. It then slams the Federal courthouse door shut to their fifth amendment claims.

This one-two punch adds to the expense of litigating takings cases and thereby prevents small and middle class property owners from asserting their right to use or be fairly compensated for their property. This bill allows them to raise a Federal takings claim without first being detoured through the State courts.

This change made by the bill is fair, and I urge the House to pass H.R. 4772.

Mr. CONYERS. Mr. Speaker, how much time remains on this side?

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CONYERS) has 7 minutes remaining, and the gentleman from Wisconsin (Mr. SENSENBRENNER) has 10 minutes remaining.

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. CHABOT).

Mr. CHABOT. Mr. Speaker, I thank the gentleman for yielding me time.

In response to some of the issues raised by the gentleman, my good friend from New York (Mr. NADLER), I would just note a couple of things.

There is nothing in this bill that would prohibit municipalities from taking land to protect health and safety or any government from protecting the environment. However, if the land is so regulated as to deny the owner any use of it, then, yes, the owner needs to be paid just compensation. That is what this bill does.

The fifth amendment does not have an exception for environmental laws, for example. In fact, the best approach would be to purchase the land through eminent domain, for example, rather than trying to pull a fast one and harm the property owner. The basic idea is that the individual property owners should not bear all of the costs of protecting our communities.

A few landowners should not have to sacrifice their own land and economic well-being for the betterment of a town or a city. Rather, the town should give them their just compensation.

To quote the California Supreme Court in Ehrlich, 1977, ''the United States Constitution, through the takings clause of the fifth amendment, protects us all from being arbitrarily singled out and subjected to bearing a disproportionate share of the costs.''

Communities can enact all of the necessary zoning and land use requirements to protect the public welfare, but they cannot exact or enact unconstitutional regulations.

Environmental groups wrote in their opposition letter to H.R. 4772 that, ''developers could use this hammer'', and I think the gentleman mentioned this, ''developers could use this hammer to side-step land use negotiations and avoid compliance with local laws that protect neighboring property owners and the community at large.''

This is simply not true. Reasonable protections will not violate the Constitution. But what these groups are really saying is that environmental regulations should be immune from court review.

□ 1645

The fifth amendment should apply in all takings cases, and we should not be carving out exceptions when it comes to public health and safety.

Just like in the Kelo legislation we passed, we did not carve out exceptions for the private use of eminent domain because some property is not as desirable to the community at large. All property should be treated the same; and if there is a public health or environmental need to take the land, owners should be compensated for its taking.

The point is that there are limits to what the government can do, even for public health and safety, and that limit is called the Bill of Rights.

This is what we are doing. We are essentially giving private property owners the same rights as other people would have in court if they brought a first amendment claim for free speech or freedom of religion or on whatever else. They are all on the same par and people should be treated fairly.

Mr. CONYERS. Mr. Speaker, I yield 2 minutes to the gentleman from New York (Mr. NADLER), the ranking member of the Subcommittee on the Constitution.

Mr. NADLER. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, first of all, we are told that this is a terrible situation because under current law, given Supreme Court decisions, you have to go to State court; you cannot adjudicate your Federal constitutional rights in Federal court. You can always appeal

any final court State decision. If you claim that the Supreme Court of Tennessee has violated your Federal constitutional rights, you can always appeal that into the Federal courts. So no one is disputing that. So that is a bogus claim.

Secondly, of course, the bill does not say directly that the local government must pay anybody who is denied any opportunity to do anything; but it has that effect because, for example, the law does not carve out an exception from the fifth amendment. The fifth amendment applies to everything, but the courts have long held that if you have a 100-acre plot of land and 2 acres, let us say, are wetlands that you cannot develop and you can develop 98 of 100 acres, if you look at the property as a whole and there is no taking there.

What this bill says is if they say 2 acres are wetlands and you cannot build on it or after half an acre or 35 square feet, the local government must pay for that; and for that matter if the local government says that you can only build on half acre lots, you cannot fill up every inch, then you are not using every inch of your land, you are prevented, and that is a taking of property.

Basic law always has been understood that as long as you can substantially use your land, not every inch of it, not to the extent, that is not a taking.

This says it is a taking. So if New York City zoning says the you can only build 75 stories, you cannot build 300 stories, under this bill, the local government would have to pay for the value of the 225 stories that you cannot build. This is way beyond takings law, and that destroys all local regulations. That is why this bill should be defeated.

Mr. CONYERS. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER) who has studied this issue very carefully.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy for permitting me to speak on this bill.

In a prior life, I spent 10 years administering programs like this with the city of Portland. Our community is like many around the country that have, as the gentleman from New York referenced, sophisticated planning and zoning regulations. These are elements that are developed as a result of local community pressure to balance interests.

I find no small amount of irony that some of these friends of ours who think that the courts are not capable of ruling on marriage want to strip away the powers of the Federal court to deal with issues of the Pledge of Allegiance, who all of the sudden want to overrule over a century of development that deals with planning and zoning in this country.

There are appeals that take place each and every day from coast to coast in almost every State of the Union where people have some differences of opinion. There are elaborate mechanisms that deal with local appeals, where there is negotiation that takes place between the development community, the local officials, planning and zoning boards that end up giving something that makes sense for the community, makes sense for the developer, makes sense for the protection of the environment and health and development standards.

Under this legislation, one time if a developer does not get what he or she wants on any meaningful application, whatever that might mean, they can be thrown into the Federal judiciary. I would suggest that there is a reason why the American Planning Association, Defenders of Wildlife, the National Trust for Historic Preservation, Natural Resource Defense Council, the League of Cities, the people who are dealing with how to make communities more livable and to make them work, are opposed to this legislation.

This has, as has been pointed out, nothing to do with Kelo. These are areas where reasonable exercise of the planning mechanisms over 33 States have developed from coast to coast trying to look at the big picture and trying to balance it.

This is a stealth attack on what communities are trying to do to equip people to be able to deal with the consequences of growth and development pressures and what we learn on an ongoing basis about the impacts environmentally and in terms of better ways of being able to accomplish objectives in the development community.

I would respectfully suggest that it is far better to allow this process to work rather than trying to drag the Federal courts into it unnecessarily.

Mr. CONYERS. Mr. Speaker, I yield myself the remainder of the time.

There has been one other mischaracterization made that should be corrected here, because it has been said on the other side more than once that the plaintiff in these kinds of cases is required to stay in the State courts and that we are now moving him up in line with others, but there are many circumstances that require the exhaustion of a State court remedy before you can come into the Federal court.

For example, the termination of parental rights requires an exhaustion of State rights. The detention and violation of the sixth amendment right to counsel requires an exhaustion of the State rights before you move into the Federal court. Confinement for juvenile offenders in violation of the eighth amendment requires the same thing, so does denial of Medicaid benefits in violation of first amendment religious protections.

What we see here is the most incredible use of determining who goes into Federal court and who can go in quickly and easily, and we do not think that developers have done anything to justify that.

So in the name of all the local lawmakers, in the name of those who have any respect for the rights of States in these matters, who respect the traditions that have been well-established in the law for determining how we deal with these claims, we urge a ''no'' vote on H.R. 4772.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I appreciate this opportunity to explain my concerns with the bill, H.R. 4772, the Private Property Rights Implementation Act of 2005. I oppose the bill because I am concerned that it will weaken local land use, zoning, and environmental laws by encouraging costly and unwarranted ''takings'' litigation in federal court against local officials.

Mr. Speaker, H.R. 4772 would fundamentally alter the procedures governing regulatory takings litigation. Those procedures are required by the U.S. Constitution and have been repeatedly reaffirmed by the U.S. Supreme Court, as recently as last year. The bill purports to alter these requirements by giving developers, corporate hog farms, adult bookstores, and other takings claimants the ability to bypass local land use procedures and state courts. Indeed, the National Association of Home Builders candidly referred to a prior version of the bill as a ''hammer to the head'' of local officials. Developers could use this hammer to side-step land use negotiations and avoid compliance with local laws that protect neighboring property owners and the community at large.

In addition, section 5 of the bill purports to dramatically change substantive takings law as articulated by the Supreme Court and other federal courts by redefining the constitutional rules that apply to permit conditions, subdivisions, and claims under the Due Process Clause. The existing rules, developed over many decades, allow courts to strike a fair balance between takings claimants, neighboring property owners, and the public. The proposed rules would tilt the playing field further in favor of corporate developers and other takings claimants, even in the many localities across the country where developers already have an advantage.

As a result, H.R. 4772 would allow big developers and other takings claimants to use the threat of premature federal court litigation as a club to coerce small communities to approve projects that would harm the public. By short-circuiting local land use procedures, H.R. 4772 also would curtail democratic participation in local land use decisions by the very people who could be harmed by those decisions.

The bill also raises serious constitutional issues. The provisions that purport to redefine constitutional violations ignore the fundamental principle established in Marbury v. Madison (1803) that it is ''emphatically the province and duty'' of the federal courts to interpret the meaning of the Constitution. Moreover, under longstanding precedent, a landowner has no claim against a state or local government under the Fifth Amendment until the claimant first seeks and is denied compensation in state court. Federal courts would continue to dismiss these claims, as well as claims that lack an adequate record where claimants use the bill to side-step local land use procedures. The bill will create more delay and confusion by offering the false hope of an immediate federal forum for those who have not suffered a federal constitutional injury. In short, this bill is a great threat to federalism, our local land

use protections, neighboring property owners, and the environment. Therefore, I urge my colleagues to vote against the bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 4772, 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. CONYERS. 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.

PROUD TO BE AN AMERICAN CITIZEN ACT

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5323) to require the Secretary of Homeland Security to provide for ceremonies on or near Independence Day for administering oaths of allegiance to legal immigrants whose applications for naturalization have been approved, as amended.

The Clerk read as follows:

H.R. 5323

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 ''Proud to Be an American Citizen Act''.

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) The United States is a nation of immigrants.

(2) Immigrants strengthen the economic and political ties of the United States with other nations.

(3) Immigrants enhance the Nation's ability to compete in the global market.

(4) Immigrants contribute to the Nation's scientific, literary, artistic, and other cultural resources.

(5) A properly regulated system of legal immigration is in the Nation's interest.

(6) The Naturalization Oath of Allegiance impresses on new United States citizens—

(A) the shared American values of liberty, democracy, and equal opportunity; and

(B) the obligation to respect and abide by the Constitution, including the Bill of Rights.

(8) Naturalization rewards legal immigrants who have abided by all Federal laws and Department of Homeland Security regulations.

(9) Naturalization bestows all the legal rights, privileges, and responsibilities of a United States citizen.

SEC. 3. INDEPENDENCE DAY CEREMONIES FOR OATHS OF ALLEGIANCE.

(a) IN GENERAL.—The Secretary of Homeland Security shall make available funds each fiscal year to the Director of U.S. Citizenship and Immigration Services or to public or private nonprofit entities to support public ceremonies for administering oaths of allegiance under section 337(a) of the Immigration and Nationality Act (8 U.S.C. 1448(a)) to legal immigrants whose applications for naturalization have been approved.

(b) CEREMONIES.—A ceremony conducted with funds under this section—

(1) shall be held on a date that is on or near Independence Day; and

(2) shall include appropriate outreach, ceremonial, and celebratory activities.

(c) SELECTION OF SITES.—

(1) IN GENERAL.—The Secretary of Homeland Security shall select the site for each ceremony conducted with funds under this section.

(2) SELECTION PROCESS.—In selecting a site under paragraph (1), the Secretary of Homeland Security should consider—

(A) the number of naturalization applicants living in proximity to the site; and

(B) the degree of participation in and support for the ceremony by the local community at the site.

(d) AMOUNTS AVAILABLE; USE OF FUNDS.—

(1) AMOUNTS AVAILABLE.—Amounts made available under this section for each ceremony shall not exceed $5,000.

(2) FUNDS.—Funds made available under this section may be used only for the following:

(A) Costs of personnel of U.S. Citizenship and Immigration Services and the Federal judiciary (including travel and overtime expenses).

(B) Site rental, including audio equipment rental.

(C) Logistical requirements, including sanitation.

(D) Costs for printing brochures about the naturalization participants and the naturalization process.

(3) AVAILABILITY OF FUNDS.—Funds that are otherwise available to the Department of Homeland Security to carry out naturalization activities shall be available to carry out this section.

(e) APPLICATION.—No amount may be made available under this section to an entity that is not part of the Department of Homeland Security, for supporting a ceremony described in subsection (b), unless—

(1) the entity submits an application to the Secretary of Homeland Security, in a form and manner specified by the Secretary of Homeland Security; and

(2) the Secretary of Homeland Security approves the application.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5323, currently under consideration.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 5323, the Proud to Be an American Citizen Act, which enables U.S. Citizenship and Immigration Services or nonprofit entities to conduct naturalization ceremonies on or near Independence Day each year. The legislation gives us an opportunity to underscore the importance and privilege of U.S. citizenship.

This legislation does not authorize new funds, but would provide up to $5,000 for each ceremony organized on Independence Day out of the funds already available to the Department of Homeland Security. The moneys provided under this bill would be sufficient to cover the basics for a ceremony to honor those who have worked hard and met the legal requirements to become United States citizens.

The funds may be used only for the cost of government personnel needed to administer the Oath of Allegiance, facilities rental, brochures, and other logistics. The bill requires any nongovernment entity seeking to organize a naturalization ceremony to receive approval through the Department of Homeland Security.

The bill allows new Americans to celebrate their naturalization in conjunction with celebrating America on Independence Day. I believe it is important that we support those who want to take the final step toward becoming Americans and those who have legally moved through the immigration system to obtain citizenship.

I urge Members to support this bill.

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

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

I am happy to rise in support of this legislation because immigration is one of the basic foundations of the Nation, and the contributions of immigrants are too many to be counted.

This legislation recognizes these principles, and in addition, authorizes the Homeland Security Secretary to dispense $5,000 to public and private nonprofit entities to host naturalization ceremonies. This purpose originally was authorized as a part of the 1996 immigration law, and I believe it deserves reauthorization.

I join with the chairman of the committee in urging our colleagues to vote ''yes'' on the bill

Mr. FARR. Mr. Speaker, as the original sponsor of H.R. 5323, I commend the House far adopting the Proud to Be An American Citizen Act.

I want to thank Chairman SENSENBRENNER and Ranking Member CONYERS of the Judiciary Committee for their support of this bill, as well as Mr. HOBSON of Ohio for his original cosponsorship.

H.R. 5323 provides authorization for Citizenship and Immigration Services (CIS) to support community citizenship ceremonies. A similar provision was enacted into law in the 1996 immigration reform bill, but has since expired.

CIS reports that more than 28,000 new citizens will be sworn in at 133 citizenship ceremonies around the country. These ceremonies are marked by Democrats and Republicans alike. Not only have many of us participated in these ceremonies, but throughout the years, so have President Bush, Madeline Albright, Ronald Reagan, and Arnold Schwarzenegger.

H.R. 5323 recognizes those immigrants who have played by the rules and been through this country's rigorous immigration screening process. Legal immigrants have earned their citizenship after years of waiting, high fees, learning English, and a passing grade on a citizenship test. The culmination of this all is taking the Oath of Citizenship.

Every year in my district around the 4th of July, I host a Citizenship Ceremony. This past year, 120 immigrants from China, Fiji Island, Algeria, Canada and other countries took their Oath, and sang our National Anthem and America the Beautiful in a community wide celebration.

Just this month, CIS and the Department of the Interior's National Park Service announced a partnership to welcome new citizens to the U.S. via national parks. In the last week, citizenship ceremonies have been held at Ellis Island National Park in New York to Yosemite National Park in California.

All of us can look back to our own families and find the first generation immigrants. Let us welcome new citizens as we would have wanted our ancestors to be welcomed.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in strong support of H.R. 5323, the "Proud to be an American Citizen Act," which requires the Secretary of Homeland Security to make funds available to support public naturalization ceremonies that are held on a date that is on or near Independence Day. These funds would be given to the Director of U.S. Citizenship and Immigration Services (USCIS) or to public or private nonprofit entities. The Secretary would select the sites for the ceremonies, approve the entities receiving the funds, and dispense up to, but no more than, $5,000 for each ceremony.

The use of the funds would be limited to the costs of personnel from USCIS and the Federal judiciary, including travel and overtime expenses; site and audio equipment rentals; logistical requirements; and costs for printing brochures about the naturalization participants and the naturalization process.

Naturalization rewards legal immigrants who have played by the rules and abided by all United States laws and USCIS regulations. The naturalization ceremony is not just a formality. Taking the Oath of Allegiance is a critical legal step in becoming a naturalized citizen. The words of the Oath of Allegiance convey the core meaning of becoming an American citizen. These words reflect the shared American values of liberty, democracy, and equal opportunity; and the obligation to abide by the Constitution, including the Bill of Rights.

The Oath of Allegiance should not be taken in an empty room without fanfare, particularly on Independence Day. I urge all members to show their support for those who are proud to become American citizens by voting for H.R. 5323.

Mr. CONYERS. Mr. Speaker, I return the balance of my time.

Mr. SENSENBRENNER. Mr. Speaker, I do the same.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the bill, H.R. 5323, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1700

GENERAL SERVICES ADMINISTRATION MODERNIZATION ACT

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to bill (H.R. 2066) to amend title 40, United States Code, to establish a Federal Acquisition Service, to replace the General Supply Fund and the Information Technology Fund with an Acquisition Services Fund, and for other purposes.

The Clerk read as follows:

Senate amendments:

Page 2, line 25, strike out ''up to five''

Page 10, line 7, strike out ''or'' and all that follows through the end of line 9, and insert:

''(B) the exceptional difficulty in recruiting or retaining a qualified employee, or

''(C) a temporary emergency hiring need,

Page 10, line 20, strike out ''December 31, 2011.'' and insert: ''December 31, 2011.''.

Page 10, strike out line 21 and all that follows through page 13, line 8, and insert the following new section and renumber subsequent section:

SEC. 5. DISPOSAL OF FEDERAL SURPLUS PROPERTY TO HISTORIC LIGHT STATIONS.

Section 549(c)(3)(B) of title 40, United States Code, is amended—

(1) in clause (vii), by striking ''or'' after the semicolon;

(2) in clause (viii), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(ix) a historic light station as defined under section 308(e)(2) of the National Historic Preservation Act (16 U.S.C. 470w–7(e)(2)), including a historic light station conveyed under subsection (b) of that section, notwithstanding the number of hours that the historic light station is open to the public.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 2066, the General Services Administration Modernization Act, which was introduced by Armed Services Committee Chairman HUNTER and myself last year. This legislation passed the House last May and was recently passed by the Senate with a handful of modifications which we are here today to accept in order to send the legislation to the President's desk for signature.

This important legislation would authorize a much-needed reorganization and streamlining of the General Services Administration, the Federal agency that is charged with leveraging the Federal Government's buying power to purchase commercial goods and services in a manner that maximizes taxpayer dollars.

Each year, GSA buys products and services from the private sector worth well over $30 billion and resells them to Federal agencies through two different services. The Federal Technology Service, or FTS, uses the Information Technology Fund purchase information technology; and the Federal Supply Service, the FSS, uses the General Supply Fund to purchase commercial goods and services.

This bifurcated system may have made sense when the IT fund was created two decades ago when information technology was in its infancy. Today, however, laptop computers, cell phones and e-mail are as ubiquitous as desks and phones. The business case, for separate systems to handle IT goods and services, no longer exists. In fact, the bifurcated system has become a barrier to coordinated acquisition of management services and the technology needed to support a total solution.

H.R. 2066 would amend GSA's organic stature by enacting structural reform to GSA's current organization in order to consolidate the Federal Supply Service and the Federal Technology Service into a single entity operating out of a unified fund, providing Federal agencies with a one-stop shop to acquire all of their commercial goods and services. This change in statute would provide GSA with the structure it needs to bring it in line with the current commercial marketplace.

The environment in which the Federal Government purchases goods and services has changed dramatically in recent years. H.R. 2066 would remove the old structures that inhibit efficient Federal purchases and solutions that are a mix of products, services and technology. The Federal marketplace should reflect the best of the commercial marketplace, both in the products and service we buy and the way that we buy them.

I would urge my colleagues to accept these amendments and support H.R. 2066.

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

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

The chairman of the committee, the Government Reform committee, Mr. DAVIS, has covered the bill well. I commend him for his work on this piece of legislation.

I would only add to his description of the bill that it also contains provisions that would give civilian agencies additional tools to maintain their acquisition workforces by allowing agencies

to reemploy retirees under certain circumstances. I think it is important that we look for ways in the Federal Government to continue to use the expertise of those who have been in the Federal Government.

The Senate amendments to the bill provide additional protections to make sure that authority is used wisely with respect to rehiring of retirees, but I commend the chairman of the committee for his work on this bill and urge its adoption.

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

Mr. TOM DAVIS of Virginia. Let me thank my colleague from Maryland for his assistance on this and so many other things that the committee works on. I would urge all members to support the passage of H.R. 2066.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 2066.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

2005 DISTRICT OF COLUMBIA OMNIBUS AUTHORIZATION ACT

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 3508) to authorize improvements in the operation of the government of the District of Columbia, and for other purposes.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''2005 District of Columbia Omnibus Authorization Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—GOVERNANCE OF DISTRICT OF COLUMBIA

Subtitle A—General District of Columbia Governance

Sec. 101. Budget flexibility.
Sec. 102. Additional Authority to allocate amounts in Reserve Funds.
Sec. 103. Permitting General Services Administration to obtain space and services on behalf of District of Columbia Public Defender Service.
Sec. 104. Authority to enter into Interstate Insurance Product Regulation Compact.
Sec. 105. Metered taxicabs in the District of Columbia.

Subtitle B—District of Columbia Courts

Sec. 111. Modernization of Office of Register of Wills.
Sec. 112. Increase in cap on rates of pay for nonjudicial employees.
Sec. 113. Clarification of rate for individuals providing services to indigent defendants.
Sec. 114. Authority of Courts to conduct proceedings outside of District of Columbia during emergencies.
Sec. 115. Authority of Court Services and Offender Supervision Agency to use services of volunteers.
Sec. 116. Technical corrections relating to courts.
Sec. 117. Inclusion of court employees in enhanced dental and vision benefit program.

Subtitle C—Other Miscellaneous Technical Corrections

Sec. 121. 2004 District of Columbia Omnibus Authorization Act.
Sec. 122. District of Columbia Appropriations Act, 2005.
Sec. 123. Technical and conforming amendments relating to banks operating under the Code of Law for the District of Columbia.
Sec. 124. District of Columbia Schools fiscal year.
Sec. 125. Gifts to libraries.

TITLE II—INDEPENDENCE OF THE CHIEF FINANCIAL OFFICER

Sec. 201. Promoting independence of Chief Financial Officer.
Sec. 202. Personnel Authority.
Sec. 203. Procurement Authority.
Sec. 204. Fiscal impact statements.

TITLE III—AUTHORIZATION OF CERTAIN GENERAL APPROPRIATIONS PROVISIONS

Sec. 301. Acceptance of gifts by Court Services and Offender Supervision Agency.
Sec. 302. Evaluation process for public school employees.
Sec. 303. Clarification of application of pay provisions of Merit Personnel System to all District employees.
Sec. 304. Criteria for renewing or extending sole source contracts.
Sec. 305. Acceptance of grant amounts not included in annual budget.
Sec. 306. Standards for annual independent audit.
Sec. 307. Use of fines imposed for violation of traffic alcohol laws for enforcement and prosecution of laws.
Sec. 308. Certifications for attorneys in cases brought under Individuals With Disabilities Education Act.

TITLE I—GOVERNANCE OF DISTRICT OF COLUMBIA

Subtitle A—General District of Columbia Governance

SEC. 101. BUDGET FLEXIBILITY.

(a) PERMITTING INCREASE IN AMOUNT APPROPRIATED AS LOCAL FUNDS DURING A FISCAL YEAR.—Subpart 1 of part D of title IV of the District of Columbia Home Rule Act (sec. 1–204.41 et seq., D.C. Official Code) is amended by inserting after section 446 the following new section:

''PERMITTING INCREASE IN AMOUNT APPROPRIATED AS LOCAL FUNDS DURING A FISCAL YEAR

''SEC. 446A. (a) IN GENERAL.—Notwithstanding the fourth sentence of section 446, to account for an unanticipated growth of revenue collections, the amount appropriated as District of Columbia funds under budget approved by Act of Congress as provided in such section may be increased—

''(1) by an aggregate amount of not more than 25 percent, in the case of amounts allocated under the budget as 'Other-Type Funds'; and

''(2) by an aggregate amount of not more than 6 percent, in the case of any other amounts allocated under the budget.

''(b) CONDITIONS.—The District of Columbia may obligate and expend any increase in the amount of funds authorized under this section only in accordance with the following conditions:

''(1) The Chief Financial Officer of the District of Columbia shall certify—

''(A) the increase in revenue; and

''(B) that the use of the amounts is not anticipated to have a negative impact on the long-term financial, fiscal, or economic health of the District.

''(2) The amounts shall be obligated and expended in accordance with laws enacted by the Council of the District of Columbia in support of each such obligation and expenditure, consistent with any other requirements under law.

''(3) The amounts may not be used to fund any agencies of the District government operating under court-ordered receivership.

''(4) The amounts may not be obligated or expended unless the Mayor has notified the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate not fewer than 30 days in advance of the obligation or expenditure.

''(c) EFFECTIVE DATE.—This section shall apply with respect to fiscal years 2006 through 2007.''.

(b) CONFORMING AMENDMENT.—The fourth sentence of section 446 of such Act (sec. 1–204.46, D.C. Official Code) is amended by inserting ''section 446A,''after ''section 445A(b),''.

(c) CLERICAL AMENDMENT.—The table of contents of such Act is amended by inserting after the item relating to section 446 the following new item:

''Sec. 446A. Permitting increase in amount appropriated as local funds during a fiscal year.''.

SEC. 102. ADDITIONAL AUTHORITY TO ALLOCATE AMOUNTS IN RESERVE FUNDS.

(a) IN GENERAL.—Section 450A of the District of Columbia Home Rule Act (sec. 1–204.50A, D.C. Official Code) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

''(c) ADDITIONAL AUTHORITY TO ALLOCATE AMOUNTS.—

''(1) IN GENERAL.—Notwithstanding any other provision of this section, in addition to the authority provided under this section to allocate and use amounts from the emergency reserve fund under subsection (a) and the contingency reserve fund under subsection (b), the District of Columbia may allocate amounts from such funds during a fiscal year and use such amounts for cash flow management purposes.

''(2) LIMITS ON AMOUNT ALLOCATED.—

''(A) AMOUNT OF INDIVIDUAL ALLOCATION.—The amount of an allocation made from the emergency reserve fund or the contingency reserve fund pursuant to the authority of this subsection may not exceed 50 percent of the balance of the fund involved at the time the allocation is made.

''(B) AGGREGATE AMOUNT ALLOCATED.—The aggregate amount allocated from the emergency reserve fund or the contingency reserve fund pursuant to the authority of this subsection during a fiscal year may not exceed 50 percent of the balance of the fund involved as of the first day of such fiscal year.

''(3) REPLENISHMENT.—If the District of Columbia allocates any amounts from a reserve fund pursuant to the authority of this subsection during a fiscal year, the District shall fully replenish the fund for the amounts allocated not later than the earlier of—

''(A) the expiration of the 9-month period which begins on the date the allocation is made; or

''(B) the last day of the fiscal year.

''(4) EFFECTIVE DATE.—This subsection shall apply with respect to fiscal years 2006 through 2007.''.

(b) SPECIAL RULE FOR TIMING OF REPLENISHMENT AFTER SUBSEQUENT ALLOCATION.—

(1) EMERGENCY RESERVE FUND.—Section 450A(a)(7) of such Act (sec. 1–204.50A(a)(7), D.C. Official Code) is amended—

(A) by striking ''(7) REPLENISHMENT.—'' and inserting the following:

''(7) REPLENISHMENT.—

''(A) IN GENERAL.—The District of Columbia''; and

(B) by adding at the end the following new subparagraph:

''(B) SPECIAL RULE FOR REPLENISHMENT AFTER ALLOCATION FOR CASH FLOW MANAGEMENT.—

''(i) IN GENERAL.—If the District allocates amounts from the emergency reserve fund during a fiscal year for cash flow management purposes pursuant to the authority of subsection (c) and at any time afterwards during the year makes a subsequent allocation from the fund for purposes of this subsection, and if as a result of the subsequent allocation the balance of the fund is reduced to an amount which is less than 50 percent of the balance of the fund as of the first day of the fiscal year, the District shall replenish the fund by such amount as may be required to restore the balance to an amount which is equal to 50 percent of the balance of the fund as of the first day of the fiscal year.

''(ii) DEADLINE.—The District shall carry out any replenishment required under clause (i) as a result of a subsequent allocation described in such clause not later than the expiration of the 60-day period which begins on the date of the subsequent allocation.''.

(2) CONTINGENCY RESERVE FUND.—Section 450A(b)(6) of such Act (sec. 1–204.50A(b)(6), D.C. Official Code) is amended—

(A) by striking ''(6) REPLENISHMENT.—'' and inserting the following:

''(6) REPLENISHMENT.—

''(A) IN GENERAL.—The District of Columbia''; and

(B) by adding at the end the following new subparagraph:

''(B) SPECIAL RULE FOR REPLENISHMENT AFTER ALLOCATION FOR CASH FLOW MANAGEMENT.—

''(i) IN GENERAL.—If the District allocates amounts from the contingency reserve fund during a fiscal year for cash flow management purposes pursuant to the authority of subsection (c) and at any time afterwards during the year makes a subsequent allocation from the fund for purposes of this subsection, and if as a result of the subsequent allocation the balance of the fund is reduced to an amount which is less than 50 percent of the balance of the fund as of the first day of the fiscal year, the District shall replenish the fund by such amount as may be required to restore the balance to an amount which is equal to 50 percent of the balance of the fund as of the first day of the fiscal year.

''(ii) DEADLINE.—The District shall carry out any replenishment required under clause (i) as a result of a subsequent allocation described in such clause not later than the expiration of the 60-day period which begins on the date of the subsequent allocation.''.

SEC. 103. PERMITTING GENERAL SERVICES ADMINISTRATION TO OBTAIN SPACE AND SERVICES ON BEHALF OF DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE.

(a) AUTHORITY TO OBTAIN SPACE AND SERVICES.—At the request of the Director of the District of Columbia Public Defender Service, the Administrator of General Services may furnish space and services on behalf of the Service (either directly by providing space and services in buildings owned or occupied by the Federal Government or indirectly by entering into leases with non-Federal entities) in the same manner, and under the same terms and conditions, as the Administrator may furnish space and services on behalf of an agency of the Federal Government.

(b) EFFECTIVE DATE.—This section shall apply with respect to fiscal year 2006 and each succeeding fiscal year.

SEC. 104. AUTHORITY TO ENTER INTO INTERSTATE INSURANCE PRODUCT REGULATION COMPACT.

(a) IN GENERAL.—The District of Columbia is authorized to enter into an interstate compact to establish a joint state commission as an instrumentality of the District of Columbia for the purpose of establishing uniform insurance product regulations among the participating states.

(b) DELEGATION.—Any insurance product regulation compact that the Council of the District of Columbia authorizes the Mayor to execute on behalf of the District may contain provisions that delegate the requisite power and authority to the joint state commission to achieve the purposes for which the interstate compact is established.

SEC. 105. METERED TAXICABS IN THE DISTRICT OF COLUMBIA.

(a) IN GENERAL.—Except as provided in subsection (b) and not later than 1 year after the date of enactment of this Act, the District of Columbia shall require all taxicabs licensed in the District of Columbia to charge fares by a metered system.

(b) DISTRICT OF COLUMBIA OPT OUT.—The Mayor of the District of Columbia may exempt the District of Columbia from the requirement under subsection (a) by issuing an executive order that specifically states that the District of Columbia opts out of the requirement to implement a metered fare system for taxicabs.

Subtitle B—District of Columbia Courts

SEC. 111. MODERNIZATION OF OFFICE OF REGISTER OF WILLS.

(a) REVISION OF DUTIES.—Section 11–2104(b), District of Columbia Official Code, is amended to read as follows:

''(b) In matters over which the Superior Court has probate jurisdiction or powers, the Register of Wills shall—

''(1) make full and fair entries, in separate records, of the proceedings of the court;

''(2) record in electronic or other format all wills proved before the Register of Wills or the court and other matters required by law to be recorded in the court;

''(3) lodge in places of safety designated by the court original papers filed with the Register of Wills;

''(4) make out and issue every summons, process, and order of the court;

''(5) prepare and submit to the Executive Officer of the District of Columbia courts such reports as may be required; and

''(6) in every respect, act under the control and direction of the court.''.

(b) REPEAL OF PENALTIES.—

(1) IN GENERAL.—Section 11–2104, District of Columbia Code, is amended—

*(A) in the heading, by striking ''**; penalties**''; and*

(B) by striking subsections (d) and (e).

(2) CLERICAL AMENDMENT.—The item relating to section 11–2104 in the table of sections for chapter 21 of title 11, District of Columbia Official Code, is amended by striking ''; penalties''.

(c) RECORD OF CLAIMS AGAINST NONRESIDENT DECEDENTS.—Section 20–343(d), District of Columbia Official Code, is amended by striking the second sentence and inserting the following: ''The Register shall record all such claims and releases.''.

SEC. 112. INCREASE IN CAP ON RATES OF PAY FOR NONJUDICIAL EMPLOYEES.

(a) IN GENERAL.—The second sentence of section 11–1726(a), District of Columbia Official Code, is amended by striking ''pay fixed by administrative action in section 5373'' and inserting ''maximum pay in section 5382(a)''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to pay periods beginning on or after the date of the enactment of this Act.

SEC. 113. CLARIFICATION OF RATE FOR INDIVIDUALS PROVIDING SERVICES TO INDIGENT DEFENDANTS.

(a) IN GENERAL.—Section 11–2605, District of Columbia Official Code, is amended—

(1) by striking subsection (b);

(2) in subsection (c), by inserting after ''United States Code,'' the following: ''(or, in the case of investigative services, a fixed rate of $25 per hour)'';

(3) in subsection (d), by inserting after ''United States Code,'' the following: ''(or, in the case of investigative services, a fixed rate of $25 per hour)''; and

(4) by redesignating subsections (c) and (d) as subsections (b) and (c).

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to services provided on or after the date of the enactment of this Act.

SEC. 114. AUTHORITY OF COURTS TO CONDUCT PROCEEDINGS OUTSIDE OF DISTRICT OF COLUMBIA DURING EMERGENCIES.

(a) DISTRICT OF COLUMBIA COURT OF APPEALS.—

(1) IN GENERAL.—Subchapter I of chapter 7 of title 11, District of Columbia Official Code, is amended by adding at the end the following new section:

''§ 11–710. Emergency Authority to conduct proceedings outside District of Columbia

''(a) IN GENERAL.—The court may hold special sessions at any place within the United States outside the District of Columbia as the nature of the business may require and upon such notice as the court orders, upon a finding by either the chief judge of the court (or, if the chief judge is absent or disabled, the judge designated under section 11–706(a)) or the Joint Committee on Judicial Administration in the District of Columbia that, because of emergency conditions, no location within the District of Columbia is reasonably available where such special sessions could be held. The court may transact any business at a special session authorized pursuant to this section which it has the authority to transact at a regular session.

''(b) NOTICE REQUIREMENTS.—If the Court of Appeals issues an order exercising its authority under subsection (a), the court—

''(1) through the Joint Committee on Judicial Administration in the District of Columbia, shall send notice of such order, including the reasons for the issuance of such order, to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives; and

''(2) shall provide reasonable notice to the United States Marshals Service before the commencement of any special session held pursuant to such order.''.

(2) CLERICAL AMENDMENT.—The table of contents of chapter 7 of title 11, District of Columbia Official Code, is amended by adding at the end of the items relating to subchapter I the following:

''11–710. Emergency authority to conduct proceedings outside District of Columbia.''.

(b) SUPERIOR COURT OF THE DISTRICT OF COLUMBIA.—

(1) IN GENERAL.—Subchapter I of chapter 9 of title 11, District of Columbia Official Code, is amended by adding at the end the following new section:

''§ 11–911. Emergency Authority to conduct proceedings outside District of Columbia

''(a) IN GENERAL.—The Superior Court may hold special sessions at any place within the United States outside the District of Columbia as the nature of the business may require and upon such notice as the Superior Court orders, upon a finding by either the chief judge of the Superior Court (or, if the chief judge is absent or disabled, the judge designated under section 11–907(a)) or the Joint Committee on Judicial Administration in the District of Columbia that, because of emergency conditions, no location within the District of Columbia is reasonably

available where such special sessions could be held.

''(b) BUSINESS TRANSACTED.—The Superior Court may transact any business at a special session outside the District of Columbia authorized pursuant to this section which it has the authority to transact at a regular session, except that a criminal trial may not be conducted at such a special session without the consent of the defendant.

''(c) SUMMONING OF JURORS.—Notwithstanding any other provision of law, in any case in which special sessions are conducted pursuant to this section, the Superior Court may summon jurors—

''(1) in civil proceedings, from any part of the District of Columbia or, if jurors are not readily available from the District of Columbia, the jurisdiction in which it is holding the special session; and

''(2) in criminal trials, from any part of the District of Columbia or, if jurors are not readily available from the District of Columbia and if the defendant so consents, the jurisdiction in which it is holding the special session.

''(d) NOTICE REQUIREMENTS.—If the Superior Court issues an order exercising its authority under subsection (a), the Court—

''(1) through the Joint Committee on Judicial Administration in the District of Columbia, shall send notice of such order, including the reasons for the issuance of such order, to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives; and

''(2) shall provide reasonable notice to the United States Marshals Service before the commencement of any special session held pursuant to such order.''.

(2) CLERICAL AMENDMENT.—The table of contents of chapter 9 of title 11, District of Columbia Official Code, is amended by adding at the end of the items relating to subchapter I the following:

''11–911. Emergency authority to conduct proceedings outside District of Columbia.''.

SEC. 115. AUTHORITY OF COURT SERVICES AND OFFENDER SUPERVISION AGENCY TO USE SERVICES OF VOLUNTEERS.

Section 11233 of the National Capital Revitalization and Self-Government Improvement Act of 1997 (sec. 24–133, D.C. Official Code) is amended by adding at the end the following new subsection:

''(g) AUTHORITY TO USE SERVICES OF VOLUNTEERS.—

''(1) IN GENERAL.—The Agency (including any independent entity within the Agency) may accept the services of volunteers and provide for their incidental expenses to carry out any activity of the Agency except policy-making.

''(2) APPLICABILITY OF WORKER'S COMPENSATION RULES TO VOLUNTEERS.—Any volunteer whose services are accepted pursuant to this subsection shall be considered an employee of the United States Government in providing the services for purposes of chapter 81 of title 5, United States Code (relating to compensation for work injuries) and chapter 11 of title 18, United States Code, relating to corruption and conflicts of interest.''.

SEC. 116. TECHNICAL CORRECTIONS RELATING TO COURTS.

(a) IN GENERAL.—Section 329 of the District of Columbia Appropriations Act, 2005 (Public Law 108–335; 118 Stat. 1345), is amended to read as follows:

''SEC. 329. (a) APPROVAL OF BONDS BY JOINT COMMITTEE ON JUDICIAL ADMINISTRATION.—Section 11–1701(b), District of Columbia Official Code, is amended by striking paragraph (5).

''(b) EXECUTIVE OFFICER.—

''(1) IN GENERAL.—Section 11–1704, District of Columbia Official Code, is amended to read as follows:

'OATH OF EXECUTIVE OFFICER

'SEC. 11–1704.

'The Executive Officer shall take an oath or affirmation for the faithful and impartial discharge of the duties of that office.'.

''(2) CLERICAL AMENDMENT.—The table of sections for chapter 17 of title 11, District of Columbia Official Code, is amended by amending the item relating to section 11–1704 to read as follows:

'11–1704. Oath of Executive Officer.'.

''(c) FISCAL OFFICER.—Section 11–1723, District of Columbia Official Code, is amended—

''(1) by striking '(a)(1)'and inserting '(a)';

''(2) by striking subsection (b); and

''(3) by redesignating paragraphs (2) and (3) of subsection (a) as subsections (b) and (c).

''(d) AUDITOR-MASTER.—Section 11–1724, District of Columbia Official Code, is amended by striking the second and third sentences.

''(e) REGISTER OF WILLS.—

''(1) IN GENERAL.—Section 11–2102, District of Columbia Official Code, is amended—

*''(A) in the heading, by striking '**bond;**';*

''(B) in subsection (a)(2), by striking 'give bond,'and all that follows through 'seasonably to record' and inserting 'seasonably record'; and

''(C) by striking the third sentence of subsection (a).

''(2) CLERICAL AMENDMENT.—The item relating to section 11–2102 in the table of sections for chapter 21 of title 11, District of Columbia Official Code, is amended by striking 'bond;'.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 17 of title 11, District of Columbia Official Code, is amended by amending the item relating to section 11–1728 to read as follows:

''11–1728. Recruitment and training of personnel; travel.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the District of Columbia Appropriations Act, 2005.

SEC. 117. INCLUSION OF COURT EMPLOYEES IN ENHANCED DENTAL AND VISION BENEFIT PROGRAM.

(a) UNITED STATES CODE.—Title 5 of the United States Code is amended—

(1) in section 8951(1) by adding at the end the following: ''and an employee of the District of Columbia courts'';

(2) in section 8981(1) by adding at the end the following: ''and an employee of the District of Columbia courts''; and

(3) in section 9001(1) is amended—

(A) in subparagraph (C), by striking ''and'';

(B) in subparagraph (D), by striking the period and inserting a semicolon and ''and''; and

(C) by adding at the end the following: ''(E) an employee of the District of Columbia courts.''.

(b) D.C. CODE.—Section 11–1726, District of Columbia Code, is amended—

(1) in subsection (b)(1), by striking subparagraph (F) and inserting the following:

''(F) Chapter 89A (relating to enhanced dental benefits).

''(G) Chapter 89B (relating to enhanced vision benefits).

''(H) Chapter 90 (relating to long-term care insurance).''; and

(2) in subsection (c)(1), by striking subparagraph (D) and inserting the following:

''(D) Chapter 89A (relating to enhanced dental benefits).

''(E) Chapter 89B (relating to enhanced vision benefits).

''(F) Chapter 90 (relating to long-term care insurance).''.

Subtitle C—Other Miscellaneous Technical Corrections

SEC. 121. 2004 DISTRICT OF COLUMBIA OMNIBUS AUTHORIZATION ACT.

(a) IN GENERAL.—The first sentence of section 446(a) of the District of Columbia Home Rule Act (sec. 1–204.46(a), D.C. Official Code) is amended by striking ''The Council,'' and all that follows through ''from the Mayor,'' and inserting ''The Council, within 56 calendar days after receipt of the budget proposal from the Mayor,''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of the 2004 District of Columbia Omnibus Authorization Act.

SEC. 122. DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2005.

(a) IN GENERAL.—Section 450A of the District of Columbia Home Rule Act (sec. 1–204.50A, D.C. Official Code), as amended by section 332 of the District of Columbia Appropriations Act, 2005 (Public Law 108–335; 118 Stat. 1346), is amended—

(1) in the heading of subsection (a)(2), by striking ''IN GENERAL'' and inserting ''OPERATING EXPENDITURES DEFINED''; and

(2) in the heading of subsection (b)(2), by striking ''IN GENERAL'' and inserting ''OPERATING EXPENDITURES DEFINED''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of the District of Columbia Appropriations Act, 2005.

SEC. 123. TECHNICAL AND CONFORMING AMENDMENTS RELATING TO BANKS OPERATING UNDER THE CODE OF LAW FOR THE DISTRICT OF COLUMBIA.

(a) FEDERAL RESERVE ACT.—

(1) The second undesignated paragraph of the first section of the Federal Reserve Act(12 U.S.C. 221) is amended by adding at the end the following: ''For purposes of this Act, a State bank includes any bank which is operating under the Code of Law for the District of Columbia.''.

(2) The first sentence of the first undesignated paragraph of section 9 of the Federal Reserve Act(12 U.S.C. 321) is amended by striking ''incorporated by special law of any State, or'' and inserting ''incorporated by special law of any State, operating under the Code of Law for the District of Columbia, or''.

(b) BANK CONSERVATION ACT.—Section 202 of the Bank Conservation Act(12 U.S.C. 202) is amended—

(1) by striking ''means (1) any national'' and inserting ''means any national''; and

(2) by striking '', and (2) any bank or trust company located in the District of Columbia and operating under the supervision of the Comptroller of the Currency''.

(c) DEPOSITORY INSTITUTION DEREGULATION AND MONETARY CONTROL ACT OF 1980.—Part C of title VII of the Depository Institution Deregulation and Monetary Control Act of 1980 is amended—

(1) in paragraph (1) of section 731 (12 U.S.C. 216(1)) by striking ''and closed banks in the District of Columbia''; and

(2) in paragraph (2) of section 732 (12 U.S.C. 216a(2)) by striking ''or closed banks in the District of Columbia''.

(d) FEDERAL DEPOSIT INSURANCE ACT.—Section 3(a)(2)(B) of the Federal Deposit Insurance Act(12 U.S.C. 1813(a)(2)(B)) is amended by striking ''(except a national bank)''.

(e) NATIONAL BANK CONSOLIDATION AND MERGER ACT.—Section 7(1) of the National Bank Consolidation and Merger Act(12 U.S.C. 215b(1)) is amended by striking ''(except a national banking association located in the District of Columbia)''.

(f) AN ACT OF AUGUST 17, 1950.—Section 1(a) of the Act entitled ''An Act to provide for the conversion of national banking associations into and their merger or consolidation with State banks, and for other purposes'' and approved August 17, 1950 (12 U.S.C. 214(a)) is amended by striking ''(except a national banking association)''.

(g) FEDERAL TRADE COMMISSION ACT.—Section 18(f)(2) of the Federal Trade Commission Act(15 U.S.C. 57a(f)(2)) is amended—

(1) in subparagraph (A), by striking '', banks operating under the code of law for the District of Columbia,''; and

(2) in subparagraph (B), by striking ''and banks operating under the code of law for the District of Columbia''.

SEC. 124. DISTRICT OF COLUMBIA SCHOOLS FISCAL YEAR.

Section 441(b)(2) of the District of Columbia Home Rule Act (section 1–204.41, D.C. Official Code) is amended by striking ''shall begin'' and inserting ''may begin''.

SEC. 125. GIFTS TO LIBRARIES.

Section 115(c) of title III of division C of Public Law 108–7 in amended by inserting ''and the District of Columbia Public Libraries'' before the period.

TITLE II—INDEPENDENCE OF THE CHIEF FINANCIAL OFFICER

SEC. 201. PROMOTING INDEPENDENCE OF CHIEF FINANCIAL OFFICER.

(a) IN GENERAL.—Section 424 of the District of Columbia Home Rule Act (sec. 1–204.24a et seq., D.C. Official Code) is amended to read as follows:

''CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

''SEC. 424. (a) IN GENERAL.—

''(1) ESTABLISHMENT.—There is hereby established within the executive branch of the government of the District of Columbia an Office of the Chief Financial Officer of the District of Columbia (hereafter referred to as the 'Office'), which shall be headed by the Chief Financial Officer of the District of Columbia (hereafter referred to as the 'Chief Financial Officer').

''(2) ORGANIZATIONAL ANALYSIS.—

''(A) OFFICE OF BUDGET AND PLANNING.—The name of the Office of Budget and Management, established by Commissioner's Order 69–96, issued March 7, 1969, is changed to the Office of Budget and Planning.

''(B) OFFICE OF TAX AND REVENUE.—The name of the Department of Finance and Revenue, established by Commissioner's Order 69–96, issued March 7, 1969, is changed to the Office of Tax and Revenue.

''(C) OFFICE OF FINANCE AND TREASURY.—The name of the Office of Treasurer, established by Mayor's Order 89–244, dated October 23, 1989, is changed to the Office of Finance and Treasury.

''(D) OFFICE OF FINANCIAL OPERATIONS AND SYSTEMS.—The Office of the Controller, established by Mayor's Order 89–243, dated October 23, 1989, and the Office of Financial Information Services, established by Mayor's Order 89–244, dated October 23, 1989, are consolidated into the Office of Financial Operations and Systems.

''(3) TRANSFERS.—Effective with the appointment of the first Chief Financial Officer under subsection (b), the functions and personnel of the following offices are established as subordinate offices within the Office:

''(A) The Office of Budget and Planning, headed by the Deputy Chief Financial Officer for the Office of Budget and Planning.

''(B) The Office of Tax and Revenue, headed by the Deputy Chief Financial Officer for the Office of Tax and Revenue.

''(C) The Office of Research and Analysis, headed by the Deputy Chief Financial Officer for the Office of Research and Analysis.

''(D) The Office of Financial Operations and Systems, headed by the Deputy Chief Financial Officer for the Office of Financial Operations and Systems.

''(E) The Office of Finance and Treasury, headed by the District of Columbia Treasurer.

''(F) The Lottery and Charitable Games Control Board, established by the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3–172; D.C. Official Code § 3–1301 et seq.).

''(4) SUPERVISOR.—The heads of the offices listed in paragraph (3) of this section shall serve at the pleasure of the Chief Financial Officer.

''(5) APPOINTMENT AND REMOVAL OF OFFICE EMPLOYEES.—The Chief Financial Officer shall appoint the heads of the subordinate offices designated in paragraph (3), after consultation with the Mayor and the Council. The Chief Financial Officer may remove the heads of the offices designated in paragraph (3), after consultation with the Mayor and the Council.

''(6) ANNUAL BUDGET SUBMISSION.—The Chief Financial Officer shall prepare and annually submit to the Mayor of the District of Columbia, for inclusion in the annual budget of the District of Columbia government for a fiscal year, annual estimates of the expenditures and appropriations necessary for the year for the operation of the Office and all other District of Columbia accounting, budget, and financial management personnel (including personnel of executive branch independent agencies) that report to the Office pursuant to this Act.

''(b) APPOINTMENT OF THE CHIEF FINANCIAL OFFICER.—

''(1) APPOINTMENT.—

''(A) IN GENERAL.—The Chief Financial Officer shall be appointed by the Mayor with the advice and consent, by resolution, of the Council. Upon confirmation by the Council, the name of the Chief Financial Officer shall be submitted to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate for a 30-day period of review and comment before the appointment takes effect.

''(B) SPECIAL RULE FOR CONTROL YEARS.—During a control year, the Chief Financial Officer shall be appointed by the Mayor as follows:

''(i) Prior to the appointment, the Authority may submit recommendations for the appointment to the Mayor.

''(ii) In consultation with the Authority and the Council, the Mayor shall nominate an individual for appointment and notify the Council of the nomination.

''(iii) After the expiration of the 7-day period which begins on the date the Mayor notifies the Council of the nomination under clause (ii), the Mayor shall notify the Authority of the nomination.

''(iv) The nomination shall be effective subject to approval by a majority vote of the Authority.

''(2) TERM.—

''(A) IN GENERAL.—All appointments made after June 30, 2007, shall be for a term of 5 years, except for appointments made for the remainder of unexpired terms. The appointments shall have an anniversary date of July 1.

''(B) TRANSITION.—For purposes of this section, the individual serving as Chief Financial Officer as of the date of enactment of the 2005 District of Columbia Omnibus Authorization Act shall be deemed to have been appointed under this subsection, except that such individual's initial term of office shall begin upon such date and shall end on June 30, 2007.

''(C) CONTINUANCE.—Any Chief Financial Officer may continue to serve beyond his term until a successor takes office.

''(D) VACANCIES.—Any vacancy in the Office of Chief Financial Officer shall be filled in the same manner as the original appointment under paragraph (1).

''(E) PAY.—The Chief Financial Officer shall be paid at an annual rate equal to the rate of basic pay payable for level I of the Executive Schedule.

''(c) REMOVAL OF THE CHIEF FINANCIAL OFFICER.—

''(1) IN GENERAL.—The Chief Financial Officer may only be removed for cause by the Mayor, subject to the approval of the Council by a resolution approved by not fewer than ⅔ of the members of the Council. After approval of the resolution by the Council, notice of the removal shall be submitted to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate for a 30-day period of review and comment before the removal takes effect.

''(2) SPECIAL RULE FOR CONTROL YEARS.—During a control year, the Chief Financial Officer may be removed for cause by the Authority or by the Mayor with the approval of the Authority.

''(d) DUTIES OF THE CHIEF FINANCIAL OFFICER.—Notwithstanding any provisions of this Act which grant authority to other entities of the District government, the Chief Financial Officer shall have the following duties and shall take such steps as are necessary to perform these duties:

''(1) During a control year, preparing the financial plan and the budget for the use of the Mayor for purposes of subtitle A of title II of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

''(2) Preparing the budgets of the District of Columbia for the year for the use of the Mayor for purposes of part D and preparing the 5-year financial plan based upon the adopted budget for submission with the District of Columbia budget by the Mayor to Congress.

''(3) During a control year, assuring that all financial information presented by the Mayor is presented in a manner, and is otherwise consistent with, the requirements of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

''(4) Implementing appropriate procedures and instituting such programs, systems, and personnel policies within the Chief Financial Officer's authority, to ensure that budget, accounting, and personnel control systems and structures are synchronized for budgeting and control purposes on a continuing basis and to ensure that appropriations are not exceeded.

''(5) Preparing and submitting to the Mayor and the Council, with the approval of the Authority during a control year, and making public—

''(A) annual estimates of all revenues of the District of Columbia (without regard to the source of such revenues), including proposed revenues, which shall be binding on the Mayor and the Council for purposes of preparing and submitting the budget of the District government for the year under part D of this title, except that the Mayor and the Council may prepare the budget based on estimates of revenues which are lower than those prepared by the Chief Financial Officer; and

''(B) quarterly re-estimates of the revenues of the District of Columbia during the year.

''(6) Supervising and assuming responsibility for financial transactions to ensure adequate control of revenues and resources.

''(7) Maintaining systems of accounting and internal control designed to provide—

''(A) full disclosure of the financial impact of the activities of the District government;

''(B) adequate financial information needed by the District government for management purposes;

''(C) effective control over, and accountability for, all funds, property, and other assets of the District of Columbia; and

''(D) reliable accounting results to serve as the basis for preparing and supporting agency budget requests and controlling the execution of the budget.

''(8) Submitting to the Council a financial statement of the District government, containing such details and at such times as the Council may specify.

''(9) Supervising and assuming responsibility for the assessment of all property subject to assessment and special assessments within the corporate limits of the District of Columbia for taxation, preparing tax maps, and providing such notice of taxes and special assessments (as may be required by law).

''(10) Supervising and assuming responsibility for the levying and collection of all taxes, special assessments, licensing fees, and other revenues of the District of Columbia (as may be required by law), and receiving all amounts paid to the District of Columbia from any source (including the Authority).

''(11) Maintaining custody of all public funds belonging to or under the control of the District government (or any department or agency of the District government), and depositing all amounts paid in such depositories and under such terms and conditions as may be designated by the Council (or by the Authority during a control year).

''(12) Maintaining custody of all investment and invested funds of the District government or in possession of the District government in a fiduciary capacity, and maintaining the safekeeping of all bonds and notes of the District government and the receipt and delivery of District government bonds and notes for transfer, registration, or exchange.

''(13) Apportioning the total of all appropriations and funds made available during the year for obligation so as to prevent obligation or expenditure in a manner which would result in a deficiency or a need for supplemental appropriations during the year, and (with respect to appropriations and funds available for an indefinite period and all authorizations to create obligations by contract in advance of appropriations) apportioning the total of such appropriations, funds, or authorizations in the most effective and economical manner.

''(14) Certifying all contracts and leases (whether directly or through delegation) prior to execution as to the availability of funds to meet the obligations expected to be incurred by the District government under such contracts and leases during the year.

''(15) Prescribing the forms of receipts, vouchers, bills, and claims to be used by all agencies, offices, and instrumentalities of the District government.

''(16) Certifying and approving prior to payment of all bills, invoices, payrolls, and other evidences of claims, demands, or charges against the District government, and determining the regularity, legality, and correctness of such bills, invoices, payrolls, claims, demands, or charges.

''(17) In coordination with the Inspector General of the District of Columbia, performing internal audits of accounts and operations and records of the District government, including the examination of any accounts or records of financial transactions, giving due consideration to the effectiveness of accounting systems, internal control, and related administrative practices of the departments and agencies of the District government.

''(18) Exercising responsibility for the administration and supervision of the District of Columbia Treasurer.

''(19) Supervising and administering all borrowing programs for the issuance of long-term and short-term indebtedness, as well as other financing-related programs of the District government.

''(20) Administering the cash management program of the District government, including the investment of surplus funds in governmental and non-governmental interest-bearing securities and accounts.

''(21) Administering the centralized District government payroll and retirement systems (other than the retirement system for police officers, fire fighters, and teachers).

''(22) Governing the accounting policies and systems applicable to the District government.

''(23) Preparing appropriate annual, quarterly, and monthly financial reports of the accounting and financial operations of the District government.

''(24) Not later than 120 days after the end of each fiscal year, preparing the complete financial statement and report on the activities of the District government for such fiscal year, for the use of the Mayor under section 448(a)(4).

''(25) Preparing fiscal impact statements on regulations, multiyear contracts, contracts over $1,000,000 and on legislation, as required by section 4a of the General Legislative Procedures Act of 1975.

''(26) Preparing under the direction of the Mayor, who has the specific responsibility for formulating budget policy using Chief Financial Officer technical and human resources, the budget for submission by the Mayor to the Council and to the public and upon final adoption to Congress and to the public.

''(27) Certifying all collective bargaining agreements and nonunion pay proposals prior to submission to the Council for approval as to the availability of funds to meet the obligations expected to be incurred by the District government under such collective bargaining agreements and nonunion pay proposals during the year.

''(e) FUNCTIONS OF TREASURER.—At all times, the Treasurer shall have the following duties:

''(1) Assisting the Chief Financial Officer in reporting revenues received by the District government, including submitting annual and quarterly reports concerning the cash position of the District government not later than 60 days after the last day of the quarter (or year) involved. Each such report shall include the following:

''(A) Comparative reports of revenue and other receipts by source, including tax, nontax, and Federal revenues, grants and reimbursements, capital program loans, and advances. Each source shall be broken down into specific components.

''(B) Statements of the cash flow of the District government for the preceding quarter or year, including receipts, disbursements, net changes in cash inclusive of the beginning balance, cash and investment, and the ending balance, inclusive of cash and investment. Such statements shall reflect the actual, planned, better or worse dollar amounts and the percentage change with respect to the current quarter, year-to-date, and fiscal year.

''(C) Quarterly cash flow forecast for the quarter or year involved, reflecting receipts, disbursements, net change in cash inclusive of the beginning balance, cash and investment, and the ending balance, inclusive of cash and investment with respect to the actual dollar amounts for the quarter or year, and projected dollar amounts for each of the 3 succeeding quarters.

''(D) Monthly reports reflecting a detailed summary analysis of all District of Columbia government investments, including—

''(i) the total of long-term and short-term investments;

''(ii) a detailed summary analysis of investments by type and amount, including purchases, sales (maturities), and interest;

''(iii) an analysis of investment portfolio mix by type and amount, including liquidity, quality/risk of each security, and similar information;

''(iv) an analysis of investment strategy, including near-term strategic plans and projects of investment activity, as well as forecasts of future investment strategies based on anticipated market conditions, and similar information; and

''(v) an analysis of cash utilization, including—

''(I) comparisons of budgeted percentages of total cash to be invested with actual percentages of cash invested and the dollar amounts;

''(II) comparisons of the next return on invested cash expressed in percentages (yield) with comparable market indicators and established District of Columbia government yield objectives; and

''(III) comparisons of estimated dollar return against actual dollar yield.

''(E) Monthly reports reflecting a detailed summary analysis of long-term and short-term borrowings inclusive of debt as authorized by section 603, in the current fiscal year and the amount of debt for each succeeding fiscal year not to exceed 5 years. All such reports shall reflect—

''(i) the amount of debt outstanding by type of instrument;

''(ii) the amount of authorized and unissued debt, including availability of short-term lines of credit, United States Treasury borrowings, and similar information;

''(iii) a maturity schedule of the debt;

''(iv) the rate of interest payable upon the debt; and

''(v) the amount of debt service requirements and related debt service reserves.

''(2) Such other functions assigned to the Chief Financial Officer under subsection (d) as the Chief Financial Officer may delegate.

''(f) DEFINITIONS.—For purposes of this section (and sections 424a and 424b)—

''(1) the term 'Authority' means the District of Columbia Financial Responsibility and Management Assistance Authority established under section 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995;

''(2) the term 'control year' has the meaning given such term under section 305(4) of such Act; and

''(3) the term 'District government' has the meaning given such term under section 305(5) of such Act.''.

(b) CLARIFICATION OF DUTIES OF CHIEF FINANCIAL OFFICER AND MAYOR.—

(1) RELATION TO FINANCIAL DUTIES OF MAYOR.—Section 448(a) of such Act (section 1–204.48(a), D.C. Official Code) is amended by striking ''section 603,''and inserting ''section 603 and except to the extent provided under section 424(d),''.

(2) RELATION TO MAYOR'S DUTIES REGARDING ACCOUNTING SUPERVISION AND CONTROL.—Section 449 of such Act (section 1–204.49, D.C. Official Code) is amended by striking ''The Mayor'' and inserting ''Except to the extent provided under section 424(d), the Mayor''.

SEC. 202. PERSONNEL AUTHORITY.

(a) PROVIDING INDEPENDENT PERSONNEL AUTHORITY.—

(1) IN GENERAL.—Part B of title IV of the District of Columbia Home Rule Act is amended by adding at the end the following new section:

''AUTHORITY OF CHIEF FINANCIAL OFFICER OVER PERSONNEL OF OFFICE AND OTHER FINANCIAL PERSONNEL

''SEC. 424. (a) IN GENERAL.—Notwithstanding any provision of law or regulation (including any law or regulation providing for collective bargaining or the enforcement of any collective bargaining agreement), employees of the Office of the Chief Financial Officer of the District of Columbia, including personnel described in subsection (b), shall be appointed by, shall serve at the pleasure of, and shall act under the direction and control of the Chief Financial Officer of the District of Columbia, and shall be considered at-will employees not covered by the District of Columbia Merit Personnel Act of 1978, except that nothing in this section may be construed to prohibit the Chief Financial Officer from entering into a collective bargaining agreement governing such employees and personnel or to prohibit the enforcement of such an agreement as entered into by the Chief Financial Officer.

''(b) PERSONNEL.—The personnel described in this subsection are as follows:

''(1) The General Counsel to the Chief Financial Officer and all other attorneys in the Office of the General Counsel within the Office of the Chief Financial Officer of the District of Columbia, together with all other personnel of the Office.

''(2) All other individuals hired or retained as attorneys by the Chief Financial Officer or any office under the personnel authority of the Chief Financial Officer, each of whom shall act

under the direction and control of the General Counsel to the Chief Financial Officer.

''(3) The heads and all personnel of the subordinate offices of the Office (as described in section 424(a)(2) and established as subordinate offices in section 424(a)(3)) and the Chief Financial Officers, Agency Fiscal Officers, and Associate Chief Financial Officers of all District of Columbia executive branch subordinate and independent agencies (in accordance with subsection (c)), together with all other District of Columbia accounting, budget, and financial management personnel (including personnel of executive branch independent agencies, but not including personnel of the legislative or judicial branches of the District government).

''(c) APPOINTMENT OF CERTAIN EXECUTIVE BRANCH AGENCY CHIEF FINANCIAL OFFICERS.—

''(1) IN GENERAL.—The Chief Financial Officers and Associate Chief Financial Officers of all District of Columbia executive branch subordinate and independent agencies (other than those of a subordinate office of the Office) shall be appointed by the Chief Financial Officer, in consultation with the agency head, where applicable. The appointment shall be made from a list of qualified candidates developed by the Chief Financial Officer.

''(2) TRANSITION.—Any executive branch agency Chief Financial Officer appointed prior to the date of enactment of the 2005 District of Columbia Omnibus Authorization Act may continue to serve in that capacity without reappointment.

''(d) INDEPENDENT AUTHORITY OVER LEGAL PERSONNEL.—Title VIII–B of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (sec. 1–608.51 et seq., D.C. Official Code) shall not apply to the Office of the Chief Financial Officer or to attorneys employed by the Office.''

(2) CLERICAL AMENDMENT.—The table of contents of part B of title IV of the District of Columbia Home Rule Act is amended by adding at the end the following new item:

''Sec. 424a. Authority of Chief Financial Officer over personnel of Office and other financial personnel.''.

(b) CONFORMING AMENDMENT.—Section 862 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2–260; D.C. Official Code §1–608.62) is amended by striking paragraph (2).

SEC. 203. PROCUREMENT AUTHORITY.

(a) PROVIDING INDEPENDENT AUTHORITY TO PROCURE GOODS AND SERVICES.—

(1) IN GENERAL.—Part B of title IV of the District of Columbia Home Rule Act, as amended by section 203(a)(1), is further amended by adding at the end the following new section:

''PROCUREMENT AUTHORITY OF THE CHIEF FINANCIAL OFFICER

''SEC. 424b. The Chief Financial Officer shall carry out procurement of goods and services for the Office of the Chief Financial Officer through a procurement office or division which shall operate independently of, and shall not be governed by, the Office of Contracting and Procurement established under the District of Columbia Procurement Practices Act of 1986 or any successor office, except the provisions applicable under such Act to procurement carried out by the Chief Procurement Officer established by section 105 of such Act or any successor office shall apply with respect to the procurement carried out by the Chief Financial Officer's procurement office or division.''.

(2) CLERICAL AMENDMENT.—The table of contents of part B of title IV of the District of Columbia Home Rule Act, as amended by section 203(a)(2), is further amended by adding at the end following new item:

''Sec. 424b. Procurement authority of the Chief Financial Officer.''.

(b) CONFORMING AMENDMENTS.—

(1) PROCUREMENT PRACTICES ACT.—Section 104 of the District of Columbia Procurement Practices Act of 1985 (sec. 2–301.04, D.C. Official Code) is amended—

(A) in subsection (a), by striking '', and the District of Columbia Financial Responsibility and Management Assistance Authority'' and inserting the following: ''the District of Columbia Financial Responsibility and Management Assistance Authority, and (to the extent described in section 424b of the District of Columbia Home Rule Act) the Office of the Chief Financial Officer of the District of Columbia''; and

(B) in subsection (c), by striking the second and third sentences.

(2) OTHER CONFORMING AMENDMENT.—Section 132 of the District of Columbia Appropriations Act, 2006 (Public Law 109–115) is hereby repealed.

(c) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect 6 months after the date of enactment of this Act.

SEC. 204. FISCAL IMPACT STATEMENTS.

The General Legislative Procedures Act of 1975 (sec. 1–301.45 et seq., D.C. Official Code) is amended by adding at the end the following new section:

''FISCAL IMPACT STATEMENTS

''SEC. 4. (a) BILLS AND RESOLUTIONS.—

''(1) IN GENERAL.—Notwithstanding any other law, except as provided in subsection (c), all permanent bills and resolutions shall be accompanied by a fiscal impact statement before final adoption by the Council.

''(2) CONTENTS.—The fiscal impact statement shall include the estimate of the costs which will be incurred by the District as a result of the enactment of the measure in the current and each of the first four fiscal years for which the act or resolution is in effect, together with a statement of the basis for such estimate.

''(b) APPROPRIATIONS.—Permanent and emergency acts which are accompanied by fiscal impact statements which reflect unbudgeted costs, shall be subject to appropriations prior to becoming effective.

''(c) APPLICABILITY.—Subsection (a) shall not apply to emergency declaration, ceremonial, confirmation, and sense of the Council resolutions.''.

TITLE III—AUTHORIZATION OF CERTAIN GENERAL APPROPRIATIONS PROVISIONS

SEC. 301. ACCEPTANCE OF GIFTS BY COURT SERVICES AND OFFENDER SUPERVISION AGENCY.

(a) AUTHORITY TO ACCEPT GIFTS.—Section 11233(b) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (sec. 24–133(b), D.C. Official Code) is amended by adding at the end the following new paragraphs:

''(3) ACCEPTANCE OF GIFTS.—

''(A) AUTHORITY TO ACCEPT GIFTS.—During fiscal years 2006 through 2008, the Director may accept and use gifts in the form of—

''(i) in-kind contributions of space and hospitality to support offender and defendant programs; and

''(ii) equipment and vocational training services to educate and train offenders and defendants.

''(B) RECORDS.—The Director shall keep accurate and detailed records of the acceptance and use of any gifts under subparagraph (A), and shall make such records available for audit and public inspection.

''(4) REIMBURSEMENT FROM DISTRICT GOVERNMENT.—During fiscal years 2006 through 2008, the Director may accept and use reimbursement from the District government for space and services provided, on a cost reimbursable basis.''.

(b) AUTHORITY OF PUBLIC DEFENDER SERVICE TO CHARGE FEES FOR EVENT MATERIALS.—Section 307 of the District of Columbia Court Reform and Criminal Procedure Act of 1970 (sec. 2–1607, D.C. Official Code) is amended by adding at the end the following new subsection:

''(d) During fiscal years 2006 through 2008, the Service may charge fees to cover the costs of materials distributed to attendees of educational events, including conferences, sponsored by the Service. Notwithstanding section 3302 of title 31, United States Code, any amounts received as fees under this subsection shall be credited to the Service and available for use without further appropriation.''.

SEC. 302. EVALUATION PROCESS FOR PUBLIC SCHOOL EMPLOYEES.

Title XVII of the District of Columbia Merit Personnel Act of 1978 (sec. 1–617.01 et seq., D.C. Official Code) is amended by adding at the end the following new section:

''SEC. 1718. EVALUATION PROCESS FOR PUBLIC SCHOOL EMPLOYEES.

''Notwithstanding any other provision of law, rule, or regulation, during fiscal year 2006 and each succeeding fiscal year the evaluation process and instruments for evaluating District of Columbia Public Schools employees shall be a non-negotiable item for collective bargaining purposes.''.

SEC. 303. CLARIFICATION OF APPLICATION OF PAY PROVISIONS OF MERIT PERSONNEL SYSTEM TO ALL DISTRICT EMPLOYEES.

(a) DISTRICT OF COLUMBIA HOME RULE ACT.—The fourth sentence of section 422(3) of the District of Columbia Home Rule Act (sec. 1–204.42(3), D.C. Official Code) is amended by striking ''The system may provide'' and inserting the following: ''The system shall apply with respect to the compensation of employees of the District government during fiscal year 2006 and each succeeding fiscal year, except that the system may provide''.

(b) TITLE 5, UNITED STATES CODE.—Section 5102 of title 5, United States Code, is amended by adding at the end the following new subsection:

''(e) Except as may be specifically provided, this chapter does not apply for pay purposes to any employee of the government of the District of Columbia during fiscal year 2006 or any succeeding fiscal year.''.

SEC. 304. CRITERIA FOR RENEWING OR EXTENDING SOLE SOURCE CONTRACTS.

Section 305 of the District of Columbia Procurement Practices Act of 1985 (sec. 2–303.05, D.C. Official Code) is amended by adding at the end the following new subsection:

''(b) During fiscal years 2006 through 2008, a procurement contract awarded through noncompetitive negotiations in accordance with subsection (a) may be renewed or extended only if the Chief Financial Officer of the District of Columbia reviews the contract and certifies that the contract was renewed or extended in accordance with duly promulgated rules and procedures.''.

SEC. 305. ACCEPTANCE OF GRANT AMOUNTS NOT INCLUDED IN ANNUAL BUDGET.

(a) AUTHORITY TO ACCEPT, OBLIGATE, AND EXPEND AMOUNTS.—Subpart 1 of part D of title IV of the District of Columbia Home Rule Act (sec. 1–204.41 et seq., D.C. Official Code), as amended by section 101(a), is amended by inserting after section 446A the following new section:

''ACCEPTANCE OF GRANT AMOUNTS NOT INCLUDED IN ANNUAL BUDGET

''SEC. 446B. (a) AUTHORITY TO ACCEPT, OBLIGATE, AND EXPEND AMOUNTS.—Notwithstanding the fourth sentence of section 446, the Mayor, in consultation with the Chief Financial Officer of the District of Columbia may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the budget approved by Act of Congress as provided in such section.

''(b) CONDITIONS.—

''(1) ROLE OF CHIEF FINANCIAL OFFICER; APPROVAL BY COUNCIL.—No Federal, private, or other grant may be accepted, obligated, or expended pursuant to subsection (a) until—

''(A) the Chief Financial Officer submits to the Council a report setting forth detailed information regarding such grant; and

''(B) the Council has reviewed and approved the acceptance, obligation, and expenditure of such grant.

''(2) DEEMED APPROVAL BY COUNCIL.—For purposes of paragraph (1)(B), the Council shall be deemed to have reviewed and approved the acceptance, obligation, and expenditure of a grant if—

''(A) no written notice of disapproval is filed with the Secretary of the Council within 14 calendar days of the receipt of the report from the Chief Financial Officer under paragraph (1)(A); or

''(B) if such a notice of disapproval is filed within such deadline, the Council does not by resolution disapprove the acceptance, obligation, or expenditure of the grant within 30 calendar days of the initial receipt of the report from the Chief Financial Officer under paragraph (1)(A).

''(c) NO OBLIGATION OR EXPENDITURE PERMITTED IN ANTICIPATION OF RECEIPT OR APPROVAL.—No amount may be obligated or expended from the general fund or other funds of the District of Columbia government in anticipation of the approval or receipt of a grant under subsection (b)(2) or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such subsection.

''(d) ADJUSTMENTS TO ANNUAL BUDGET.—The Chief Financial Officer may adjust the budget for Federal, private, and other grants received by the District government reflected in the amounts provided in the budget approved by Act of Congress under section 446, or approved and received under subsection (b)(2) to reflect a change in the actual amount of the grant.

''(e) REPORTS.—The Chief Financial Officer shall prepare a quarterly report setting forth detailed information regarding all Federal, private, and other grants subject to this section. Each such report shall be submitted to the Council and to the Committees on Appropriations of the House of Representatives and Senate not later than 15 days after the end of the quarter covered by the report.

''(f) EFFECTIVE DATE.—This section shall apply with respect to fiscal years 2006 through 2008.''.

(b) CONFORMING AMENDMENT.—The fourth sentence of section 446 of such Act (sec. 1–204.46, D.C. Official Code), as amended by section 101(b), is amended by inserting ''section 446B,'' after ''section 446A,''.

(c) CLERICAL AMENDMENT.—The table of contents of such Act, as amended by section 101(c), is amended by inserting after the item relating to section 446A the following new item:

''Sec. 446B. Acceptance of grant amounts not included in annual budget.''.

SEC. 306. STANDARDS FOR ANNUAL INDEPENDENT AUDIT.

Section 448 of the District of Columbia Home Rule Act (sec. 1–204.48, D.C. Official Code) is amended—

(1) in subsection (a)(4), by striking the semicolon at the end and inserting the following: '', as audited by the Inspector General of the District of Columbia in accordance with subsection (c) in the case of fiscal years 2006 through 2008;''; and

(2) by adding at the end the following new subsection:

''(c) The financial statement and report for a fiscal year prepared and submitted for purposes of subsection (a)(4) shall be audited by the Inspector General of the District of Columbia (in coordination with the Chief Financial Officer of the District of Columbia) pursuant to section 208(a)(4) of the District of Columbia Procurement Practices Act of 1985, and shall include as a basic financial statement a comparison of audited actual year-end results with the revenues submitted in the budget document for such year and the appropriations enacted into law for such year using the format, terminology, and classifications contained in the law making the appropriations for the year and its legislative history.''.

SEC. 307. USE OF FINES IMPOSED FOR VIOLATION OF TRAFFIC ALCOHOL LAWS FOR ENFORCEMENT AND PROSECUTION OF LAWS.

Section 10(b)(3) of the District of Columbia Traffic Act, 1925 (sec. 50–2201.05(b)(3), D.C. Official Code) is amended to read as follows:

''(3) Notwithstanding any other provision of law, all fines imposed and collected pursuant to this subsection during fiscal year 2006 and each succeeding fiscal year shall be transferred to the General Fund of the District of Columbia, shall be used by the District of Columbia exclusively for the enforcement and prosecution of the District traffic alcohol laws, and shall remain available until expended.''.

SEC. 308. CERTIFICATIONS FOR ATTORNEYS IN CASES BROUGHT UNDER INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

(a) RESPONSIBILITIES OF CHIEF FINANCIAL OFFICER.—Section 424(d) of the District of Columbia Home Rule Act (sec. 1–204.24(d), D.C. Official Code), as amended by section 201(a), is amended by adding at the end the following new paragraph:

''(28) With respect to attorneys in special education cases brought under the Individuals with Disabilities Education Act in the District of Columbia during fiscal year 2006 and each succeeding fiscal year—

''(A) requiring such attorneys to certify in writing that the attorney or representative of the attorney rendered any and all services for which the attorney received an award in such a case, including those received under a settlement agreement or as part of an administrative proceeding, from the District of Columbia;

''(B) requiring such attorneys, as part of the certification under subparagraph (A), to disclose any financial, corporate, legal, membership on boards of directors, or other relationships with any special education diagnostic services, schools, or other special education service providers to which the attorneys have referred any clients in any such cases; and

''(C) preparing and submitting quarterly reports to the Committees on Appropriations of the House of Representatives and Senate on the certification of and the amount paid by the government of the District of Columbia, including the District of Columbia Public Schools, to such attorneys.''.

(b) INVESTIGATIONS BY INSPECTOR GENERAL.—Section 208(a)(3) of the District of Columbia Procurement Practices Act of 1985 (sec. 2–302.08(a)(3), D.C. Official Code) is amended by adding at the end the following new subparagraph:

''(J) During fiscal year 2006 and each succeeding fiscal year, conduct investigations to determine the accuracy of certifications made to the Chief Financial Officer of the District of Columbia under section 424(d)(28) of the District of Columbia Home Rule Act of attorneys in special education cases brought under the Individuals with Disabilities Education Act in the District of Columbia.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3508, the District of Columbia Omnibus Authorization Act. H.R. 3508 was introduced in July by Delegate NORTON and myself and was passed by the House on suspension last December. This is the second Congress in a row that we have moved an omnibus authorization bill for the District.

The purpose of this legislation is to provide a process by which Congress works with the District to consider annually or biannually any changes that need to be made to Federal laws governing the District of Columbia.

H.R. 3508 contains many provisions that will help the District manage its operations more effectively. The most significant of these provisions is the permanent authorization of the District of Columbia's Chief Financial Officer. The District's CFO was created by Congress in 1987, but has been provided 1-year extensions through appropriations bills since 2001 when the District of Columbia's Control Board expired.

H.R. 3508 would amend the D.C. Home Rule to provide for a permanent Chief Financial Officer for the District, one that is fully accountable both to the District and to the Congress regarding all financial matters in the Nation's Capital.

H.R. 3508 would also, among other things, allow the District's courts to operate outside of the District in the event of emergencies and provide the Mayor limited budgetary flexibilities under certain circumstances.

I urge my colleagues to support H.R. 3508.

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

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

Mr. Speaker, I also rise in support of this legislation, H.R. 3508, and commend Chairman DAVIS and Representative NORTON for working to bring this important bill to the floor today.

In addition to the items that the chairman mentioned, I would just add that it also contains a requirement that all legislation passed by the D.C. Council be accompanied by a fiscal impact statement. It deals with provisions that would revise the pay cap for nonjudicial court employees to make them more consistent with the way Federal court employees are paid and reimbursed in the Federal system.

It also provides additional budget flexibility authorizing the District to continue spending up to 6 percent of its own funds of unappropriated funds throughout the fiscal year without coming to Congress to be a part of the annual supplementations process.

Again, I commend the chairman for his leadership, as well as Ms. NORTON. I urge the adoption of the legislation.

Mr. TOM DAVIS of Virginia. Again, let me thank my colleague from Maryland, who has continued to work with us on these regional issues. I join with him in joining our colleagues to support H.R. 3508.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 3508.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CAPTAIN CHRISTOPHER PETTY POST OFFICE BUILDING

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6102) to designate the facility of the United States Postal Service located at 200 Lawyers Road, NW in Vienna, Virginia, as the ''Captain Christopher Petty Post Office Building,'' as amended.

The Clerk read as follows:

H.R. 6102

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

SECTION 1. CAPTAIN CHRISTOPHER P. PETTY AND MAJOR WILLIAM F. HECKER, III POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 200 Lawyers Road, NW in Vienna Virginia, shall be known and designated as the ''Captain Christopher P. Petty and Major William F. Hecker, III Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Captain Christopher P. Petty and Major William F. Hecker, III Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 6102, as amended, a bill to rename the post office in Vienna, Virginia, after two American heroes. Major William Hecker III and Captain Christopher Petty both gave their lives on January 5, 2006, while serving in Iraq.

Captain Petty began his service to our country upon entering his college's ROTC program. He was commissioned in the Army immediately after graduation; and his grandfather, an artillery officer in World War II, pinned his own second lieutenant's bars and insignia on his grandson's chest.

Captain Petty honored both his grandfather and our country with his service and was stationed next to the Iranian border, where he coordinated the artillery for his battalion.

Major William Hecker studied engineering management at West Point and in 2000 went on to earn a master's degree in English from the University of Oregon. He returned to West Point as an assistant English professor for 3 years, and he had plans to continue teaching after his assignment in Iraq. His love of literature was second only to his love of his country.

Following in the footsteps of his father, Major Hecker knew that he wanted to be in the Army since he was in the third grade. He believed in making a difference, and he was looking forward to going to Iraq.

We owe these men and their families a debt of gratitude that can never be repaid. I hope my colleagues will join me in support of H.R. 6102. I ask that we continue to honor these two fallen soldiers and all of our men and women in uniform that serve this great Nation.

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

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

Mr. Speaker, I think it is very important and appropriate that we recognize the sacrifice and service of Captain Petty and Major Hecker in this way.

I urge adoption of this resolution.

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

Mr. TOM DAVIS of Virginia. Mr. Speaker, I submit for printing in the CONGRESSIONAL RECORD a letter from Mrs. Hecker, Major Hecker's mother, talking about her thoughts and her son's activities in Iraq.

NOVEMBER 18, 2005.

Hon. JOHN MURTHA,
Johnstown, PA.

DEAR REPRESENTATIVE MURTHA: I am the wife of a retired Army officer who served this great country of ours for twenty-eight years, including two tours of duty in Vietnam. I am also the mother of two sons, both of whom chose to serve in our Armed Forces. Our older son is a Major in the 4th Infantry Division and will be departing for a year's tour of duty in Iraq in just a little over a week. Our younger son is a 1LT in the Marine Corps currently stationed in Okinawa as a C–130 pilot. He could be detailed to Iraq as well.

I respect your service to country, as well as your right to speak your mind about the situation in Iraq. But I, too, have a right to an opinion and to make my voice known. Although I rarely if ever write a political letter, your recent statements have moved me to do so! I believe your comments about Iraq have harmed our chances for success, and will only serve to embolden the terrorists and encourage them to continue with their violence, hoping that it will hasten our retreat. Not only that, I believe it would be immoral to abandon the fledgling Iraqi government before they are ready to provide for their own security.

I have faith in our military leaders and believe that they are taking the necessary steps to train the Iraqi forces, and provide for our eventual withdrawal. I also have faith in our executive branch that they are taking the necessary steps to help the new Iraqi government get a democratic style government in place * * * and to give them at least a chance of success. Although mistakes were made in the execution of the war and its aftermath, the goal itself is worthy. And in spite of all the negativity that we are constantly bombarded with, I believe that there have been some remarkable successes!

Although my son would surely prefer to stay home with his wife and four young children, he is both a soldier and a scholar. He understands that we are in a vital long-term struggle against a dangerous ideology, and he is willing to make the necessary sacrifices to defeat it. It is a difficult struggle that will require patience and fortitude, both on and off the battlefield. If we lose our will here at home, it makes the task for our soldiers all the more difficult. I believe your comments were irresponsible and are contributing to the loss of national will. If they were made to obtain political advantages, I would find that abhorrent and unworthy of a former Marine.

Please know that our soldiers are heroes, not victims. They are making great sacrifices on our behalf. They need to be supported and appreciated until their mission is over. I suggest you reconsider your comments and the effect they have on our soldiers and their families.

Sincerely,

NANCY HECKER.

Mr. WOLF. Mr. Speaker, I rise today in support of H.R. 6102, to name a post office in northern Virginia in honor of Captain Christopher P. Petty and Major William F. Hecker, III, both of whom were killed in Iraq on January 5, 2006, when an explosive detonated near their Humvee in Najav, Iraq.

Both Captain Petty and Major Hecker attended high school in northern Virginia. Now we commemorate their service to America by naming the post office building at 200 Lawyers Road, NW in Vienna, Virginia, in their honor. There is no greater gift a person can give than his or her life to save the lives of others. I cannot imagine the grief of the parents, wives and children of these two courageous men and we honor their memory today in this way to help ensure that their sacrifice will not be forgotten.

This post office will stand as a reminder of the perils faced daily by the thousands of Americans who serve in our armed forces overseas and whose devotion to duty places them in harm's way. My thoughts and prayers remain with the families and friends of Captain Petty and Major Hecker.

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

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

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and pass the bill, H.R. 6102, as amended.

The question was taken.

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

Mr. TOM DAVIS of Virginia. 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.

CURT GOWDY POST OFFICE BUILDING

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5224) to designate the facility of the United States Postal Service located at 350 Uinta Drive in Green River, Wyoming, as the ''Curt Gowdy Post Office Building''.

The Clerk read as follows:

H.R. 5224

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

SECTION 1. CURT GOWDY POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 350 Uinta Drive in Green River, Wyoming, shall be known and designated as the ''Curt Gowdy Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Curt Gowdy Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Virginia (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5224 would designate the Post Office building in Green River, Wyoming, as the Curt Gowdy Post Office Building. Nicknamed ''The Cowboy,'' sports fans across the country in the 1960s and 1970s turned to hear Gowdy's commentary on baseball, football, and college basketball games. He was the number one announcer at NBC Sports during the pre-cable television era; and he was known for his objective, laid-back style. In fact, one of his most career-defining moments came almost 46 years ago today, when he called the Ted Williams' final at-bat in the major leagues.

I urge all Members to join me in honoring the life and contributions of Curt Gowdy by supporting the passage of H.R. 5224.

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

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

I urge my colleagues to support this resolution. It is appropriate we recognize Curt Gowdy in this way. We know he was the voice of the Red Sox, as well as the announcer on many other sports events.

□ 1715

Mr. Speaker, I urge adoption of this bill.

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

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, let me join in the moment of remembrance of Curt Gowdy. I had a chance at Christmastime to spend the evening with Curt and his family in Palm Beach. I have known the Gowdy family for many, many years. As some know, he was the voice of the Red Sox. My godfather, Jimmy Piersall, played for the Red Sox back in the fifties.

When the Red Sox won the World Series, I asked the White House if I could bring a few guests, one being Jimmy Piersall, the other Dom DiMaggio, both constituents from Florida, and, of course, Curt Gowdy. Curt's wife, Jerre, called me the day of the White House celebration and said Curt wasn't doing well, but he would have loved to join in the honor of greeting the Red Sox at the White House.

From a personal aside, I had many, many years to interact with Curt Gowdy. He was a phenomenal man, a humble, humble, wonderful, generous man. The Boy Scouts of America, I could name numerous charities where Mr. Gowdy went out of his way not only to lend his beautiful voice, but his integrity and his name, which was known universally.

It is just an incredible honor that you all have chosen his wonderful State of Wyoming, which was something we discussed on one of his last nights on Earth. We discussed Wyoming, fly fishing and games gone by and his struggles at that time with leukemia. His doctor happened to be there that night.

Curt never lost his enthusiasm or zest for life. Even in the days before he was to pass this godly Earth, he never lost his love of this country, his love of our Nation, his love of the pastime of baseball, and to the very end, love and devotion to his family. I salute Mr. Gowdy and appreciate the recognition he is being provided today.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank the gentleman from Florida for his eloquent remarks. Curt Gowdy will always be a part of my sports memories as a youth. I think this is a fitting tribute, and I urge my colleagues to adopt it.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and pass the bill, H.R. 5224.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CONGRATULATING AND COMMENDING THE PROFESSIONAL GOLFERS' ASSOCIATION

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 471) congratulating the Professional Golfers' Association of America on its 90th anniversary and commending the members of the Professional Golfers' Association of America and the PGA Foundation for the charitable contributions they provide to the United States.

The Clerk read as follows:

H. CON. RES. 471

Whereas The Professional Golfers' Association of America (The PGA of America) was founded in 1916 by a group of amateur and professional golfers in New York City, led by department store magnate Rodman Wanamaker, with a mission to promote interest in the game of golf, elevate standards of the golf professional's vocation, hold meetings and tournaments for the benefit of members, assist deserving unemployed members to obtain positions, and establish a benevolent relief fund for deserving members;

Whereas during World War I The PGA of America began its tradition of serving the military by purchasing and maintaining an ambulance throughout the war for the American Red Cross and encouraging employers of members to hold open positions for its members serving in the United States Armed Forces;

Whereas The PGA of America has continued its tradition of serving the military by partnering with the National Amputee Golf Association to offer golf programs for wounded military service members that include free golf instruction, free use of golf equipment, and free golf;

Whereas in 1954 The PGA of America created a charitable foundation, The PGA Foundation, as a public philanthropic foundation to provide resources and professional expertise to make golf accessible in the community by offering free golf programs for youth, the disabled, and the underserved;

Whereas The PGA of America and its PGA Foundation offer such programs as Play Golf America Days for youths involving free instruction, skills competition, and equipment demonstration; golf programs for inner city youths in Louisville, Kentucky, and Detroit,

Michigan, that combine golf, education enrichment and life skills preparation to prepare youths for employment and college; and professional golf instruction and funding for the First Tee golf program for youths;

Whereas The PGA of America partners with Special Olympics International to make golf an official Special Olympics sport and supports the Special Olympics golf competition at the National Special Olympics and the World Games Special Olympics;

Whereas The PGA of America in partnership with eighteen four-year college and universities has created an accredited major for students to receive degrees in Professional Golf Management and The PGA of America awards scholarships to ensure women and minorities have the opportunity to obtain Professional Golf Management degrees and membership in The PGA of America;

Whereas The PGA of America conducts more than 30 tournaments for its members and apprentices, including the Ryder Cup, PGA Championship, PGA Grand Slam of Golf, and Senior PGA Championship, and conducts charitable programs related to these tournaments where the tournaments are held;

Whereas The PGA of America has hosted and sponsored for nine years the PGA Minority Collegiate Golf Championship to provide opportunities for students at predominately minority colleges and universities to participate in collegiate golf championships, career awareness programs, and employment recruiting;

Whereas The PGA of America is dedicated to providing educational opportunities at the PGA Education Center for PGA members and apprentice professionals and The PGA of America also provides information to the public at the adjacent PGA Historical Center, which celebrates the growth of golf in the United States and honors PGA members who have made significant contributions to the game of golf;

Whereas The PGA of America is the world's largest working sporting organization with a mission of growing the game of golf and making it accessible;

Whereas The PGA of America is a not-for-profit professional association which has a membership of approximately 28,000 golf professionals who promote the game of golf and make golf a better game; and

Whereas The PGA of America, its members, and the golf industry annually contribute approximately $62.2 billion to the economy of the United States: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That Congress—

(1) congratulates The Professional Golfers' Association of America (The PGA of America) on its 90th anniversary;

(2) commends The PGA of America and its members for their contributions to the game of golf and their efforts to make golf accessible; and

(3) applauds The PGA of America and its members for their contributions to employment and economic growth in the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 days within which to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, founded in 1916, the PGA is a not-for-profit organization comprised of more than 28,000 men and women. These members commit themselves daily to promoting the game of golf. They stand by their mission to make the game accessible to everyone, and they contribute generously to charitable organizations across the Nation.

I would hope all Members will come together to support H. Con. Res. 471 as introduced by my distinguished colleague from the State of Florida.

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

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

Mr. Speaker, I also urge my colleagues to support this resolution, where we recognize the PGA of America's efforts to spread the game of golf and also for the PGA's many charitable works and their efforts to expand and include more people in the game of golf, both through their work with the Special Olympics, as well as their reaching out to people who have served our country in the Armed Forces overseas.

Also I would like to note that they have served our troops through programs such as their partnership with the National Amputee Golf Association, which offers golfing activities for wounded soldiers. These are just a few of the many programs that have been offered by PGA of America and the PGA Foundation. I urge adoption of the resolution.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield such time as he may consume to the author of this resolution, the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, let me thank the chairman and ranking member for bringing the resolution to the floor. I rise today in strong support of H. Con. Res. 471, a bill congratulating the Professional Golfers Association of America on its 90th anniversary and commending the members of the Professional Golfers' Association of America and the PGA Foundation for the charitable and economic contributions they provide all across our Nation.

As you may know, the PGA is a nonprofit professional organization with a membership of 28,000 golf professionals. The PGA is best known for conducting tournaments, such as the Ryder Cup, which was just played this last weekend, PGA championships, the PGA Grand Slam of Golf, and the Senior PGA.

However, it does much more. In 1954, the PGA created a charitable foundation to help provide the resources and professional expertise to make golf accessible to the community by offering free golf programs for youth, the disabled and underserved. In fact, many of my colleagues participated recently in the Breakfast for the First Tee. We were joined by golfing legend Jack Nicholas, where they talked about providing for children in all walks of life a chance to play golf, learn the sport and become successful.

The PGA and PGA Foundation strive to serve the community in a number of ways. For example, they offer Play Golf America Days for youths involving free instruction, skill competition and equipment demonstration. They partner with Special Olympics International to make golf an official Special Olympics sport, and with the National Amputee Golf Association to offer golf programs for wounded military servicemembers.

The PGA of America hosts and sponsor the PGA Minority Collegiate Golf Championship to provide opportunities for students at predominantly minority colleges and universities to participate in collegiate golf championships, career awareness programs, and employment recruiting.

In addition to the charitable contributions, the golfing industry adds $62.2 billion to our economy and employs tens of thousands of people across the country. In my district alone, the PGA Village, the largest PGA facility in the country, employs over 300 people. Their national headquarters is located in Palm Beach Gardens, Florida, the district of my friend Clay Shaw.

I want to thank chairman TOM DAVIS, Mr. WAXMAN and Mr. CLYBURN, who is cosponsor of the resolution from South Carolina, who knows well and spoke with me the other day about the vital importance of golf in South Carolina, for their efforts in moving this resolution so quickly to the floor.

Mr. Speaker, again I want to congratulate the PGA on its 90th anniversary and thank all of its members for making such a difference in people's lives all around the country.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank my colleague for introducing this resolution. I think I also ought to note that PGA President Tim Finchem has done wonders for this organization in terms of bringing this back into the inner city, bringing golf to those with disabilities and communicating with us here on Capitol Hill about the kinds of things they are doing.

I would urge my colleagues to support this resolution.

Mr. BACA. Mr. Speaker, I rise today in support of H. Con. Res. 471 and extend my congratulations and appreciation to the Professional Golfers' Association of America for 90 years of continued excellence.

Today, the Professional Golfers' Association is the largest working sports organization in the world.

The PGA of America was first formed in 1916 by department store magnate Rodman Wanamaker and a group of 35 professional and amateur golfers. The organization's objectives were to promote interest in the game, elevate the standards of the golf professional's vocation, protect the mutual interest of its members, hold meetings and tournaments for the benefit of members, assist deserving unemployed members to obtain positions and to establish a benevolent relief fund for deserving members. These goals are still very much intact.

The PGA has also been able to grow interest in the game, protect its members, and even provide assistance to America in its times of need. For example, after the outbreak of World War I, the PGA of America purchased and maintained an ambulance to be used by the American Red Cross. The PGA of America did this again after the outbreak of World War II.

In 1954, the PGA of America formed the PGA Foundation, a public philanthropic foundation dedicated to growing interest in the game while enhancing the quality of life for all people, especially underrepresented people.

More recently, the PGA of America has contributed a great deal to the United States in providing relief following September 11th and Hurricane Katrina. The PGA of America donated $500,000 to match Ryder Cup donations for September 11th relief funds and raised $1.3 million for Hurricane Katrina Relief Funds.

The PGA of America has not only provided monetary contributions but has also offered different programs such as the Urban Youth Golf Program in Louisville. The PGA Foundation provides resources and funding for local PGA professionals to conduct golf lessons for more than 300 urban youth. This program offers free participation and possible scholarships to attend the University of Louisville.

The PGA of America has forged partnerships with other organizations such as Special Olympics International to make golf accessible as an official game in the Special Olympics and has created educational programs such as "Golf in Schools" which teaches students in elementary through high school about golf as well as such important topics as diet, nutrition, physical fitness and the importance of having a positive mental outlook.

Again, Mr. Speaker, I express my support for H. Con. Res. 471. Let us honor the PGA of America for its dedication to its members, its philanthropic work, and its service to the game that so many of us love.

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

Mr. VAN HOLLEN. Mr. Speaker, I also commend Mr. FOLEY for his leadership on this issue, and yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 471.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF PANCREATIC CANCER AWARENESS MONTH

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 745) supporting the goals and ideals of Pancreatic Cancer Awareness Month.

The Clerk read as follows:

H. RES. 745

Whereas over 33,730 people will be diagnosed with pancreatic cancer this year in the United States;

Whereas the mortality rate for pancreatic cancer is 99 percent, the highest of any cancer;

Whereas pancreatic cancer is the 4th most common cause of cancer death in the United States;

Whereas there are no early detection methods and minimal treatment options for pancreatic cancer;

Whereas when symptoms of pancreatic cancer generally present themselves, it is too late for an optimistic prognosis, and the average survival rate of those diagnosed with metastasis disease is only 3 to 6 months;

Whereas pancreatic cancer does not discriminate by age, gender, or race, and only 4 percent of patients survive beyond 5 years;

Whereas the Pancreatic Cancer Action Network (PanCAN), the first national patient advocacy organization serving the pancreatic cancer community, focuses its efforts on public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer; and

Whereas the Pancreatic Cancer Action Network has requested that the Congress designate November as Pancreatic Cancer Awareness Month in order to educate communities across the Nation about pancreatic cancer and the need for research funding, early detection methods, effective treatments, and prevention programs: Now, therefore, be it

Resolved, That the House of Representatives supports the goals and ideals of Pancreatic Cancer Awareness Month.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 days within which to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H. Res. 745, introduced by the gentleman from Pennsylvania (Mr. PLATTS), would support the goals and the ideals of Pancreatic Cancer Awareness Month.

Cancer of the pancreas is known to be one of the most devastating and deadly forms of cancer. It is the fourth most common cause of death by cancer in the United States and recent studies have shown that of the estimated 23,000 cases annually, 23 percent will live less than a year. With no early detection methods and minimal treatment options, this resolution seeks to provide elevated awareness on the risks associated with pancreatic cancer, as well as the need for research funding and greater treatment options.

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

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

Mr. Speaker, for thousands of Americans, a doctor's diagnosis of pancreatic cancer is a devastating occasion that can send patients and their families into a whirlwind of depression and despair. Every year, more than 33,000 Americans are diagnosed with pancreatic cancer, and even more startling is the fact that the overwhelming majority of those patients will die of pancreatic cancer. Only about 4 percent are currently expected to live beyond 5 years. As Mr. DAVIS said, pancreatic cancer is the fourth most common cause of cancer death in the United States.

After years of research, we are not significantly closer to understanding what causes pancreatic cancer. Most cancers are caused by environmental, dietary or lifestyle factors, and most pancreatic cancer is believed to be no different. However, the specific link between the onset of pancreatic cancer and any one or a combination of these extraneous factors has yet to be determined. A significant body of research is developing around a possible hereditary link in pancreatic cancer, but even the results of these studies have shown that only 5 to 10 percent of cases have genetic links.

Although awareness of cancer's prevalence in the United States improves and medical advances in the field abound, pancreatic cancer has largely been absent from the list of major success stories. Surgical procedures may have increased the survival chances of some with the disease, but there has been little momentum in advancing diagnostics or nonsurgical oncological treatments beyond palliative care.

Mr. Speaker, I think this is an important piece of legislation that draws attention to this devastating disease. We need to make people more aware of it. We also need to make sure that the National Institutes of Health has the resources necessary to continue to work toward finding cures and treatments for pancreatic cancer, all cancers, and so many other devastating diseases that hurt and strike families across our country every year.

I urge adoption of this resolution.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. TOM

DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 745.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

HARRY J. PARRISH POST OFFICE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2690) to designate the facility of the United States Postal Service located at 8801 Sudley Road in Manassas, Virginia, as the ''Harry J. Parish Post Office''.

The Clerk read as follows:

S. 2690

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

SECTION 1. HARRY J. PARRISH POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 8801 Sudley Road, Manassas, Virginia, shall be known and designated as the ''Harry J. Parrish Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Harry J. Parrish Post Office.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

□ 1730

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Harry Parrish was a dedicated servant to both his State, his city, and his country. In 1942, he joined the Army Air Force where he began his pilot training, and he went on to become a decorated World War II pilot.

He was the mayor of Manassas for 18 years and later became an active member of the Virginia General Assembly where he rose to be chairman of the finance committee in the House of Delegates.

In 2002, as one of the few World War II veterans in the general assembly, he was integral in securing Virginia's $334,000 contribution to the National World War II Memorial. It is with gratitude for his public service and for all that he has done for his community and the Commonwealth that I ask Members to join me in naming the Manassas, Virginia Post Office after Harry J. Parrish.

And I would just add that this was a man who knew no partisan bounds. He literally was an individual from the community with broad bipartisan support in all of his elections, but always put his State, his Commonwealth, his city, and his county first in his legislative actions. It was a privilege to know Harry Parrish, and I hope my colleagues will join me in supporting this legislation.

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

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

I want to join with the gentleman from Virginia in urging our colleagues to support this resolution. I think it is a fitting way to recognize the distinguished public service of Harry Parrish.

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

Mr. TOM DAVIS of Virginia. Mr. Speaker, I understand Mr. WOLF is on his way over. Mr. Harry Parrish was a constituent of my friend FRANK WOLF's as well, and served very ably with Frank working on a number of State and local and national issues together, bringing transportation out to that section of Prince William County, working on financial arrangements, and for the overall good of the community. So I would at this point, I think, reserve the balance of my time.

Could I ask the Chair how much time is remaining on our side.

The SPEAKER pro tempore (Mr. CAMPBELL of California). The gentleman from Virginia has 16 minutes, the gentleman from Maryland has 17 minutes remaining.

Mr. VAN HOLLEN. Mr. Speaker, I don't know if it is appropriate just by unanimous consent to keep going with the other resolutions until Mr. WOLF arrives and set this aside momentarily?

The SPEAKER pro tempore. The gentleman from Virginia could withdraw the pending motion.

Mr. TOM DAVIS of Virginia. Without objection, I would withdraw at this point and will resubmit this in just a minute, and we could move on with our next piece of legislation.

Mr. VAN HOLLEN. I have no objection, Mr. Speaker.

The SPEAKER pro tempore. The motion may be withdrawn as a matter of right before action thereon and is withdrawn.

ALICE R. BRUSICH POST OFFICE BUILDING

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1275) to designate the facility of the United States Postal Service located at 7172 North Tongass Highway, Ward Cove, Alaska, as the ''Alice R. Brusich Post Office Building''.

The Clerk read as follows:

S. 1275

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

SECTION 1. ALICE R. BRUSICH POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 7172 North Tongass Highway, in Ward Cove, Alaska, shall be known and designated as the ''Alice R. Brusich Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Alice R. Brusich Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. DAVIS) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Alice Brusich began her 31-year career with the postal service in 1954 as an assistant postmaster. Just 2 years later, she became postmaster where she was a strong advocate of improving and maintaining the postal service in Alaska. Mrs. Brusich was also a founding member of the Alaska Chapter 51 of the National Association of Postmasters in the United States.

Even after her retirement in 1985, Alice remained an active supporter of the postal service; and for this reason, I support naming the post office in Ward Cove, Alaska in her honor.

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

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

I urge my colleagues to support this resolution. I think it is fitting that we honor the service of Alice Brusich to the postal service by naming this post office in her honor.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and pass the Senate bill, S. 1275.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

DOROTHY AND CONNIE HIBBS POST OFFICE BUILDING

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1323) to designate the facility of the United States Postal Service located on Lindbald Avenue, Girdwood, Alaska, as the ''Dorothy and Connie Hibbs Post Office Building''.

The Clerk read as follows:

S. 1323

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

SECTION 1. CONNIE HIBBS OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located on Lindbald Avenue, in Girdwood, Alaska, shall be known and designated as the ''Dorothy and Connie Hibbs Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Dorothy and Connie Hibbs Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, Dorothy and Connie Hibbs were a mother and daughter pair who each served as postmaster for over 20 years of their lives. Between the two, there was only a 3-year span between 1954 and 2005 when one of them was not working in this capacity.

The town of Girdwood, Alaska, would like to thank Dorothy and Connie for such a unique contribution to their community by naming the Lindbald Avenue Post Office after them. The Senate has addressed this bill. We support this bill. And I hope all Members will join us today in doing so.

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

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

I want to join the chairman of the Government Reform Committee in recommending that our colleagues support this legislation to name this post office in honor of Dorothy and Connie Hibbs for their service.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and pass the Senate bill, S. 1323.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL MYOSITIS AWARENESS DAY

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 974) supporting the goals and ideals of National Myositis Awareness Day.

The Clerk read as follows:

H. RES. 974

Whereas an estimated 30,000 to 50,000 people are affected by myositis in the United States, many of whom remain undiagnosed or misdiagnosed;

Whereas myositis is a general term used to describe swelling of the muscles, but the effects of the inflammatory myopathies (often referred to as ''myositis'') are much more severe than just inflammation;

Whereas myositis patients suffer from their immune systems attacking their body's own normal, healthy tissue, resulting in inflammation or swelling;

Whereas inflammatory myopathies are thought to be autoimmune diseases, such that the body's immune system, which normally fights infections and viruses, does not stop fighting once the infection or virus is gone;

Whereas myositis can cause muscle weakness, and patients often live in chronic pain and have long-term health problems that lead to permanent disability;

Whereas myositis is difficult to diagnose and treatment is often delayed, resulting in unnecessary suffering;

Whereas many patients with treatable forms of myositis often have severe long-term disabilities because of failure to diagnose and/or treat the disease correctly;

Whereas some myositis patients will die at a much earlier age than they would have if they had received the proper care, particularly for the children who have permanent scarring and deformities due to failure to treat properly;

Whereas The Myositis Association, the national patient advocacy organization serving the myositis patient community, focuses its efforts on public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for myositis;

Whereas a National Myositis Awareness Day would educate communities across the Nation about myositis and the need for research funding, accurate diagnosis, and effective treatments; and

Whereas it would be appropriate to observe September 21, 2006, as National Myositis Awareness Day: Now, therefore, be it

Resolved, That the House of Representatives supports the goals and ideals of a National Myositis Awareness Day.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H. Res. 974, introduced by the gentleman from New York (Mr. ISRAEL), would support the goals and ideals of National Myositis Awareness Day.

Myositis is a general term used to describe swelling of the muscles. It is listed as a rare disease by the National Institutes of Health's Office of Rare Diseases. Many people, however, are affected by the condition each year. It is estimated there are between 30,000 and 50,000 cases in the United States alone.

This resolution will help to raise awareness to medical professionals, elected officials, policymakers, and communities about myositis.

Mr. Speaker, I urge our colleagues to adopt this.

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

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

I want to congratulate our colleague, Mr. ISRAEL, from New York for introducing this important resolution and drawing attention to this very, very important issue.

With that, I yield him such time as he may consume.

Mr. ISRAEL. Mr. Speaker, I thank my friend from Maryland, and I thank Chairman DAVIS for his cooperation on this very important bill. I also want to thank Ranking Member WAXMAN for considering this resolution, and also Representative FOXX for her leadership.

Mr. Speaker, this resolution supports the goals and ideals of a National Myositis Awareness Day. I was first introduced to the myositis community through my work to improve Medicare access to intravenous immune globulin, or IVIG. The myositis community is one of many patient groups that rely on IVIG. However, since there are several forms of myositis that affect different people in different ways, the disease is often misunderstood and cannot be treated with a single remedy. This is one of many reasons that it is important that we pass this resolution.

As the chairman said, each year an estimated 30,000 to 50,000 Americans

are affected by myositis, a general term used to describe swelling of the muscles. Myositis patients suffer from their immune systems attacking their body's own normal tissue, resulting in inflammation or swelling. The disease can cause muscle weakness, and patients often live in chronic pain and have long-term health problems that can lead to permanent disabilities.

Myositis affects individuals of all ages and can come in many different forms. Many patients with treatable forms of myositis often have severe long-term disabilities because of failure to diagnose and treat the disease. In addition, the effects of inflammatory myopathies are much more severe than just inflammation. They are thought to be autoimmune diseases such as that the body's immune system, which normally fights infections and viruses, does not stop fighting once the infection or virus is gone.

Mr. Speaker, because myositis varies so much from patient to patient, no single existing treatment works for everyone. Myositis can be treated with steroids, various medicines and intravenous immune globulin.

The Myositis Association is the national patient advocacy organization serving the myositis community and has designated September 21 as Myositis Awareness Day. Myositis advocates traveled to Capitol Hill last Thursday in an effort to educate the public and Congress on the need for more research funding, accurate diagnosis, and effective treatments for this disease. This resolution thanks them for their work and dedicates the United States Congress to continuing the research for treatments.

Mr. VAN HOLLEN. Mr. Speaker, let me just again commend Mr. ISRAEL of New York for his leadership on this issue and bringing attention to the disease myositis.

Again, as he said, it is important as we raise national awareness about these diseases that we also provide the resources necessary to the NIH and other researchers who are doing important work to find cures and treatments for these diseases. It is absolutely essential that we invest as a Nation in that very important effort and provide them with the resources they need.

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

Mr. TOM DAVIS of Virginia. Mr. Speaker, I have no further speakers. But I want to commend the gentleman from New York for bringing this resolution to our attention. When we saw it, we moved it very, very quickly. This is important, and we appreciate his leadership, and also my friend from Maryland.

Mr. Speaker, I yield back the balance of my time and urge my colleagues to support the resolution.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 974.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

HARRY J. PARRISH POST OFFICE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2690) to designate the facility of the United States Postal Service located at 8801 Sudley Road in Manassas, Virginia, as the ''Harry J. Parrish Post Office''.

(For text of S. 2690, see prior proceedings of the House of today.)

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I think I have been heard on this, but I did want to give Representative WOLF an opportunity to speak on this. As I stated earlier, Delegate Parrish, and it was Mayor before that, fighter pilot in World War II, was a friend of ours, but he was a friend of the greater community of Northern Virginia and the Commonwealth of Virginia.

□ 1745

Mr. WOLF. Mr. Speaker, I rise today in strong support of S. 2690, legislation to designate a United States Postal Service facility in Manassas, Virginia, as the Harry J. Parrish Post Office.

I want to particularly thank the gentleman from Virginia (Mr. TOM DAVIS) for his work to bring this legislation to the floor. I am pleased to be a sponsor of the House companion bill to the Senate measure introduced by Virginia Senator GEORGE ALLEN.

Harry Parrish serve over 50 years in elected office. He was elected to the town council of Manassas, Virginia, in 1951, and held that position until 1963 when he was elected mayor. He served in that capacity until 1981.

During his 12 years as town councilman and 18 years as mayor, he guided the transformation of Manassas from a small Virginia town to a thriving, lively suburb.

Mr. Parrish became a delegate in the Virginia General Assembly in 1982 and was elected to 13 terms in the Virginia House of Delegates, including serving as chairman of the Finance Committee starting in 2000. At the time of his passing in March at the age of 84, he was the oldest serving member of the House of Delegates.

As a member of the House of Delegates, he was known for conducting himself in a bipartisan manner, putting Virginia first. At Harry's funeral, current Governor Kaine was there, a Democrat; former Governor Warner, a Democrat. It was a bipartisan group. If only this body could become like that, whereby there could be a bipartisanship that we saw with Harry Parrish.

I was proud to call Harry my friend. He was a true Virginia gentleman in the truest sense of the word.

His public service started in the U.S. Air Force, where he was a decorated World War II pilot. As part of the British Royal Air Force during WWII, he flew C–47s over the Himalayas, delivering supplies, weapons and other cargo from India to China. He received the Distinguished Flying Cross and the Air Medal for his valiant efforts. He served as an Air Force reservist in the Korean and Vietnam wars before retiring as colonel.

He was chairman of the board of his family business, Manassas Ice and Fuel Company.

Naming the post office on Sudley Road in Manassas in his honor and memory is an appropriate reminder to the people of Manassas of Harry's dedication to public service. I urge a unanimous vote for the legislation, and I thank the gentleman from Virginia (Mr. TOM DAVIS) for allowing me to have this opportunity to be here at this time.

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

Mr. VAN HOLLEN. Mr. Speaker, I would commend Mr. WOLF for recognizing the service of Harry Parrish in this way. I assure him strong bipartisan support, and I have enjoyed working with him on both sides of the Potomac River on issues of importance to both jurisdictions.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and pass the Senate bill, S. 2690.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

MORRIS K. 'MO' UDALL POST OFFICE BUILDING

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5857) to designate the facility of the United States Postal Service located at 1501 South Cherrybell Avenue in Tucson, Arizona, as the ''Morris K. 'Mo' Udall Post Office Building''.

The Clerk read as follows:

H.R. 5857

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

SECTION 1. MORRIS K. "MO" UDALL POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1501 South Cherrybell Avenue in Tucson, Arizona,

shall be known and designated as the ''Morris K. 'Mo' Udall Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Morris K. 'Mo' Udall Post Office Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. 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 the bill under consideration.

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

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5857, introduced by the gentleman from Arizona (Mr. GRIJALVA), would designate the facility of the U.S. Postal Service located at 1501 South Cherrybell Avenue in Tucson, Arizona, as the ''Morris K. 'Mo' Udall Post Office Building.''

Mo Udall represented Arizona's Second District from 1961 to 1991 and died of Parkinson's disease in 1998. He is one of the first environmentalists to serve in this body. He was a leader, and when we look back at the history of Congress in the latter part of the 20th century, he was one of the giants.

This is a fitting remembrance for him. I remember reading his book, ''Too Funny to Be President,'' and still being able to use some of the stories in the book which he said in his foreword we could do. He has been an inspiration to a lot of us, maintaining his sense of humor even during hard-charging debate, and he was beloved by Members on both sides of the aisle.

I thank the gentleman for introducing this renaming, and I am proud to support it.

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

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

Mr. Speaker, as Mr. DAVIS said, Mo Udall was a beloved figure in this country and this Congress. He was a great American, a great Member of Congress. He dedicated himself to preserving our great natural resources and open spaces in this country, protecting our environment, and he had a very quick wit which I think brought smiles to both sides of the aisle, even for those who were sometimes the target of that wit.

I want to commend my colleague, the gentleman from Arizona (Mr. GRIJALVA), for deciding to introduce this resolution to recognize the wonderful national contributions of Mo Udall.

Mr. Speaker, I yield such time as he may consume to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Speaker, let me thank the gentleman from Maryland (Mr. VAN HOLLEN) for yielding me this time; and, to the chairman, thank you very much for the support of this acknowledgment of Morris K. Udall.

I had the great privilege, growing up in the southern part of Arizona, to grow up at a time when we had a congressman that had a stature and an ability to communicate to people that was unsurpassed. That legacy needs to be commemorated.

He served in this House for 14 consecutive terms, from 1961 to 1991, until Parkinson's disease called him from service. He graduated from the University of Arizona, got his law degree from the University of Arizona.

During his tenure, he stood for a lot of things. He established some standards on the environment and the protection of our natural resources that we continue to talk about, admire, and try to replicate as we do legislation: the Alaska National Interest Lands Conservation Act of 1980, the Surface Mining and Reclamation Act of 1977, the Arizona Wilderness Act of 1984, the American Heritage Trust Act, Strip Mining Reclamation Act, and the list goes on and on.

In addition to that, Mo not only had an affinity for but a great belief and love for the Native American communities in Arizona. He introduced many bills to protect their natural resources, protect their sovereignty, and protect the rights of Native Americans. For that, he is part of the legacy.

Someone asked me, why a post office? Mo has many accolades that he has received. He was chairman of the Post Office and Civil Service Committee, as it was known then. It was a committee given to him because he won in a special election and there were no committees available, and Mo made the most of it. He served 30 years on that committee; and what he did was he created an independent post office, a post office with employees protected by the Civil Service, a post office that understood the concept of universal service, and a post office that set a standard of professionalism, independence, and took away the cronyism and the corruption that was occurring at the time. That was a legacy. So, as I looked around, what can we commemorate for Mo, the post office became an obvious thing.

In Arizona, we inherited Mo Udall's great legacy; and that is a legacy of commitment, tolerance, a love for natural resources, a genuine love and tolerance for people, and a sense that we can do better, that we can reform ourselves, we can reform this country. He leaves that legacy. Those are not shoes you fill, they are merely paths you follow.

I want to thank both the chairman and my colleague, Mr. VAN HOLLEN, for support of this legislation.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I thank the gentleman from Arizona for introducing this. As quickly as we saw it, we wanted to move this to the floor. This is a fitting tribute to one of the premier legislators in the House over the last 50 years. I urge my colleagues to support this legislation.

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

Mr. VAN HOLLEN. Mr. Speaker, I urge my colleagues to support this bill as well, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and pass the bill, H.R. 5857.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DR. LEONARD PRICE STAVISKY POST OFFICE

Mr. TOM DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5923) to designate the facility of the United States Postal Service located at 29–50 Union Street in Flushing, New York, as the ''Dr. Leonard Price Stavisky Post Office''.

The Clerk read as follows:

H.R. 5923

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

SECTION 1. DR. LEONARD PRICE STAVISKY POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 29–50 Union Street in Flushing, New York, shall be known and designated as the ''Dr. Leonard Price Stavisky Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Dr. Leonard Price Stavisky Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. TOM DAVIS of Virginia. 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 the bill under consideration.

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

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 5923, introduced by the gentleman from New York (Mr. ACKERMAN), designates the facility of the United States Postal Service located at 29–50 Union Street in Flushing, New York, as the Dr. Leonard Price Stavisky Post Office.

Dr. Stavisky, a member of the New York State Senate, represented Flushing, Queens, from 1965 until his death in 1999. He served with distinction during those years, and I hope my colleagues will join us in supporting this legislation.

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

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

Mr. Speaker, I also urge our colleagues to support this resolution. I want to commend the gentleman from New York (Mr. ACKERMAN), our colleague, for introducing this resolution and recognizing the service of Dr. Stavisky in this way.

Mr. Speaker, I yield to him the balance of my time.

Mr. ACKERMAN. Mr. Speaker, I rise today in support of H.R. 5923, a bill that would designate the United States Postal Service facility located at 29–50 Union Street in Flushing, New York, as the Dr. Leonard Price Stavisky Post Office. It is more than fitting that a Federal facility be named after Leonard in a community that he so ably represented for so many years; and I note for the record that the bill is cosponsored by every Member of the New York State delegation, both sides of the aisle.

Leonard was born in the Bronx and graduated from City College of New York in 1945. He continued his studies by earning a Master of Arts degree from Columbia University in 1946. He capped off his education with a doctorate in American History from Columbia in 1958.

Leonard had a long and illustrious first career in academia, spending more than 30 years working and teaching at Colombia University, the State University of New York, the City University of New York, Colgate University, Long Island University, and Virginia Polytechnic Institute and State University. He taught history and political science and worked at the administration level as well.

Until 1990, Leonard was an adjunct professor of political science at Columbia's School of International and Public Affairs. His extensive background in education enabled him to be a strong and effective advocate and expert on education issues during his legislative career.

Leonard earned his political stripes while serving on the New York City Council from 1954 to 1960. He was elected to the New York State Assembly in 1966, served as chairman of the Education Committee for more than 8 years. As chairman of the committee, he became an outspoken and passionate advocate of State support for public education.

In 1975, Leonard sponsored the legislation that prevented severe budget cuts in New York City's public schools in the wake of the city's severe financial crisis.

Leonard became my successor in the New York State Senate; and there he continued his fervent support of public education, including pushing for fiscal autonomy for the State University of New York.

At the national level, Leonard served as a commissioner on the Education Commission of the States and was chairman of the Education and Labor Committee of the National Conference of State Legislatures.

□ 1800

In these capacities he was a tireless advocate for States on educational issues involving the Federal Government and school districts across the Nation.

Mr. Speaker, most of all, Leonard passionately represented Flushing, New York, in the Borough of Queens during his time in the New York State assembly and senate until his untimely death in 1999. He was active in all phases of community affairs, especially in Flushing. He served on the boards of directors of the Bay Community Volunteer Ambulance Corp., the Latimer Gardens Community Center, the Bland Houses Community Center, the Dwarf-Giraffe Boys League, the Flushing Boys Club, and the North Flushing Senior Center.

In addition, he worked closely with the Mitchell-Linden Civic Association on numerous local issues. The members of this association have sought to honor Senator Stavisky by renaming the post office in their community after him. Dr. Stavisky could have comfortably stayed on in the academic field his entire career. Rather, he chose to selflessly participate in the political process in order to effectuate the policies he thought necessary to further public education.

I would like to note, Mr. Speaker, that Leonard's wife, Toby, is carrying on Leonard's work, elected in her own right as the senator from New York's 16th State senate district, succeeding Leonard after his passing. Toby is the first woman elected to the State senate from Queens County. Leonard and Toby's son, Evan, is a prominent political consultant in New York.

Mr. Speaker, Leonard Price Stavisky's life of hard work, perseverance, and selflessness brought integrity and dignity to public office. It is appropriate to pay tribute to his memory by renaming this post office in Flushing, Queens in his honor. I sincerely hope the whole House will join us in commemorating his decades of service to the people of Queens and to the city and State of New York, and I urge all to support H.R. 5923.

Mr. CROWLEY. Mr. Speaker, it is with great honor and respect that I rise today to pay tribute to my late colleague and dear friend, Leonard Stavisky, and to pledge my support for the renaming of a post office in Queens on his behalf. I wish to thank the dean of the Queens County Delegation and Senator Leonard Stavisky's predecessor in Albany, Congressman GARY L. ACKERMAN for bringing this fitting tribute to our attention today.

Leonard Stavisky was a giant in Queens County politics. I had the pleasure of getting to know Leonard during our time shared in Albany. I served in the State Assembly and Leonard was a senior Member of the State Senate. Leonard was a lifelong New Yorker who was deeply committed to leaving his community better than he had found it. Passionately devoted to all issues impacting his native Queens, Leonard worked particularly hard to ensure that all individuals had access to a quality education. He served admirably as Chairman of the State Assembly Education Committee and as Ranking Member of the Senate Higher Education Committee. Leonard also strived to personally reach the lives of New York City students in his role as administrator at Queensborough Community College and at his alma mater, City College. It is perhaps this quality, his deep and honest care for the welfare of all individuals, which we will remember most about Leonard and mourn deepest.

After Leonard's passing, his widow, Toby Ann Stavisky, was elected to the State Senate to replace him. Senator Toby Stavisky was the first woman elected to the State Senate from Queens County and continues to serve as a strong advocate for working families in the footsteps of her late husband. I am proud that she continues his fight in Albany. I also wish to recognize Leonard and Toby's son, Evan, who worked on his father's campaign and helped elect his mother to the State Senate. He is a successful communications consultant today.

I wholeheartedly support the renaming of the post office in Flushing as the Dr. Leonard Price Stavisky Post Office not only as a tribute to Leonard's career but as a memory of our friendship and his lasting impact on Queens. I congratulate his family on this memorial.

Mr. ACKERMAN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. TOM DAVIS) that the House suspend the rules and pass the bill, H.R. 5923.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

URGING THE PRESIDENT TO APPOINT A PRESIDENTIAL SPECIAL ENVOY FOR SUDAN

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 992) urging the President to appoint a

Presidential Special Envoy for Sudan, as amended.

The Clerk read as follows:

H. RES. 992

Whereas in July 2004, the United States House of Representatives and Senate declared that the atrocities in the Darfur region of Sudan constitute genocide, and the Bush administration reached the same conclusion in September 2004, when then Secretary of State Colin Powell stated that ''the evidence leads us to the conclusion that genocide has occurred and may still be occurring in Darfur'';

Whereas an estimated 300,000 to 400,000 people have been killed by the Government of Sudan and its Janjaweed allies since the crisis began in 2003, more than 2,000,000 people have been displaced from their homes, and more than 250,000 people from Darfur remain in refugee camps in Chad;

Whereas some rebel factions, which have targeted civilians in the Darfur region, have intensified their attacks even after the signing of the Darfur Peace Agreement in May 2006;

Whereas the United Nations Under-Secretary General for Humanitarian Affairs, Jan Egeland, in late August 2006 stated that ''[i]nsecurity is at its highest level since 2004, access at its lowest levels since that date, and we may well be on the brink of a return to all-out war'';

Whereas despite the signing of the Darfur Peace Agreement in May 2006, violence against civilians, peacekeepers, and humanitarian workers continues unabated; and an estimated 12 humanitarian workers have been killed in Darfur, including a nurse in September 2006;

Whereas in August 2006, the Government of Sudan began to deploy thousands of government troops for a major offensive in Darfur, once again threatening a major humanitarian catastrophe and risking the safety and security of millions of civilians;

Whereas according to the Government of Sudan's plan, in a document submitted to the United Nations Secretary–General Kofi Annan, the Government of Sudan plans to deploy approximately 26,500 additional troops and 7,050 additional police to Darfur;

Whereas the objectives of this deployment are ''to deal with the threats posed by the activities of groups that have rejected the Darfur Peace Agreement and to gain control over the security situation and achieve stability in Darfur'';

Whereas the United Nations Security Council passed a resolution expanding the mandate of the United Nations Mission in Sudan (UNMIS) for the additional deployment of 17,300 peacekeeping troops and 3,300 civilian police personnel as well as 16 formed police units to Darfur;

Whereas President Omar Bashir of Sudan has rejected the deployment of a United Nations peacekeeping force to Darfur, even as First Vice President Salva Kiir has publicly stated his support for the deployment of a United Nations peacekeeping mission to Darfur;

Whereas implementation of the Comprehensive Peace Agreement (CPA) between the Government of Sudan and the Sudan People's Liberation Movement (SPLM) is slow, raising serious concern about the commitment of the Government of Sudan to fulfill its responsibilities;

Whereas in July 2005, although the Abyei Boundary Commission, established to define and demarcate the area of the nine Ngok Dinka chiefdoms, finished its work and submitted its report to President Bashir, the President has yet to implement the conclusions of the Commission, as called for in the Comprehensive Peace Agreement;

Whereas the reconstruction and development of Southern Sudan and other marginalized areas remains a major challenge, while the return of refugees and displaced people to their homes in Darfur will require major financial commitments and the establishment of a secure and safe environment throughout Darfur;

Whereas in order to tackle these many and difficult challenges, the appointment of a Presidential Special Envoy for Sudan with a robust mandate and access to, and support of, senior Administration officials, including the President, is crucial;

Whereas Members of Congress, leading foreign policy experts, and many nongovernmental organizations have called repeatedly for the appointment of a Presidential Envoy for Sudan to effectively represent the United States Government in heading off a further escalation of genocide in Darfur;

Whereas United States Government officials have diligently pursued peace agreements to end the North-South conflict and the Darfur conflict and the United States Government has provided more than $2 billion in assistance to help the suffering people of Sudan; and

Whereas during a speech before the United Nations General Assembly on September 19, 2006, President George W. Bush announced the appointment of Andrew Natsios to serve as Presidential Special Envoy for Sudan: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the many years of tireless efforts of United States officials who have helped secure the Comprehensive Peace Agreement and the Darfur Peace Agreement;

(2) strongly supports the appointment of an adequately staffed Presidential Special Envoy for Sudan with a robust mandate to develop and coordinate United States policy toward Sudan with regular access to senior Administration officials; and

(3) strongly urges the mandate of the Presidential Special Envoy for Sudan to include—

(A) deterring a further escalation of violence and humanitarian disaster in the Darfur region of Sudan while ensuring civilians are adequately protected and the Darfur Peace Agreement is fully implemented;

(B) facilitating the development of an international peacekeeping mission to Darfur with a mandate to protect civilians and humanitarian workers;

(C) ensuring implementation of the Comprehensive Peace Agreement, which ended the 21-year civil war in Southern Sudan, Nuba, Southern Blue Nile, and Abyei and helping secure a just peace in Eastern Sudan;

(D) coordination of reconstruction and development work in Southern Sudan and other marginalized areas;

(E) coordination and monitoring of the return of refugees and displaced people to their homes in Darfur and southern Sudan;

(F) securing and consolidating peace in Northern Uganda by working closely with the Government of South Sudan and the Government of Uganda;

(G) coordination of efforts to ensure implementation of the transformation of the Sudan People's Liberation Army (SPLA) into a professional armed force;

(H) work toward achieving a peaceful, stable, and democratic Sudan by ensuring that free and fair elections are held, as called for in the Comprehensive Peace Agreement, by coordinating and implementing programs necessary to achieve these objectives; and

(I) coordination of efforts to work toward achieving accountability for the crimes committed in Darfur by working closely with relevant individuals and entities engaged in this area.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the challenges we face today in Sudan are perhaps among the most difficult of our time. The interminable war between Khartoum and the rebels in the south claimed the lives of over 2 million people and was punctuated by brutalities that strain our credulity. The United States poured hundreds of millions of dollars into humanitarian relief for Sudan, but never bothered to effectively engage in a high-level effort to resolve the conflict until 2001 when President Bush appointed Senator John Danforth to serve as a Special Envoy to Sudan.

With Senator Danforth's leadership, the Comprehensive Peace Agreement for Sudan was signed in January of 2005, presenting a historic opportunity for peace, economic development, and democratic aspirations in southern Sudan. Unfortunately, implementation of the peace agreement has been slow and many difficult challenges lie ahead.

While the international community focused on resolving the war in the south, a genocidal campaign was unleashed by the government of Sudan in the Darfur region of western Sudan. As many as 400,000 people have died since 2004, and more than 2 million others have been forced from their homes. Once again, the U.S. Government provided millions of dollars to meet the immediate humanitarian needs of those most affected by the conflict, including more than $150 million to support the deployment and operations of the African Union peacekeepers in Darfur. This time, however, the U.S. immediately engaged at the highest levels to seek a resolution to the conflict.

Two years of intense negotiations, with significant engagement by President Bush himself, finally yielded a peace agreement between the Government of Sudan and the largest rebel faction in Darfur, the SLA, in May of this year. Unfortunately, the agreement has not held and the Sudanese Government has launched military operations against its own civilian population in Darfur.

Mr. Speaker, the United States has significant human rights and security

interests at stake in Sudan. Recall that in 1996 the Sudanese Government made Osama bin Laden available to American law enforcement officials, a point that Salah Gosh reiterated to me with a great deal of sarcasm when I met with him 14 months ago in Khartoum. That offer, as we know, was refused.

We cannot afford to repeat those mistakes of the past. The United States needs a rational, well coordinated policy towards Sudan that puts an end to the violence and terrorism and human rights abuses at the core of our relationship. It is in this context that I welcome, and we welcome as a body, the President's appointment of Andrew Natsios to serve as the Presidential Envoy for Sudan.

The resolution before us today, authored by our good friend and colleague, Chairman FRANK WOLF, H. Res. 992, strongly supports the appointment of the Special Envoy for Sudan and suggests a roadmap for the formation of a comprehensive responsible policy towards Sudan.

It states that the Special Envoy's mandate should include all efforts to consolidate peace throughout Sudan, including by ensuring full implementation of the Darfur Peace Agreement and the Comprehensive Peace Agreement. The mandate should also include helping to secure a just and equitable peace in eastern Sudan, supporting reconstruction efforts and the return of displaced persons to the Darfur and southern Sudan and addressing the inextricably linked conflict in northern Uganda.

In essence what will be the Special Envoy's responsibility to ensure that we do not repeat the mistakes of the past by focusing solely on the crisis in Darfur at the expense of solidifying the north-south peace accord and resolving the conflict in the east; by allowing the potential for peace in southern Sudan to blind us to the grave human rights tragedies continuing to unfold in Darfur; and by allowing the government of Sudan's reported cooperation in the war on terror to outweigh human rights concerns in the region. They must be paramount. And also to allow those same human rights concerns to compromise our ability to protect our own citizens.

Again, this is a good resolution. I would note parenthetically that originally it called for the creation, this resolution by Mr. WOLF, of a Special Envoy. Thankfully, events have overcome the resolution and now we are congratulating the administration for doing just that, creating a Special Envoy for Sudan.

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

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

I rise in strong support of this resolution. I would first like to commend my good friend from Virginia, Congressman FRANK WOLF, who serves with me as co-chair of the Congressional Human Rights Caucus, for introducing this most important measure. I also want to congratulate former USAID Administrator Andrew Natsios on his recent appointment as Presidential Special Envoy responsible for addressing the crisis in Darfur and for coordinating our policies towards Sudan.

Mr. Natsios brings a remarkable lifetime of experience to this very challenging task. Throughout his career, he has faced many humanitarian and disaster situations, and he has performed brilliantly. The crisis in Darfur will require aggressive diplomacy for which Mr. Natsios is well suited.

Mr. Speaker, 2 years ago this Congress found the atrocities taking place in Darfur were genocide. We thought that this declaration would trigger an outpouring of diplomatic efforts worldwide to rescue the victims of Khartoum's methodical madness. Rather than welcoming our clear-cut declaration, many around the world continued to wring their hands. Some even indulged in a specious debate as to whether the tragedy in Darfur was even a genocide. For too many the term ''genocide'' created the specter of accountability, which few individual leaders and fewer governments and institutions were willing to contemplate.

This same paralysis struck the international community, including our own government, in 1994, when the Rwandan genocide unfolded before us with lightning speed, 1 million people massacred in 100 days. In the aftermath of the genocide in Rwanda, leaders uttered the familiar phrase ''never again,'' never again would the world stand by and allow genocide to take place while we stood by and did nothing about it.

But for 3 years, Mr. Speaker, genocide has been unfolding in Darfur, and the international community has been excruciatingly slow to act.

Mr. Speaker, this Congress and the American people have not given up. Today we are voting on three separate measures that address the crisis in Darfur, including the one before us at the moment. The genocide must stop. Lives must be saved. The people of Darfur must be made whole again and a permanent and just peace must come to Darfur.

Mr. Speaker, I support this resolution because sustained and intensive diplomatic efforts at the highest levels are needed. The Special Envoy must not only engage the parties to the conflict in Darfur. He also will need to galvanize the international community to bring lasting peace to Darfur.

I strongly support this resolution and urge all of my colleagues to do so as well.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Virginia, Chairman FRANK WOLF, author of the resolution.

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

Mr. WOLF. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I stand in strong support of H. Res. 992, supporting the appointment of a Presidential Special Envoy; also, H. Res. 723, calling for the President to take immediate steps to improve the security situation in Darfur; and H.R. 3127, the Darfur Peace and Accountability Act.

I want to commend and personally thank Chairman HYDE, Mr. LANTOS, Mr. PAYNE, and Mr. SMITH of New Jersey and their staffs for all the efforts that have gone into this.

Last week at the United Nations, the President renewed our country's commitment to finding peace in Sudan by appointing Andrew Natsios as a Presidential Special Envoy for Sudan. Andrew has a big task ahead of him, but I am confident he goes into this position with the respect of the administration and determination to see peace in Sudan and somebody who understands the issue having been there on numerous occasions. We all support him in this endeavor.

The people of Sudan, north, south, Darfur, all of Sudan, have suffered for too long. What is needed now is immediate action. The women and children are counting on us to end their nightmare. No human should ever have to live through and endure what these people are living through. I have seen through my own eyes during my latest trip to Sudan just 2 years ago the suffering people of Darfur. I visited five refugee camps, all sprawling tent cities jam-packed with thousands of displaced families. Also having visited Sudan in other cases, I have seen the suffering that went on in the north-south issue, people in the south and in the north.

So as Mr. SMITH said, this does not only deal with Darfur but also is to make sure that the north-south peace agreement continues to stay alive.

I watched the barbarous Janjaweed militiamen, who are carrying out these attacks, sitting astride camels and horses just a short distance from where young and old sought what they had hoped would be a safe harbor.

In the face of genocide, the international community has been paralyzed to act. The United States Government has led this effort in trying to bring peace in Sudan. Heroes like Roger Winter and others have dedicated their careers to the people of Sudan and should be commended.

But, unfortunately, all of the diplomatic efforts that have been made over the last 3 years have failed to bring peace in Darfur. As we stand here, bombers are taking off, Antonov bombers, strafing villages. Soviet Hind helicopters fly in and attack the villages. Women and children are fleeing for their lives. The Janjaweed militia has continued to rape and kill, wiping out generations of people in Darfur. It is unacceptable, and the world must act.

All three of these measures make it a priority to end the genocide and work to bring a lasting peace for the people of Sudan.

I want to again commend the House for the strong stand. I want to commend Mr. HYDE, who has been a champion on these issues for so many, many times, in a bipartisan effort. I also want to thank Mr. LANTOS. Every time one of these issues comes down on the floor, it is LANTOS who is sitting over there.

□ 1815

And, lastly, I want to thank my good friend, Mr. SMITH, who, quite frankly, on these issues of human rights and religious freedom over the 26 years that I have served with him, he has done more I think than perhaps any other person that has ever served in this institution from the very, very beginning. But it is always HYDE, LANTOS, SMITH. It is almost like a baseball game and the three.

And, also, I also want to thank DON PAYNE. DON PAYNE has been faithful, loyal, always there, always speaking out, always there. Has been there, I do not how many times, but also I want to thank Mr. PAYNE, and there are so many other Members.

But these four, HYDE, LANTOS, PAYNE and SMITH, have been the ones that have really made a tremendous difference. And others again, I stipulate, care about this thing deeply. But it just seems that every time there is a human rights issue on the floor, they are the people that are down there.

So I urge that we pass this thing with a majority vote and send a message to the government of Khartoum.

Mr. LANTOS. Mr. Speaker, I want to thank my friend from Virginia for his most generous comments, and I yield 3 minutes to the ranking member of the Africa Subcommittee, the gentleman from New Jersey (Mr. PAYNE), my good friend and distinguished colleague, who is our leader on issues relating to Africa.

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

Mr. PAYNE. Mr. Speaker, I rise in strong support of H.R. 3127, the Darfur Peace and Accountability Act, a bill which I have worked on for more than a year with many others. I am glad to see it come to the floor again for final passage.

Let me just say that the bills that are being discussed today, H.R. 3127, the Darfur Peace and Accountability Act of 2006; H.R. 723, calling for the President to take immediate steps to help improve the security in Darfur; and H. Res. 992, urging the President to appoint special envoys for Sudan; really speaks out that we are sick and tired of being sick and tired.

We continue to say to Khartoum that they must stop the genocide. It will not be tolerated. President Bashir, the National Congress party officials, Janjaweed commanders and murderers, and others responsible for genocide must be held accountable and will be brought to justice. This bill is just the first step.

I want to thank Chairman HYDE for working with our Democratic members of the Subcommittee on Africa, Global Human Rights and International Operations.

I also would like to repeat what Congressman WOLF said, that Congressman LANTOS has been a steadfast leader on issues of genocide. And as he being a genocide survivor, a Holocaust survivor, we know of his strong passion for this issue, and so we really appreciate his leadership.

There are key provisions in this legislation, Section 7 and Section 8. We want to first say that a peaceful resolution must happen in Darfur, and the Comprehensive Peace Agreement we think is a step towards that to happen.

Section 8 of the legislation exempts the south and the three marginalized areas, deals with a number of issues that have been summarized in the bill.

But let me just conclude by saying that there was an additional provision in the original bill, though, that I just would like to mention briefly, of Congresswoman BARBARA LEE, which dealt with States having the ability to withhold pension funds from businesses that are operating in Sudan.

Unfortunately, this was removed by the Senate. We hope to see this legislation, this language put back in, because we believe that States should have the right to divest from companies doing business, international companies doing business in Darfur; and we will continue to work towards that end.

And so, Mr. Speaker, I thank the leadership for moving this bill forward.

Mr. SMITH of New Jersey. Mr. Speaker, I reserve the balance of our time.

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. LEE), always a strong voice on human rights.

Ms. LEE. Mr. Speaker, let me thank the gentleman from California, our ranking member, for yielding and for your leadership. I also want to thank Chairman SMITH. I want to thank Mr. PAYNE for your leadership and for helping to get this bill this far.

This is a good step in a direction that I hope will ultimately stop the slaughter, stop the genocide, protect the people of Darfur and allow the people of Darfur to go home.

Over 2 million people have been displaced. We hear upwards of 450,000 people have been killed. This is a horrific genocide. We need the world community to say no, and we need to make sure that the young people who have been working and organizing throughout the country and raising their voices saying ''not on our watch'' that this is not on our watch and that we on our watch allow for the genocide to end.

You do remember very clearly that over a million people were killed in Rwanda. And what we did, unfortunately, was sit back and say later that we were sorry. This should not ever happen again. Not on our watch will it happen again.

So I think even with the difficulties we have had with the language remaining with regard to not preempting States in their divestment movements, this is, again, a good first start.

I just want Members in this body to know, especially, that we are coming back on divestment, because it makes no sense to allow companies with holdings in the Sudan to continue to do this type of business. Pension funds should not have blood in their banks, and that is exactly what has happened.

The people in the United States of America do not want genocide to take place with their money. That is what is taking place. And so we need to allow the wishes and the desires of people throughout the country, including in New Jersey, and today California signed its divestment legislation, Illinois, there are many States that are moving forward.

So we are going to come back with our divestment legislation so that this Federal law will not preempt it.

So thank you again, Mr. LANTOS and Mr. SMITH.

Mr. Speaker, I would like to thank Chairman CHRIS SMITH and Ranking Member DON PAYNE for their hard work on H.R. 3127, the Darfur Peace and Accountability Act but have concerns on versions emerging from the other body.

We all agree that the systematic displacement, torture and slaughter of millions in Darfur must be stopped.

However, the legislation before us today is not the same bipartisan bill that received almost unanimous support in the House of Representatives in April of this year—and then awaited consideration in the other body for nearly 6 months.

Mr. Speaker, the original H.R. 3127 legislation that the House approved contained all the steps necessary to bring about peace and justice for the victims in Darfur and criminal penalties and financial sanctions against those who perpetrated the genocide.

H.R. 3127 still contains many strong provisions including: immediately mobilizing support to expand the African Union mission, blocking assets and restricting travel of any individual the President determines is responsible for acts of genocide, war crimes, or crimes against humanity in the Darfur region; and offering U.S. support for the International Criminal Court's efforts to prosecute those responsible for acts of genocide in Darfur.

However, Mr. Speaker, this bill falls short on the issue of divestment.

The bill that came out of the House International Relations Committee and passed by the House included an amendment I authored on divestment.

In particular, the language that was included in the House-passed bill provides pre-emptive protections for states and universities who are mounting divestment campaigns throughout our Nation.

States and localities, and colleges and universities across the Nation have passed legislation mandating divestment of State funds

from companies that conduct business in Sudan.

Mr. Speaker, divestment works.

The lessons from South Africa taught us that divestment is an effective tool—and clearly it's time we hit Khartoum where they'll feel it most, in their pocket books.

We should not provide cover to businesses whose profits maintain Khartoum's systematic torture, rape, murder and displacement of millions.

And moreover, I am profoundly disappointed at my colleagues in the other body.

By removing this key provision, they are sending a message to states and universities nation-wide that stopping divestment is ultimately more import than stopping the genocide.

Without the Lee Section 11 Divestment language a message is also going out to Khartoum and the companies that have been sheltered by the removal of this language—the message is "With a wink and an eye your profits are more important than the Darfur people.

I will support this bill. But, Mr. Speaker, I will also continue to fight to ensure preemption protections for states and communities and other bodies pursuing divestment strategies.

That is why I introduced H.R. 6140, a bill that bars Federal contracts with firms doing business with Sudan but also protects states' ability to divest their pension funds from such companies.

Mr. Speaker we have a moral responsibility to use every tool at our disposal to stop the genocide. And divestment is a powerful tool and should have been part of the legislation we are considering today.

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman from California. There is certainly no doubt in your leadership on these issues.

The chairman, Chairman SMITH, and the members of the International Relations Committee, Members of this Congress, this is time for robust action. Frankly, it is time for rolling up the sleeves and the heavy lifting.

Mr. Speaker, I want to congratulate the distinguished gentleman from New Jersey for his persistence on passing the accountability bill and the declaration of genocide. It has been a long journey. We passed it. We are back again. But the people of Darfur cannot take any more bumps in the road, the constant pain of the violence and abuse against women and children and men, the constant moving, the increasing number of refugees, the violence against refugees, the Janjaweed and others.

The government is continuing to play the blame game. It is vital that the envoy have a robust mandate and be able to energize the negotiations that are going on or that are not going on. The President of Sudan has to be addressed and has to be admonished, and then we need NATO to be able to ensure that there is security and that they are much involved in pushing the Sudan.

We need Egypt, we need Jordan, we need Algeria, we need Libya to encourage the president of Sudan to stand down. It is extremely important that we are reminded of the necessary humanitarian aid that is vital in the cause of saving lives.

We need to save lives. Chad cannot take any more of a burden than what it already has. And having been to the camps in Chad, spoken to women who would not look you in the face because they had been raped over and over again, Mr. Speaker, this is a monumental crisis. We must not leave this place, the Senate must not leave the place, the President must not let this Congress go out without signing legislation so that the protection of those who are now under attack can be ensured.

I hope that the presidential envoy will have the robust mandate to push the United Nations and the African Union and the United Nations peacekeepers to ensure peace in the region. I ask for support of these initiatives.

Mr. Speaker, I rise today in strong support of H. Res. 992, which urges the President to appoint a Presidential Special Envoy for Sudan.

The appointment of a Presidential Special Envoy for Sudan with a robust mandate and access to, and support of, senior administration officials, including the President, is crucial. Just a few months ago, we passed the Emergency Supplemental Act, which included $250,000 to appoint this special envoy. It is imperative that the President move rapidly to appoint this envoy, that envoy has now been appointed and his mandate must be vigorous and unyielding for peace and security in Darfur.

The genocidal regime in Sudan has left 2.5 million people displaced and at least 400,000 people dead in Darfur. Due to increasing violence, 15,000 innocent civilians continue to die each month. Genocide cannot continue on our watch; the United States must move towards effective action against this most terrible crime. The United Nations Secretary General has described the situation in Darfur as "little short of hell on earth." Expert John Prendergast calls it "Rwanda in slow motion." The United States Congress and administration are on record as declaring that the atrocities being committed in Darfur, Sudan are genocide.

Until the security situation vastly improves, the people of Sudan will experience increasingly long-term adversity. Civilians can't plan on stability in the future. They can't grow crops, or raise livestock, if there is a likelihood—not a chance, a likelihood—that roving government-sponsored militias will beat, rape, or kill them if they wander outside the protection of makeshift camps. And these government-sponsored criminals burn fields the people have managed to grow, and steal or slaughter the livestock the people have managed to keep.

Over 400,000 people have died in the Darfur conflict since 2003, with 3.5 million people driven into hunger, and another 2.5 million displaced due to violence. Imagine if the entire city of Las Vegas had perished at the hands of government-sponsored bandits, the population of Los Angeles was starving, and both the cities of Houston and Atlanta had all relocated due to conflict. The upheaval of the South after Hurricane Katrina is our closest reference to understanding the devastation Sudan is experiencing, and yet the scale in Sudan is overwhelming. We should all be quaking with anger.

Human rights are not for any government to give and take—they are inherent, self-evident, and vital, as our founding fathers understood so well. We should not be complacent when such rights are violated or refused—we must use what power we have to ensure that people are free to live and thrive safely.

We must work to deter any escalation of violence, and provide unwavering assistance to diffuse the current strife. I commend the tireless efforts of United States officials who have helped secure the Comprehensive Peace Agreement and the Darfur Peace Agreement. And yet there is much to be done, the welfare of a nation lies within our hands.

Our role is clear, and we must do what we can to alleviate the desperation of the civilians caught in the mayhem in Sudan. I urge my colleagues to support this measure.

Mr. RANGEL. Mr. Speaker, I rise in support of H.R. 3127, H. Res. 723 and H. Res. 992 and to call your attention to the rapidly deteriorating situation in Darfur. I join the sponsors of these bills in an effort to express our support of urgent action by the U.S. Government to intervene to stop the genocide which is now occurring. Since the conflict began in 2003 hundreds of thousands of people have died. Nearly 2,000,000 people have been internally displaced, more than 3,000,000 people are dependant on international assistance to survive, and nearly 220,000 refugees are seeking protection in neighboring Chad. And although the UN has deployed nearly 13,000 humanitarian aid workers, the support offered to the region is not enough. In spite of the presence of African Union Mission in Sudan (AIMS) forces, the Sudanese government as well as militia men persists in flagrantly ignoring terms outlined in peace agreements resulting in continued genocidal violence and crimes against humanity. As reported by the International Commission of Inquiry on Darfur "the extensive destruction and displacement have resulted in a loss of livelihood and the means of survival for countless women, men and children." Each day hundreds of innocent civilians are killed, raped, and forced to flee their homes. The world is failing Darfur. The United States is failing Darfur.

Despite continued talk of the United States' commitment to liberate people from tyrannical dictators, spread democracy around the world, and fighting terrorism; we continue to tacitly permit the isolation, displacement, and murder of thousands of people throughout the region. We cannot continue to bear silent witness to the massacres. We must act now.

How long will we allow a government which permits attacks and killings of so many of its citizens to refuse aid? How long will we watch as humanitarian aid workers are killed in the line of duty? How long will we continue to talk about genocide without responding? During a subcommittee on Africa, Global Human Rights and International Operations House International Relations Committee testimony, Roger P. Winter, former special representative

on Sudan of the Deputy Secretary of State asserted "Sudan's National Congress Party is controlled by an intellectually-capable, radically committed, conspiratorial and compassionless nucleus of individuals, long referred to as the National Islamic Front (NIF)." Substantiating the fact that the Sudanese government is responsible for perpetuating the atrocities occurring throughout the Sudan, especially in Darfur, Mr. Winter's comments also underscore the necessity for both the United Nations and the United States to step up to the plate.

Let us be clear. The situation is getting worse and it will continue to worsen should we stand idle. In violation of previous agreements, aerial bombings of villages using helicopter gunships have begun. Twelve humanitarian aid workers have been killed in the last two months and 25 humanitarian aid vehicles have been hijacked. The Sudanese government is still opposing a UN force, and has been threatening to throw out the AU if they transition into a UN force, and members of the Sudanese armed forces are disguising themselves and their vehicles to look like those of the AU. Something must be done to stop these atrocities.

There are several steps that can be taken to begin to address some of the egregious wrongs occurring throughout Sudan, particularly in Darfur. We must work both collectively with other governments as well as independently to enforce the provisions outlined in H.R. 3127, the Darfur Peace and Accountability Act including: reinforcing the deployment and operations of an expanded AU peace keeping force; restricting travel of individuals and associates directly responsible for acts of genocide, war crimes, or crimes against humanity in Sudan; and withholding, from the Sudanese government, profits from and/or related to oil and oil related ventures. Immediate deployment of UN peacekeeping forces in accordance with UN SC Res 1706, and implementation of all previously passed UN SC resolutions such as a No Fly Zone and disarming the Janjaweed militia is needed.

In accordance with H. Res. 723 we must take steps toward improving the security situation in Darfur particularly with regard to protecting civilian life. It is of critical importance that we immediately implement an interim civilian protection force that is both well trained and adequately equipped to protect civilians remaining in Darfur as well as those seeking refuge in Chad. In light of a report by Human Rights Watch we must ensure that cross-border raids initiated by Sudanese government forces and Janjaweed militias are countered by stalwart peacekeeping forces backed by stronger mandates. Similarly, appropriations must be made to support the implementation of these forces as well as to fund the missions of both AMIS and NATO in Darfur.

We must also push for allies and other nations including China, India, Malaysia and Russia to extend their support for the Sudanese government. Echoing the sentiments of H. Res. 992 we must employ a special envoy to facilitate the development of an international peacekeeping force and ensuring the implementation of the Comprehensive Peace Agreement among other essential tasks.

Moreover, we must encourage local authorities to exercise their legal right and moral obligation to exercise discretion in how they invest their money. Divesting is one of the many ways that we can send the clear message that we will no longer stand by while hundreds of thousands of innocent people suffer. Lastly, we must ensure that the recently established presidential envoy has a solid, strong mandate, adequate support, and clear channels of communication with the President.

We cannot ignore the great responsibility resting upon our shoulders as a world leader. The people of Darfur can no longer afford to wait. We must hold true to our promises and to our convictions. We must stand up for humanity where human rights are being trampled, thousands are facing death.

Mr. LANTOS. Mr. Speaker, we have no additional requests for time, and we yield back the balance of our time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield back the balance of our time as well.

The SPEAKER pro tempore (Mr. FEENEY). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 992, 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. SMITH of New Jersey. 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.

CORRECTING ENROLLMENT OF H.R. 3127, DARFUR PEACE AND ACCOUNTABILITY ACT OF 2006

Mr. SMITH of New Jersey. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 480) to correct the enrollment of the bill H.R. 3127, and ask unanimous consent for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 480

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill H.R. 3127, an Act to impose sanctions against individuals responsible for genocide, war crimes, and crimes against humanity, to support measures for the protection of civilians and humanitarian operations, and to support peace efforts in the Darfur region of Sudan, and for other purposes, the Clerk of the House of Representatives is hereby authorized and directed to make the following corrections in section 8(c)(1) of the bill:

(1) Strike ''to support'' and insert ''and to support''.

(2) Strike ''and to implement'' and insert ''or to implement''.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 5059, proceeding de novo;

H.R. 5062, proceeding de novo;

H.R. 6102, by the yeas and nays.

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

Postponed votes on H.R. 5092, H.R. 4772, and H. Res. 992 will be taken tomorrow.

NEW HAMPSHIRE WILDERNESS ACT OF 2006

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 5059.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 5059.

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

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 223, nays 167, not voting 42, as follows:

[Roll No. 471]

YEAS—223

Aderholt	Cantor	Foxx
Akin	Capito	Franks (AZ)
Alexander	Carnahan	Frelinghuysen
Bachus	Carter	Gallegly
Baker	Chabot	Garrett (NJ)
Barrett (SC)	Chocola	Gerlach
Barrow	Coble	Gilchrest
Bartlett (MD)	Cole (OK)	Gingrey
Barton (TX)	Conaway	Gohmert
Bass	Costa	Gonzalez
Biggert	Crenshaw	Goode
Bilbray	Culberson	Goodlatte
Bilirakis	Cummings	Granger
Bishop (UT)	Davis (KY)	Graves
Blackburn	Davis, Jo Ann	Grijalva
Blunt	Davis, Tom	Gutknecht
Boehlert	Deal (GA)	Hall
Boehner	Dent	Harman
Bonilla	Diaz-Balart, L.	Hart
Bonner	Diaz-Balart, M.	Hastings (WA)
Bono	Doolittle	Hayes
Boozman	Drake	Hayworth
Boren	Dreier	Hefley
Boswell	Duncan	Hensarling
Bradley (NH)	Ehlers	Herger
Brady (TX)	Emerson	Hobson
Brown (SC)	English (PA)	Hoekstra
Brown-Waite, Ginny	Everett	Hostettler
Burgess	Feeney	Hulshof
Buyer	Ferguson	Hunter
Calvert	Fitzpatrick (PA)	Hyde
Camp (MI)	Foley	Inglis (SC)
Campbell (CA)	Forbes	Issa
Cannon	Fortenberry	Jindal
	Fossella	Johnson (CT)

Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
Kind
King (IA)
Kingston
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McKinney
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Oberstar
Osborne
Otter
Pearce
Pence
Petri
Pitts
Platts
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
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
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Udall (NM)
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—167

Abercrombie
Ackerman
Allen
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Blumenauer
Boyd
Brady (PA)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carson
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cuellar
Davis (AL)
Davis (CA)
Davis (TN)
DeFazio
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Flake
Frank (MA)
Gordon
Green, Al
Green, Gene
Hastings (FL)
Herseth
Higgins
Hinchey
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Maloney
Markey
Marshall
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Poe
Pomeroy
Price (NC)
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (MS)
Tierney
Towns
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—42

Andrews
Beauprez
Bishop (NY)
Boucher
Boustany
Brown (OH)
Brown, Corrine
Burton (IN)
Case
Castle
Cubin
Davis (FL)
Davis (IL)
DeGette
Evans
Ford
Gibbons
Gillmor
Green (WI)
Gutierrez
Harris
Hinojosa
Istook
Jefferson
Jenkins
Kilpatrick (MI)
King (NY)
Kirk
Matheson
Meehan
Millender-McDonald
Neal (MA)
Ney
Nussle
Oxley
Peterson (PA)
Pickering
Reynolds
Sanchez, Loretta
Strickland
Taylor (NC)
Weldon (PA)

□ 1900

Messrs. HIGGINS, POMEROY, BACA, Ms. ESHOO, Messrs. ORTIZ, DICKS, RYAN of Ohio, MELANCON, Ms. BERKLEY, Mr. FARR, Mr. LARSEN of Washington, Ms. SOLIS, Messrs. COOPER, MEEK of Florida, BUTTERFIELD, CUELLAR, Ms. SCHWARTZ of Pennsylvania, and Mr. ROSS changed their vote from ''yea'' to ''nay.''

Mr. BOSWELL changed his vote from ''nay'' to ''yea.''

So (two-thirds of those voting having not responded in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

NEW HAMPSHIRE WILDERNESS ACT OF 2006

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 5062.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Mexico (Mr. PEARCE) that the House suspend the rules and pass the bill, H.R. 5062.

The question was taken.

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

RECORDED VOTE

Mr. SANDERS. 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 220, noes 169, not voting 43, as follows:

[Roll No. 472]

AYES—220

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cramer
Crenshaw
Cuellar
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Granger
Graves
Gutknecht
Hall
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
Kind
Kingston
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McKinney
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Oberstar
Osborne
Otter
Pearce
Pence
Petri
Pitts
Platts
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
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
Terry
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Udall (NM)
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—169

Abercrombie
Ackerman
Allen
Baca
Baird
Baldwin
Becerra
Berkley
Berman
Berry
Bishop (GA)
Blumenauer
Boyd
Brady (PA)
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (TN)
DeFazio
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Flake
Frank (MA)
Gordon
Green, Al
Green, Gene
Grijalva
Hastings (FL)
Herseth
Higgins
Hinchey
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
King (IA)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Maloney
Markey
Marshall
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Obey
Olver
Ortiz

Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Poe
Pomeroy
Price (NC)
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (MS)
Tierney
Towns
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—43

Andrews
Beauprez
Bishop (NY)
Boucher
Boustany
Brown (OH)
Brown, Corrine
Burton (IN)
Case
Castle
Cubin
Davis (FL)
Davis (IL)
DeGette
Evans
Ford
Gibbons
Gillmor
Green (WI)
Gutierrez
Harris
Hinojosa
Istook
Jefferson
Jenkins
Kilpatrick (MI)
King (NY)
Kirk
Matheson
Meehan
Millender-McDonald
Neal (MA)
Ney
Nussle
Oxley
Peterson (PA)
Pickering
Reynolds
Sanchez, Loretta
Strickland
Taylor (NC)
Thomas
Weldon (PA)

□ 1908

So (two-thirds of those voting having not responded in the affirmative) the motion was rejected.

The result of the vote was announced as above recorded.

CAPTAIN CHRISTOPHER PETTY POST OFFICE BUILDING

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 6102, 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 Virginia (Mr. TOM DAVIS) that the House suspend the rules and pass the bill, H.R. 6102, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 383, nays 1, not voting 48, as follows:

[Roll No. 473]

YEAS—383

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Baca
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson
Carter
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutknecht
Hall
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
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
Manzullo
Marchant
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Northup
Norwood
Nunes
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pallone
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Petri
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
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.
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 (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
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)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Fattah

NOT VOTING—48

Andrews
Bachus
Beauprez
Bishop (NY)
Boucher
Boustany
Brown (OH)
Brown, Corrine
Burton (IN)
Carnahan
Case
Castle
Cubin
Davis (FL)
Davis (IL)
DeGette
Evans
Ford
Gibbons
Gillmor
Green (WI)
Gutierrez
Harris
Hinojosa
Istook
Jefferson
Jenkins
Kilpatrick (MI)
King (NY)
Kirk
Matheson
McKinney
Meehan
Millender-McDonald
Neal (MA)
Ney
Nussle
Oxley
Pascrell
Peterson (PA)
Pickering
Radanovich
Reynolds
Sanchez, Loretta
Smith (TX)
Strickland
Taylor (NC)
Weldon (PA)

□ 1916

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.

The title of the bill was amended so as to read: ''A Bill to designate the facility of the United States Postal Service located at 200 Lawyers Road, NW in Vienna, Virginia, as the 'Captain Christopher P. Petty and Major William F. Hecker, III Post Office Building'.''

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Ms. KILPATRICK of Michigan. Mr. Speaker, personal reasons require me to remain in the district, and I am unable to be present for legislative business scheduled for today, Monday, September 25, 2006. Had I been present, I would have voted "aye" on H.R. 5059, the New Hampshire Wilderness Act of 2006 (rollcall No. 471); "aye" on H.R. 5062, the New Hampshire Wilderness Act of 2006 (rollcall No. 472); and "aye" on H.R. 6102, designating the Captain Christopher Petty Post Office Building in Vienna, VA (rollcall No. 473).

PERSONAL EXPLANATION

Mr. GREEN of Wisconsin. Mr. Speaker, I was absent from Washington on Monday, September 25, 2006. As a result, I was not recorded for rollcall votes 471, 472, and 473. Had I been present, I would have voted "aye" on rollcall 471, 472, and 473.

PERSONAL EXPLANATION

Mr. BURTON of Indiana. Mr. Speaker, I was regrettably unable to be on the House Floor for rollcall vote 471—passage of H.R. 5059—New Hampshire Wilderness Act of 2006; rollcall vote 472—passage of H.R. 5062—New Hampshire Wilderness Act of 2006; rollcall vote 473—passage of H.R. 6102—Captain Christopher Petty Post Office Building Designation Act. Had I been present I would have voted "yea" for rollcall vote 471, "aye" for rollcall vote 472, and "yea" for rollcall vote 473.

CONFERENCE REPORT ON H.R. 5631, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2007

Mr. YOUNG of Florida submitted the following conference report and statement on the bill (H.R. 5631) making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes:

CONFERENCE REPORT (H. REPT. 109–676)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate 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'', having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2007

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2007, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $25,911,349,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $19,049,454,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $7,932,749,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $20,285,871,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $3,043,170,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,551,838,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $498,686,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $1,259,620,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $4,751,971,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, $2,067,752,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $11,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, $22,397,581,000: Provided, That of funds made available under this heading, $2,000,000 shall be available for Fort Baker, in accordance with the terms and conditions as provided under the heading ''Operation and Maintenance, Army'', in Public Law 107–117.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $6,129,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, $29,751,721,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, $3,338,296,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, $28,774,928,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, $19,948,799,000: Provided, That not more than $25,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: Provided further, That not to exceed $36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: Provided further, That of the funds made available under this heading, $5,000,000 is available for contractor support to coordinate a wind test demonstration project on an Air Force installation using wind turbines manufactured in the United States that are new to the United

States market and to execute the renewable energy purchasing plan: Provided further, That of the funds provided under this heading, not less than $26,837,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than $3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: Provided further, That $4,000,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: Provided further, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,957,888,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,223,628,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $199,032,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,563,751,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), $4,323,783,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, $4,831,185,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, $11,721,000, of which not to exceed $5,000 may be used for official representation purposes.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 2557, and 2561 of title 10, United States Code), $63,204,000, to remain available until September 30, 2008.

FORMER SOVIET UNION THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, $372,128,000, to remain available until September 30, 2009: Provided, That of the amounts provided under this heading, $15,000,000 shall be available only to support the dismantling and disposal of nuclear submarines, submarine reactor components, and security enhancements for transport and storage of nuclear warheads in the Russian Far East.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $3,502,483,000, to remain available for obligation until September 30, 2009: Provided, That $19,200,000 of the funds provided in this paragraph are available only for the purpose of acquiring one HH–60L medical evacuation variant Blackhawk helicopter only for the Army Reserve.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,278,967,000, to remain available for obligation until September 30, 2009.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,906,368,000, to remain available for obligation until September 30, 2009.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,719,879,000, to remain available for obligation until September 30, 2009.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; and the purchase of 3 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $255,000 per vehicle; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $7,004,914,000, to remain available for obligation until September 30, 2009.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $10,393,316,000, to remain available for obligation until September 30, 2009.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $2,573,820,000, to remain available for obligation until September 30, 2009.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $767,314,000, to remain available for obligation until September 30, 2009.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long leadtime components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program (AP), $791,893,000;

NSSN, $1,775,472,000;

NSSN (AP), $676,582,000;

CVN Refuelings, $954,495,000;

CVN Refuelings (AP), $117,139,000;

SSBN Submarine Refuelings, $189,022,000;

SSBN Submarine Refuelings (AP), $37,154,000;

DDG–1000 Program, $2,568,111,000;

DDG–51 Destroyer, $355,849,000;

Littoral Combat Ship, $520,670,000;

LPD–17 (AP), $297,492,000;

LHA–R, $1,135,917,000;

Special Purpose Craft, $2,900,000;

T–AGS Oceanographic Survey Ship, $117,000,000;

LCAC Service Life Extension Program, $110,692,000;

Prior year shipbuilding costs, $512,849,000;

Service Craft, $45,245,000; and

For outfitting, post delivery, conversions, and first destination transportation, $370,643,000.

In all: $10,579,125,000, to remain available for obligation until September 30, 2011: Provided, That additional obligations may be incurred after September 30, 2011, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: Provided further, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: Provided further, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only, and the purchase of 10 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $255,000 per vehicle; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, $4,927,676,000, to remain available for obligation until September 30, 2009.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, $894,571,000, to remain available for obligation until September 30, 2009.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $11,643,356,000, to remain available for obligation until September 30, 2009.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, $3,914,703,000, to remain available for obligation until September 30, 2009.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,054,302,000, to remain available for obligation until September 30, 2009.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only, and the purchase of 2 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $255,000 per vehicle; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $15,493,486,000, to remain available for obligation until September 30, 2009.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only, and the purchase of 5 vehicles required for physical security of personnel, notwithstanding prior limitations applicable to passenger vehicles but not to exceed $255,000 per vehicle; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, $2,903,292,000, to remain available for obligation until September 30, 2009.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons, and other procurement for the reserve components of the Armed Forces, $290,000,000, to remain available for obligation until September 30, 2009: Provided, That the Chiefs of the Reserve and National Guard components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective Reserve or National Guard component.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $63,184,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $11,054,958,000, to remain available for obligation until September 30, 2008.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $18,673,894,000, to remain available for obligation until September 30, 2008: Provided, That funds appropriated in this paragraph which are available for the V–22 may be used to meet unique operational requirements of the Special Operations Forces: Provided further, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $24,516,276,000, to remain available for obligation until September 30, 2008.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, $21,291,056,000, to remain available for obligation until September 30, 2008.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, $185,420,000, to remain available for obligation until September 30, 2008.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, $1,345,998,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, $1,071,932,000, to remain available until expended: Provided, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (that is; engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: Provided further, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: Provided further, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

PENTAGON RESERVATION MAINTENANCE REVOLVING FUND

For the Pentagon Reservation Maintenance Revolving Fund, $18,500,000, to remain available until September 30, 2011.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, ARMY

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions, to include construction of facilities, in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $1,277,304,000, of which $1,046,290,000 shall be for Operation and maintenance; $231,014,000 shall be for Research, development, test and evaluation, of which $215,944,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program, to remain available until September 30, 2008; and no less than $111,283,000 shall be for the Chemical Stockpile Emergency Preparedness Program, of which $41,074,000 shall be for activities on military installations and of which $70,209,000, to remain available until September 30, 2008, shall be to assist State and local governments.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for Operation and maintenance; for Procurement; and for Research, development, test and evaluation, $977,632,000: Provided, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $216,297,000, of which $214,897,000 shall be for Operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which $1,400,000, to remain available until September 30, 2009, shall be for Procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, $256,400,000.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Intelligence Community Management Account, $621,611,000, of which $36,268,000 for the Advanced Research and Development Committee shall remain available until September 30, 2008: Provided, That of the funds appropriated under this heading, $39,000,000 shall be transferred to the Department of Justice for the National Drug Intelligence Center to support the Department of Defense's counter-drug intelligence responsibilities, and of the said amount, $1,500,000 for Procurement shall remain available until September 30, 2009 and $1,000,000 for Research, development, test and evaluation shall remain available until September 30, 2008: Provided further, That the National Drug Intelligence Center shall maintain the personnel and technical resources to provide timely support to law enforcement authorities and the intelligence community by conducting document and computer exploitation of materials collected in Federal, State, and local law enforcement activity associated with counter-drug, counter-terrorism, and national security investigations and operations.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: Provided further, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: Provided further, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: Provided, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $4,500,000,000 of working

capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: Provided further, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section must be made prior to June 30, 2007: Provided further, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section: Provided further, That no obligation of funds may be made pursuant to section 1206 of Public Law 109–163 (or any successor provision) unless the Secretary of Defense has notified the congressional defense committees prior to any such obligation.

(TRANSFER OF FUNDS)

SEC. 8006. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: Provided, That transfers may be made between such funds: Provided further, That transfers may be made between working capital funds and the ''Foreign Currency Fluctuations, Defense'' appropriation and the ''Operation and Maintenance'' appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8007. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8008. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any 1 year of the contract or that includes an unfunded contingent liability in excess of $20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any 1 year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: Provided, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: Provided further, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: Provided further, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: Provided further, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: Provided further, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

C–17 Globemaster; F–22A; MH–60R Helicopters; MH–60R Helicopter mission equipment; and V–22 Osprey.

SEC. 8009. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: Provided, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: Provided further, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8010. (a) During fiscal year 2007, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2008 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2008 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2008.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8011. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8012. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: Provided, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: Provided further, That this section applies only to active components of the Army.

SEC. 8013. (a) LIMITATION ON CONVERSION TO CONTRACTOR PERFORMANCE.—None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by more than 10 Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) $10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b) EXCEPTIONS.—

(1) The Department of Defense, without regard to subsection (a) of this section or subsections (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (41 U.S.C. 47);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in

section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) TREATMENT OF CONVERSION.—The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(TRANSFER OF FUNDS)

SEC. 8014. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8015. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: Provided, That for the purpose of this section manufactured will include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): Provided further, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: Provided further, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8016. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, .30 caliber rifles, or M–1911 pistols.

SEC. 8017. No more than $500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8018. In addition to the funds provided elsewhere in this Act, $8,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): Provided, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: Provided further, That notwithstanding section 430 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part by any subcontractor or supplier defined in section 1544 of title 25, United States Code or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code: Provided further, That, during the current fiscal year and hereafter, businesses certified as 8(a) by the Small Business Administration pursuant to section 8(a)(15) of Public Law 85–536, as amended, shall have the same status as other program participants under section 602 of Public Law 100–656, 102 Stat. 3825 (Business Opportunity Development Reform Act of 1988) for purposes of contracting with agencies of the Department of Defense.

SEC. 8019. None of the funds appropriated by this Act shall be available to perform any cost study pursuant to the provisions of OMB Circular A–76 if the study being performed exceeds a period of 24 months after initiation of such study with respect to a single function activity or 30 months after initiation of such study for a multi-function activity.

SEC. 8020. Funds appropriated by this Act for the American Forces Information Service shall not be used for any national or international political or psychological activities.

SEC. 8021. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: Provided, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8022. (a) Of the funds made available in this Act, not less than $35,975,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) $25,087,000 shall be available from ''Operation and Maintenance, Air Force'' to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) $10,193,000 shall be available from ''Aircraft Procurement, Air Force''; and

(3) $695,000 shall be available from ''Other Procurement, Air Force'' for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8023. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other non-profit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: Provided, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2007 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2007, not more than 5,517 staff years of technical effort (staff years) may be funded for defense FFRDCs: Provided, That of the specific amount referred to previously in this subsection, not more than 1,060 staff years may be funded for the defense studies and analysis FFRDCs: Provided further, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2008 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by $53,200,000.

SEC. 8024. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: Provided, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: Provided further, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8025. For the purposes of this Act, the term ''congressional defense committees'' means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8026. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: Provided, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of

delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: Provided further, That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 8027. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2007. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term ''Buy American Act'' means title III of the Act entitled ''An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes'', approved March 3, 1933 (41 U.S.C. 10a et seq.).

SEC. 8028. Notwithstanding any other provision of law, funds available during the current fiscal year and hereafter for ''Drug Interdiction and Counter-Drug Activities, Defense'' may be obligated for the Young Marines program.

SEC. 8029. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8030. (a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of North Dakota, South Dakota, Montana, and Minnesota relocatable military housing units located at Grand Forks Air Force Base and Minot Air Force Base that are excess to the needs of the Air Force.

(b) PROCESSING OF REQUESTS.—The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of North Dakota, South Dakota, Montana, and Minnesota.

(c) RESOLUTION OF HOUSING UNIT CONFLICTS.—The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) INDIAN TRIBE DEFINED.—In this section, the term ''Indian tribe'' means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103–454; 108 Stat. 4792; 25 U.S.C. 479a–1).

SEC. 8031. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 8032. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2008 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2008 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2008 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8033. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2008: Provided, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: Provided further, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2008.

SEC. 8034. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8035. Of the funds appropriated to the Department of Defense under the heading ''Operation and Maintenance, Defense-Wide'', not less than $10,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8036. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term ''Buy American Act'' means title III of the Act entitled ''An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes'', approved March 3, 1933 (41 U.S.C. 10a et seq.).

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a ''Made in America'' inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality-competitive, and available in a timely fashion.

SEC. 8037. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: Provided, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8038. (a) Except as provided in subsection (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program; or

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats.

SEC. 8039. The Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, may use funds made available in this Act under the heading ''Operation and Maintenance, Defense-Wide'' to make grants and supplement other Federal funds in accordance with the guidance provided in the Joint Explanatory Statement of the Committee of Conference to accompany the conference report on the bill H.R. 5631.

(RESCISSIONS)

SEC. 8040. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

Shipbuilding and Conversion, Navy, 2005/2009, $11,245,000;

Aircraft Procurement, Air Force, 2005/2007, $108,000,000;

Other Procurement, Army, 2006/2008, $120,200,000;

Aircraft Procurement, Navy, 2006/2008, $76,700,000;

Aircraft Procurement, Air Force, 2006/2008, $141,100,000;

Missile Procurement, Air Force, 2006/2008, $142,000,000;

Research, Development, Test and Evaluation, Army, 2006/2007, $21,600,000;

Research, Development, Test and Evaluation, Navy, 2006/2007, $35,798,000;

Research, Development, Test and Evaluation, Air Force, 2006/2007, $92,800,000;

Research, Development, Test and Evaluation, Defense-Wide, 2006/2007, $120,700,000.

SEC. 8041. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, the Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8042. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of North Korea unless specifically appropriated for that purpose.

SEC. 8043. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: Provided, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8044. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: Provided, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8045. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8046. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: Provided, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That this restriction shall not apply to the purchase of ''commercial items'', as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8047. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8048. Notwithstanding any other provision of law, each contract awarded by the Department of Defense during the current fiscal year and hereafter for construction or service performed in whole or in part in a State (as defined in section 381(d) of title 10, United States Code) which is not contiguous with another State and has an unemployment rate in excess of the national average rate of unemployment as determined by the Secretary of Labor, shall include a provision requiring the contractor to employ, for the purpose of performing that portion of the contract in such State that is not contiguous with another State, individuals who are residents of such State and who, in the case of any craft or trade, possess or would be able to acquire promptly the necessary skills: Provided, That the Secretary of Defense may waive the requirements of this section, on a case-by-case basis, in the interest of national security.

SEC. 8049. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: Provided, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8050. (a) LIMITATION ON TRANSFER OF DEFENSE ARTICLES AND SERVICES.—Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on International Relations of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) COVERED ACTIVITIES.—This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) REQUIRED NOTICE.—A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8051. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8052. During the current fiscal year, no more than $30,000,000 of appropriations made in this Act under the heading ''Operation and Maintenance, Defense-Wide'' may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8053. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101–510, as amended (31 U.S.C. 1551 note): Provided, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: Provided further, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8054. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8055. Using funds available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: Provided, That in the City of Kaiserslautern such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: Provided further, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may

be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8056. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: Provided, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: Provided further, That this restriction does not apply to programs funded within the National Intelligence Program: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8057. Notwithstanding any other provision of law, funds available to the Department of Defense in this Act shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to American Samoa, and funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to the Indian Health Service when it is in conjunction with a civil-military project.

SEC. 8058. None of the funds made available in this Act may be used to approve or license the sale of the F–22A advanced tactical fighter to any foreign government.

SEC. 8059. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8060. (a) PROHIBITION.—None of the funds made available by this Act may be used to support any training program involving a unit of the security forces of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) MONITORING.—The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) WAIVER.—The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) REPORT.—Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8061. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop, lease or procure the T–AKE class of ships unless the main propulsion diesel engines and propulsors are manufactured in the United States by a domestically operated entity: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8062. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8063. Notwithstanding any other provision of law, funds appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'' for any new start advanced concept technology demonstration project may only be obligated 30 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8064. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8065. During the current fiscal year, refunds attributable to the use of the Government travel card, refunds attributable to the use of the Government Purchase Card and refunds attributable to official Government travel arranged by Government Contracted Travel Management Centers may be credited to operation and maintenance, and research, development, test and evaluation accounts of the Department of Defense which are current when the refunds are received.

SEC. 8066. (a) REGISTERING FINANCIAL MANAGEMENT INFORMATION TECHNOLOGY SYSTEMS WITH DOD CHIEF INFORMATION OFFICER.—None of the funds appropriated in this Act may be used for a mission critical or mission essential financial management information technology system (including a system funded by the defense working capital fund) that is not registered with the Chief Information Officer of the Department of Defense. A system shall be considered to be registered with that officer upon the furnishing to that officer of notice of the system, together with such information concerning the system as the Secretary of Defense may prescribe. A financial management information technology system shall be considered a mission critical or mission essential information technology system as defined by the Under Secretary of Defense (Comptroller).

(b) CERTIFICATIONS AS TO COMPLIANCE WITH FINANCIAL MANAGEMENT MODERNIZATION PLAN.—

(1) During the current fiscal year, a financial management automated information system, a mixed information system supporting financial and non-financial systems, or a system improvement of more than $1,000,000 may not receive Milestone A approval, Milestone B approval, or full rate production, or their equivalent, within the Department of Defense until the Under Secretary of Defense (Comptroller) certifies, with respect to that milestone, that the system is being developed and managed in accordance with the Department's Financial Management Modernization Plan. The Under Secretary of Defense (Comptroller) may require additional certifications, as appropriate, with respect to any such system.

(2) The Chief Information Officer shall provide the congressional defense committees timely notification of certifications under paragraph (1).

(c) CERTIFICATIONS AS TO COMPLIANCE WITH CLINGER-COHEN ACT.—

(1) During the current fiscal year, a major automated information system may not receive Milestone A approval, Milestone B approval, or full rate production approval, or their equivalent, within the Department of Defense until the Chief Information Officer certifies, with respect to that milestone, that the system is being developed in accordance with the Clinger-Cohen Act of 1996 (40 U.S.C. 1401 et seq.). The Chief Information Officer may require additional certifications, as appropriate, with respect to any such system.

(2) The Chief Information Officer shall provide the congressional defense committees timely notification of certifications under paragraph (1). Each such notification shall include a statement confirming that the following steps have been taken with respect to the system:

(A) Business process reengineering.

(B) An analysis of alternatives.

(C) An economic analysis that includes a calculation of the return on investment.

(D) Performance measures.

(E) An information assurance strategy consistent with the Department's Global Information Grid.

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

(1) The term ''Chief Information Officer'' means the senior official of the Department of Defense designated by the Secretary of Defense pursuant to section 3506 of title 44, United States Code.

(2) The term ''information technology system'' has the meaning given the term ''information technology'' in section 5002 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401).

SEC. 8067. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: Provided, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8068. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a

member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32 may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8069. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of ''armor penetrator'', ''armor piercing (AP)'', ''armor piercing incendiary (API)'', or ''armor-piercing incendiary-tracer (API–T)'', except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8070. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal non-profit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8071. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: Provided, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: Provided further, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: Provided further, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

SEC. 8072. Funds available to the Department of Defense for the Global Positioning System during the current fiscal year may be used to fund civil requirements associated with the satellite and ground control segments of such system's modernization program.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8073. Of the amounts appropriated in this Act under the heading ''Operation and Maintenance, Army'', $78,300,000 shall remain available until expended: Provided, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: Provided further, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: Provided further, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: Provided further, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8074. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104–208; 110 Stat. 3009–111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2007.

SEC. 8075. In addition to amounts provided elsewhere in this Act, $2,500,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: Provided, That notwithstanding any other provision of law, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

SEC. 8076. (a) The Secretary of Defense, in coordination with the Secretary of Health and Human Services, may carry out a program to distribute surplus dental and medical equipment of the Department of Defense, at no cost to the Department of Defense, to Indian Health Service facilities and to federally-qualified health centers (within the meaning of section 1905(l)(2)(B) of the Social Security Act (42 U.S.C. 1396d(l)(2)(B))).

(b) In carrying out this provision, the Secretary of Defense shall give the Indian Health Service a property disposal priority equal to the priority given to the Department of Defense and its twelve special screening programs in distribution of surplus dental and medical supplies and equipment.

SEC. 8077. Amounts appropriated in title II of this Act are hereby reduced by $158,100,000 to reflect savings attributable to efficiencies and management improvements in the funding of miscellaneous or other contracts in the military departments, as follows:

(1) From ''Operation and Maintenance, Army'', $31,100,000.

(2) From ''Operation and Maintenance, Navy'', $35,000,000.

(3) From ''Operation and Maintenance, Marine Corps'', $5,000,000.

(4) From ''Operation and Maintenance, Air Force'', $87,000,000.

SEC. 8078. The total amount appropriated or otherwise made available in this Act is hereby reduced by $71,000,000 to limit excessive growth in the procurement of advisory and assistance services, to be distributed as follows:

''Operation and Maintenance, Army'', $32,000,000.

''Operation and Maintenance, Navy'', $34,000,000.

''Operation and Maintenance, Marine Corps'', $5,000,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8079. Of the amounts appropriated in this Act under the heading ''Research, Development, Test and Evaluation, Defense-Wide'', $137,894,000 shall be made available for the Arrow missile defense program: Provided, That of this amount, $53,000,000 shall be available for the purpose of producing Arrow missile components in the United States and Arrow missile components and missiles in Israel to meet Israel's defense requirements, consistent with each nation's laws, regulations and procedures, and $20,400,000 shall be available for the purpose of the initiation of a joint feasibility study designated the Short Range Ballistic Missile Defense (SRBMD) initiative: Provided further, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: Provided further, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8080. Of the amounts appropriated in this Act under the heading ''Shipbuilding and Conversion, Navy'', $512,849,000 shall be available until September 30, 2007, to fund prior year shipbuilding cost increases: Provided, That upon enactment of this Act, the Secretary of the Navy shall transfer such funds to the following appropriations in the amounts specified: Provided further, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred:

To:

Under the heading ''Shipbuilding and Conversion, Navy, 1999/2007'':

New SSN, $20,000,000;

Under the heading ''Shipbuilding and Conversion, Navy, 2000/2007'':

LPD–17 Amphibious Transport Dock Ship Program, $66,049,000;

Under the heading ''Shipbuilding and Conversion, Navy, 2001/2007'':

New SSN, $41,000,000;

Carrier Replacement Program, $318,400,000;

Under the heading ''Shipbuilding and Conversion, Navy, 2002/2007'':

New SSN, $28,000,000;

Under the heading ''Shipbuilding and Conversion, Navy, 2003/2007'':

New SSN, $22,000,000; and

Under the heading ''Shipbuilding and Conversion, Navy, 2005/2009'':

LPD–17 Amphibious Transport Dock Ship Program, $17,400,000.

SEC. 8081. The Secretary of the Navy may settle, or compromise, and pay any and all admiralty claims under section 7622 of title 10, United States Code arising out of the collision involving the U.S.S. GREENEVILLE and the EHIME MARU, in any amount and without regard to the monetary limitations in subsections (a) and (b) of that section: Provided, That such payments shall be made from funds available to the Department of the Navy for operation and maintenance.

SEC. 8082. Notwithstanding any other provision of law or regulation, the Secretary of Defense may exercise the provisions of section 7403(g) of title 38, United States Code for occupations listed in section 7403(a)(2) of title 38, United States Code as well as the following:

Pharmacists, Audiologists, and Dental Hygienists.

(A) The requirements of section 7403(g)(1)(A) of title 38, United States Code shall apply.

(B) The limitations of section 7403(g)(1)(B) of title 38, United States Code shall not apply.

SEC. 8083. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2007 until the enactment of the Intelligence Authorization Act for fiscal year 2007.

SEC. 8084. None of the funds in this Act may be used to initiate a new start program without prior written notification to the Office of Secretary of Defense and the congressional defense committees.

SEC. 8085. (a) In addition to the amounts provided elsewhere in this Act, the amount of $5,400,000 is hereby appropriated to the Department of Defense for ''Operation and Maintenance, Army National Guard''. Such amount shall be made available to the Secretary of the Army only to make a grant in the amount of $5,400,000 to the entity specified in subsection (b) to facilitate access by veterans to opportunities for skilled employment in the construction industry.

(b) The entity referred to in subsection (a) is the Center for Military Recruitment, Assessment and Veterans Employment, a nonprofit labor-management co-operation committee provided for by section 302(c)(9) of the Labor-Management Relations Act, 1947 (29 U.S.C. 186(c)(9)), for the purposes set forth in section 6(b) of the Labor Management Cooperation Act of 1978 (29 U.S.C. 175a note).

SEC. 8086. FINANCING AND FIELDING OF KEY ARMY CAPABILITIES. The Department of Defense and the Department of the Army shall make future budgetary and programming plans to fully finance the Non-Line of Sight Future Force cannon (NLOS–C) and a compatible large caliber ammunition resupply capability for this system supported by the Future Combat Systems (FCS) Brigade Combat Team (BCT) in order to field this system in fiscal year 2010: Provided, That the Army shall develop the NLOS–C independent of the broader FCS development timeline to achieve fielding by fiscal year 2010. In addition the Army will deliver eight (8) combat operational pre-production NLOS–C systems by the end of calendar year 2008. These systems shall be in addition to those systems necessary for developmental and operational testing: Provided further, That the Army shall ensure that budgetary and programmatic plans will provide for no fewer than seven (7) Stryker Brigade Combat Teams.

SEC. 8087. Up to $2,000,000 of the funds appropriated under the heading ''Operation and Maintenance, Navy'' in this Act for the Pacific Missile Range Facility may be made available to contract for the repair, maintenance, and operation of adjacent off-base water, drainage, and flood control systems, electrical upgrade to support additional missions critical to base operations, and support for a range footprint expansion to further guard against encroachment.

SEC. 8088. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, $11,100,000 is hereby appropriated to the Department of Defense, to remain available until September 30, 2007: Provided, That the Secretary of Defense shall make grants in the amounts specified as follows: $4,500,000 to the Intrepid Sea-Air-Space Foundation; $2,600,000 to the Center for Applied Science and Technologies at Jordan Valley Innovation Center; $1,000,000 to the Women in Military Service for America Memorial Foundation; $2,000,000 to The Presidio Trust; and, $1,000,000 to the Red Cross Consolidated Blood Services Facility.

SEC. 8089. The budget of the President for fiscal year 2008 submitted to the Congress pursuant to section 1105 of title 31, United States Code shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: Provided, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: Provided further, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: Provided further, That these documents shall include budget exhibits OP–5 and OP–32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8090. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8091. Of the amounts provided in title II of this Act under the heading ''Operation and Maintenance, Defense-Wide'', $20,000,000 is available for the Regional Defense Counter-terrorism Fellowship Program, to fund the education and training of foreign military officers, ministry of defense civilians, and other foreign security officials, to include United States military officers and civilian officials whose participation directly contributes to the education and training of these foreign students.

SEC. 8092. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act: Provided, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8093. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: Provided, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8094. (a) At the time members of reserve components of the Armed Forces are called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

SEC. 8095. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command administrative and operational control of U.S. Navy forces assigned to the Pacific fleet: Provided, That the command and control relationships which existed on October 1, 2004, shall remain in force unless changes are specifically authorized in a subsequent Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8096. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: Provided, That the Secretary may transfer not to exceed $100,000,000 under the authority provided by this section: Provided further, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the Senate and the House of Representatives, unless sooner notified by the Committees that there is no objection to the proposed transfer: Provided further, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8097. (a) The total amount appropriated or otherwise made available in title II of this Act is hereby reduced by $85,000,000 to limit excessive growth in the travel and transportation of persons.

(b) The Secretary of Defense shall allocate this reduction proportionately to each budget activity, activity group, subactivity group, and each program, project, and activity within each applicable appropriation account.

SEC. 8098. In addition to funds made available elsewhere in this Act, $5,500,000 is hereby appropriated and shall remain available until expended to provide assistance, by grant or otherwise (such as, but not limited to, the provision of funds for repairs, maintenance, construction, and/or for the purchase of information technology, text books, teaching resources), to public schools that have unusually high concentrations of special needs military dependents enrolled: Provided, That in selecting school systems to receive such assistance, special consideration shall be given to school systems in States that are considered overseas assignments, and all schools within these school systems shall be eligible for assistance: Provided further, That up to 2 percent of the total appropriated funds under this section shall be available to support the administration and execution of the funds or program and/or events that promote the purpose of this appropriation (e.g. payment of travel and per diem of school teachers attending conferences or a meeting that promotes the purpose of this appropriation and/or consultant fees for on-site training of teachers, staff, or Joint Venture Education Forum (JVEF) Committee members): Provided further, That up to $2,000,000 shall be available for the Department of Defense to establish a non-profit trust fund to assist in the public-private funding of public school repair and maintenance projects, or provide directly to non-profit organizations who in return will use these monies to provide assistance in the form of repair, maintenance, or renovation to public school systems that have high concentrations of special needs military dependents and are located in States that are considered overseas assignments: Provided further, That to the extent a Federal agency provides this assistance, by contract, grant, or otherwise, it may accept and expend non-Federal funds in combination with these Federal funds to provide assistance for the authorized purpose, if the non-Federal entity requests such assistance and the non-Federal funds are provided on a reimbursable basis.

SEC. 8099. The Secretary of the Air Force is authorized, using funds available under the heading ''Operation and Maintenance, Air Force'', to complete a phased repair project, which repairs may include upgrades and additions, to the infrastructure of the operational ranges managed by the Air Force in Alaska: Provided, That the total cost of such phased projects shall not exceed $50,000,000.

SEC. 8100. For purposes of section 612 of title 41, United States Code, any subdivision of appropriations made under the heading ''Shipbuilding and Conversion, Navy'' that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading ''Shipbuilding and Conversion, Navy'' appropriations in the current fiscal year or any prior fiscal year.

SEC. 8101. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the Extended Range Multi-Purpose (ERMP) Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8102. Of the funds provided in this Act, $8,100,000 shall be available for the operations and development of training and technology for the Joint Interagency Training Center-East and the affiliated Center for National Response at the Memorial Tunnel and for providing homeland defense/security and traditional warfighting training to the Department of Defense, other Federal agency, and State and local first responder personnel at the Joint Interagency Training Center-East.

SEC. 8103. The authority to conduct a continuing cooperative program in the proviso in title II of Public Law 102–368 under the heading ''Research, Development, Test and Evaluation,

Defense Agencies'' (106 Stat. 1121) shall be extended through September 30, 2008 in cooperation with NELHA.

SEC. 8104. The Secretary of Defense may present promotional materials, including a United States flag, to any member of an Active or Reserve component under the Secretary's jurisdiction who, as determined by the Secretary, participates in Operation Enduring Freedom or Operation Iraqi Freedom, along with other recognition items in conjunction with any weeklong national observation and day of national celebration, if established by Presidential proclamation, for any such members returning from such operations.

SEC. 8105. Up to $10,000,000 of the funds appropriated under the heading, ''Operation and Maintenance, Navy'' may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: Provided, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: Provided further, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8106. Notwithstanding any other provision of this Act, to reflect savings from revised economic assumptions the total amount appropriated in title II of this Act is hereby reduced by $401,925,000, the total amount appropriated in title III of this Act is hereby reduced by $325,000,000, the total amount appropriated in title IV of this Act is hereby reduced by $286,000,000, the total amount appropriated in title V of this Act is hereby reduced by $9,500,000, the total amount appropriated in title VI of this Act is hereby reduced by $9,500,000, and the total amount appropriated in title VII of this Act is hereby reduced by $2,500,000: Provided, That the Secretary of Defense shall allocate this reduction proportionally to each budget activity, activity group, subactivity group, and each program, project, and activity, within each appropriation account: Provided further, That this reduction shall not apply to ''Central Intelligence Agency Retirement and Disability System Fund''.

SEC. 8107. The Secretary of Defense shall, not later than 90 days after the enactment of this Act, submit to the congressional defense committees a report detailing the efforts by the Department of Defense Education Activity (DoDEA) to address dyslexia in students at DoDEA schools: Provided, That this report shall include a description of funding provided in this and other Department of Defense Appropriations Acts used by DoDEA schools to address dyslexia.

SEC. 8108. (a) LIMITATION ON RETIREMENT PENDING REPORT ON BOMBER FORCE STRUCTURE.—No funds appropriated for the Department of Defense may be obligated or expended for retiring or dismantling any of the 93 B–52H bomber aircraft in service in the Air Force as of June 1, 2006, until 30 days after the Secretary of the Air Force transmits to the congressional defense committees a report on the bomber force structure of the Air Force meeting the requirements of subsection (b).

(b) ELEMENTS.—The report under subsection (a) shall set forth the following:

(1) The plan of the Air Force for the modernization of the B–52H bomber aircraft fleet.

(2) The plans of the Air Force for the modernization of the balance of the bomber force structure.

(3) The amount and type of bombers in the bomber force structure that is appropriate to meet the requirements of the national security strategy of the United States.

(4) An analysis and justification of the cost and projected savings of any reductions to the B–52H bomber fleet as a result of the retirement or dismantlement of the B–52H bomber aircraft covered by the report.

(5) The current assessments for the useful life of each of the bomber aircraft in the Air Force inventory under the Aircraft Structural Integrity Program, any flight restrictions against each of the bomber aircraft in the Air Force inventory, and an analysis of any funding required for modifications designed to correct a problem that threatens grounding all or a portion of that aircraft fleet.

(6) The date by which any new bomber aircraft must reach initial operational capability and the capabilities of the bomber force structure that would be replaced or superseded by any new bomber aircraft.

(7) An assessment of the likelihood that the development of a new bomber aircraft will meet the current schedule of reaching initial operational capability by 2018.

(8) An assessment of the risk to national security of retiring a substantial portion of our bomber fleet, including a consideration of the additional risk if the development of a new bomber aircraft does not meet the current schedule of reaching initial operational capability by 2018.

(c) PREPARATION OF REPORT.—A report under this section shall be prepared and submitted by the Institute of Defense Analyses to the Secretary of the Air Force for transmittal by the Secretary in accordance with subsection (a).

(d) FORM.—The report under subsection (a) shall be in unclassified form, but may include a classified annex.

SEC. 8109. Notwithstanding the first section of Public Law 85–804 (50 U.S.C. 1431), in the event a notice on the modification of a contract described in that section is submitted to the Committees on Armed Services of the Senate and the House of Representatives by the Army Contract Adjustment Board during the period beginning on July 28, 2006, and ending on the date of the adjournment of the 109th Congress sine die, such contract may be modified in accordance with such notice commencing on the earlier of—

(1) the date that is 60 calendar days after the date of such notice; or

(2) the date of the adjournment of the 109th Congress sine die.

SEC. 8110. (a) Except as provided in subsection (b), the Secretary of the Air Force shall, not later than March 31, 2007, submit to the congressional defense committees a cost-benefit analysis of significant proposed realignments or closures of research and development or test and evaluation installations, activities, facilities, laboratories, units, functions, or capabilities of the Air Force. The analysis shall include an evaluation of missions served and alternatives considered and of the benefits, costs, risks, and other considerations associated with each such proposed realignment or closure.

(b) The requirement under subsection (a) does not apply to realignment and closure activities carried out in accordance with the final recommendations of the Defense Base Closure and Realignment Commission under the 2005 round of defense base closure and realignment.

(c) None of the funds appropriated or otherwise made available in this Act may be used to transfer from Eglin Air Force Base, Florida, to any other location, or otherwise to divest from that base, any test and evaluation facility or test and evaluation activity that as of the beginning of fiscal year 2007 is located or conducted at that base.

SEC. 8111. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to implement any provision of the National Security Personnel System under chapter 99 of title 5, United States Code, that deviates from any provision relating to labor-management relations, adverse actions, or appeals under chapter 71, 75, or 77 of title 5, United States Code, or from any regulations prescribed under such chapter 71, 75, or 77: Provided, That the limitation in this section shall cease to apply to the extent that the decision of the court in AFGE v. Rumsfeld (442 F. Supp. 2d 16 (D.D.C. 2006)) is reversed on appeal.

SEC. 8112. Except as expressly provided otherwise, any reference to ''this Act'' contained in this dividion shall be treated as referring only to the provisions of this division.

TITLE IX

ADDITIONAL APPROPRIATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $4,346,710,000.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $143,296,000.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $145,576,000.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $351,788,000.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $87,756,000.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $15,420,000.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $295,959,000.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $28,364,102,000.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operation and Maintenance, Navy'', $1,615,288,000: Provided, That up to $90,000,000 shall be transferred to the Coast Guard ''Operating Expenses'' account.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $2,689,006,000.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $2,688,189,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $2,774,963,000, of which up to $900,000,000, to remain available until expended, may be used for payments to reimburse Pakistan, Jordan, and other key cooperating nations, for logistical, military, and other support provided, or to be provided, to United States military operations, notwithstanding any other provision of law: Provided, That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: Provided further, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $211,600,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $9,886,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $48,000,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $65,000,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $424,000,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $200,000,000.

IRAQ FREEDOM FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Iraq Freedom Fund'', $50,000,000, to remain available for transfer until September 30, 2008, only to support operations in Iraq or Afghanistan: Provided, That the Secretary of Defense may transfer the funds provided herein to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and working capital funds: Provided further, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation or fund to which transferred: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the Secretary of Defense shall, not fewer than 5 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

AFGHANISTAN SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Afghanistan Security Forces Fund'', $1,500,000,000, to remain available until September 30, 2008: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Office of Security Cooperation—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: Provided further, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than five days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

IRAQ SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Iraq Security Forces Fund'', $1,700,000,000, to remain available until September 30, 2008: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Multi-National Security Transition Command—Iraq, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: Provided further, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than five days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the ''Joint Improvised Explosive Device Defeat Fund'', $1,920,700,000, to remain available until September 30, 2009: Provided, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: Provided further, That within 60 days of the enactment of this Act, a plan for the intended management and use of the Fund is provided to the congressional defense committees: Provided further, That the Secretary of Defense shall submit a report not later than 30 days after the end of each fiscal quarter to the congressional defense committees providing assessments of the evolving threats, individual service requirements to counter the threats, the current strategy for predeployment training of members of the Armed Forces on improvised explosive devices, and details on the execution of this Fund: Provided further, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon determination that all or part of the funds so transferred from this appropriation are not necessary for the purpose provided herein, such amounts may be transferred back to this appropriation: Provided further, That the Secretary of Defense shall, not fewer than 5 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $1,461,300,000, to remain available for obligation until September 30, 2009.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $3,393,230,000, to remain available for obligation until September 30, 2009.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $237,750,000, to remain available for obligation until September 30, 2009.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $5,003,995,000, to remain available for obligation until September 30, 2009.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $486,881,000, to remain available for obligation until September 30, 2009.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $109,400,000, to remain available for obligation until September 30, 2009.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $127,880,000, to remain available for obligation until September 30, 2009.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $319,965,000, to remain available for obligation until September 30, 2009.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $4,898,269,000, to remain available for obligation until September 30, 2009.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $2,291,300,000, to remain available for obligation until September 30, 2009.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $32,650,000, to remain available for obligation until September 30, 2009.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $1,317,607,000, to remain available for obligation until September 30, 2009.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $145,555,000, to remain available for obligation until September 30, 2009.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $231,106,000, to remain available until September 30, 2008.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $36,964,000, to remain available until September 30, 2008.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $139,644,000, to remain available until September 30, 2008.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $100,000,000.

RELATED AGENCIES

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For an additional amount for ''Intelligence Community Management Account'', $19,265,000, to remain available until September 30, 2008.

GENERAL PROVISIONS

SEC. 9001. Appropriations provided in this title are available for obligation until September 30, 2007, unless otherwise so provided in this title.

SEC. 9002. Notwithstanding any other provision of law or of this Act, funds made available in this title are in addition to amounts provided elsewhere in this Act.

(TRANSFER OF FUNDS)

SEC. 9003. Upon his determination that such action is necessary in the national interest, the Secretary of Defense may transfer between appropriations up to $3,000,000,000 of the funds made available to the Department of Defense in this title: Provided, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: Provided further, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in section 8005 of this Act.

SEC. 9004. Funds appropriated in this title, or made available by the transfer of funds in or pursuant to this title, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414).

SEC. 9005. None of the funds provided in this title may be used to finance programs or activities denied by Congress in fiscal years 2006 or 2007 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

SEC. 9006. (a) From funds made available in this title to the Department of Defense, not to exceed $500,000,000 may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program, for the purpose of enabling military commanders in Iraq to respond to urgent humanitarian relief and reconstruction requirements within their areas of responsibility by carrying out programs that will immediately assist the Iraqi people, and to fund a similar program to assist the people of Afghanistan.

(b) QUARTERLY REPORTS.—Not later than 15 days after the end of each fiscal year quarter (beginning with the first quarter of fiscal year 2007), the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes of the programs under subsection (a).

SEC. 9007. Amounts provided in this title for operations in Iraq and Afghanistan may be used by the Department of Defense for the purchase of up to 20 heavy and light armored vehicles for force protection purposes, notwithstanding price or other limitations specified elsewhere in this Act, or any other provision of law: Provided, That the Secretary of Defense shall submit a report in writing no later than 30 days after the end of each fiscal quarter notifying the congressional defense committees of any purchase described in this section, including the cost, purposes, and quantities of vehicles purchased.

SEC. 9008. During the current fiscal year, funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Iraq and Afghanistan: Provided, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9009. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, and executed in direct support of the Global War on Terrorism only in Iraq and Afghanistan, may be obligated at the time a construction contract is awarded: Provided, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9010. (a) Not later than 60 days after the date of the enactment of this Act and every 90 days thereafter through the end of fiscal year 2007, the Secretary of Defense shall set forth in a report to Congress a comprehensive set of performance indicators and measures for progress toward military and political stability in Iraq.

(b) The report shall include performance standards and goals for security, economic, and security force training objectives in Iraq together with a notional timetable for achieving these goals.

(c) In specific, the report requires, at a minimum, the following:

(1) With respect to stability and security in Iraq, the following:

(A) Key measures of political stability, including the important political milestones that must be achieved over the next several years.

(B) The primary indicators of a stable security environment in Iraq, such as number of engagements per day, numbers of trained Iraqi forces, and trends relating to numbers and types of ethnic and religious-based hostile encounters.

(C) An assessment of the estimated strength of the insurgency in Iraq and the extent to which it is composed of non-Iraqi fighters.

(D) A description of all militias operating in Iraq, including the number, size, equipment strength, military effectiveness, sources of support, legal status, and efforts to disarm or reintegrate each militia.

(E) Key indicators of economic activity that should be considered the most important for determining the prospects of stability in Iraq, including—

(i) unemployment levels;

(ii) electricity, water, and oil production rates; and

(iii) hunger and poverty levels.

(F) The criteria the Administration will use to determine when it is safe to begin withdrawing United States forces from Iraq.

(2) With respect to the training and performance of security forces in Iraq, the following:

(A) The training provided Iraqi military and other Ministry of Defense forces and the equipment used by such forces.

(B) Key criteria for assessing the capabilities and readiness of the Iraqi military and other Ministry of Defense forces, goals for achieving certain capability and readiness levels (as well as for recruiting, training, and equipping these forces), and the milestones and notional timetable for achieving these goals.

(C) The operational readiness status of the Iraqi military forces, including the type, number, size, and organizational structure of Iraqi battalions that are—

(i) capable of conducting counterinsurgency operations independently;

(ii) capable of conducting counterinsurgency operations with the support of United States or coalition forces; or

(iii) not ready to conduct counterinsurgency operations.

(D) The rates of absenteeism in the Iraqi military forces and the extent to which insurgents have infiltrated such forces.

(E) The training provided Iraqi police and other Ministry of Interior forces and the equipment used by such forces.

(F) Key criteria for assessing the capabilities and readiness of the Iraqi police and other Ministry of Interior forces, goals for achieving certain capability and readiness levels (as well as for recruiting, training, and equipping), and the milestones and notional timetable for achieving these goals, including—

(i) the number of police recruits that have received classroom training and the duration of such instruction;

(ii) the number of veteran police officers who have received classroom instruction and the duration of such instruction;

(iii) the number of police candidates screened by the Iraqi Police Screening Service, the number of candidates derived from other entry procedures, and the success rates of those groups of candidates;

(iv) the number of Iraqi police forces who have received field training by international police trainers and the duration of such instruction; and

(v) attrition rates and measures of absenteeism and infiltration by insurgents.

(G) The estimated total number of Iraqi battalions needed for the Iraqi security forces to perform duties now being undertaken by coalition forces, including defending the borders of Iraq and providing adequate levels of law and order throughout Iraq.

(H) The effectiveness of the Iraqi military and police officer cadres and the chain of command.

(I) The number of United States and coalition advisors needed to support the Iraqi security forces and associated ministries.

(J) An assessment, in a classified annex if necessary, of United States military requirements, including planned force rotations, through the end of calendar year 2007.

SEC. 9011. Amounts provided in chapter 1 of title V of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 are hereby designated as emergency requirements pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SEC. 9012. None of the funds appropriated or otherwise made available by this Act may be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

SEC. 9013. Each amount appropriated or otherwise made available in this title is designated as making appropriations for contingency operations directly related to the global war on terrorism, and other unanticipated defense-related operations, pursuant to section 402 of H. Con. Res. 376 (109th Congress) as made applicable to the House of Representatives by H. Res. 818 (109th Congress), and as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress) as made applicable to the Senate by section 7035 of Public Law 109–234.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9014. (a) Congress makes the following findings:

(1) Despite the signing of the Darfur Peace Agreement on May 5, 2006, the violence in Darfur, Sudan, continues to escalate and threatens to spread to other areas of Sudan and throughout the region.

(2) The African Union Mission in Sudan (AMIS) currently serves as the primary security force in Darfur, but it is hoped that a United Nations peacekeeping force can be deployed to the region.

(3) The continued presence of a peacekeeping force in Darfur, Sudan, is critical to curbing the spread of violence in the region.

(b) Of the funds appropriated in this title under the heading ''Operation and Maintenance, Defense-Wide'', $20,000,000 shall be made available only for transfer to the Department of State ''Peacekeeping Operations'' account to support peacekeeping activities in Sudan: Provided, That these funds shall be transferred by the Secretary of Defense if he determines such amounts are required to assist in peacekeeping activities.

(c) The transfer authority in this section is in addition to any other transfer authority available to the Department of Defense.

(d) The Secretary shall, not fewer than five days prior to making transfers under this authority, notify the congressional defense committees in writing of the details of any such transfer.

SEC. 9015. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and any regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 9016. PROHIBITION ON PAYMENT OF AWARD FEES TO DEFENSE CONTRACTORS IN CASES OF CONTRACT NON-PERFORMANCE. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to provide award fees to any defense contractor for performance that does not meet the requirements of the contract.

SEC. 9017. No funds appropriated or otherwise made available by this Act may be used by the Government of the United States to enter into an agreement with the Government of Iraq that would subject members of the Armed Forces of the United States to the jurisdiction of Iraq criminal courts or punishment under Iraq law.

SEC. 9018. Notwithstanding any other provision of law, the Secretary of the Army may reimburse a member for expenses incurred by the member or family member when such expenses are otherwise not reimbursable under law: Provided, That such expenses must have been incurred in good faith as a direct consequence of reasonable preparation for, or execution of, military orders: Provided further, That reimbursement under this section shall be allowed only in situations wherein other authorities are insufficient to remedy a hardship determined by the Secretary, and only when the Secretary determines that reimbursement of the expense is in the best interest of the member and the United States.

TITLE X

FISCAL YEAR 2006 WILDLAND FIRE EMERGENCY APPROPRIATIONS

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

WILDLAND FIRE MANAGEMENT

For an additional amount for ''Wildland Fire Management'', $100,000,000, to be available for obligation upon enactment of this Act and to remain available until expended, for wildland fire suppression, emergency rehabilitation activities and for repayment to other appropriation accounts from which funds were transferred on an emergency basis for wildfire suppression: Provided, That the amount provided is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress) as made applicable to the House of Representatives by H. Res. 818 (109th Congress) and as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress) as made applicable to the Senate by section 7035 of Public Law 109–234.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

WILDLAND FIRE MANAGEMENT

For an additional amount for ''Wildland Fire Management'', $100,000,000, to be available for obligation upon enactment of this Act and to remain available until expended, for wildland fire suppression, emergency rehabilitation activities and for repayment to other appropriation accounts from which funds were transferred on an emergency basis for wildfire suppression: Provided, That the amount provided is designated as an emergency requirement pursuant to section 501 of H. Con. Res. 376 (109th Congress) as made applicable to the House of Representatives by H. Res. 818 (109th Congress) and as an emergency requirement pursuant to section 402 of S. Con. Res. 83 (109th Congress) as made applicable to the Senate by section 7035 of Public Law 109–234.

This Act may be cited as the ''Department of Defense Appropriations Act, 2007''.

DIVISION B—CONTINUING APPROPRIATIONS RESOLUTION, 2007

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2007, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for fiscal year 2006 for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this division, that were conducted in fiscal year 2006, and for which appropriations, funds, or other authority would be available in the following appropriations Acts:

(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2007.

(2) The Energy and Water Development Appropriations Act, 2007 (in the House of Representatives), or the Energy and Water Appropriations Act, 2007 (in the Senate).

(3) The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2007 (in the House of Representatives), or the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2007 (in the Senate).

(4) The Department of Homeland Security Appropriations Act, 2007.

(5) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2007.

(6) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2007.

(7) The Legislative Branch Appropriations Act, 2007.

(8) The Military Construction, Military Quality of Life and Veterans Affairs Appropriations Act, 2007 (in the House of Representatives), or the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2007 (in the Senate).

(9) The Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2007 (in the House of Representatives), or the Departments of Commerce and Justice, Science, and Related Agencies Appropriations Act, 2007 (in the Senate).

(10) The Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2007 (in the House of Representatives), or the Transportation, Treasury, Housing and Urban Development, the Judiciary, and Related Agencies Appropriations Act, 2007 (in the Senate) and the District of Columbia Appropriations Act, 2007 (in the Senate).

(b) Whenever the amount that would be made available or the authority that would be granted for a project or activity under an Act listed in subsection (a) as passed by the House of Representatives as of October 1, 2006, is the same as the amount or authority that would be available or granted under the same or other pertinent Act as passed by the Senate as of October 1, 2006—

(1) the project or activity shall be continued at a rate for operations not exceeding the current rate or the rate permitted by the actions of the House and the Senate, whichever is lower, and under the authority and conditions provided in applicable appropriations Acts for fiscal year 2006; or

(2) if no amount or authority is made available or granted for the project or activity by the actions of the House and the Senate, the project or activity shall not be continued.

(c) Whenever the amount that would be made available or the authority that would be granted for a project or activity under an Act listed in subsection (a) as passed by the House of Representatives as of October 1, 2006, is different from the amount or authority that would be available or granted under the same or other pertinent Act as passed by the Senate as of October 1, 2006—

(1) the project or activity shall be continued at a rate for operations not exceeding the current rate or the rate permitted by the action of the House or the Senate, whichever is lowest, and under the authority and conditions provided in applicable appropriations Acts for fiscal year 2006; or

(2) if the project or activity is included in the pertinent Act of only one of the Houses, the project or activity shall be continued under the appropriation, fund, or authority granted by the one House, but at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower, and under the authority and conditions provided in applicable appropriations Acts for fiscal year 2006.

(d) Whenever the pertinent Act covering a project or activity has been passed by only the House of Representatives as of October 1, 2006—

(1) the project or activity shall be continued under the appropriation, fund, or authority granted by the House, at a rate for operations not exceeding the current rate or the rate permitted by the action of the House, whichever is lower, and under the authority and conditions provided in applicable appropriations Acts for fiscal year 2006; or

(2) if the project or activity is funded in applicable appropriations Acts for fiscal year 2006 and not included in the pertinent Act of the House as of October 1, 2006, the project or activity shall be continued under the appropriation, fund, or authority granted by applicable appropriations Acts for fiscal year 2006 at a rate for operations not exceeding the current rate and under the authority and conditions provided in applicable appropriations Acts for fiscal year 2006.

(e) Whenever the pertinent Act covering a project or activity has been passed by neither the House of Representatives nor the Senate as of October 1, 2006, the project or activity shall be continued under the appropriation, fund, or authority granted by applicable appropriations Acts for fiscal year 2006 at a rate for operations not exceeding the current rate and under the authority and conditions provided in applicable appropriations Acts for fiscal year 2006.

SEC. 102. (a) For purposes of section 101, the pertinent appropriations Acts for fiscal year 2007 covering the activities specified in subsection (c) shall be the Act listed in section 101(a)(8) as passed by the House of Representatives, and H.R.5631 (109th Congress) as passed by the Senate.

(b) For purposes of section 106(2) and 107, the applicable appropriations Act for fiscal year 2007 covering the activities specified in subsection (c) shall be the Act listed in section 101(a)(8).

(c) The activities referred to in subsections (a) and (b) are the following activities of the Department of Defense:

(1) Activities under the ''Basic Allowance for Housing'' accounts, and the basic allowance for housing activities under the ''Military Personnel'' accounts.

(2) Activities under the ''Facilities Sustainment, Restoration and Modernization'' accounts, and the facilities sustainment, restoration and modernization activities under the ''Operation and Maintenance'' accounts.

(3) Activities under the ''Environmental Restoration'' accounts.

(4) Activities under the ''Defense Health Program'' account.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 104. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2006.

SEC. 105. Appropriations made and authority granted pursuant to this division shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this division.

SEC. 106. Unless otherwise provided for in this division or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this division shall be available until whichever of the following first occurs: (1) the enactment into law of an appropriation for any project or activity provided for in this division; (2) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity; or (3) November 17, 2006.

SEC. 107. Expenditures made pursuant to this division shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. Appropriations and funds made available by or authority granted pursuant to this division may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this division may be construed to waive any other provision of law governing the apportionment of funds.

SEC. 109. Notwithstanding any other provision of this division, except section 106, for those programs that had high initial rates of operation or complete distribution of fiscal year 2006 appropriations at the beginning of that fiscal year because of distributions of funding to States, foreign countries, grantees, or others, similar distributions of funds for fiscal year 2007 shall not be made and no grants shall be awarded for such programs funded by this division that would impinge on final funding prerogatives.

SEC. 110. This division shall be implemented so that only the most limited funding action of that permitted in the division shall be taken in order to provide for continuation of projects and activities.

SEC. 111. No provision that is included in an appropriations Act listed in section 101(a), but that was not included in the applicable appropriations Act for fiscal year 2006 and by its terms is applicable to more than one appropriation, fund, or authority, shall be applicable to any appropriation, fund, or authority provided in this division.

SEC. 112. No provision that is included in an appropriations Act listed in section 101(a), and that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation, shall be effective before the date set forth in section 106(3).

SEC. 113. Funds appropriated by this division may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 114. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2006, and for activities under the Food Stamp Act of 1977, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2006, to be continued through the date specified in section 106(3) of this division.

(b) Notwithstanding section 106 of this division, funds shall be available and obligations for mandatory payments due on or about November 1, 2006, and December 1, 2006 may continue to be made.

SEC. 115. Notwithstanding the second proviso under the heading ''Rental Assistance Program'' in title III of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2006 (Public Law 109–97), the Secretary of Agriculture is authorized to enter into or renew contracts under section 521(a)(2) of the Housing Act of 1949 for one year.

SEC. 116. The Secretary of Agriculture shall continue, through the date specified in section 106(3) of this division, the Water and Waste Systems Direct Loan Program under the authority and conditions (including the borrower's interest rate and fees as of September 1, 2006) provided by the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2006 (Public Law 109–97).

SEC. 117. Section 14704 of title 40, United States Code, shall be applied by substituting the date specified in section 106(3) of this division for ''October 1, 2006''.

SEC. 118. The authorities provided by sections 2(b)(9) and 7 of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(9) and 635f), and section 1 of Public Law 103–428 shall continue in effect through the date specified in section 106(3) of this division.

SEC. 119. Section 501(i) of H.R. 3425, as enacted into law by section 1000(a)(5) of division B of Public Law 106–113 (Appendix E, 113 Stat. 1501A–313), as amended by section 591(b) of division D of Public Law 108–447 (118 Stat. 3037), shall continue in effect through the date specified in section 106(3) of this division.

SEC. 120. In addition to the amounts provided under section 101 of this division, amounts obligated in fiscal year 2006 from funding provided in section 458(a)(1) of the Higher Education Act (as reduced by the amount of account maintenance fees obligated to guaranty agencies for fiscal year 2006 pursuant to section 458(a)(1)(B) of that Act), shall be deemed to have been provided in an applicable appropriations Act for fiscal year 2006.

SEC. 121. The authority provided by section 2011 of title 38, United States Code, shall continue in effect through the date specified in section 106(3) of this division.

SEC. 122. The authority provided by section 2808 of Public Law 108–136, as amended by section 2809 of Public Law 109–163, shall continue in effect through the date specified in section 106(3) of this division.

SEC. 123. The authority provided by subsection (a) of section 221of the Veterans Health Care, Capital Asset, and Business Improvement Act of 2003 (Public Law 108–170) shall continue in effect, notwithstanding subsection (d) of that section, through the earlier of (1) the date specified in section 106(3) of this division; or (2) the date of the enactment into law of an authorization Act relating to major medical facility projects for the Department of Veterans Affairs.

SEC. 124. Title VIII of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005 (Public Law 108–447, division B), shall continue in effect through the date specified in section 106(3) of this division.

SEC. 125. Funds appropriated by section 101 of this division for International Space Station Cargo Crew Services/International Partner Purchases within the National Aeronautics and Space Administration may be obligated in the account and budget structure set forth in the pertinent Acts specified in section 101(a)(9).

SEC. 126. Except as provided for in section 101(b)(2), amounts made available under section 101 of this division for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with enacted appropriations for fiscal year 2006, except that the such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

SEC. 127. (a) Notwithstanding any other provision of this division, except section 106, the District of Columbia may expend local funds for programs and activities under the heading ''District of Columbia Funds'' for such programs and activities under title V of H.R. 5576 (109th Congress), as passed by the House of Representatives, at the rate set forth under ''District of Columbia Funds, Summary of Expenses'' as included in the Fiscal Year 2007 Proposed Budget and Financial Plan submitted to the Congress by the District of Columbia on June 5, 2006.

(b) Sections 131 and 132 of division B of Public Law 109–115 shall be applied by substituting the date specified in section 106(3) of this division for ''September 30, 2006''.

SEC. 128. The provisions of title II of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11311 et seq.) shall continue in effect, notwithstanding section 209 of such Act,

through the earlier of (1) the date specified in section 106(3) of this division; or (2) the date of the enactment into law of an authorization Act relating to the McKinney-Vento Homeless Assistance Act.

SEC. 129. Funds appropriated by section 101 of this division for the Internal Revenue Service may be obligated in the account and budget structure set forth in title II of H.R. 5576 (109th Congress), as passed by the House of Representatives.

SEC. 130. Activities authorized by title V of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1998 may continue through the date specified in section 106(3) of this division.

SEC. 131. Section 255(g) of the National Housing Act (12 U.S.C. 1715z–20(g)) is amended by striking ''250,000'' and inserting ''275,000''.

SEC. 132. Section 403(f) of Public Law 103–356 (31 U.S.C. 501 note) shall be applied by substituting the date specified in section 106(3) of this division for ''October 1, 2006''.

This division may be cited as the ''Continuing Appropriations Resolution, 2007''.

And the Senate agree to the same.

BILL YOUNG,
DAVE HOBSON,
HENRY BONILLA,
R.P. FRELINGHUYSEN,
TODD TIAHRT,
ROGER F. WICKER,
JACK KINGSTON,
KAY GRANGER,
RAY LAHOOD,
JERRY LEWIS,
J.P. MURTHA,
NORMAN D. DICKS,
MARTIN OLAV SABO,
PETER J. VISCLOSKY,
JAMES P. MORAN,
MARCY KAPTUR,
DAVID OBEY,
Managers on the Part of the House.

TED STEVENS,
THAD COCHRAN,
ARLEN SPECTER,
PETE V. DOMENICI,
CHRISTOPHER BOND,
MITCH MCCONNELL,
RICHARD C. SHELBY,
JUDD GREGG,
KAY BAILEY HUTCHISON,
CONRAD BURNS,
DANIEL K. INOUYE,
ROBERT C. BYRD,
PATRICK LEAHY,
TOM HARKIN,
BYRON L. DORGAN,
DICK DURBIN,
HARRY REID,
DIANNE FEINSTEIN,
BARBARA A. MIKULSKI,
Managers on the Part of the Senate.

JOINT EXPLANATORY STATEMENT

DIVISION A

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2007

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate 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, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement on the Department of Defense Appropriations Act, 2007, incorporates some of the provisions of the House and Senate versions of the bill. Additional items in the Senate bill are expected to be addressed in the Military Construction, Military Quality of Life and Veterans Affairs Appropriations Act, 2007. The language and allocations set forth in House Report 109–504 and Senate Report 109–292 (as they apply to the programs, projects, and activities contained in the accompanying conference report) should be complied with unless specifically addressed in the accompanying conference report and statement of managers to the contrary.

The Senate amendment deleted the entire House bill after the enacting clause and inserted new language. The conference agreement includes revised language.

DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

The conferees agree that for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177) as amended by the Balanced Budget and Emergency Deficit Control Reaffirmation Act of 1987 (Public Law 100–119) and by the Budget Enforcement Act of 1990 (Public Law 101–508), the term program, project, and activity for appropriations contained in this Act shall be defined as the most specific level of budget items identified in the Department of Defense Appropriations Act, 2007, the accompanying House and Senate Committee reports, the conference report and accompanying joint explanatory statement of the managers of the Committee of Conference, the related classified annexes and reports, and the P–1 and R–1 budget justification documents as subsequently modified by Congressional action. The following exception to the above definition shall apply: for the Military Personnel and the Operation and Maintenance accounts, the term ''program, project, and activity'' is defined as the appropriations accounts contained in the Department of Defense Appropriations Act.

At the time the President submits his budget for fiscal year 2008, the conferees direct the Department of Defense to transmit to the congressional defense committees budget justification documents to be known as the ''M–1'' and ''O–1'' which shall identify, at the budget activity, activity group, and subactivity group level, the amounts requested by the President to be appropriated to the Department of Defense for military personnel and operation and maintenance in any budget request, or amended budget request, for fiscal year 2008.

CLASSIFIED ANNEX

Adjustments to classified programs are addressed in the classified annex accompanying this report.

TITLE I--MILITARY PERSONNEL

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars)			
	Budget	House	Senate	Conference
RECAPITULATION				
MILITARY PERSONNEL, ARMY	25,423,998	25,259,649	25,392,568	25,911,349
MILITARY PERSONNEL, NAVY	19,135,950	19,049,454	19,050,950	19,049,454
MILITARY PERSONNEL, MARINE CORPS	7,983,895	7,932,749	7,895,775	7,932,749
MILITARY PERSONNEL, AIR FORCE	20,220,539	19,676,481	20,006,359	20,285,871
RESERVE PERSONNEL, ARMY	3,058,050	3,034,500	2,956,640	3,043,170
RESERVE PERSONNEL, NAVY	1,569,128	1,485,548	1,551,838	1,551,838
RESERVE PERSONNEL, MARINE CORPS	507,776	498,556	492,356	498,686
RESERVE PERSONNEL, AIR FORCE	1,282,110	1,246,320	1,253,060	1,259,620
NATIONAL GUARD PERSONNEL, ARMY	4,784,471	4,693,595	4,788,971	4,751,971
NATIONAL GUARD PERSONNEL, AIR FORCE	2,122,197	2,038,097	2,091,722	2,067,752
GRAND TOTAL, MILITARY PERSONNEL	86,088,114	84,914,949	85,480,239	86,352,460

Active End Strength
(Fiscal Year 2007)

	Budget	Conference	Conference vs. Budget
Army	482,400	482,400	---
Navy	340,700	340,700	---
Marine Corps	175,000	175,000	---
Air Force	334,200	334,200	---
Total, Active Personnel...	1,332,300	1,332,300	---

MILITARY PERSONNEL, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
50 MILITARY PERSONNEL, ARMY				
100 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICER				
150 BASIC PAY	4,773,474	4,773,474	4,773,474	4,773,474
200 RETIRED PAY ACCRUAL	1,266,221	1,266,221	1,266,221	1,266,221
300 BASIC ALLOWANCE FOR HOUSING 1/	1,170,126	1,170,126	1,170,126	---
350 BASIC ALLOWANCE FOR SUBSISTENCE	181,536	181,536	181,536	181,536
400 INCENTIVE PAYS	99,060	99,060	99,060	99,060
450 SPECIAL PAYS	229,703	215,067	229,703	215,067
500 ALLOWANCES	145,446	145,446	145,446	145,446
550 SEPARATION PAY	69,415	69,415	69,415	69,415
600 SOCIAL SECURITY TAX	365,133	365,133	365,133	365,133
700 TOTAL, BUDGET ACTIVITY 1	8,300,114	8,285,478	8,300,114	7,115,352
750 ACTIVITY 2: PAY AND ALLOW OF ENLISTED PERS				
800 BASIC PAY	10,514,144	10,514,144	10,514,144	10,514,144
850 RETIRED PAY ACCRUAL	2,786,578	2,786,578	2,786,578	2,786,578
950 BASIC ALLOWANCE FOR HOUSING 1/	2,517,779	2,517,779	2,517,779	---
1000 INCENTIVE PAYS	85,392	85,392	85,392	85,392
1050 SPECIAL PAYS	601,536	555,223	601,536	555,223
1100 ALLOWANCES	703,574	703,574	703,574	703,574
1150 SEPARATION PAY	305,407	305,407	305,407	305,407
1250 SOCIAL SECURITY TAX	804,228	804,228	804,228	804,228
1350 TOTAL, BUDGET ACTIVITY 2	18,318,638	18,272,325	18,318,638	15,754,546
1400 ACTIVITY 3: PAY AND ALLOW OF CADETS				
1450 ACADEMY CADETS	55,818	55,818	55,818	55,818
1500 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERS				
1550 BASIC ALLOWANCE FOR SUBSISTENCE	855,617	855,617	855,617	855,617
1600 SUBSISTENCE-IN-KIND	582,540	582,540	582,540	582,540
1650 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	3,288	3,288	3,288	3,288
1750 TOTAL, BUDGET ACTIVITY 4	1,441,445	1,441,445	1,441,445	1,441,445

	(In thousands of dollars) Budget	House	Senate	Conference
1800 ACTIVITY 5: PERMANENT CHANGE OF STATION				
1850 ACCESSION TRAVEL	203,641	203,641	203,641	203,641
1900 TRAINING TRAVEL	53,366	53,366	53,366	53,366
1950 OPERATIONAL TRAVEL	138,488	138,488	138,488	138,488
2000 ROTATIONAL TRAVEL	361,210	361,210	361,210	361,210
2050 SEPARATION TRAVEL	173,210	173,210	173,210	173,210
2100 TRAVEL OF ORGANIZED UNITS	3,709	3,709	3,709	3,709
2150 NON-TEMPORARY STORAGE	42,121	42,121	42,121	42,121
2200 TEMPORARY LODGING EXPENSE	23,053	23,053	23,053	23,053
2300 TOTAL, BUDGET ACTIVITY 5	998,798	998,798	998,798	998,798
2350 ACTIVITY 6: OTHER MILITARY PERS COSTS				
2400 APPREHENSION OF MILITARY DESERTERS	1,407	1,407	1,407	1,407
2450 INTEREST ON UNIFORMED SERVICES SAVINGS	203	203	203	203
2500 DEATH GRATUITIES	6,761	6,761	6,761	6,761
2550 UNEMPLOYMENT BENEFITS	153,072	153,072	153,072	153,072
2600 SURVIVOR BENEFITS	3,378	3,378	3,378	3,378
2650 EDUCATION BENEFITS	2,184	2,184	2,184	2,184
2700 ADOPTION EXPENSES	746	746	746	746
2800 TRANSPORTATION SUBSIDY	4,344	4,344	4,344	4,344
2850 PARTIAL DISLOCATION ALLOWANCE	2,489	2,489	2,489	2,489
2860 RESERVE OFFICERS TRAINING CORPS (ROTC)	84,175	84,175	84,175	84,175
2870 JUNIOR ROTC	28,925	28,925	28,925	28,925
2950 TOTAL, BUDGET ACTIVITY 6	287,684	287,684	287,684	287,684
3000 LESS REIMBURSABLES	-290,594	-290,594	-290,594	-290,594
3200 UNOBLIGATED BALANCES	---	-103,400	---	---
3205 UNEXPENDED BALANCES	---	---	-31,430	---
3210 ADJUSTMENT TO PAY AND ALLOWANCES	---	---	---	548,300
6280 TOTAL, MILITARY PERSONNEL, ARMY	29,111,903	28,947,554	29,080,473	25,911,349
6290 LESS BASIC ALLOWANCE FOR HOUSING 1/	-3,687,905	-3,687,905	-3,687,905	---
6300 TOTAL, MILITARY PERSONNEL, ARMY	25,423,998	25,259,649	25,392,568	25,911,349

6301 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustment to the budget activities is as follows:

(In thousands of dollars)

Budget Activity 1: Pay and Allowances of Officers:
450 Special Pays/Foreign Language Proficiency Pay Offset ..... -14,636
Budget Activity 2: Pay and Allowances of Enlisted Personnel:
1050 Special Pays/Foreign Language Proficiency Pay Offset ..... -46,313
Undistributed:
3210 Adjustment to Pay and Allowances 548,300

MILITARY PERSONNEL, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
6350 MILITARY PERSONNEL, NAVY				
6400 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICER				
6450 BASIC PAY	3,262,932	3,262,932	3,262,932	3,262,932
6500 RETIRED PAY ACCRUAL	864,677	864,677	864,677	864,677
6600 BASIC ALLOWANCE FOR HOUSING 1/	1,025,250	1,025,250	1,025,250	---
6650 BASIC ALLOWANCE FOR SUBSISTENCE	118,701	118,701	118,701	118,701
6700 INCENTIVE PAYS	176,448	176,448	176,448	176,448
6750 SPECIAL PAYS	346,524	341,248	346,524	341,248
6800 ALLOWANCES	92,258	92,258	92,258	92,258
6850 SEPARATION PAY	33,187	33,187	33,187	33,187
6900 SOCIAL SECURITY TAX	247,353	247,353	247,353	247,353
7000 TOTAL, BUDGET ACTIVITY 1	6,167,330	6,162,054	6,167,330	5,136,804
7050 ACTIVITY 2: PAY AND ALLOW OF ENLISTED PERS				
7100 BASIC PAY	7,983,057	7,983,057	7,983,057	7,983,057
7150 RETIRED PAY ACCRUAL	2,115,509	2,115,509	2,115,509	2,115,509
7250 BASIC ALLOWANCE FOR HOUSING 1/	3,109,811	3,109,811	3,109,811	---
7300 INCENTIVE PAYS	110,364	110,364	110,364	110,364
7350 SPECIAL PAYS	927,683	904,163	927,683	904,163
7400 ALLOWANCES	480,800	480,800	480,800	480,800
7450 SEPARATION PAY	199,473	199,473	199,473	199,473
7550 SOCIAL SECURITY TAX	605,705	605,705	605,705	605,705
7650 TOTAL, BUDGET ACTIVITY 2	15,532,402	15,508,882	15,532,402	12,399,071
7700 ACTIVITY 3: PAY AND ALLOW OF MIDSHIPMEN				
7750 MIDSHIPMEN	56,412	56,412	56,412	56,412
7800 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERS				
7850 BASIC ALLOWANCE FOR SUBSISTENCE	613,611	613,611	613,611	613,611
7900 SUBSISTENCE-IN-KIND	346,276	346,276	346,276	346,276
7950 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	500	500	500	500
8050 TOTAL, BUDGET ACTIVITY 4	960,387	960,387	960,387	960,387

	(In thousands of dollars) Budget	House	Senate	Conference
8100 ACTIVITY 5: PERMANENT CHANGE OF STATION				
8150 ACCESSION TRAVEL	55,392	55,392	55,392	55,392
8200 TRAINING TRAVEL	74,363	74,363	74,363	74,363
8250 OPERATIONAL TRAVEL	193,731	193,731	193,731	193,731
8300 ROTATIONAL TRAVEL	279,737	279,737	279,737	279,737
8350 SEPARATION TRAVEL	93,326	93,326	93,326	93,326
8400 TRAVEL OF ORGANIZED UNITS	19,521	19,521	19,521	19,521
8450 NON-TEMPORARY STORAGE	6,892	6,892	6,892	6,892
8500 TEMPORARY LODGING EXPENSE	6,871	6,871	6,871	6,871
8550 OTHER	6,272	6,272	6,272	6,272
8650 TOTAL, BUDGET ACTIVITY 5	736,105	736,105	736,105	736,105
8700 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS				
8750 APPREHENSION OF MILITARY DESERTERS	725	725	725	725
8800 INTEREST ON UNIFORMED SERVICES SAVINGS	511	511	511	511
8850 DEATH GRATUITIES	3,336	3,336	3,336	3,336
8900 UNEMPLOYMENT BENEFITS	70,386	70,386	70,386	70,386
8950 SURVIVOR BENEFITS	1,354	1,354	1,354	1,354
9000 EDUCATION BENEFITS	5,109	5,109	5,109	5,109
9050 ADOPTION EXPENSES	346	346	346	346
9150 TRANSPORTATION SUBSIDY	4,549	4,549	4,549	4,549
9200 OTHER	1,032	1,032	1,032	1,032
9210 RESERVE OFFICERS TRAINING CORPS (ROTC)	20,940	20,940	20,940	20,940
9220 JUNIOR R.O.T.C.	13,492	13,492	13,492	13,492
9300 TOTAL, BUDGET ACTIVITY 6	121,780	121,780	121,780	121,780
9350 LESS REIMBURSABLES	-303,405	-303,405	-303,405	-303,405
9550 UNOBLIGATED BALANCES	---	-57,700	---	-57,700
9555 UNEXPENDED BALANCES	---	---	-85,000	---
11330 TOTAL, MILITARY PERSONNEL, NAVY	23,271,011	23,184,515	23,186,011	19,049,454
11340 LESS BASIC ALLOWANCE FOR HOUSING 1/	-4,135,061	-4,135,061	-4,135,061	---
11350 TOTAL, MILITARY PERSONNEL, NAVY	19,135,950	19,049,454	19,050,950	19,049,454

11351 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

(In thousands of dollars)

Budget Activity 1: Pay and Allowances of Officers:
6750 Special Pays/Foreign Language Proficiency Pay Offset.....-5,276
Budget Activity 2: Pay and Allowances of Enlisted Personnel:
7350 Special Pays/Foreign Language Proficiency Pay Offset.....-23,520
Undistributed:
9550 Unobligated Balances.....-57,700

MILITARY PERSONNEL, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
11400 MILITARY PERSONNEL, MARINE CORPS				
11450 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICER				
11500 BASIC PAY	1,131,638	1,131,638	1,131,638	1,131,638
11550 RETIRED PAY ACCRUAL	301,438	301,438	301,438	301,438
11650 BASIC ALLOWANCE FOR HOUSING 1/	326,239	326,239	326,239	---
11700 BASIC ALLOWANCE FOR SUBSISTENCE	42,639	42,639	42,639	42,639
11750 INCENTIVE PAYS	47,079	47,079	47,079	47,079
11800 SPECIAL PAYS	4,508	3,948	4,508	3,948
11850 ALLOWANCES	24,106	24,106	24,106	24,106
11900 SEPARATION PAY	12,514	12,514	12,514	12,514
11950 SOCIAL SECURITY TAX	85,620	85,620	85,620	85,620
12050 TOTAL, BUDGET ACTIVITY 1	1,975,781	1,975,221	1,975,781	1,648,982
12100 ACTIVITY 2: PAY AND ALLOW OF ENLISTED PERS				
12150 BASIC PAY	3,708,158	3,708,158	3,708,158	3,708,158
12200 RETIRED PAY ACCRUAL	979,106	979,106	979,106	979,106
12300 BASIC ALLOWANCE FOR HOUSING 1/	1,024,682	1,024,682	1,024,682	---
12350 INCENTIVE PAYS	8,360	8,360	8,360	8,360
12400 SPECIAL PAYS	126,406	123,710	126,406	123,710
12450 ALLOWANCES	213,304	213,304	213,304	213,304
12500 SEPARATION PAY	75,522	75,522	75,522	75,522
12600 SOCIAL SECURITY TAX	283,089	283,089	283,089	283,089
12700 TOTAL, BUDGET ACTIVITY 2	6,418,627	6,415,931	6,418,627	5,391,249
12750 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL				
12800 BASIC ALLOWANCE FOR SUBSISTENCE	304,767	304,767	304,767	304,767
12850 SUBSISTENCE-IN-KIND	255,101	255,101	255,101	255,101
12900 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	750	750	750	750
13000 TOTAL, BUDGET ACTIVITY 4	560,618	560,618	560,618	560,618

	(In thousands of dollars) Budget	House	Senate	Conference
13050 ACTIVITY 5: PERMANENT CHANGE OF STATION				
13100 ACCESSION TRAVEL	45,331	45,331	45,331	45,331
13150 TRAINING TRAVEL	9,523	9,523	9,523	9,523
13200 OPERATIONAL TRAVEL	90,676	90,676	90,676	90,676
13250 ROTATIONAL TRAVEL	126,686	126,686	126,686	126,686
13300 SEPARATION TRAVEL	50,659	50,659	50,659	50,659
13350 TRAVEL OF ORGANIZED UNITS	1,755	1,755	1,755	1,755
13400 NON-TEMPORARY STORAGE	5,351	5,351	5,351	5,351
13450 TEMPORARY LODGING EXPENSE	12,857	12,857	12,857	12,857
13500 OTHER	2,524	2,524	2,524	2,524
13600 TOTAL, BUDGET ACTIVITY 5	345,362	345,362	345,362	345,362
13650 ACTIVITY 6: OTHER MILITARY PERSONNEL COSTS				
13700 APPREHENSION OF MILITARY DESERTERS	1,668	1,668	1,668	1,668
13750 INTEREST ON UNIFORMED SERVICES SAVINGS	17	17	17	17
13800 DEATH GRATUITIES	2,208	2,208	2,208	2,208
13850 UNEMPLOYMENT BENEFITS	52,317	52,317	52,317	52,317
13900 SURVIVOR BENEFITS	686	686	686	686
13950 EDUCATION BENEFITS	959	959	959	959
14000 ADOPTION EXPENSES	363	363	363	363
14100 TRANSPORTATION SUBSIDY	1,270	1,270	1,270	1,270
14150 OTHER	682	682	682	682
14160 JUNIOR R.O.T.C	5,392	5,392	5,392	5,392
14250 TOTAL, BUDGET ACTIVITY 6	65,562	65,562	65,562	65,562
14300 LESS REIMBURSABLES	-31,134	-31,134	-31,134	-31,134
14315 UNOBLIGATED BALANCES	---	-47,890	---	-47,890
14317 UNEXPENDED BALANCES	---	---	-88,120	---
16230 TOTAL, MILITARY PERSONNEL, MARINE CORPS	9,334,816	9,283,670	9,246,696	7,932,749
16240 LESS BASIC ALLOWANCE FOR HOUSING 1/	-1,350,921	-1,350,921	-1,350,921	---
16250 TOTAL, MILITARY PERSONNEL, MARINE CORPS	7,983,895	7,932,749	7,895,775	7,932,749

16251 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustment to the budget activities is as follows:

(In thousands of dollars)

Budget Activity 1: Pay and Allowances of Officers:
11800 Special Pays/Foreign Language Proficiency Pay Offset.....-560
Budget Activity 2: Pay and Allowances of Enlisted Personnel:
12400 Special Pays/Foreign Language Proficiency Pay Offset.....-2,696
Undistributed:
14315 Unobligated Balances.....-47,890

MILITARY PERSONNEL, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
16300 MILITARY PERSONNEL, AIR FORCE				
16350 ACTIVITY 1: PAY AND ALLOWANCES OF OFFICER				
16400 BASIC PAY	4,400,999	4,400,999	4,400,999	4,400,999
16450 RETIRED PAY ACCRUAL	1,161,030	1,161,030	1,161,030	1,161,030
16550 BASIC ALLOWANCE FOR HOUSING 1/	1,015,115	1,015,115	1,015,115	---
16600 BASIC ALLOWANCE FOR SUBSISTENCE	163,045	163,045	163,045	163,045
16650 INCENTIVE PAYS	297,388	297,388	297,388	297,388
16700 SPECIAL PAYS	222,322	217,761	222,322	217,761
16750 ALLOWANCES	99,021	99,021	99,021	99,021
16800 SEPARATION PAY	63,194	63,194	63,194	63,194
16850 SOCIAL SECURITY TAX	334,906	334,906	334,906	334,906
16950 TOTAL, BUDGET ACTIVITY 1	7,757,020	7,752,459	7,757,020	6,737,344
17000 ACTIVITY 2: PAY AND ALLOW OF ENLISTED PERS				
17050 BASIC PAY	7,837,974	7,837,974	7,837,974	7,837,974
17100 RETIRED PAY ACCRUAL	2,056,123	2,056,123	2,056,123	2,056,123
17200 BASIC ALLOWANCE FOR HOUSING 1/	1,919,212	1,919,212	1,919,212	---
17250 INCENTIVE PAYS	34,304	34,304	34,304	34,304
17300 SPECIAL PAYS	313,765	297,838	313,765	297,838
17350 ALLOWANCES	565,007	565,007	565,007	565,007
17450 SEPARATION PAY	147,903	147,903	147,903	147,903
17500 SOCIAL SECURITY TAX	599,605	599,605	599,605	599,605
17600 TOTAL, BUDGET ACTIVITY 2	13,473,893	13,457,966	13,473,893	11,538,754
17650 ACTIVITY 3: PAY AND ALLOWANCES OF CADETS				
17700 ACADEMY CADETS	57,971	57,971	57,971	57,971
17750 ACTIVITY 4: SUBSISTENCE OF ENLISTED PERS				
17800 BASIC ALLOWANCE FOR SUBSISTENCE	782,617	782,617	782,617	782,617
17850 SUBSISTENCE-IN-KIND	151,011	151,011	151,011	151,011
17900 FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	1,254	1,254	1,254	1,254
18000 TOTAL, BUDGET ACTIVITY 4	934,882	934,882	934,882	934,882

	(In thousands of dollars) Budget	House	Senate	Conference
18050 ACTIVITY 5: PERMANENT CHANGE OF STATION				
18100 ACCESSION TRAVEL	75,318	75,318	75,318	75,318
18150 TRAINING TRAVEL	97,386	97,386	97,386	97,386
18200 OPERATIONAL TRAVEL	158,472	158,472	158,472	158,472
18250 ROTATIONAL TRAVEL	515,190	515,190	515,190	515,190
18300 SEPARATION TRAVEL	159,474	159,474	159,474	159,474
18350 TRAVEL OF ORGANIZED UNITS	4,069	4,069	4,069	4,069
18400 NON-TEMPORARY STORAGE	27,800	27,800	27,800	27,800
18450 TEMPORARY LODGING EXPENSE	36,100	36,100	36,100	36,100
18550 TOTAL, BUDGET ACTIVITY 5	1,073,809	1,073,809	1,073,809	1,073,809
18600 ACTIVITY 6: OTHER MILITARY PERS COSTS				
18650 APPREHENSION OF MILITARY DESERTERS	100	100	100	100
18700 INTEREST ON UNIFORMED SERVICES SAVINGS	671	671	671	671
18750 DEATH GRATUITIES	3,101	3,101	3,101	3,101
18800 UNEMPLOYMENT BENEFITS	47,792	47,792	47,792	47,792
18850 SURVIVOR BENEFITS	1,222	1,222	1,222	1,222
18900 EDUCATION BENEFITS	1,882	1,882	1,882	1,882
18950 ADOPTION EXPENSES	582	582	582	582
19050 TRANSPORTATION SUBSIDY	3,803	3,803	3,803	3,803
19100 OTHER	7,786	7,786	7,786	7,786
19110 RESERVE OFFICERS TRAINING CORPS (ROTC)	44,657	44,657	44,657	44,657
19120 JUNIOR ROTC	20,095	20,095	20,095	20,095
19200 TOTAL, BUDGET ACTIVITY 6	131,691	131,691	131,691	131,691
19250 LESS REIMBURSABLES	-274,400	-274,400	-274,400	-274,400
19620 UNOBLIGATED BALANCES	---	-235,570	---	---
19622 UNEXPENDED BALANCES	---	---	-214,180	---
19645 OPERATION NOBLE EAGLE OFFSET	---	-288,000	---	---
19655 ADJUSTMENT TO PAY AND ALLOWANCES	---	---	---	85,820
22530 TOTAL, MILITARY PERSONNEL, AIR FORCE	23,154,866	22,610,808	22,940,686	20,285,871
22540 LESS BASIC ALLOWANCE FOR HOUSING 1/	-2,934,327	-2,934,327	-2,934,327	---
22550 TOTAL, MILITARY PERSONNEL, AIR FORCE	20,220,539	19,676,481	20,006,359	20,285,871

22551 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

(In thousands of dollars)

Budget Activity 1: Pay and Allowances of Officers:
16700 Special Pays/Foreign Language Proficiency Pay Offset.....-4,561
Budget Activity 2: Pay and Allowances of Enlisted Personnel:
17300 Special Pays/Foreign Language Proficiency Pay Offset.....-15,927
Undistributed:
19655 Adjustment to Pay and Allowances 85,820

NATIONAL GUARD AND RESERVE FORCES

The conferees agree to provide $13,173,037,000 in Reserve personnel appropriations, and $15,099,267,000 in Reserve operation and maintenance appropriations. These funds support a Selected Reserve end strength of 842,800 as shown below.

Selected Reserve End Strength
(Fiscal Year 2007)

	Budget	Conference	Conference vs. Budget
Selected Reserve:			
Army Reserve.....	200,000	200,000	---
Navy Reserve	71,300	71,300	---
Marine Corps Reserve.....	39,600	39,600	---
Air Force Reserve	74,900	74,900	---
Army National Guard.....	350,000	350,000	---
Air National Guard.....	107,000	107,000	---
Total	842,800	842,800	---
AGR/TARS:			
Army Reserve	15,416	15,416	---
Navy Reserve	12,564	12,564	---
Marine Corps Reserve.....	2,261	2,261	---
Air Force Reserve	2,707	2,707	---
Army National Guard.....	27,441	27,441	---
Air National Guard.....	13,206	13,206	---
Total	73,595	73,595	---
Technicians:			
Army Reserve	8,507	8,507	---
Air Force Reserve	10,214	10,214	---
Army National Guard	27,650	27,650	---
Air National Guard	23,605	23,605	---
Total	69,976	69,976	---

RESERVE COMPONENT'S BUDGET STRUCTURE CHANGE

The conferees agree to extend last year's test of a consolidated budget structure for the Reserve Component's military personnel accounts through fiscal year 2007. In order to provide visibility of the movement of funds within the accounts, the conferees direct each of the Reserve Components to provide a quarterly report to the congressional defense committees and the Government Accountability Office (GAO) showing transfers between line items within the military personnel appropriations. The report format will provide separate explanations for all transfers in and out of each appropriation line item that equal, exceed, or cumulate to $5,000,000. Reports will provide a beginning and ending total by line item and will be due 30 days following the end of each quarter. Reserve Component fiscal year 2008 budget requests for military personnel will be submitted using the two budget activity structure.

ARMY NATIONAL GUARD COMBAT BRIGADES

The conferees are concerned about the Department of Defense's proposal to reduce 7 Army combat brigades from the level assumed under previous plans. Most of the change would occur in the Army National Guard's force structure plans; the Guard would field 28 combat brigades instead of 34 proposed previously. The conferees' review of this proposal indicates that the National Guard will have difficulty meeting its force generation and state security requirements with only 28 combat brigades. As the Department of the Army continues its examination of combat brigade requirements, the conferees strongly urge that this examination be conducted with the full participation and cooperation of both active and Guard officials at all levels. Moreover, the conferees will closely follow this issue over the coming months and will seek to ensure that sufficient funding is provided to field the number of Guard combat brigades necessary to meet its force generation and state security requirements. As such, the conferees provide additional funding (described in other sections, of this report) to fully fund the Army National Guard authorized end strength level of 350,000 and to purchase additional equipment.

RESERVE PERSONNEL, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
22600 RESERVE PERSONNEL, ARMY				
22650 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT				
22700 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	1,103,645	1,103,645	1,103,645	1,103,645
22750 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY)	28,932	28,932	28,932	28,932
22800 PAY GROUP F TRAINING (RECRUITS)	177,571	177,571	177,571	177,571
22910 MOBILIZATION TRAINING	---	---	22,053	22,053
22920 SCHOOL TRAINING	---	---	193,406	193,406
22930 SPECIAL TRAINING	---	---	173,222	173,222
22940 ADMINISTRATION AND SUPPORT	---	---	1,532,726	1,532,726
22950 EDUCATION BENEFITS	---	---	113,090	113,090
22970 HEALTH PROFESSION SCHOLARSHIP	---	---	35,880	35,880
22990 OTHER PROGRAMS	---	---	25,132	25,132
23050 TOTAL, BUDGET ACTIVITY 1	1,310,148	1,310,148	3,405,657	3,405,657
23100 ACTIVITY 2: OTHER TRAINING AND SUPPORT				
23150 MOBILIZATION TRAINING	22,053	22,053	---	---
23200 SCHOOL TRAINING	193,406	193,406	---	---
23250 SPECIAL TRAINING	173,222	173,222	---	---
23300 ADMINISTRATION AND SUPPORT	1,532,726	1,532,726	---	---
23350 EDUCATION BENEFITS	113,090	113,090	---	---
23450 HEALTH PROFESSION SCHOLARSHIP	35,880	35,880	---	---
23550 OTHER PROGRAMS	25,132	25,132	---	---
23650 TOTAL, BUDGET ACTIVITY 2	2,095,509	2,095,509	---	---
23800 UNOBLIGATED BALANCES	---	-75,180	---	-66,510
23805 UNEXPENDED BALANCES	---	---	-66,510	---
23810 RESERVES COST AVOIDANCE	---	-20,870	-34,900	-20,870
23825 AUTHORIZED END STRENGTH	---	72,500	---	72,500
23980 TOTAL RESERVE PERSONNEL, ARMY	3,405,657	3,382,107	3,304,247	3,390,777
23990 LESS BASIC ALLOWANCE FOR HOUSING 1/	-347,607	-347,607	-347,607	-347,607
24000 TOTAL RESERVE PERSONNEL, ARMY	3,058,050	3,034,500	2,956,640	3,043,170

24001 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

(In thousands of dollars)

Undistributed:

23800	Unobligated Balances	-66,510
23810	Reserves Cost Avoidance	-20,870
23825	Authorized End Strength	72,500

RESERVE PERSONNEL, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
24050 RESERVE PERSONNEL, NAVY				
24100 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT				
24150 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	625,339	625,339	625,339	625,339
24200 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY)	7,715	7,715	7,715	7,715
24250 PAY GROUP F TRAINING (RECRUITS)	16,037	16,037	16,037	16,037
24310 MOBILIZATION TRAINING	---	---	7,491	7,491
24320 SCHOOL TRAINING	---	---	31,198	31,198
24330 SPECIAL TRAINING	---	---	59,861	59,861
24340 ADMINISTRATION AND SUPPORT	---	---	977,626	977,626
24350 EDUCATION BENEFITS	---	---	20,827	20,827
24370 HEALTH PROFESSION SCHOLARSHIP	---	---	31,872	31,872
24450 TOTAL, BUDGET ACTIVITY 1	649,091	649,091	1,777,966	1,777,966
24500 ACTIVITY 2: OTHER TRAINING AND SUPPORT				
24550 MOBILIZATION TRAINING	7,491	7,491	---	---
24600 SCHOOL TRAINING	31,198	31,198	---	---
24650 SPECIAL TRAINING	59,861	59,861	---	---
24700 ADMINISTRATION AND SUPPORT	977,626	977,626	---	---
24750 EDUCATION BENEFITS	20,827	20,827	---	---
24850 HEALTH PROFESSION SCHOLARSHIP	31,872	31,872	---	---
25050 TOTAL, BUDGET ACTIVITY 2	1,128,875	1,128,875	---	---
25300 UNOBLIGATED BALANCES	---	-66,960	---	-17,290
25305 UNEXPENDED BALANCES	---	---	-17,290	---
25370 RESERVES COST AVOIDANCE	---	-6,620	---	---
25385 OPERATION NOBLE EAGLE OFFSET	---	-10,000	---	---
25430 TOTAL, RESERVE PERSONNEL, NAVY	1,777,966	1,694,386	1,760,676	1,760,676
25440 LESS BASIC ALLOWANCE FOR HOUSING 1/	-208,838	-208,838	-208,838	-208,838
25450 TOTAL, RESERVE PERSONNEL, NAVY	1,569,128	1,485,548	1,551,838	1,551,838

25451 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustment to the budget activities is as follows:

(In thousands of dollars)

Undistributed:
25300 Unobligated Balances.....-17,290

RESERVE PERSONNEL, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
25500 RESERVE PERSONNEL, MARINE CORPS				
25550 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT				
25600 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48).....	153,729	153,729	153,729	153,729
25650 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY).....	35,186	35,186	35,186	35,186
25700 PAY GROUP F TRAINING (RECRUITS).....	89,381	89,381	89,381	89,381
25810 MOBILIZATION TRAINING.....	---	---	2,715	2,715
25820 SCHOOL TRAINING.....	---	---	15,591	15,591
25830 SPECIAL TRAINING.....	---	---	48,785	48,785
25840 ADMINISTRATION AND SUPPORT.....	---	---	168,228	168,228
25850 PLATOON LEADER CLASS.....	---	---	12,892	12,892
25860 EDUCATION BENEFITS.....	---	---	24,351	24,351
25950 TOTAL, BUDGET ACTIVITY 1.....	278,296	278,296	550,858	550,858
26000 ACTIVITY 2: OTHER TRAINING AND SUPPORT				
26050 MOBILIZATION TRAINING.....	2,715	2,715	---	---
26100 SCHOOL TRAINING.....	15,591	15,591	---	---
26150 SPECIAL TRAINING.....	48,785	48,785	---	---
26200 ADMINISTRATION AND SUPPORT.....	168,228	168,228	---	---
26240 PLATOON LEADER CLASS.....	12,892	12,892	---	---
26250 EDUCATION BENEFITS.....	24,351	24,351	---	---
26500 TOTAL, BUDGET ACTIVITY 2.....	272,562	272,562	---	---
26600 UNOBLIGATED BALANCES.....	---	-9,090	---	-9,090
26605 UNEXPENDED BALANCES.....	---	---	-15,420	---
26650 RESERVES COST AVOIDANCE.....	---	-130	---	---
26730 TOTAL, RESERVE PERSONNEL, MARINE CORPS.....	550,858	541,638	535,438	541,768
26740 LESS BASIC ALLOWANCE FOR HOUSING 1/.....	-43,082	-43,082	-43,082	-43,082
26750 TOTAL, RESERVE PERSONNEL, MARINE CORPS.....	507,776	498,556	492,356	498,686

26751 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustment to the budget activities is as follows:

(In thousands of dollars)

Undistributed:

26600 Unobligated Balances.....-9,090

RESERVE PERSONNEL, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
26800 RESERVE PERSONNEL, AIR FORCE				
26850 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT				
26900 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	585,006	585,006	585,006	585,006
26950 PAY GROUP B TRAINING (BACKFILL FOR ACT DUTY)	115,702	115,702	115,702	115,702
27000 PAY GROUP F TRAINING (RECRUITS)	55,331	55,331	55,331	55,331
27050 PAY GROUP P TRAINING (PIPELINE RECRUITS)	100	100	100	100
27110 MOBILIZATION TRAINING	---	---	1,800	1,800
27120 SCHOOL TRAINING	---	---	110,222	110,222
27130 SPECIAL TRAINING	---	---	122,687	122,687
27140 ADMINISTRATION AND SUPPORT	---	---	246,869	246,869
27150 EDUCATION BENEFITS	---	---	55,733	55,733
27170 HEALTH PROFESSION SCHOLARSHIP	---	---	29,387	29,387
27190 OTHER PROGRAMS	---	---	35,491	35,491
27200 TOTAL, BUDGET ACTIVITY 1	756,139	756,139	1,358,328	1,358,328
27250 ACTIVITY 2: OTHER TRAINING AND SUPPORT				
27300 MOBILIZATION TRAINING	1,800	1,800	---	---
27350 SCHOOL TRAINING	110,222	110,222	---	---
27400 SPECIAL TRAINING	122,687	122,687	---	---
27450 ADMINISTRATION AND SUPPORT	246,869	246,869	---	---
27500 EDUCATION BENEFITS	55,733	55,733	---	---
27600 HEALTH PROFESSION SCHOLARSHIP	29,387	29,387	---	---
27700 OTHER PROGRAMS	35,491	35,491	---	---
27800 TOTAL, BUDGET ACTIVITY 2	602,189	602,189	---	---
27900 UNOBLIGATED BALANCES	---	-41,220	---	-25,770
27905 UNEXPENDED BALANCES	---	---	-25,770	---
27910 RESERVES COST AVOIDANCE	---	-770	-3,280	-770
27930 932ND AIRLIFT WING PERSONNEL	---	6,200	---	4,050
28130 TOTAL, RESERVE PERSONNEL, AIR FORCE	1,358,328	1,322,538	1,329,278	1,335,838
28140 LESS BASIC ALLOWANCE FOR HOUSING 1/	-76,218	-76,218	-76,218	-76,218
28150 TOTAL, RESERVE PERSONNEL, AIR FORCE	1,282,110	1,246,320	1,253,060	1,259,620

28151 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

(In thousands of dollars)

Undistributed:

27900	Unobligated Balances	-25,770
27910	Reserves Cost Avoidance	-770
27930	932nd Airlift Wing Personnel	4,050

NATIONAL GUARD PERSONNEL, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
28200 NATIONAL GUARD PERSONNEL, ARMY				
28250 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT				
28300 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	1,752,136	1,752,136	1,752,136	1,752,136
28350 PAY GROUP F TRAINING (RECRUITS)	310,889	310,889	310,889	310,889
28400 PAY GROUP P TRAINING (PIPELINE RECRUITS)	21,592	21,592	21,592	21,592
28500 SCHOOL TRAINING	---	---	263,772	263,772
28510 SPECIAL TRAINING	---	---	146,562	146,562
28520 ADMINISTRATION AND SUPPORT	---	---	2,562,455	2,562,455
28530 EDUCATION BENEFITS	---	---	196,174	196,174
28600 TOTAL, BUDGET ACTIVITY 1	2,084,617	2,084,617	5,253,580	5,253,580
28650 ACTIVITY 2: OTHER TRAINING AND SUPPORT				
28700 SCHOOL TRAINING	263,772	263,772	---	---
28750 SPECIAL TRAINING	146,562	146,562	---	---
28800 ADMINISTRATION AND SUPPORT	2,562,455	2,562,455	---	---
28850 EDUCATION BENEFITS	196,174	196,174	---	---
29050 TOTAL, BUDGET ACTIVITY 2	3,168,963	3,168,963	---	---
29350 UNOBLIGATED BALANCES	---	-54,100	---	-25,000
29410 RESERVES COST AVOIDANCE	---	-41,550	---	-15,000
29445 WMD-CST TEAM FOR FLORIDA	---	2,900	---	2,900
29455 WMD-CST TEAM FOR NEW YORK	---	1,874	---	1,000
29457 JOINT INTERAGENCY TRAINING CENTER	---	---	4,500	3,600
29480 TOTAL, NATIONAL GUARD PERSONNEL, ARMY	5,253,580	5,162,704	5,258,080	5,221,080
29490 LESS BASIC ALLOWANCE FOR HOUSING 1/	-469,109	-469,109	-469,109	-469,109
29500 TOTAL, NATIONAL GUARD PERSONNEL, ARMY	4,784,471	4,693,595	4,788,971	4,751,971

29501 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

(In thousands of dollars)

Undistributed:

29350	Unobligated Balances	-25,000
29410	Reserves Cost Avoidance	-15,000
29445	WMD-CST Team for Florida	2,900
29455	WMD-CST Team for New York	1,000
29457	Joint Interagency Training Center	3,600

NATIONAL GUARD PERSONNEL, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
29550 NATIONAL GUARD PERSONNEL, AIR FORCE				
29600 ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT				
29650 PAY GROUP A TRAINING (15 DAYS & DRILLS 24/48)	901,071	901,071	901,271	901,271
29700 PAY GROUP F TRAINING (RECRUITS)	72,665	72,665	72,665	72,665
29750 PAY GROUP P TRAINING (PIPELINE RECRUITS)	455	455	455	455
29810 SCHOOL TRAINING	---	---	141,790	141,790
29820 SPECIAL TRAINING	---	---	80,353	80,353
29830 ADMINISTRATION AND SUPPORT	---	---	1,138,153	1,138,153
29840 EDUCATION BENEFITS	---	---	66,043	66,043
29950 TOTAL, BUDGET ACTIVITY 1	974,191	974,191	2,400,730	2,400,730
30000 ACTIVITY 2: OTHER TRAINING AND SUPPORT				
30050 SCHOOL TRAINING	141,790	141,790	---	---
30100 SPECIAL TRAINING	80,353	80,353	---	---
30150 ADMINISTRATION AND SUPPORT	1,137,353	1,138,153	---	---
30200 EDUCATION BENEFITS	66,043	66,043	---	---
30400 TOTAL, BUDGET ACTIVITY 2	1,425,539	1,426,339	---	---
30550 UNOBLIGATED BALANCES	---	-57,030	---	-28,000
30555 UNEXPENDED BALANCES	---	---	---	---
30600 RESERVES COST AVOIDANCE	---	-28,270	-31,900	-28,270
30605 WMD-CST TEAM FOR NEW YORK	---	400	---	400
30607 JOINT INTERAGENCY TRAINING CENTER	---	---	425	425
30730 TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE	2,399,730	2,315,630	2,369,255	2,345,285
30740 LESS BASIC ALLOWANCE FOR HOUSING 1/	-277,533	-277,533	-277,533	-277,533
30750 TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE	2,122,197	2,038,097	2,091,722	2,067,752

30751 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

(In thousands of dollars)

Budget Activity 1: Reserve Component Training and Support:
29650 Pay Group A Training/166th Information Operations Squadron 200
29830 Administration and Support/166th Information Operations Squadron 800
Undistributed:
30550 Unobligated Balances ..... -28,000
30600 Reserves Cost Avoidance ..... -28,270
30605 WMD-CST Team for New York 400
30607 Joint Interagency Training Center 425

TITLE II-OPERATION AND MAINTENANCE

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
RECAPITULATION				
O & M, ARMY	23,091,606	22,292,965	22,199,406	22,397,581
O & M, NAVY	30,129,671	29,853,676	29,570,771	29,751,721
O & M, MARINE CORPS	3,405,821	3,351,121	3,266,721	3,338,296
O & M, AIR FORCE	29,658,288	29,089,688	28,542,408	28,774,928
O & M, DEFENSE-WIDE	19,989,270	19,883,790	19,832,789	19,948,799
O & M, ARMY RESERVE	2,083,312	2,064,512	1,942,388	1,957,888
O & M, NAVY RESERVE	1,236,628	1,223,628	1,223,628	1,223,628
O & M, MARINE CORPS RESERVE	202,332	202,732	199,232	199,032
O & M, AIR FORCE RESERVE	2,663,951	2,659,951	2,564,451	2,563,751
O & M, ARMY NATIONAL GUARD	4,450,783	4,436,839	4,267,683	4,323,783
O & M, AIR NATIONAL GUARD	5,080,695	5,035,310	4,833,270	4,831,185
OVERSEAS CONTINGENCY OPERATIONS TRANSFER ACCOUNT	10,000	---	---	---
UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES	11,721	11,721	11,721	11,721
ENVIRONMENTAL RESTORATION, ARMY 1/	413,794	413,794	413,794	---
ENVIRONMENTAL RESTORATION, NAVY 1/	304,409	304,409	304,409	---
ENVIRONMENTAL RESTORATION, AIR FORCE 1/	423,871	423,871	423,871	---
ENVIRONMENTAL RESTORATION, DEFENSE-WIDE 1/	18,431	18,431	18,431	---
ENVIRONMENTAL RESTORATION, FORMERLY USED DEF. SITES 1/	242,790	257,790	282,790	---
OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	63,204	63,204	63,204	63,204
FORMER SOVIET UNION THREAT REDUCTION ACCOUNT	372,128	372,128	372,128	372,128
GRAND TOTAL, O & M	123,852,705	121,959,560	120,333,095	119,757,645
LESS ENVIRONMENTAL RESTORATION 1/	-1,403,295	-1,418,295	-1,443,295	---
GRAND TOTAL, O & M	122,449,410	120,541,265	118,889,800	119,757,645

1/ Under Military Quality of Life & VA Appropriations

TRAVEL EXPENDITURES

The conferees wish to ensure that the Department of Defense is making every effort to come into compliance with the Improper Payments Act regarding travel expenditures. The conferees note that the Department has invested significant resources in the Defense Travel System (DTS), which should enable the Department to reduce improper travel payments and accurately report improper payments when they occur. The conferees are concerned that the Department currently reports improper payments on only a portion of its unclassified budget. The conferees therefore direct the Government Accountability Office to assess the reasons why the Department is not fully in compliance with the Improper Payments Act and make recommendations for measures the Department can put in place to comply with the Act. The report should be provided to the congressional defense committees no later than May 31, 2007.

OPERATION AND MAINTENANCE, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
100 OPERATION AND MAINTENANCE, ARMY				
150 BUDGET ACTIVITY 1: OPERATING FORCES				
200 LAND FORCES				
250 DIVISIONS	992,281	1,002,281	992,281	997,481
300 CORPS COMBAT FORCES	430,556	430,556	430,556	430,556
350 CORPS SUPPORT FORCES	388,518	388,518	388,518	388,518
400 ECHELON ABOVE CORPS SUPPORT FORCES	884,236	836,236	884,236	861,236
450 LAND FORCES OPERATIONS SUPPORT	1,189,294	1,189,294	1,189,294	1,189,294
500 LAND FORCES READINESS				
550 FORCE READINESS OPERATIONS SUPPORT	1,971,662	1,982,162	1,983,562	1,978,687
600 LAND FORCES SYSTEMS READINESS	571,894	536,394	596,894	568,794
650 LAND FORCES DEPOT MAINTENANCE	974,354	976,354	644,354	645,454
700 LAND FORCES READINESS SUPPORT				
750 BASE OPERATIONS SUPPORT	5,235,492	5,242,992	5,224,892	5,299,242
800 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	1,810,774	1,810,774	1,780,774	---
850 MANAGEMENT & OPERATIONAL HEADQUARTERS	252,976	222,976	252,976	252,976
900 UNIFIED COMMANDS	108,594	108,594	108,594	108,594
950 ADDITIONAL ACTIVITIES	219,469	221,169	219,469	221,169
1045 TOTAL, BUDGET ACTIVITY 1	15,030,100	14,948,300	14,696,400	12,942,001
1050 BUDGET ACTIVITY 2: MOBILIZATION				
1100 MOBILITY OPERATIONS				
1200 STRATEGIC MOBILITY	197,583	197,583	200,583	197,283
1250 ARMY PREPOSITIONED STOCKS	66,594	66,594	66,594	66,594
1300 INDUSTRIAL PREPAREDNESS	4,700	4,700	4,700	4,700
1350 TOTAL, BUDGET ACTIVITY 2	268,877	268,877	271,877	268,577

	(In thousands of dollars) Budget	House	Senate	Conference
1400 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
1450 ACCESSION TRAINING				
1500 OFFICER ACQUISITION	112,359	112,359	112,359	112,359
1550 RECRUIT TRAINING	38,480	38,480	38,480	38,480
1600 ONE STATION UNIT TRAINING	45,827	45,827	45,827	45,827
1650 SENIOR RESERVE OFFICERS' TRAINING CORPS	273,430	276,430	273,430	275,780
1800 BASIC SKILL AND ADVANCED TRAINING				
1850 SPECIALIZED SKILL TRAINING	524,645	539,245	509,845	521,285
1900 FLIGHT TRAINING	637,726	637,726	637,726	637,726
1950 PROFESSIONAL DEVELOPMENT EDUCATION	115,231	116,231	115,231	116,231
2000 TRAINING SUPPORT	661,743	665,743	656,643	657,993
2150 RECRUITING AND OTHER TRAINING AND EDUCATION				
2200 RECRUITING AND ADVERTISING	516,857	516,857	516,857	516,857
2250 EXAMINING	130,238	130,238	130,238	130,238
2300 OFF-DUTY AND VOLUNTARY EDUCATION	273,188	275,188	269,788	270,788
2350 CIVILIAN EDUCATION AND TRAINING	136,568	136,568	130,068	130,068
2400 JUNIOR RESERVE OFFICERS' TRAINING CORPS	148,215	148,575	148,215	148,575
2500 TOTAL, BUDGET ACTIVITY 3	3,614,507	3,639,467	3,584,707	3,602,207
2550 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
2600 SECURITY PROGRAMS				
2650 SECURITY PROGRAMS	782,719	811,719	782,119	800,869
2700 LOGISTICS OPERATIONS				
2750 SERVICEWIDE TRANSPORTATION	451,070	451,070	451,070	451,070
2800 CENTRAL SUPPLY ACTIVITIES	453,386	457,386	433,686	436,286
2850 LOGISTICS SUPPORT ACTIVITIES	415,582	427,582	411,082	415,432
2900 AMMUNITION MANAGEMENT	308,552	308,552	308,552	308,552

	(In thousands of dollars) Budget	House	Senate	Conference
2950 SERVICEWIDE SUPPORT				
3000 ADMINISTRATION	701,834	651,834	651,834	701,834
3050 SERVICEWIDE COMMUNICATIONS	957,811	952,910	925,311	925,311
3100 MANPOWER MANAGEMENT	276,963	273,963	273,963	273,963
3150 OTHER PERSONNEL SUPPORT	200,993	200,993	200,993	200,993
3200 OTHER SERVICE SUPPORT	833,850	816,850	815,450	817,350
3250 ARMY CLAIMS	203,144	203,144	203,144	203,144
3300 REAL ESTATE MANAGEMENT	48,934	48,934	48,934	48,934
3550 SUPPORT OF OTHER NATIONS				
3600 INTERNATIONAL MILITARY HEADQUARTERS	310,277	310,277	310,277	310,277
3650 MISC. SUPPORT OF OTHER NATIONS	43,781	43,781	43,781	43,781
3700 TOTAL, BUDGET ACTIVITY 4	5,988,896	5,958,995	5,860,196	5,937,796
3730 REPAIRS AT FT. BAKER	---	2,500	---	2,000
4100 ADMINISTRATION AND SERVICEWIDE ACTIVITIES	---	-255,000	---	-50,000
4130 MILITARY TO CIVILIAN CONVERSIONS	---	-20,900	---	---
4139 UNOBLIGATED BALANCES	---	-125,000	-188,000	-125,000
4140 PEACE TIME TRAINING OFFSET	---	-133,500	-245,000	-180,000
4165 OPERATION NOBLE EAGLE OFFSET	---	-180,000	---	---
4170 TOTAL, OPERATION AND MAINTENANCE, ARMY	24,902,380	24,103,739	23,980,180	22,397,581
4175 LESS FAC SUSTAINMENT, RESTORATION & MOD FUNDS 1/	-1,810,774	-1,810,774	-1,780,774	---
4180 TOTAL, OPERATION AND MAINTENANCE, ARMY	23,091,606	22,292,965	22,199,406	22,397,581

4181 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

Budget Activity 1: Operating Forces
250 Lightweight Maintenance Enclosure 1,350
250 Arctic Tent 1,100
250 Modular General Purpose Tent System (MGPTS)—Type III 1,100
250 Modular Command Post System 1,650
400 EAC Support Forces Unjustified Growth ..... −23,000
550 Fort Hood Training Lands Restoration and Maintenance Project ... 1,100
550 Small Arms Range Modernization at Camp Edwards, MMR through Bullet Catcher 1,000
550 Water Purification and Distribution Operating Systems 3,250
550 Madigan Army Medical Center Trauma Readiness 1,625
550 Battlefield Mobility Enhancement System .. 2,700
550 Cognitive Air Defense Simulators (CADS) 1,000
550 Combat Vehicle Crewman Advanced Combat Helmet 3,250
550 Generator Engine Replacement 1,000
550 Insulated Liners for Extended Cold Weather Clothing System, Generation III (ECWCS GEN III) 2,700
550 PARC/Multi Brigade Training Requirements 10,600
550 USARP AC Deployable C4 Package 1,600
550 USARPAC Core Warfighting Network Infrastructure Critical Requirement 7,000
550 USARPAC C4 Modularity 3,500
550 Baseline Adjustment for One Time Increase −17,300
550 Unjustified Growth for Unit Mission Communication Support .... −16,000
600 Combat Development Core Unjustified Growth ..... −15,000
600 Golden Hour Technology Containers 4,500
600 Ground-forces Readiness for Advanced Tactical Vehicles (GREAT–V) 1,950
600 Information Assurance Vulnerability Alert (IAVA) Cell-PM Logistics Information Systems 1,350
600 Tracking Reusable Assets for Contingency and Emergency Response 3,600
600 Alaska Land Mobile Radio (ALMR) (Moved to O&M, Air Force) ..... —
600 ALCOM Communications Infrastructure Diversity and Survivability 500
650 UH–60 Leak Proof Transmission Drip Pans 1,100
650 Depot Maintenance Peace Time Work Load Adjustment ..... −330,000
750 Multi-purpose Parade Field, Fort Benning (moved to O&M, Defense Wide) .... —
750 Service Wide Safety: Alcohol Breath Detectors 2,500
750 Connect and Join 1,000
750 Bryant Army Airfield Clear Zone Waiver 3,000
750 FGA Fire Suppression System 1,200
750 Army Conservation & Ecosystem Management 3,000
750 Fort Knox Godman Airfield Improvements for Air Surveillance Radar (moved from Other Procurement, Army) 2,150
750 Base Support Increase 50,900
950 WMD-CST Team For Florida 1,000
950 WMD-CST Team For New York 700
Budget Activity 2: Mobilization
1200 Quadruple Specialty Containers 2,700
1200 Baseline Adjustment for One Time Increase ..... −3,000
Budget Activity 3: Training and Recruiting
1650 Early Commissioning Program at Military Junior Colleges 3,050
1650 Air Battle Captain 1,300
1650 Baseline Adjustment for One Time Increase ..... −2,000
1850 DLIFLC Global Studies Program 1,000
1850 Operational Technical Training Validation Testbed 1,950
1850 Military Surgeon Training Initiative for Special Operations Combat Medic Training Program 1,000
1850 Special Operations Training and Exercises 1,000
1850 Military Police Training at the Multi-Jurisdictional Counter-Drug Task Force Training (MCTFT) 2,000
1850 Virtual Interactive Training and Assessment System (VITAS) 1,440
1850 SUS of Florida Critical Language Instruction for Military Personnel, Education, Training, Distance Learning and Laboratories Project 1,200
1850 DLI—Language Laboratory Acquisition 1,850
1850 Baseline Adjustment for One Time Increase ..... −14,800
1950 Leadership for Leaders at CGSC/CAL and KSU 1,000
2000 Live Training Instrumentation for Air Missile Defense Units .. 1,350
2000 Army Distributed Learning System 1,000
2000 Baseline Adjustment for One Time Increase ..... −6,100
2300 USARAK Online Technology Training Project 1,000
2300 Baseline Adjustment for One Time Increase ..... −3,400
2350 Affordability Adjustment for New Initiative ..... −6,500
2400 Spirit of America Youth Conference for Junior ROTC Cadets 360
Budget Activity 4: Administration and Service-Wide Activities
2650 Advanced Persistent Surveillance Sensors (UGS) 1,000
2650 Citadel Base Security 500
2650 Classified Adjustment 18,750
2650 Baseline Adjustment for One Time Increase ..... −2,100
2800 Army Battery Management Program Utilizing Pulse Technology 2,600
2800 Unjustified Transfer Adjustment ..... −15,500
2800 Baseline Adjustment for One Time Increase ..... −4,200
2850 Sense and Respond Logistics Capability 2,000
2850 Decision Support for Predictive Logistics 2,000
2850 Army Software License Clearinghouse Program (ASLCP) 1,000
2850 TACOM Life Cycle Management Command Integrated Digital Environment Pilot Program 1,300
2850 Joint Army/USMC Autonomic and Focused Logistics Integration/Modeling Support 1,000
2850 Theater Enterprise Wide Logistics System (TEWLS) 1,000
2850 Common Logistics Operating Environment (CLOE); Condition-Based Maintenance (CBM+) 3,250
2850 Corrosion Prevention and Control Program 1,800
2850 Baseline Adjustment for One Time Increase ..... −13,500
3050 Future Business System ..... -4,900
3050 General Fund Enterprise Business System ..... −27,600
3100 National Security Personnel System Delayed Implementation −3,000
3200 Combat Readiness Center Unjustified Growth ..... −10,000
3200 Public Affairs Unjustified Growth ..... −8,400
3200 Memorial Day 1,400
3200 Army Center for Military History to Support a Traveling Exhibit on Military Experience in World War II (from Senate Sec. 8121) 500
Undistributed:
3730 Repairs at Ft. Baker 2,000
4100 Administration and Servicewide Activities −50,000

4139 Unobligated Balances	−125,000
4140 Peace Time Training Offset	−180,000

SPECIAL OPERATIONS COMBAT MEDIC TRAINING PROGRAM

The conferees are concerned by a decision made by the United States Army Special Operations Command (USASOC) to abruptly terminate its partnership with one of three facilities participating in the Special Operations Combat Medic (SOCM) training program, notwithstanding recent commendation for the facility's continued support of the program. The conferees believe this decision may be unfounded and hastily made without substantive justification. Furthermore, it eliminates from the SOCM program the unique, individualized, hands-on training offered by this facility. The conferees believe this program has been critical to force protection and is vital to war-fighters currently engaged in hostile environments abroad. The conferees encourage USASOC to continue the Special Operations Medic Training Program at all three facilities, and to do so in a manner consistent with the previous two fiscal years, so as to continue providing our troops with capable and skilled Special Operations medics.

OPERATION AND MAINTENANCE, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
4250 OPERATION AND MAINTENANCE, NAVY				
4300 BUDGET ACTIVITY 1: OPERATING FORCES				
4350 AIR OPERATIONS				
4400 MISSION AND OTHER FLIGHT OPERATIONS	3,587,750	3,587,750	3,587,750	3,587,750
4450 FLEET AIR TRAINING	863,788	863,788	841,788	841,788
4500 INTERMEDIATE MAINTENANCE	56,502	56,502	56,502	56,502
4550 AIR OPERATIONS AND SAFETY SUPPORT	121,303	121,303	121,303	121,303
4560 AIR SYSTEMS SUPPORT	485,830	490,830	485,830	489,080
4600 AIRCRAFT DEPOT MAINTENANCE	902,864	902,864	902,864	902,864
4650 AIRCRAFT DEPOT OPERATIONS SUPPORT	144,243	141,143	144,243	143,743
4800 SHIP OPERATIONS				
4850 MISSION AND OTHER SHIP OPERATIONS	3,166,923	3,290,423	3,150,423	3,271,423
4900 SHIP OPERATIONAL SUPPORT AND TRAINING	645,040	645,040	654,040	645,040
5000 SHIP DEPOT MAINTENANCE	3,722,690	3,722,690	3,712,090	3,812,090
5050 SHIP DEPOT OPERATIONS SUPPORT	979,341	979,341	950,341	951,141
5200 COMBAT COMMUNICATIONS/SUPPORT				
5250 COMBAT COMMUNICATIONS	318,105	318,105	318,105	318,105
5300 ELECTRONIC WARFARE	52,039	52,039	52,039	52,039
5350 SPACE SYSTEMS & SURVEILLANCE	164,454	164,454	164,454	164,454
5400 WARFARE TACTICS	356,815	356,815	356,815	356,815
5450 OPERATIONAL METEOROLOGY & OCEANOGRAPHY	267,193	267,193	290,593	282,793
5500 COMBAT SUPPORT FORCES	1,073,662	1,078,662	1,043,662	1,048,662
5550 EQUIPMENT MAINTENANCE	170,116	171,116	170,116	170,116
5600 DEPOT OPERATIONS SUPPORT	3,855	3,855	3,855	3,855
5750 WEAPONS SUPPORT				
5800 CRUISE MISSILE	132,602	132,602	132,602	132,602
5850 FLEET BALLISTIC MISSILE	946,811	946,811	925,811	946,811
5900 IN-SERVICE WEAPONS SYSTEMS SUPPORT	115,230	70,430	115,230	70,430
5950 WEAPONS MAINTENANCE	433,856	433,856	450,656	444,756
5955 OTHER WEAPON SYSTEMS SUPPORT	300,901	300,901	300,901	300,901

	(In thousands of dollars) Budget	House	Senate	Conference
6200 BASE SUPPORT				
6205 ENTERPRISE INFORMATION TECHNOLOGY	713,421	713,421	713,421	713,421
6210 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	1,201,313	1,201,313	1,208,313	---
6220 BASE OPERATING SUPPORT	3,470,443	3,398,943	3,447,443	3,426,343
6230 TOTAL, BUDGET ACTIVITY 1	24,397,090	24,412,190	24,301,190	23,254,827
6250 BUDGET ACTIVITY 2: MOBILIZATION				
6300 READY RESERVE AND PREPOSITIONING FORCES				
6350 SHIP PREPOSITIONING AND SURGE	545,607	545,607	545,607	545,607
6400 ACTIVATIONS/INACTIVATIONS				
6450 AIRCRAFT ACTIVATIONS/INACTIVATIONS	4,626	4,626	4,626	4,626
6500 SHIP ACTIVATIONS/INACTIVATIONS	197,171	197,171	197,171	197,171
6550 MOBILIZATION PREPAREDNESS				
6600 FLEET HOSPITAL PROGRAM	30,928	30,928	30,928	30,928
6650 INDUSTRIAL READINESS	1,660	1,660	1,660	1,660
6700 COAST GUARD SUPPORT	20,236	20,236	20,236	20,236
6750 TOTAL, BUDGET ACTIVITY 2	800,228	800,228	800,228	800,228
6800 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
6850 ACCESSION TRAINING				
6900 OFFICER ACQUISITION	134,960	134,960	134,960	134,960
6950 RECRUIT TRAINING	9,973	9,973	9,973	9,973
7000 RESERVE OFFICERS TRAINING CORPS	105,067	105,567	105,067	105,567
7150 BASIC SKILLS AND ADVANCED TRAINING				
7200 SPECIALIZED SKILL TRAINING	517,787	520,787	517,787	519,787
7250 FLIGHT TRAINING	425,434	425,434	425,434	425,434
7300 PROFESSIONAL DEVELOPMENT EDUCATION	121,568	138,068	121,568	134,018
7350 TRAINING SUPPORT	168,461	168,461	168,461	168,461
7500 RECRUITING, AND OTHER TRAINING AND EDUCATION				
7550 RECRUITING AND ADVERTISING	245,469	245,769	245,769	246,769
7600 OFF-DUTY AND VOLUNTARY EDUCATION	148,588	150,088	148,888	149,888
7650 CIVILIAN EDUCATION AND TRAINING	75,337	75,337	75,337	75,337
7700 JUNIOR ROTC	46,649	46,649	46,649	46,649
7850 TOTAL, BUDGET ACTIVITY 3	1,999,293	2,021,093	1,999,893	2,016,843

	(In thousands of dollars) Budget	House	Senate	Conference
7900 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
7950 SERVICEWIDE SUPPORT				
8000 ADMINISTRATION	719,357	706,857	691,357	690,657
8050 EXTERNAL RELATIONS	3,555	3,555	3,555	3,555
8100 CIVILIAN MANPOWER & PERSONNEL MGT	103,611	103,611	103,611	103,611
8150 MILITARY MANPOWER & PERSONNEL MGT	186,113	186,113	186,113	186,113
8200 OTHER PERSONNEL SUPPORT	274,108	274,108	274,108	274,108
8250 SERVICEWIDE COMMUNICATIONS	798,527	728,527	759,527	759,527
8450 LOGISTICS OPERATIONS AND TECHNICAL SUPPORT				
8500 SERVICEWIDE TRANSPORTATION	218,575	218,575	219,575	219,575
8550 PLANNING, ENGINEERING & DESIGN	242,607	240,607	237,607	235,607
8600 ACQUISITION AND PROGRAM MANAGEMENT	518,512	519,512	518,512	519,512
8700 HULL, MECHANICAL & ELECTRICAL SUPPORT	58,202	58,952	53,202	53,952
8750 COMBAT/WEAPONS SYSTEMS	43,143	43,143	43,143	43,143
8800 SPACE & ELECTRONIC WARFARE SYSTEMS	81,528	81,528	81,528	81,528
8950 SECURITY PROGRAMS				
9000 SECURITY PROGRAMS	391,438	392,438	381,438	385,438
9150 SUPPORT OF OTHER NATIONS				
9200 INTERNATIONAL HDQTRS & AGENCIES	10,478	10,478	10,478	10,478
9210 OTHER PROGRAMS				
9220 OTHER PROGRAMS	484,619	484,619	484,619	484,619
9250 TOTAL, BUDGET ACTIVITY 4	4,134,373	4,052,623	4,048,373	4,051,423
9570 CIVILIAN PAY OVERSTATEMENT	---	-96,800	-88,300	-88,300
9615 UNOBLIGATED BALANCES	---	-10,000	-67,300	-67,300
9620 PEACE TIME TRAINING OFFSET	---	-58,645	-215,000	-215,000
9640 MISSION FUNDING CONVERSION SAVINGS	---	-50,000	---	---
9650 OPERATION NOBLE EAGLE OFFSET	---	-14,700	---	---
9660 NSPS IMPLEMENTATION DELAY	---	-1,000	---	-1,000
9740 TOTAL, OPERATION AND MAINTENANCE, NAVY	31,330,984	31,054,989	30,779,084	29,751,721
9745 LESS FAC SUSTAINMENT, RESTORATION & MOD FUNDS 1/	-1,201,313	-1,201,313	-1,208,313	---
9750 TOTAL, OPERATION AND MAINTENANCE, NAVY	30,129,671	29,853,676	29,570,771	29,751,721

9751 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

Budget Activity 1: Operating Forces	
4450 Flying Hour Reduction	−22,000
4560 Knowledge Management Decision Support System	3,250
4650 Navy Enterprise Resource Planning Unjustified Growth	−5,000
4650 Low Observability Coatings and Materials Maintenance Program	1,000
4650 Naval Aviation Depot Support of the Fleet Response Plan	1,000
4650 F/A–18 C/D Filament-wound External Fuel Tank Refurbishment Program	1,000
4650 CAT & RADCOM Test Program Sets	1,500
4850 Restore Steaming Days to 51 days per quarter	121,000
4850 Man Overboard Safety System Installation and Maintenance	2,500
4850 One Time Adjustment for Baseline Increase	−19,000
4900 Intelligent Graphic Data Distribution Training (moved to Other Procurement, Navy)	–
4900 Intelligent Graphic Interface for Submarines (moved to Other Procurement, Navy)	–
5000 Ship Depot Maintenance Increase	100,000
5000 Excess Carryover Adjustment	−10,600
5050 Improved Engineering Design Process	1,800
5050 Surface Ship Operations Depot Support Affordability Adjustment	−30,000
5450 Operational Meteorology and Oceanography	4,100
5450 Center of Excellence for Disaster Management and Humanitarian Assistance (COE)	3,500
5450 APRI	8,000
5500 Joint POW/MIA Accounting Command	4,000
5500 Manual Reverse Osmosis Desalinator	1,000
5500 JFCOM Program Growth	−30,000
5900 Peace Time System Support Offset	−44,800
5950 Mk 45 Mod 5 Gun Depot Overhauls	10,900
6220 Growth in Base Operating Support	−50,000
6220 Navy Shore Infrastructure Transformation	2,300
6220 Advanced Technology to Reduce Vulnerability of Military Installations (moved to RDT&E, Navy)	–
6220 Service-Wide Safety: Alcohol Breath Detectors	2,000
6220 PMRF Flood Control	1,600
Budget Activity 3: Training and Recruiting	
7000 Naval ROTC Aquatic Skills Facility	500
7200 Joint Electronic Warfare Training	1,000
7200 Virtual Interactive Training and Assessment System (VITAS)	1,000
7300 Naval Postgraduate School Computer and Laboratory Upgrades	8,000
7300 Naval Postgraduate School Center CDTEMS	3,250
7300 Mobile Distance Learning	1,200
7550 Naval Sea Cadet Corps Operational Funding	300
7550 Physical Security at Navy Recruiting Stations (from Senate Sec. 8158)	1,000
7600 Continuing Education Distance Learning continuation of fiscal year 2005 program	1,000
7600 COMPASS	300
Budget Activity 4: Administration and Service-Wide Activities	
8000 FYDP Improvement Project Unjustified Growth	−9,500
8000 Naval Force Composition Transformation Analysis Unjustified Growth	−3,000
8000 Defense Small Business Technology and Readiness Resource (DSTARR)	1,300
8000 Growth in Administration	−17,500
8250 Navy Marine Corps Intranet (NMCI) Unjustified Growth	−40,000
8250 Joint Information Technology Center (JITC)	1,000
8500 RFID SMART Container	1,000
8550 Navy Ashore Vision for 2030 Unjustified Growth	−2,000
8550 Growth in Relocation Studies	−5,000
8600 The DON CIO Critical Infrastructure Protection Program	1,000
8700 Diagnosis and Prognostication of Gas Turbine Problems	750
8700 Systems Engineering Program Growth	−5,000
9000 Local Situational Assessment Segment, NAS Lemoore	1,000
9000 NCIS Affordability Adjustment	−7,000
Undistributed:	
9570 Civilian Pay Overstatement	−88,300
9615 Unobligated Balances	−67,300
9620 Peace Time Training Offset	−215,000
9660 National Security Personnel System Delayed Implementation	−1,000

OPERATION AND MAINTENANCE, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars)			
	Budget	House	Senate	Conference
9900 OPERATION AND MAINTENANCE, MARINE CORPS				
9950 BUDGET ACTIVITY 1: OPERATING FORCES				
10000 EXPEDITIONARY FORCES				
10050 OPERATIONAL FORCES	503,462	511,962	457,962	448,437
10100 FIELD LOGISTICS	424,331	427,331	420,731	421,531
10150 DEPOT MAINTENANCE	111,210	111,210	88,210	88,210
10160 USMC PREPOSITIONING				
10170 MARITIME PREPOSITIONING	70,801	74,601	70,801	73,101
10180 NORWAY PREPOSITIONING	5,284	5,284	5,284	5,284
10250 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	419,418	419,418	419,418	---
10260 BASE OPERATING SUPPORT	1,428,003	1,452,003	1,411,003	1,441,603
10450 TOTAL, BUDGET ACTIVITY 1	2,962,509	3,001,809	2,873,409	2,478,166
10500 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
10550 ACCESSION TRAINING				
10600 RECRUIT TRAINING	11,581	11,581	11,581	11,581
10650 OFFICER ACQUISITION	390	390	390	390
10800 BASIC SKILLS AND ADVANCED TRAINING				
10850 SPECIALIZED SKILLS TRAINING	41,130	41,130	41,130	41,130
10900 FLIGHT TRAINING	187	187	187	187
10950 PROFESSIONAL DEVELOPMENT EDUCATION	16,476	16,476	16,476	16,476
11000 TRAINING SUPPORT	144,692	144,692	144,692	144,692

	(In thousands of dollars) Budget	House	Senate	Conference
11150 RECRUITING AND OTHER TRAINING EDUCATION				
11200 RECRUITING AND ADVERTISING	108,883	108,883	108,883	108,883
11250 OFF-DUTY AND VOLUNTARY EDUCATION	55,524	55,524	55,524	55,524
11300 JUNIOR ROTC	17,257	17,557	17,257	17,657
11320 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	50,810	50,810	50,810	---
11350 BASE OPERATING SUPPORT	141,242	141,242	141,242	141,242
11450 TOTAL, BUDGET ACTIVITY 3	588,172	588,472	588,172	537,762
11500 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
11550 SERVICEWIDE SUPPORT				
11650 SPECIAL SUPPORT	255,058	255,058	255,058	255,058
11700 SERVICEWIDE TRANSPORTATION	24,140	24,140	24,140	24,140
11750 ADMINISTRATION	34,266	34,266	34,266	34,266
11850 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	2,913	2,913	2,913	---
11860 BASE OPERATING SUPPORT	11,904	11,904	11,904	11,904
11900 TOTAL, BUDGET ACTIVITY 4	328,281	328,281	328,281	325,368
12070 UNOBLIGATED BALANCES	---	-3,000	-3,000	-3,000
12080 PEACE TIME TRAINING OFFSET	---	-43,500	---	---
12090 OPERATION NOBLE EAGLE OFFSET	---	-10,000	---	---
12100 CIVILIAN PAY OVERSTATEMENT	---	-37,800	-47,000	---
12280 TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS	3,878,962	3,824,262	3,739,862	3,338,296
12290 LESS FAC SUSTAINMENT, RESTORATION & MOD FUNDS 1/	-473,141	-473,141	-473,141	---
12300 TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS	3,405,821	3,351,121	3,266,721	3,338,296

12301 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

Budget Activity 1: Operating Forces	
10050 On-the-Move Individual Water Purification System	1,650
10050 Modular General Purpose Tent System (MGPTS)—Type III	1,650
10050 Marine Corps Flame Resistant Contact Glove	1,500
10050 Modular Military Steel Traction Combat Snowshoe	1,000
10050 Hardened Fluorescent Stringable Tent Lighting System	3,000
10050 Peace Time Training Offset	−43,500
10050 Baseline Adjustment for One Time Increase	−30,300
10050 Cold Weather Layering System (CWLS)	1,800
10050 Command Post—Large Tactical Shelter	1,000
10050 Individual Water Purifier System	2,275
10050 Marine Advanced Combat Garments	2,600
10050 Marine Corps Base Layer/Cold Weather Clothing & Equipment Program	1,000
10050 Hemostatic Agent	1,300
10100 Ultra Lightweight Camouflage System (ULCANS)	3,000
10100 Corrosion Prevention and Control Program	1,800
10100 Baseline Adjustment for One Time Increase	−7,600
10150 Depot Maintenance Peace Time Work Load Adjustment	−23,000
10170 Maritime Prepositioning Force	1,000
10170 Advanced Vapor Corrosion Inhibitor Delivery System	1,300
10260 Airborne UXO Survey Technologies to Support Range Modernization at 29 Palms	1,600
10260 MAGTFTC Range Transformation Initiative	17,600
10260 Communications Upgrade MBH	3,200
10260 Baseline Adjustment for One Time Increase	−8,800
Budget Activity 3: Training and Recruiting	
11300 ROTC Programs	400
Undistributed:	
12070 Unobligated Balances	−3,000

OPERATION AND MAINTENANCE, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
12450 OPERATION AND MAINTENANCE, AIR FORCE				
12500 BUDGET ACTIVITY 1: OPERATING FORCES				
12550 AIR OPERATIONS				
12600 PRIMARY COMBAT FORCES	4,307,850	4,311,700	4,107,850	4,156,300
12650 PRIMARY COMBAT WEAPONS	281,366	281,366	281,366	281,366
12700 COMBAT ENHANCEMENT FORCES	603,703	603,703	603,903	603,903
12750 AIR OPERATIONS TRAINING	1,439,196	1,439,196	1,421,596	1,421,596
12755 COMBAT COMMUNICATIONS	1,619,591	1,619,591	1,621,591	1,620,591
12775 DEPOT MAINTENANCE	1,943,368	1,943,368	1,957,368	1,951,068
12810 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	924,187	924,187	839,187	---
12850 BASE OPERATING SUPPORT	2,405,434	2,229,034	2,151,199	2,339,499
12950 COMBAT RELATED OPERATIONS				
13000 GLOBAL C3I AND EARLY WARNING	1,147,409	1,147,409	1,147,409	1,147,409
13050 NAVIGATION/WEATHER SUPPORT	243,878	243,878	242,178	242,178
13100 OTHER COMBAT OPERATIONS SUPPORT PROGRAMS	610,059	613,059	674,389	667,759
13150 JCS EXERCISES	29,240	29,740	29,240	29,740
13200 MANAGEMENT/OPERATIONAL HEADQUARTERS	241,730	241,730	241,730	241,730
13250 TACTICAL INTELLIGENCE AND SPECIAL ACTIVITIES	350,629	350,629	350,629	350,629
13300 SPACE OPERATIONS				
13350 LAUNCH FACILITIES	324,467	324,467	324,467	324,467
13400 LAUNCH VEHICLES	59,713	59,713	59,713	59,713
13450 SPACE CONTROL SYSTEMS	255,325	255,325	255,325	255,325
13500 SATELLITE SYSTEMS	81,845	81,845	81,845	81,845
13550 OTHER SPACE OPERATIONS	320,801	320,801	323,801	322,451
13560 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	133,825	133,825	118,825	---
13600 BASE SUPPORT	553,394	553,394	553,569	553,569
13700 TOTAL, BUDGET ACTIVITY 1	17,877,010	17,707,960	17,387,180	16,651,138

	(In thousands of dollars) Budget	House	Senate	Conference
13750 BUDGET ACTIVITY 2: MOBILIZATION				
13800 MOBILITY OPERATIONS				
13850 AIRLIFT OPERATIONS	2,948,518	2,948,518	2,928,118	2,928,118
13900 AIRLIFT OPERATIONS C3I	47,313	47,313	47,313	47,313
13950 MOBILIZATION PREPAREDNESS	204,721	204,721	204,721	204,721
13955 PAYMENTS TO TRANSPORTATION BUSINESS AREA	7,134	7,134	7,134	7,134
13975 DEPOT MAINTENANCE	311,703	311,703	311,703	311,703
14000 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	179,242	179,242	139,242	---
14050 BASE SUPPORT	560,838	560,838	563,338	562,838
14150 TOTAL, BUDGET ACTIVITY 2	4,259,469	4,259,469	4,201,569	4,061,827
14200 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
14250 ACCESSION TRAINING				
14300 OFFICER ACQUISITION	81,429	81,429	81,929	81,929
14350 RECRUIT TRAINING	6,306	6,306	6,306	6,306
14400 RESERVE OFFICER TRAINING CORPS (ROTC)	95,282	95,282	95,282	95,282
14420 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	43,461	43,461	33,461	---
14450 BASE SUPPORT (ACADEMIES ONLY)	75,354	75,354	76,154	76,154
14550 BASIC SKILLS AND ADVANCED TRAINING				
14600 SPECIALIZED SKILL TRAINING	351,352	351,352	351,352	351,352
14650 FLIGHT TRAINING	836,910	839,410	836,910	838,510
14700 PROFESSIONAL DEVELOPMENT EDUCATION	175,225	176,225	178,725	178,125
14750 TRAINING SUPPORT	89,025	94,225	86,175	89,125
14775 DEPOT MAINTENANCE	12,558	12,558	12,558	12,558
14780 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	134,126	134,126	134,126	---
14800 BASE OPERATING SUPPORT (OTHER TRAINING)	590,856	590,856	590,856	590,856
14900 RECRUITING, AND OTHER TRAINING AND EDUCATION				
14950 RECRUITING AND ADVERTISING	133,600	133,600	133,600	133,600
15000 EXAMINING	3,713	3,713	3,713	3,713
15050 OFF DUTY AND VOLUNTARY EDUCATION	192,847	192,847	192,847	192,847
15100 CIVILIAN EDUCATION AND TRAINING	115,394	119,194	118,394	117,994
15150 JUNIOR ROTC	60,380	60,380	60,380	60,380
15200 TOTAL, BUDGET ACTIVITY 3	2,997,818	3,010,318	2,992,768	2,828,731

	(In thousands of dollars) Budget	House	Senate	Conference
15250 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
15300 LOGISTICS OPERATIONS				
15350 LOGISTICS OPERATIONS	892,899	899,899	886,149	890,749
15400 TECHNICAL SUPPORT ACTIVITIES	629,064	634,764	626,664	630,814
15450 SERVICEWIDE TRANSPORTATION	176,222	176,222	176,222	176,222
15475 DEPOT MAINTENANCE	47,817	47,817	47,817	47,817
15480 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	252,911	252,911	232,911	---
15500 BASE SUPPORT	993,307	993,307	993,307	993,307
15600 SERVICEWIDE ACTIVITIES				
15650 ADMINISTRATION	254,311	254,311	254,311	254,311
15700 SERVICEWIDE COMMUNICATIONS	510,987	510,987	510,987	510,987
15750 PERSONNEL PROGRAMS	222,416	222,416	222,416	222,416
15900 ARMS CONTROL	49,933	49,933	49,933	49,933
15950 OTHER SERVICEWIDE ACTIVITIES	280,473	284,473	281,773	282,873
16000 OTHER PERSONNEL SUPPORT	37,775	40,775	35,025	37,025
16050 CIVIL AIR PATROL CORPORATION	21,087	25,087	25,087	25,087
16060 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	16,267	16,267	13,267	---
16100 BASE OPERATING SUPPORT	325,670	326,670	325,670	326,670
16200 SECURITY PROGRAMS				
16250 SECURITY PROGRAMS	1,478,190	1,478,190	1,479,690	1,479,340
16300 SUPPORT TO OTHER NATIONS				
16350 INTERNATIONAL SUPPORT	18,681	18,681	18,681	18,681
16400 TOTAL, BUDGET ACTIVITY 4	6,208,010	6,232,710	6,179,910	5,946,232
16630 UNOBLIGATED BALANCES	---	-100,000	-108,000	-108,000
16808 PEACE TIME TRAINING OFFSET	---	---	-400,000	-400,000
16870 NSPS IMPLEMENTATION DELAY	---	-5,000	---	-5,000
16875 BASE SUPPORT EFFICIENCIES	---	-100,000	---	---
16880 OPERATION NOBLE EAGLE OFFSET	---	-228,000	---	---
16885 CLASSIFIED PROGRAMS	---	-3,750	---	---
16899 EXCESS FUNDING BASED ON PRIOR YEAR EXECUTION	---	---	-200,000	-200,000
16900 TOTAL, OPERATION AND MAINTENANCE, AIR FORCE	31,342,307	30,773,707	30,053,427	28,774,928
16905 LESS FAC SUSTAINMENT, RESTORATION & MOD FUNDS 1/	-1,684,019	-1,684,019	-1,511,019	---
16910 TOTAL, OPERATION AND MAINTENANCE, AIR FORCE	29,658,288	29,089,688	28,542,408	28,774,928

16911 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

Budget Activity 1: Operating Forces	
12600 MBU 20/P Oxygen Mask with Mask Light	1,750
12600 Aircrew Life Support Equipment	1,800
12600 Self-Inflating, Open Cell Foam Quick Don Anti-Exposure Suit	4,800
12600 Baseline Adjustment for One Time Increase	−43,800
12600 Unjustified Growth	−116,100
12700 Cybersecurity Defend and Attack Exercises (CIAS initiative)	200
12750 Joint Modular Ground Targets & Urban CAS Site	100
12750 Baseline Adjustment for One Time Increase	−17,700
12755 ALCOM Communications Infrastructure Diversity and Survivability (A WOS)	1,000
12775 Accelerated Insertion of Advanced Materials and Certification for Military Aircraft Structure Material Substitution and Repair	1,100
12775 Advanced Inspection Techniques and Analysis Methods for Multi-layer Structures and Widespread Fatigue Damage in Aging Military Aircraft	1,100
12775 F–16 Avionics Intermediate Shop Depot Replacement	5,500
12850 Civilian Payment Overstatement	−100,000
12850 Expert Organizational Development System (EXODUS)	1,600
12850 Mission Critical Power System Reliability Surveys	1,000
12850 Eielson AFB Utilidor	8,000
12850 Operational Upgrades—Bldg 9480	10,000
12850 EAFB Fighter Town Enhancements/Transition	12,700
12850 Electrical Distribution Upgrade at Hickam	8,500
12850 PACAF C–17 Beddown	65
13050 Baseline Adjustment for One Time Increase	−7,800
13050 Baseline Adjustment for One Time Increase	−1,700
13100 Contaminant Air Processing System	1,000
13100 Enhanced Situational Awareness and Analyses of Geospatial Enterprise Infrastructure	1,600
13100 Red Flag AK CW/STO Integration	9,600
13100 Red Flag AK PARC Upgrades	51,000
13100 Alaska Land Mobile Radio (ALMR) (moved from O&M, Army)	6,000
13100 Baseline Adjustment for One Time Increase	−11,500
13150 PACAF and USAFE Geospatial Information and Services	500
13550 National Security Space Institute-AFSPC	1,650
13600 Vandenberg AFB Missile Defense Static Display	175
Budget Activity 2: Mobilization	
13850 Baseline Adjustment for One Time Increase	−20,400
14050 PACAF C–17 Beddown	2,000
Budget Activity 3: Training	
14300 Center for Space & Defense Studies-United States Air Force Academy	500
14450 United States Air Force Academy, Static Display Rehabilitation and Lighting	800
14650 USAF Undergraduate Combat System Officer Trainer	1,600
14700 National Space Studies Center Study	1,000
14700 Homeland Defense PhD Program-Naval Postgraduate School	1,900
14750 Engineering Knowledge and Training Preservation System	1,000
14750 AFIT Advanced Tech Intelligence Center (ATIC) for Workforce Development	1,950
14750 Baseline Adjustment for One Time Increase	−2,850
15100 Online Technology Training Program—Nellis Air Force Base	1,000
15100 Online Technology Training Program—MacDill AFB	1,600
Budget Activity 4: Administration and Service-Wide Activities	
15350 Air Operations Combat Support	3,000
15350 Center for Parts Configuration Management (CPCM)	1,300
15350 Manufacturing Technical Assistance and Production Program	1,000
15350 Hickam AFB Alternative Fuel Vehicle Program	2,700
15350 Baseline Adjustment for One Time Increase	−10,150
15400 Expand Rapid Retargeting Training and Services at WRALC	1,950
15400 Engine Health Management Data Repository Center	2,200
15400 Baseline Adjustment for One Time Increase	−2,400
15950 Air Force Data Conversion (only for AFRPA BRAC support)	3,200
15950 Air Force Financial Management (FM) Transformation Program	4,300
15950 Baseline Adjustment for One Time Increase	−5,100
16000 Demonstration Project for Contractors Employing Persons with Disabilities	2,000
16000 Baseline Adjustment for One Time Increase	−2,750
16050 Civil Air Patrol Corporation	4,000
16100 Air Force Enterprise Desktop Computer Information Assurance	1,000
16250 Classified Adjustment	1,150
Undistributed:	
16630 Unobligated Balances	−108,000
16808 Peace Time Flying Hours Adjustment	−400,000
16870 National Security Personnel System Delayed Implementation	−5,000
16899 Excess O&M funding Based On Prior Year Execution	−200,000

OPERATION AND MAINTENANCE, DEFENSE-WIDE

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
16950 OPERATION AND MAINTENANCE, DEFENSE-WIDE				
17000 BUDGET ACTIVITY 1: OPERATING FORCES				
17050 JOINT CHIEFS OF STAFF	578,523	264,600	274,100	272,200
17060 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	3,480	3,480	3,480	---
17100 SPECIAL OPERATIONS COMMAND	2,852,620	2,856,120	2,551,739	2,597,739
17150 TOTAL, BUDGET ACTIVITY 1	3,434,623	3,124,200	2,829,319	2,869,939
17200 BUDGET ACTIVITY 2: MOBILIZATION				
17250 DEFENSE LOGISTICS AGENCY	---	50,497	---	50,497
17350 BUDGET ACTIVITY 3: TRAINING AND RECRUITING				
17460 DEFENSE ACQUISITION UNIVERSITY	102,227	102,227	102,227	102,227
17461 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	2,444	2,444	2,444	---
17480 DEFENSE HUMAN RESOURCES ACTIVITY	---	33,089	---	33,089
17600 SPECIAL OPERATIONS COMMAND	---	---	129,241	129,241
17610 NATIONAL DEFENSE UNIVERSITY	85,127	86,927	80,127	84,027
17611 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	4	4	4	---
17650 TOTAL, BUDGET ACTIVITY 3	189,802	224,691	314,043	348,584
17700 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
17725 AMERICAN FORCES INFORMATION SERVICE	147,978	147,978	147,978	147,978
17730 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	2,351	2,351	2,351	---
17750 CIVIL MILITARY PROGRAMS	106,503	111,503	133,503	131,103
17790 DEFENSE BUSINESS TRANSFORMATION AGENCY	179,255	129,255	152,255	150,905
17800 DEFENSE CONTRACT AUDIT AGENCY	391,949	391,949	391,949	391,949
17810 DEFENSE FINANCE AND ACCOUNTING SERVICE	452	452	452	452
17815 DEFENSE INFORMATION SYSTEMS AGENCY	986,879	986,879	956,879	956,879
17817 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	11,739	11,739	11,739	---
17820 DEFENSE LEGAL SERVICES AGENCY	35,538	35,538	35,538	35,538
17830 DEFENSE LOGISTICS AGENCY	297,441	267,764	319,641	273,144
17831 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	61	61	61	---
17850 DEFENSE POW /MISSING PERSONS OFFICE	16,191	16,191	16,191	16,191
17860 DEFENSE TECHNOLOGY SECURITY AGENCY	21,899	21,899	21,899	21,899
17870 DEFENSE THREAT REDUCTION AGENCY	314,213	314,213	314,213	314,213
17871 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	342	342	342	---

	(In thousands of dollars) Budget	House	Senate	Conference
17880 DEPARTMENT OF DEFENSE DEPENDENTS EDUCATION	1,669,215	1,681,615	1,679,715	1,687,515
17890 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	59,636	59,636	59,636	---
17900 DEFENSE HUMAN RESOURCES ACTIVITY	374,352	341,263	378,452	344,263
17910 DEFENSE CONTRACT MANAGEMENT AGENCY	1,036,795	1,036,795	1,036,795	1,036,795
17920 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	3,502	3,502	3,502	---
18025 DEFENSE SECURITY COOPERATION AGENCY	140,109	140,109	140,109	140,109
18026 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	363	363	363	---
18050 DEFENSE SECURITY SERVICE	287,054	297,054	287,054	295,054
18051 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	5	5	5	---
18100 OFFICE OF ECONOMIC ADJUSTMENT	73,021	114,821	108,021	141,421
18125 OFFICE OF THE SECRETARY OF DEFENSE	748,368	766,568	746,368	759,568
18150 SPECIAL OPERATIONS COMMAND	---	500	65,259	65,759
18200 JOINT CHIEFS OF STAFF	---	303,923	303,923	303,923
18225 WASHINGTON HEADQUARTERS SERVICES	464,502	450,502	444,502	444,502
18230 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	2,459	2,459	2,459	---
18950 TOTAL, BUDGET ACTIVITY 4	7,372,172	7,637,229	7,761,154	7,659,160
19010 IMPACT AID	---	35,000	30,000	30,000
19015 IMPACT AID FOR CHILDREN WITH DISABILITIES	---	---	5,000	5,000
19020 OTHER PROGRAMS	9,079,059	9,016,559	9,049,459	9,063,189
19045 UNOBLIGATED BALANCES	---	-118,000	-108,000	-108,000
19080 SPECIAL ASSISTANCE TO LOCAL EDUCATION AGENCIES	---	---	10,000	8,000
19142 ARMED FORCES MEDICAL AND FOOD RESEARCH	---	---	2,200	1,430
19147 INSTITUTE FOR NATIONAL SECURITY ANALYSIS	---	---	1,000	1,000
19165 COMPATIBLE USE BUFFER PROGRAM	---	---	25,000	20,000
19435 TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE	20,075,656	19,970,176	19,919,175	19,948,799
19439 LESS FAC SUSTAINMENT, RESTORATION & MOD FUNDS 1/	-86,386	-86,386	-86,386	---
19450 TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE	19,989,270	19,883,790	19,832,789	19,948,799

19451 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

[In thousands of dollars]

Budget Activity 1: Operating Forces	
17050 TIS—Program Growth	−10,000
17050 TIS—BA Realignment	−303,923
17050 TIS—Gamma Radiation Detection Systems (GaRDS)	7,600
17100 SOCOM—Militarized ATV	1,600
17100 SOCOM—Warrior Wellness Pilot Program	1,500
17100 SOCOM—BA Realignment	−194,500
17100 SOCOM—Civil Affairs and PSYOPS (Realignment to Army Reserve)	−27,521
17100 SOCOM—Flight Operations for GWOT	−25,960
17100 SOCOM—Unjustified Growth in Management Headquarters	−10,000
Budget Activity 2: Mobilization	
17250 DLA—BA Realignment	50,497
Budget Activity 3: Training and Recruiting	
17480 DHRA—BA Realignment	33,089
17610 NDU—Center for Excellence in Educational Technology (CEET)	1,400
17610 NDU—NSEP	−2,500
17610 SOCOM—Realignment to Budget Activity 3	129,241
Budget Activity 4: Admininstration and Service-Wide Activities	
17750 CMP—STARBASE Program	2,000
17750 CMP—NG Youth Challenge CPR Initiative	1,000
17750 CMP—NG Youth Challenge—CA	1,600
17750 CMP—National Guard Youth Challenge Program	12,000
17750 CMP—IRT	8,000
17790 DBTA—DIMHRS—Transfer to RDDW, Line 101	−30,000
17790 DBTA—DIMHRS	1,650
17815 DISA—Affordability Adjustment for Program Growth	−30,000
17830 DLA—Procurement Technical Assistance Program	7,000
17830 DLA—Commercial Technologies for Maintenance Activities	5,200
17830 DLA—Meals Ready to Eat (MREs) War Reserve Stockpile	5,000
17830 DLA—Defense Automatic Addressing System Center (DAASC) Transaction Monitoring Improvement Project	1,000
17830 DLA—BA Realignment	−50,497
17830 DLA—Center for Supply Chain Management	8,000
17880 DODEA—Public Service Advertising Campaign—FAP	1,000
17880 DODEA—Institute for Exploration (IFE)	1,000
17880 DODEA—SOAR Virtual School District	5,000
17880 DODEA—Cyber Curriculum for the Education of Children of the Miltary	1,000
17880 DODEA—JASON Foundation	1,000
17880 DODEA—Lewis Center for Education Research	3,200
17880 DODEA—Mathematics and Technology Teachers Development	1,000
17880 DODEA—Parents as Teachers	1,000
17880 DODEA—Community-based Mental Health Assistance to Guard and Reserve (from Senate Section 8157)	3,000
17880 DODEA—Reach Out and Read Early Literacy Program	1,100
17900 DIIRA—BA Realignment	−33,089
17900 DHRA—Defense Critical Languages and Cultures Program	1,000
17900 DHRA—National Foreign Language Coordination Council	1,000
17900 DHRA—Strategic Language Initiative	1,000
18050 DSS—PSI for Industry	8,000
18100 OEA—Citizen Soldier Support Program	5,000
18100 OEA—Arnold Heights Redevelopment	1,000
18100 OEA—Norton AFB—Infrastructure Improvements	6,400
18100 OEA—Norton AFB—High Ground Water/Liquefaction Mitgation and Economic Redevelopment	1,000
18100 OEA—George AFB—Infrastructure Improvements	2,400
18100 OEA—Davids Island—Fort Slocum Remediation	9,000
18100 OEA—Delaware Valley Continuing Education Initiative for National Guard and Reserves	500
18100 OEA—Hunters Point Naval Shipyard	4,800
18100 OEA—Military Intelligence Service Historic Learning Center	1,000
18100 OEA—Port of Philadelphia	1,000
18100 OEA—Thorium/Magnesium Excavation	1,000
18100 OEA—Institutional and Infrastructure Development Assistance for HSIs	2,300
18100 OEA—Multi-purpose Parade Field, Fort Benning (transferred from OM,A)	5,000
18100 OEA—Fort Wainwright Eielson AFB Track Realignment	12,000
18100 OEA—Northern Line Extension, AK RR	4,000
18100 OEA—Intermodal Marine Facility—Port of Anchorage	10,000
18100 OEA—Fort Belvoir Road Study (from Senate Section 8149)	2,000
18125 OSD—Military Voter Registration System.	600
18125 OSD—Critical Language Training: SDSU	1,000
18125 OSD—Middle East Regional Security Issues Program	1,400
18125 OSD—Minority Contract Enhancement Program	1,700
18125 OSD—Foreign Disclosure On-Line Training, Education, and Certification	1,000
18125 OSD—Women's Campaign International	1,500
18125 OSD—Wind Demonstration Project	5,000
18125 OSD—Virtual Reality-Based Military Training System	1,000
18125 OSD—Military Critical Technologies Program—Transfer to RDDW, Line 122	−2,000
18150 SOCOM—Service-Wide Safety: Alcohol Breath Detectors	500
18150 SOCOM—Realignment to Budget Activity 4	65,259
18200 TIS—BA Realignment	303,923
18225 WHS—Program Growth	−20,000
Undistributed:	
19010 Impact Aid	30,000
19015 Impact Aid for Children with Disabilities	5,000
19020 Classified Programs	−15,870
19045 Unobligated Balances	−108,000
19080 Special Assistance to Local Education Agencies	8,000
19142 Armed Forces Medical and Food Research	1,430
19147 Institute for National Security Analysis	1,000
19165 Compatible Use Buffer Program	20,000

DEFENSE SECURITY SERVICE

The conference agreement provides $8,000,000 above the budget request for the Defense Security Service (DSS) to assist in the timely processing of industry Personnel Security Investigations. The conferees expect the Department of Defense to resolve the budgetary problems facing the DSS and to report to the congressional defense committees on plans to more accurately build future DSS budget submissions not later than 90 days after enactment of this Act.

DEPLETED URANIUM SENSING AND TREATMENT FOR REMOVAL PROGRAM

The conferees understand depleted uranium is critical for use in applications such as armor penetrators and armor plates, providing a substantial performance advantage over other materials. Depleted uranium, however, is a low-level radioactive heavy metal and concerns exist about potential health effects from its use in military operations. The conferees appreciate Department of Defense efforts in developing methods for depleted uranium contamination removal and are aware of the Depleted Uranium Sensing and Treatment for Removal program. The conferees direct the Department to provide an assessment of the Depleted Uranium Sensing and Treatment for Removal program to the congressional defense committees no later than December 31, 2006, which addresses current research and development efforts, progress to date and merits of the program.

THANKS USA

The ThanksUSA Program provides post-secondary scholarships for the spouses and dependents of active duty military personnel. The conferees believe this is a commendable model of public-private partnerships and fully support the educational and retention objectives of this program. The conferees encourage ThanksUSA to continue to develop sources of private and matching funding for this worthwhile cause to ensure future scholarship availability for these deserving military family members.

OIL REFINERIES

When making public contract announcements regarding the refining of fuel by U.S. companies, the U.S. Department of Defense should not provide the name of the country for which the fuel is being refined or the location of the facility that will refine the fuel.

PERSONNEL IDENTIFICATION AND AUTHENTICATION

The conferees recognize the criticality of controlling access to our military installations. It is imperative for force protection and the security of our facilities that only those individuals with legitimate need and proper identification should gain access to installations. The conferees are aware of various initiatives across the Department of Defense to employ systems that provide for authentication of identification credentials at installation gates. Such systems have been developed by both the private sector and DoD components. In order to ensure that the Department takes a coherent approach that delivers best value solutions for this important force protection role, the conferees expect DoD and the services to develop a comprehensive set of requirements to use as the basis for full and open competition.

OPERATION AND MAINTENANCE, ARMY RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
19500 OPERATION AND MAINTENANCE, ARMY RESERVE				
19510 BUDGET ACTIVITY 1: OPERATING FORCES				
19520 LAND FORCES 19530 DIVISION FORCES	29,104	31,104	29,104	30,104
19540 CORPS COMBAT FORCES	20,498	20,498	20,498	20,498
19550 CORPS SUPPORT FORCES	288,426	288,426	316,202	316,202
19560 ECHELON ABOVE CORPS FORCES	190,481	190,481	190,481	190,481
19570 LAND FORCES OPERATIONS SUPPORT	443,161	443,161	443,161	443,161
19630 LAND FORCES READINESS 19640 FORCES READINESS OPERATIONS SUPPORT	187,781	187,781	194,781	192,381
19650 LAND FORCES SYSTEM READINESS	90,397	90,397	90,397	90,397
19660 DEPOT MAINTENANCE	131,485	131,485	131,485	131,485
19670 LAND FORCES READINESS SUPPORT 19680 BASE OPERATIONS SUPPORT	528,256	529,256	528,256	529,256
19690 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	215,890	215,890	215,890	---
19700 ADDITIONAL ACTIVITIES	8,504	8,504	8,504	8,504
19900 TOTAL, BUDGET ACTIVITY 1	2,133,983	2,136,983	2,168,759	1,952,469
19950 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
19960 ADMINISTRATION AND SERVICEWIDE ACTIVITIES 19980 ADMINISTRATION	60,096	60,096	60,096	60,096
19990 SERVICEWIDE COMMUNICATIONS	8,852	8,852	8,852	8,852
20000 PERSONNEL/FINANCIAL ADMIN (MANPOWER MGT)	7,642	7,642	7,642	7,642
20010 RECRUITING AND ADVERTISING	88,629	88,629	88,629	88,629
20075 TOTAL, BUDGET ACTIVITY 4	165,219	165,219	165,219	165,219
20220 UNOBLIGATED BALANCES	---	-18,700	-18,700	-18,700
20225 COST AVOIDANCE FOR MOBILIZED MILTECHS	---	-19,700	-23,000	-23,000
20231 TACTICAL OPERATIONS CENTER (ELAMS/MECCS)	---	3,600	---	2,900
20235 AUTHORIZED END STRENGTH	---	13,000	---	13,000
20237 PEACE TIME TRAINING OFFSET	---	---	-134,000	-134,000
20685 TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE	2,299,202	2,280,402	2,158,278	1,957,888
20690 LESS FAC SUSTAINMENT, RESTORATION & MOD FUNDS 1/	-215,890	-215,890	-215,890	---
20700 TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE	2,083,312	2,064,512	1,942,388	1,957,888

20701 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

(In thousands of dollars)

Budget Activity 1: Operating Forces:		
19530	All Terrain Military Utility Vehicle	1,000
19550	Civil Affairs and PSYOPS (Realignment from SOCOM)	27,776
19640	Extended Cold Weather Clothing System (ECWCS)	4,600
19680	Resource Information System Engineer Reserve (RISER) Modification and Upgrade	1,000
Undistributed:		
20220	Unobligated Balances	-18,700
20225	Cost Avoidance for Mobilized Miltechs	-23,000
20231	Tactical Operations Center (ELAMS/MECCS)	2,900
20235	Authorized End Strength	13,000
20237	Peacetime Training Offset	-134,000

OPERATION AND MAINTENANCE, NAVY RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
20850 OPERATION AND MAINTENANCE, NAVY RESERVE				
20900 BUDGET ACTIVITY 1: OPERATING FORCES				
20950 RESERVE AIR OPERATIONS				
21000 MISSION AND OTHER FLIGHT OPERATIONS	591,126	591,126	591,126	591,126
21100 INTERMEDIATE MAINTENANCE	16,969	16,969	16,969	16,969
21150 AIR OPERATIONS AND SAFETY SUPPORT	2,090	2,090	2,090	2,090
21200 AIRCRAFT DEPOT MAINTENANCE	132,570	132,570	132,570	132,570
21250 AIRCRAFT DEPOT OPERATIONS SUPPORT	387	387	387	387
21400 RESERVE SHIP OPERATIONS				
21450 MISSION AND OTHER SHIP OPERATIONS	63,574	63,574	63,574	63,574
21500 SHIP OPERATIONAL SUPPORT AND TRAINING	554	554	554	554
21600 SHIP DEPOT MAINTENANCE	69,215	69,215	69,215	69,215
21650 SHIP DEPOT OPERATIONS SUPPORT	537	537	537	537
21700 RESERVE COMBAT OPERATIONS SUPPORT				
21720 COMBAT COMMUNICATIONS	10,705	10,705	10,705	10,705
21800 COMBAT SUPPORT FORCES	112,300	112,300	112,300	112,300
21950 RESERVE WEAPONS SUPPORT				
22000 WEAPONS MAINTENANCE	5,861	5,861	5,861	5,861
22005 ENTERPRISE INFORMATION TECHNOLOGY	105,813	105,813	105,813	105,813
22020 BASE OPERATING SUPPORT				
22030 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	52,136	52,136	52,136	---
22040 BASE OPERATING SUPPORT	101,524	101,524	101,524	101,524
22090 TOTAL, BUDGET ACTIVITY 1	1,265,361	1,265,361	1,265,361	1,213,225

	(In thousands of dollars)			
	Budget	House	Senate	Conference
22100 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
22150 ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
22200 ADMINISTRATION	4,712	4,712	4,712	4,712
22300 MILITARY MANPOWER & PERSONNEL	7,828	7,828	7,828	7,828
22350 SERVICEWIDE COMMUNICATIONS	5,392	5,392	5,392	5,392
22400 COMBAT/WEAPONS SYSTEM	5,074	5,074	5,074	5,074
22450 OTHER SERVICEWIDE SUPPORT	397	397	397	397
22600 TOTAL, BUDGET ACTIVITY 4	23,403	23,403	23,403	23,403
22680 UNOBLIGATED BALANCES	---	-13,000	-13,000	-13,000
23140 TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE	1,288,764	1,275,764	1,275,764	1,223,628
23145 LESS FAC SUSTAINMENT, RESTORATION & MOD FUNDS 1/	-52,136	-52,136	-52,136	---
23150 TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE	1,236,628	1,223,628	1,223,628	1,223,628

23151 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustment to the budget activities is as follows:

(In thousands of dollars)

Undistributed:
22680 Unobligated Balances.....-13,000

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
23300 OPERATION AND MAINTENANCE, MARINE CORPS RESERVE				
23350 BUDGET ACTIVITY 1: OPERATING FORCES				
23400 EXPEDITIONARY FORCES				
23450 OPERATING FORCES	58,038	58,038	57,038	55,438
23500 DEPOT MAINTENANCE	13,714	13,714	13,714	13,714
23510 TRAINING SUPPORT	23,930	23,930	23,930	23,930
23520 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	9,579	9,579	9,579	---
23550 BASE OPERATING SUPPORT	72,971	72,971	72,971	72,971
23700 TOTAL, BUDGET ACTIVITY 1	178,232	178,232	177,232	166,053
23750 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
23800 ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
23850 SPECIAL SUPPORT	12,158	12,158	12,158	12,158
23900 SERVICEWIDE TRANSPORTATION	814	814	814	814
23950 ADMINISTRATION	8,087	8,087	8,087	8,087
23960 RECRUITING AND ADVERTISING	8,091	8,091	8,091	8,091
24000 BASE OPERATING SUPPORT	4,529	4,529	4,529	4,529
24100 TOTAL, BUDGET ACTIVITY 4	33,679	33,679	33,679	33,679
24150 UNOBLIGATED BALANCES	---	-2,100	-2,100	-2,100
24160 HEMOSTATIC AGENTS	---	2,500	---	1,400
24585 TOTAL, O&M, MARINE CORPS RESERVE	211,911	212,311	208,811	199,032
24590 LESS FAC SUSTAINMENT, RESTORATION & MOD FUNDS 1/	-9,579	-9,579	-9,579	---
24600 TOTAL, O&M, MARINE CORPS RESERVE	202,332	202,732	199,232	199,032

24601 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

(In thousands of dollars)

Budget Activity 1: Operating Forces:	
23450 Baseline Adjustment for One-time Increase	-4,000
23450 Portable Tent Lighting	1,400
Undistributed:	
24150 Unobligated Balances	-2,100
24160 Hemostatic Agents	1,400

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars)			
	Budget	House	Senate	Conference
24750 OPERATION AND MAINTENANCE, AIR FORCE RESERVE				
24800 BUDGET ACTIVITY 1: OPERATING FORCES				
24850 AIR OPERATIONS				
24900 PRIMARY COMBAT FORCES	1,798,478	1,798,478	1,767,478	1,764,778
24950 MISSION SUPPORT OPERATIONS	89,340	89,340	89,340	89,340
24970 DEPOT MAINTENANCE	373,336	373,336	373,336	373,336
24980 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	59,849	59,849	59,849	---
25000 BASE OPERATING SUPPORT	288,560	288,560	288,560	288,560
25150 TOTAL, BUDGET ACTIVITY 1	2,609,563	2,609,563	2,578,563	2,516,014
25200 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
25250 ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
25300 ADMINISTRATION	67,419	67,419	67,419	67,419
25310 RECRUITING AND ADVERTISING	18,204	18,204	16,204	18,204
25350 MILITARY MANPOWER AND PERSONNEL MANAGEMENT	21,712	21,712	21,712	21,712
25450 OTHER PERSONNEL SUPPORT	6,236	6,236	6,236	6,236
25500 AUDIOVISUAL	666	666	666	666
25520 TOTAL, BUDGET ACTIVITY 4	114,237	114,237	112,237	114,237
25665 932ND AIRLIFT WING OPERATIONS AND TRAINING	---	27,300	---	---
25670 COST AVOIDANCE FOR MOBILIZED MILTECHS	---	-13,000	-7,100	-7,100
25680 UNOBLIGATED BALANCES	---	-18,300	-18,300	-18,300
25687 PRIOR YEAR BASELINE REDUCTION	---	---	-41,100	-41,100
25940 TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE.	2,723,800	2,719,800	2,624,300	2,563,751
25945 LESS FAC SUSTAINMENT, RESTORATION & MOD FUNDS 1/	-59,849	-59,849	-59,849	---
25950 TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE.	2,663,951	2,659,951	2,564,451	2,563,751

25951 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

(In thousands of dollars)

Budget Activity 1: Operating Forces:
24900 Excess Growth in Flying Hours Program.....-61,000
24900 932nd Airlift Wing Operations and Training.....27,300
Undistributed:
25670 Cost Avoidance for Mobilized MilTechs .....-7,100
25680 Unobligated Balances.....-18,300
25687 Prior Year Baseline Reduction.....-41,100

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars)			
	Budget	House	Senate	Conference
26100 OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD				
26120 BUDGET ACTIVITY 1: OPERATING FORCES				
26140 LAND FORCES				
26180 DIVISIONS	598,935	602,635	598,935	601,935
26200 CORPS COMBAT FORCES	560,370	560,370	560,370	560,370
26220 CORPS SUPPORT FORCES	373,045	373,045	373,045	373,045
26240 ECHELON ABOVE CORPS SUPPORT FORCES	642,935	643,935	642,935	643,935
26260 LAND FORCES OPERATIONS SUPPORT	26,884	26,884	26,884	26,884
26280 LAND FORCES READINESS				
26320 FORCE READINESS OPERATIONS SUPPORT	225,770	226,770	235,570	227,070
26340 LAND FORCES SYSTEMS READINESS	129,371	130,371	119,671	121,671
26350 LAND FORCES DEPOT MAINTENANCE	351,832	351,832	351,832	351,832
26370 LAND FORCES READINESS SUPPORT				
26420 BASE OPERATIONS SUPPORT	631,832	632,832	628,532	626,632
26440 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	387,882	387,882	387,882	---
26460 MANAGEMENT & OPERATIONAL HEADQUARTERS	466,837	466,837	466,837	466,837
26480 MISCELLANEOUS ACTIVITIES	74,500	74,500	65,500	65,500
26580 TOTAL, BUDGET ACTIVITY 1	4,470,193	4,477,893	4,457,993	4,065,711
26600 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
26620 ADMINISTRATION AND SERVICEWIDE ACTIVITIES				
26660 ADMINISTRATION	133,881	133,881	133,881	133,881
26680 SERVICEWIDE COMMUNICATIONS	54,663	54,663	54,663	54,663
26720 MANPOWER MANAGEMENT	53,197	53,197	53,197	53,197
26740 RECRUITING AND ADVERTISING	126,731	126,731	126,731	126,731
26760 TOTAL, BUDGET ACTIVITY 4	368,472	368,472	368,472	368,472

	(In thousands of dollars) Budget	House	Senate	Conference
26830 NATIONAL EMERGENCY AND DISASTER INFORMATION SYSTEM....	---	3,100	---	2,500
26890 JOINT TRAINING AND EXPERIMENTATION PROGRAM.....	---	4,000	---	3,200
27110 HOMELAND OPERATIONAL PLANNING SYSTEM.....	---	8,000	---	6,400
27345 UNOBLIGATED BALANCES.....	---	-55,100	-55,100	-55,100
27350 ERP FOR ARMY GUARD INSTALLATIONS.....	---	3,600	---	2,900
27383 STRATEGIC BIODEFENSE INITIATIVE.....	---	10,000	---	8,000
27384 ADVANCED STARTING SYSTEMS.....	---	1,000	---	1,000
27390 INTERNAL AIRLIFT, HELICOPTER SLINGABLE UNITS (ISUs)...	---	3,000	---	2,000
27391 ADVANCED SOLAR COVERS.....	---	1,000	---	1,000
27393 RCAS DEMOBILIZATION CAPABILITY.....	---	4,000	---	3,200
27396 COST AVOIDANCE FOR MOBILIZED MILTECHS.....	---	-37,100	-44,800	-44,800
27398 DISTRIBUTED TRAINING TECHNOLOGY PROJECT.....	---	3,000	---	2,400
27399 REGIONAL EMERG.RESPONSE NETWORK FOR FL NATIONAL GUARD.	---	2,000	---	2,000
27415 ADV LAW ENFORCEMENT RAPID REPONSE TRAIN PROG (ALERRT).	---	1,000	---	1,000
27420 REGIONAL CTR FOR ADV EMERGENCY MEDICAL RESPONSE.....	---	1,500	---	1,000
27425 NORTHEAST REGIONAL TRAIN CTR FOR HOMELAND DEFENSE.....	---	1,000	---	1,000
27430 DISTANCE EDUCATION CENTER FOR UNMC.....	---	1,200	---	1,000
27435 JOINT FORCE ORIENTATION DISTANCE LEARNING.....	---	1,000	---	1,000
27440 NATIONAL GUARD ABOUT FACE ACADEMY.....	---	1,000	---	1,000
27445 TACTICAL OPERATION CENTERS (ELAMS/MECCS).....	---	3,600	---	2,900
27450 WMD-CIVIL SUPPORT TEAM FOR FLORIDA.....	---	6,700	---	6,700
27455 PRI INITIATIVE ON JT CONUS COMM SUPP ENVIRONMENT.....	---	1,800	---	1,500
27460 AERIAL WIDE AREA DECONTAMINATION (AWAD).....	---	1,800	---	1,500
27465 NG ADVANCED TECH BATTERY MODERNIZATION PROGRAM.....	---	5,000	---	3,300
27470 WMD-CIVIL SUPPORT TEAM FOR NEW YORK.....	---	2,256	---	1,000
27475 PEACE TIME TRAINING OFFSET.....	---	---	-71,000	-71,000
27476 PILOT PROGRAM ON REINTEGRATION OF NG MEMBERS.....	---	---	---	3,000
27480 TOTAL, O & M, ARMY NATIONAL GUARD.....	4,838,665	4,824,721	4,655,565	4,323,783
27485 LESS FAC SUSTAINMENT, RESTORATION & MOD FUNDS 1/.....	-387,882	-387,882	-387,882	---
27490 TOTAL, O & M, ARMY NATIONAL GUARD.....	4,450,783	4,436,839	4,267,683	4,323,783

27491 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

(In thousands of dollars)

Budget Activity 1: Operating Forces		
26180	Diesel Fuel Injection Test Stands	3,000
26240	UH-60 Leak Proof Transmission Drip Pans	1,000
26320	PASGT Helmet Retrofit Pad Sets	1,000
26320	Baseline Adjustment For One-time Increase	-16,600
26320	Joint Interagency Training Center	4,000
26320	Operator Driving Simulators	2,000
26320	ARNG Evaluation and Training Project	1,300
26320	ARNG Information Technology Continuity of Operations and Document Exploitation	4,700
26320	Extended Cold Weather Clothing System (ECWCS)	4,900
26340	Regional Geospatial Service Center	2,000
26340	Baseline Adjustment For One-time Increase	-9,700
26420	Vermont NG Family Counseling Demonstration	1,000
26420	Muscatatuck Urban Training Center	1,800
26420	Communicator Automated Emergency Notification System	1,300
26420	Baseline Adjustment for One-time Increase	-9,300
26480	Baseline Adjustment for One-time Increase	-9,000
Undistributed:		
26830	National Emergency and Disaster Information System	2,500
26890	Joint Training and Experimentation Program	3,200
27110	Homeland Operational Planning System	6,400
27345	Unobligated Balances	-55,100
27350	Enterprise Resource Planning for Army Guard Installation and Equipment Demand Planning	2,900
27383	Strategic Biodefense Initiative	8,000

27384 Advanced Starting Systems 1,000
27390 Internal Airlift, Helicopter Slingable Units (ISU) 2,000
27391 Advanced Solar Covers 1,000
27393 RCAS Demobilization Capability 3,200
27396 Cost Avoidance for Mobilized Miltechs ..... -44,800
27398 Distributed Training Technology Project 2,400
27399 Regional Emergency Response Network for Florida National Guard 2,000
27415 Advanced Law Enforcement Rapid Response Training (ALERRT) Program 1,000
27420 Regional Center for Advanced Emergency Medical Response 1,000
27425 Northeast Regional Training Center for Homeland Defense 1,000
27430 Distance Education Center for UNMC 1,000
27435 Joint Force Orientation Distance Learning 1,000
27440 National Guard About Face Academy 1,000
27445 Tactical Operation Centers (ELAMS/MECCS) 2,900
27450 WMD-Civil Support Team for Florida 6,700
27455 PRI Initiative on Joint CONUS Communications Support Environment 1,500
27460 Aerial Wide Area Decontamination 1,500
27465 NG Advanced Technology Battery Modernization Program 3,300
27470 WMD-Civil Support Team for New York 1,000
27475 Peacetime Training Offset ..... -71,000
27476 Pilot Program on Reintegration of NG Members (from Senate Section 9013) 3,000

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
27500 OPERATION AND MAINTENANCE, AIR NATIONAL GUARD				
27550 BUDGET ACTIVITY 1: OPERATING FORCES				
27600 AIR OPERATIONS				
27650 AIRCRAFT OPERATIONS	3,434,443	3,434,758	3,230,443	3,230,758
27700 MISSION SUPPORT OPERATIONS	512,771	514,571	519,046	516,646
27710 DEPOT MAINTENANCE	602,590	602,590	602,590	602,590
27720 FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION 1/	255,322	255,322	175,122	---
27750 BASE OPERATING SUPPORT	491,218	491,218	491,218	491,218
27900 TOTAL, BUDGET ACTIVITY 1	5,296,344	5,298,459	5,018,419	4,841,212
27950 BUDGET ACTIVITY 4: ADMIN & SERVICEWIDE ACTIVITIES				
28000 SERVICEWIDE ACTIVITIES				
28050 ADMINISTRATION	29,661	29,661	29,661	29,661
28100 RECRUITING AND ADVERTISING	10,012	10,012	10,012	10,012
28110 TOTAL, BUDGET ACTIVITY 4	39,673	39,673	39,673	39,673
28115 COST AVOIDANCE FOR MOBILIZED MILTECHS	---	-6,000	-8,200	-8,200
28320 UNOBLIGATED BALANCES	---	-41,500	-41,500	-41,500
28540 TOTAL, O&M, AIR NATIONAL GUARD	5,336,017	5,290,632	5,008,392	4,831,185
28545 LESS FAC SUSTAINMENT, RESTORATION & MOD FUNDS 1/	-255,322	-255,322	-175,122	---
28550 TOTAL, O&M, AIR NATIONAL GUARD	5,080,695	5,035,310	4,833,270	4,831,185

28551 1/ Under Military Quality of Life & VA Appropriations

ADJUSTMENTS TO BUDGET ACTIVITIES

Adjustments to the budget activities are as follows:

(In thousands of dollars)

Budget Activity 1: Operating Forces:		
27650	139th Airlift Wing Mobility and Training	315
27650	Flying Hours	-204,000
27700	Warrior Skills and Convoy Training	1,800
27700	166th Information Operations Squadron	1,000
27700	Future Total Force Transformation Leadership Training	1,000
27700	Joint Interagency Training Center	75
Undistributed:		
28115	Cost Avoidance for Mobilized Miltechs	-8,200
28320	Unobligated Balances	-41,500

AIR DEFENSE MISSION

The conferees support having the 144th Fighter Wing of the Air National Guard perform the air defense mission over the southwestern sector of the United States and the Air Defense Main Operating Base located in Fresno, California. The conferees understand that this is the only dedicated air defense fighter wing in the southwest and that the Air Force has no replacement aircraft scheduled for the 144th Fighter Wing after fiscal year 2012. The conferees direct the Secretary of the Air Force to submit a report to the congressional defense committees outlining a plan for an air defense mission that continues this capability for the 144th Fighter Wing using the Air Defense Main Operating Base in Fresno beyond fiscal year 2012.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

The conference agreement provides $11,721,000 for the United States Court of Appeals for the Armed Forces.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

The conference agreement provides $63,204,000 for Overseas Humanitarian, Disaster, and Civic Aid.

FORMER SOVIET UNION THREAT REDUCTION ACCOUNT

The conference agreement provides $372,128,000 for the Former Soviet Union Threat Reduction Account.

TITLE III-PROCUREMENT

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars) Budget	House	Senate	Conference
SUMMARY				
ARMY				
AIRCRAFT	3,566,483	3,529,983	3,354,729	3,502,483
MISSILES	1,350,898	1,350,898	1,266,967	1,278,967
WEAPONS, TRACKED COMBAT VEHICLES	2,301,943	2,047,804	2,092,297	1,906,368
AMMUNITION	1,903,125	1,710,475	1,948,489	1,719,879
OTHER	7,718,602	7,005,338	7,724,878	7,004,914
TOTAL, ARMY	16,841,051	15,644,498	16,387,360	15,412,611
NAVY				
AIRCRAFT	10,868,771	10,590,934	10,135,249	10,393,316
WEAPONS	2,555,020	2,533,920	2,558,020	2,573,820
AMMUNITION	789,943	775,893	799,943	767,314
SHIPS	10,578,553	10,491,653	10,393,475	10,579,125
OTHER	4,967,916	5,022,005	4,731,831	4,927,676
MARINE CORPS	1,273,513	1,191,113	1,151,318	894,571
TOTAL, NAVY	31,033,716	30,605,518	29,769,836	30,135,822
AIR FORCE				
AIRCRAFT	11,479,810	11,852,467	11,096,406	11,643,356
MISSILES	4,204,145	3,746,636	3,975,407	3,914,703
AMMUNITION	1,072,749	1,079,249	1,046,802	1,054,302
OTHER	15,408,086	15,423,536	15,510,286	15,493,486
TOTAL, AIR FORCE	32,164,790	32,101,888	31,628,901	32,105,847
DEFENSE-WIDE				
DEFENSE-WIDE	2,861,461	2,890,531	2,763,071	2,903,292
NATIONAL GUARD AND RESERVE EQUIPMENT	---	500,000	340,000	290,000
DEFENSE PRODUCTION ACT PURCHASES	18,484	39,384	68,884	63,184
TOTAL PROCUREMENT	82,919,502	81,781,819	80,958,052	80,910,756

SPECIAL INTEREST ITEMS

Items for which additional funds have been provided as shown in the project level tables or in paragraphs using the phrase ''only for'' or ''only to'' in this report are congressional interest items for the purpose of the Base for Reprogramming (DD 1414). Each of these items must be carried on the DD Form 1414 at the stated amount, specifically addressed in the conference report. These items remain special interest items whether or not they are repeated in a subsequent conference report.

REPROGRAMMING GUIDANCE FOR ACQUISITION ACCOUNTS

The conferees direct the Department of Defense to continue to follow the reprogramming guidance specified in the report accompanying the House version of the fiscal year 2006 Department of Defense Appropriations bill (H.R. 109–119). Specifically, the dollar threshold for reprogramming funds will remain at $20,000,000 for procurement, and $10,000,000 for research, development, test and evaluation. The Department shall continue to follow the limitation that prior approval reprogrammings are set at either the specified dollar threshold or 20% of the procurement or research, development, test and evaluation line, whichever is less. These thresholds are cumulative. Therefore, if the combined value of transfers into or out of a procurement (P–l) or research, development, test and evaluation (R–l) line exceeds the identified threshold, the Department of Defense must submit a prior approval reprogramming to the congressional defense committees. In addition, guidelines on the application of prior approval reprogramming procedures for congressional special interest items are established elsewhere in this report.

REPROGRAMMING REPORTING REQUIREMENTS

The conferees direct the Under Secretary of the Department of Defense, Comptroller, to continue to provide the congressional defense committees quarterly, spreadsheet-based DD1416 reports for service and defense-wide accounts in titles III and IV of this Act as required in the statement of the managers accompanying the Conference report on the Department of Defense Appropriations Act, 2006.

FUNDING INCREASES

The conferees direct that the funding increases outlined in these tables shall be provided only for the specific purposes indicated in the table.

NATIONAL GUARD PROCUREMENT

The conferees agree that there is a substantial shortfall in equipment stocks for the National Guard, and that this shortfall is detrimental to Guard units being able to meet their dual-role mission of supplementing active duty forces overseas as well as responding to emergencies at home. The conferees are concerned that equipment budgeted annually for the National Guard could be died to other budget areas and non-Reserve units, and therefore direct the Department of Defense to submit to the congressional defense committees not later than nine months after the enactment of this Act, a report on how the Department has obligated funds and provided the equipment designated for the National Guard in the budget submission and accompanying justification materials.

AIRCRAFT PROCUREMENT, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	AIRCRAFT PROCUREMENT, ARMY				
	AIRCRAFT				
	FIXED WING				
1	UTILITY F/W CARGO AIRCRAFT	109,154	109,154	---	72,154
2	UTILITY F/W (MR) AIRCRAFT	4,060	4,060	4,060	4,060
	ROTARY				
3	ARMED RECONNAISSANCE HELICOPTER	141,418	70,718	101,818	101,818
4	HELICOPTER, LIGHT UTILITY	198,677	198,677	91,177	167,177
5	UH-60 BLACKHAWK (MYP)	554,551	581,251	554,551	577,851
6	UH-60 BLACKHAWK (MYP) (AP-CY)	185,845	185,845	185,845	185,845
	TOTAL, AIRCRAFT	1,193,705	1,149,705	937,451	1,108,905
	MODIFICATION OF AIRCRAFT				
8	GUARDRAIL MODS (TIARA)	58,000	58,000	58,000	58,000
9	ARL MODS (TIARA)	48,000	38,000	48,000	38,000
10	AH-64 MODS	775,641	776,641	778,641	777,991
11	AH-64 MODS (AP-CY)	19,000	19,000	19,000	19,000
12	CH-47 CARGO HELICOPTER MODS	583,305	585,305	583,305	584,305
13	CH-47 CARGO HELICOPTER MODS (AP-CY)	36,740	36,740	36,740	36,740
14	UTILITY/CARGO AIRPLANE MODS	9,953	9,953	9,953	9,953
15	AIRCRAFT LONG RANGE MODS	364	364	364	364
17	UH-60 MODS	30,891	39,891	69,891	58,191
18	KIOWA WARRIOR	43,654	43,654	43,654	43,654
19	AIRBORNE AVIONICS	156,452	156,452	156,452	156,452
20	GATM ROLLUP	31,666	31,666	31,666	31,666
21	SPARE PARTS (AIR)	9,446	9,446	9,446	9,446
	TOTAL, MODIFICATION OF AIRCRAFT	1,803,112	1,805,112	1,845,112	1,823,762

		(In thousands of dollars)			
		Budget	House	Senate	Conference
	SUPPORT EQUIPMENT AND FACILITIES				
	GROUND SUPPORT AVIONICS				
22	AIRCRAFT SURVIVABILITY EQUIPMENT	27,920	27,920	31,920	29,720
23	ASE INFRARED CM	305,631	305,631	305,631	305,631
	OTHER SUPPORT				
24	AIRBORNE COMMAND & CONTROL	40,220	40,220	40,220	40,220
25	AVIONICS SUPPORT EQUIPMENT	5,062	5,062	5,062	5,062
26	COMMON GROUND EQUIPMENT	64,683	64,683	59,183	57,583
27	AIRCREW INTEGRATED SYSTEMS	35,346	40,846	39,346	40,796
28	AIR TRAFFIC CONTROL	86,351	86,351	86,351	86,351
29	INDUSTRIAL FACILITIES	2,100	2,100	2,100	2,100
30	LAUNCHER, 2.75 ROCKET	2,353	2,353	2,353	2,353
	TOTAL, SUPPORT EQUIPMENT AND FACILITIES	569,666	575,166	572,166	569,816
	TOTAL, AIRCRAFT PROCUREMENT, ARMY	3,566,483	3,529,983	3,354,729	3,502,483

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

P-1		Budget Request	House	Senate	Conference
1	**UTILITY F/W CARGO AIRCRAFT**	**109,154**	**109,154**	**0**	**72,154**
	Future Cargo Aircraft			-109,154	-37,000
3	**ARMED RECONNAISSANCE HELICOPTER**	**141,418**	**70,718**	**101,818**	**101,818**
	Schedule risk		-70,700	-39,600	-39,600
4	**HELICOPTER, LIGHT UTILITY**	**198,677**	**198,677**	**91,177**	**167,177**
	Procurement Delays			-107,500	-31,500
5	**UH-60 BLACKHAWK (MULTIYEAR PROCUREMENT)**	**554,551**	**581,251**	**554,551**	**577,851**
	UH-60A to UH-60L Conversion		7,500		4,100
	HH-60LMedevac Blackhawk Helicopter only for the Army Reserve		19,200		19,200
9	**AIRBORNE RECONNAISSANCE LOW MODIFICATIONS**	**48,000**	**38,000**	**48,000**	**38,000**
	Buying ahead of need		-10,000		-10,000
10	**AH-64 APACHE MODIFICATIONS**	**775,641**	**776,641**	**778,641**	**777,991**
	Oil Debris Detection and Burn-Off System		1,000		1,000
	Vibration Management Enhancement Program - Army National Guard			3,000	1,350
12	**CH-47 CHINOOK CARGO HELICOPTER MODIFICATIONS**	**583,305**	**585,305**	**583,305**	**584,305**
	NVG Compatible, Electrostatically Conductive Sacrificial Film Laminates for Army Helicopter Windscreens		2,000		1,000
17	**UH-60 BLACKHAWK MODIFICATIONS**	**30,891**	**39,891**	**69,891**	**58,191**
	Crashworthy External Fuel Systems for Black Hawk Helicopters (CEFS)		3,000	3,000	3,000
	Internal Extended Range Fuel systems only for Army National Guard UH-60s (Internal 200s)		6,000		2,700
	Engine Digital Electronic Control			2,000	1,000
	IMD-HUMS for UH-60L Installation			15,000	9,750
	UH-60A to UH-60L Conversion - Army National Guard			15,000	8,250
	UH-60 MEDEVAC Thermal Imaging Upgrades - Army National Guard			4,000	2,600

P-1		Budget Request	House	Senate	Conference
22	**AIRCRAFT SURVIVABILITY EQUIPMENT**	**27,920**	**27,920**	**31,920**	**29,720**
	AN/AVR-2A/B Laser Detecting Set			4,000	1,800
26	**COMMON GROUND EQUIPMENT**	**64,683**	**64,683**	**59,183**	**57,583**
	Aircraft Program Delays			-10,000	-10,000
	Aviation Maintenance Fall Protection Platforms - Army National Guard			4,500	2,900
27	**AIRCREW INTEGRATED SYSTEMS**	**35,346**	**40,846**	**39,346**	**40,796**
	Cockpit Air Bag System (CABS)		1,200		1,000
	Vacuum Pack Joint Single Place Life Raft (JSPLR)		1,800		1,450
	Army Aviation Pulse-Demand Portable Oxygen System		2,500	2,000	2,000
	Aircraft Wireless Intercom System			2,000	1,000

MISSILE PROCUREMENT, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	MISSILE PROCUREMENT, ARMY				
	OTHER MISSILES				
	SURFACE-TO-AIR MISSILE SYSTEM				
1	PATRIOT SYSTEM SUMMARY	489,067	489,067	489,067	489,067
2	SURFACE-LAUNCHED AMRAAM SYSTEM SUMMARY:	12,039	12,039	---	---
3	ADVANCE PROCUREMENT (CY)	10,000	10,000	---	---
	AIR-TO-SURFACE MISSILE SYSTEM				
	ANTI-TANK/ASSAULT MISSILE SYSTEM				
5	JAVELIN (AAWS-M) SYSTEM SUMMARY	104,782	104,782	83,782	83,782
6	TOW 2 SYSTEM SUMMARY	31,641	31,641	31,641	31,641
7	TOW 2 ADVANCE PROCUREMENT (CY)	32,700	32,700	32,700	32,700
8	GUIDED MLRS ROCKET (GMLRS)	147,795	147,795	137,403	137,403
9	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	20,926	20,926	20,926	20,926
11	HIMARS LAUNCHER	226,884	226,884	196,384	208,384
12	ARMY TACTICAL MSL SYS (ATACMS) - SYS SUM	60,502	60,502	60,502	60,502
	TOTAL, OTHER MISSILES	1,136,336	1,136,336	1,052,405	1,064,405
	MODIFICATION OF MISSILES				
	MODIFICATIONS				
13	PATRIOT MODS	69,856	69,856	69,856	69,856
14	JAVELIN MISSILE MODS	10,371	10,371	10,371	10,371
15	ITAS/TOW MODS	84,350	84,350	84,350	84,350
16	MLRS MODS	6,913	6,913	6,913	6,913
17	HIMARS MODIFICATIONS: (NON AAO)	9,374	9,374	9,374	9,374
	TOTAL, MODIFICATION OF MISSILES	180,864	180,864	180,864	180,864
19	SPARES AND REPAIR PARTS	25,794	25,794	25,794	25,794
	SUPPORT EQUIPMENT AND FACILITIES				
20	AIR DEFENSE TARGETS	3,924	3,924	3,924	3,924
21	ITEMS LESS THAN $5.0M (MISSILES)	10	10	10	10
22	PRODUCTION BASE SUPPORT	3,970	3,970	3,970	3,970
	TOTAL, SUPPORT EQUIPMENT AND FACILITIES	7,904	7,904	7,904	7,904
	TOTAL, MISSILE PROCUREMENT, ARMY	1,350,898	1,350,898	1,266,967	1,278,967

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

P-1		Budget Request	House	Senate	Conference
2	**SURFACE-LAUNCHED AMRAAM SYSTEM SUMMARY**	**12,039**	**12,039**	**0**	**0**
	SLAMRAAM procurement ahead of need			-12,039	-12,039
3	**ADVANCE PROCUREMENT (CY)**	**10,000**	**10,000**	**0**	**0**
	SLAMRAAM procurement ahead of need			-10,000	-10,000
5	**JAVELIN (AAWS-M) SYSTEM SUMMARY**	**104,782**	**104,782**	**83,782**	**83,782**
	Stabilize Javelin acquisition profile (Note: No reduction to Command Launch Units)			-21,000	-21,000
8	**GUIDED MLRS ROCKET (GMLRS)**	**147,795**	**147,795**	**137,403**	**137,403**
	Facilitization			-10,392	-10,392
11	**HIMARS LAUNCHER**	**226,884**	**226,884**	**196,384**	**208,384**
	AAO decrease - reduction of 7 units (Note: Conference reduction of 6 units based on annual production capability and unit cost update)			-30,500	-18,500

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	PROCUREMENT OF W&TCV, ARMY				
	TRACKED COMBAT VEHICLES				
1	ABRAMS TRNG DEV MOD	899	899	899	899
2	BRADLEY BASE SUSTAINMENT	284,966	284,966	206,938	206,938
3	BRADLEY FVS TRAINING DEVICES (MOD)	4,721	4,721	4,721	4,721
4	ABRAMS TANK TRAINING DEVICES	899	899	899	899
5	STRYKER VEHICLE	795,978	799,978	795,978	798,578
	MODIFICATION OF TRACKED COMBAT VEHICLES				
6	CARRIER, MOD	22,969	22,969	22,969	22,969
7	FIST VEHICLE (MOD)	32,028	32,028	16,014	16,014
9	BFVS SERIES (MOD)	69,988	69,988	69,988	69,988
10	HOWITZER, MED SP FT 155MM M109A6 (MOD)	28,714	28,714	28,714	28,714
12	IMPROVED RECOVERY VEHICLE (M88 MOD)	36,494	36,494	36,494	36,494
13	ARMORED VEH LAUNCH BRIDGE (AVLB) (MOD)	66,054	66,054	66,054	66,054
14	M1 ABRAMS TANK (MOD)	364,899	187,449	365,899	188,449
15	SYSTEM ENHANCEMENT PGM: SEP M1A2	171,097	171,097	171,097	171,097
	SUPPORT EQUIPMENT AND FACILITIES				
16	ITEMS LESS THAN $5.0M (TCV-WTCV)	422	422	422	422
17	PRODUCTION BASE SUPPORT (TCV-WTCV)	11,685	11,685	11,685	11,685
	TOTAL, TRACKED COMBAT VEHICLES	1,891,813	1,718,363	1,798,771	1,623,921

		(In thousands of dollars) Budget	House	Senate	Conference
	WEAPONS AND OTHER COMBAT VEHICLES				
18	HOWITZER, LIGHT, TOWED, 105MM, M119	20,369	20,369	20,369	20,369
19	INTEGRATED AIR BURST WEAPON SYSTEM FAMILY	32,339	---	---	---
20	M240 MEDIUM MACHINE GUN (7.62MM)	43,175	21,575	13,175	9,575
21	M249 SAW MACHINE GUN (5.56MM)	36,614	18,314	11,614	3,314
22	MK-19 GRENADE MACHINE GUN (40MM)	1,725	1,725	1,725	1,725
24	M16 RIFLE	1,844	1,844	---	---
25	M107, CAL. 50, SNIPER RIFLE	8,458	8,458	8,458	8,458
26	XM110 SEMI-AUTOMATIC SNIPER SYSTEM (SASS)	15,300	15,300	7,300	7,300
27	M4 CARBINE	2,221	2,221	---	2,221
30	HOWITZER LT WT 155MM (T)	187,489	187,489	158,289	172,889
	MOD OF WEAPONS AND OTHER COMBAT VEH				
31	MK-19 GRENADE MACHINE GUN MODS	3,168	3,168	3,168	3,168
32	M4 CARBINE MODS	30,871	15,421	30,871	15,421
34	M249 SAW MACHINE GUN MODS	5,253	5,253	5,253	5,253
35	M240 MEDIUM MACHINE GUN MODS	5,293	5,293	5,293	5,293
38	M119 MODIFICATIONS	692	692	692	692
39	M16 RIFLE MODS	1,012	1,012	1,012	1,012
40	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	1,700	1,700	1,700	1,700
	SUPPORT EQUIPMENT AND FACILITIES				
41	ITEMS LESS THAN $5.0M (WOCV-WTCV)	507	3,007	507	2,107
42	PRODUCTION BASE SUPPORT (WOCV-WTCV)	6,331	6,331	6,331	6,331
43	INDUSTRIAL PREPAREDNESS	3,019	7,519	15,019	12,869
44	SMALL ARMS (SOLDIER ENH PROG)	2,750	2,750	2,750	2,750
	TOTAL, WEAPONS AND OTHER COMBAT VEHICLES	410,130	329,441	293,526	282,447
	TOTAL, PROCUREMENT OF W&TCV, ARMY	2,301,943	2,047,804	2,092,297	1,906,368

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

P-1		Budget Request	House	Senate	Conference
2	**BRADLEY BASE SUSTAINMENT**	**284,966**	**284,966**	**206,938**	**206,938**
	Stabilize acquisition profile			-78,028	-78,028
5	**STRYKER VEHICLE**	**795,978**	**799,978**	**795,978**	**798,578**
	Stryker Brigade Combat Team (SBCT) Wiring Trace-out		4,000		2,600
7	**FIST VEHICLE (MOD)**	**32,028**	**32,028**	**16,014**	**16,014**
	Unjustified request			-16,014	-16,014
14	**M1 ABRAMS TANK MODIFICATIONS**	**364,899**	**187,449**	**365,899**	**188,449**
	Authorization Adjustment		-177,450		-177,450
	Intelligent Graphic Wiring Traceout for Abrams Tank Data			1,000	1,000
19	**INTEGRATED AIR BURST WEAPON SYSTEM FAMILY**	**32,339**	**0**	**0**	**0**
	Program decrease		-32,339		-32,339
	Buying ahead of need			-32,339	
20	**M240 MEDIUM MACHINE GUN (7.62MM)**	**43,175**	**21,575**	**13,175**	**9,575**
	Authorization Adjustment		-21,600		-21,600
	Unexecutable Growth			-30,000	-12,000
21	**M249 SAW MACHINE GUN (5.56MM)**	**36,614**	**18,314**	**11,614**	**3,314**
	Authorization Adjustment		-18,300		-18,300
	Unexecutable Growth			-25,000	-15,000
24	**M16 RIFLE**	**1,844**	**1,844**	**0**	**0**
	Change to acquisition strategy			-1,844	-1,844
26	**XM110 SEMI-AUTOMATIC SNIPER SYSTEM (SASS)**	**15,300**	**15,300**	**7,300**	**7,300**
	Program reduction			-8,000	-8,000

P-1		Budget Request	House	Senate	Conference
27	**M4 CARBINE**	**2,221**	**2,221**	**0**	**2,221**
	Unexecutable request			-2,221	0
30	**HOWITZER LT WT 155MM (T)**	**187,489**	**187,489**	**158,289**	**172,889**
	Unexecutable growth			-29,200	-14,600
32	**M4 CARBINE MODIFICATIONS**	**30,871**	**15,421**	**30,871**	**15,421**
	Authorization Adjustment		-15,450		-15,450
41	**ITEMS LESS THAN $5.0M (WOCV-WTCV)**	**507**	**3,007**	**507**	**2,107**
	M9 9mm Pistol for US Army Special Operations Command		2,500		1,600
43	**INDUSTRIAL PREPAREDNESS**	**3,019**	**7,519**	**15,019**	**12,869**
	Arsenal Support Program Initiative for Rock Island Arsenal		2,500	9,000	5,850
	Rock Island Arsenal Industrial Preparedness Items		2,000		1,000
	Arsenal Support Program Initiative for Watervliet Arsenal			3,000	3,000

PROCUREMENT OF AMMUNITION, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	PROCUREMENT OF AMMUNITION, ARMY				
	AMMUNITION				
	SMALL/MEDIUM CAL AMMUNITION				
1	CTG, 5.56MM, ALL TYPES	214,555	107,255	214,555	107,255
2	CTG, 7.62MM, ALL TYPES	113,555	56,755	113,555	56,755
3	CTG, 9MM, ALL TYPES	3,848	3,848	3,848	3,848
4	CTG, .50 CAL, ALL TYPES	125,112	62,562	125,112	62,562
5	CTG, 20MM, ALL TYPES	101	101	101	101
6	CTG, 25MM, ALL TYPES	32,089	32,089	32,089	32,089
7	CTG, 30MM, ALL TYPES	19,431	19,431	19,431	19,431
8	CTG, 40MM, ALL TYPES	129,409	129,409	129,409	129,409
	MORTAR AMMUNITION				
9	60MM MORTAR, ALL TYPES	13,046	13,046	13,046	13,046
10	81MM MORTAR, ALL TYPES	54,618	54,618	54,618	54,618
11	CTG, MORTAR, 120MM, ALL TYPES	66,506	66,506	66,506	66,506
	TANK AMMUNITION				
12	CTG TANK 105MM: ALL TYPES	19,584	20,084	19,584	20,084
13	120MM TANK TRAINING, ALL TYPES	142,933	142,933	142,933	142,933
14	CTG, TANK, 120MM TACTICAL, ALL TYPES	48,004	52,004	57,004	53,854
	ARTILLERY AMMUNITION				
15	CTG ARTY 75MM, ALL TYPES	2,297	2,297	2,297	2,297
16	CTG ARTY 105MM, ALL TYPES	45,585	45,585	45,585	45,585
17	CTG, ARTY, 155MM, ALL TYPES	124,099	124,099	124,099	124,099
18	PROJ, 155MM EXTENDED RANGE XM982	22,971	27,971	26,971	26,971
19	MODULAR ARTILLERY CHARGE SYSTEM (MACS)	73,885	73,885	73,885	73,885

		(In thousands of dollars) Budget	House	Senate	Conference
	ARTILLERY FUZES				
20	ARTILLERY FUZES, ALL TYPES	4,083	4,083	4,083	4,083
	MINES				
21	MINE, TRAINING, ALL TYPES	396	396	396	396
22	MINES (CONVENTIONAL), ALL TYPES	4,221	4,221	4,221	4,221
23	MINE, CLEARING CHARGE, ALL TYPES	4,897	4,897	4,897	4,897
24	ANTIPERSONNEL LANDMINE ALTERNATIVES	85,879	85,879	51,659	68,879
	ROCKETS				
25	SHOULDER FIRED ROCKETS, ALL TYPES	7,741	7,741	7,741	7,741
26	ROCKET, HYDRA 70, ALL TYPES	136,670	136,670	136,670	136,670
	OTHER AMMUNITION				
27	DEMOLITION MUNITIONS, ALL TYPES	33,746	36,146	36,746	36,146
28	GRENADES, ALL TYPES	54,162	56,162	56,162	56,162
29	SIGNALS, ALL TYPES	26,384	26,384	26,384	26,384
30	SIMULATORS, ALL TYPES	10,791	10,791	10,791	10,791
	MISCELLANEOUS				
31	AMMO COMPONENTS, ALL TYPES	3,407	3,407	3,407	3,407
32	NON-LETHAL AMMUNITION, ALL TYPES	30,089	30,089	30,089	30,089
33	CAD/PAD ALL TYPES	2,628	2,628	2,628	2,628
34	ITEMS LESS THAN $5 MILLION	5,493	5,493	5,493	5,493
35	AMMUNITION PECULIAR EQUIPMENT	10,306	18,306	17,306	17,656
36	FIRST DESTINATION TRANSPORTATION (AMMO)	9,552	9,552	9,552	9,552
37	CLOSEOUT LIABILITIES	101	101	101	101
	TOTAL, AMMUNITION	1,682,174	1,477,424	1,672,954	1,460,624
	AMMUNITION PRODUCTION BASE SUPPORT				
	PRODUCTION BASE SUPPORT				
38	PROVISION OF INDUSTRIAL FACILITIES	116,175	128,275	170,759	154,479
39	LAYAWAY OF INDUSTRIAL FACILITIES	3,064	3,064	3,064	3,064
40	MAINTENANCE OF INACTIVE FACILITIES	4,743	4,743	4,743	4,743
41	CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL	94,201	94,201	94,201	94,201
42	ARMS INITIATIVE	2,768	2,768	2,768	2,768
	TOTAL, AMMUNITION PRODUCTION BASE SUPPORT	220,951	233,051	275,535	259,255
	TOTAL, PROCUREMENT OF AMMUNITION, ARMY	1,903,125	1,710,475	1,948,489	1,719,879

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

P-1		Budget Request	House	Senate	Conference
1	**CARTRIDGE, 5.56MM, ALL TYPES**	**214,555**	**107,255**	**214,555**	**107,255**
	Authorization Adjustment		-107,300		-107,300
2	**CARTRIDGE, 7.62MM, ALL TYPES**	**113,555**	**56,755**	**113,555**	**56,755**
	Authorization Adjustment		-56,800		-56,800
4	**CARTRIDGE, .50 CAL, ALL TYPES**	**125,112**	**62,562**	**125,112**	**62,562**
	Authorization Adjustment		-62,550		-62,550
12	**CARTRIDGE TANK 105MM: ALL TYPES**	**19,584**	**20,084**	**19,584**	**20,084**
	Cartridge, 105mm High Explosive Plastic -Tracer (HEP-T), M393A2 for the Stryker Mobile Gun System		500		500
14	**CARTRIDGE, TANK, 120MM TACTICAL, ALL TYPES**	**48,004**	**52,004**	**57,004**	**53,854**
	120mm Tank Ammunition - M1028 Canister Rounds		4,000	9,000	5,850
18	**PROJECTILE, 155MM EXTENDED RANGE XM982**	**22,971**	**27,971**	**26,971**	**26,971**
	Excalibur, XM982 155mm Extended Range Artillery Projectile		5,000	4,000	4,000
24	**ANTIPERSONNEL LANDMINE ALTERNATIVES**	**85,879**	**85,879**	**51,659**	**68,879**
	Limit to Low Rate Production Quantity			-34,220	-17,000
27	**DEMOLITION MUNITIONS, ALL TYPES**	**33,746**	**36,146**	**36,746**	**36,146**
	Rapid Wall Breaching Kit		2,400	3,000	2,400
28	**GRENADES, ALL TYPES**	**54,162**	**56,162**	**56,162**	**56,162**
	M18 Smoke Grenade		2,000	2,000	2,000
35	**AMMUNITION PECULIAR EQUIPMENT**	**10,306**	**18,306**	**17,306**	**17,656**
	Ammunition Peculiar Equipment Outloading Module		2,000	2,000	2,000
	Mobile ATACS: Ammunition Inspection and Sorting for Battlefield Deployment		3,000	3,000	3,000
	Super Critical Water Oxidation Demil Complex - Blue Grass Army Depot		3,000		1,350
	Tooele Army SCWO/Depot Hydrolysis Demilitarization Demonstration Program			2,000	1,000

P-1	Budget Request	House	Senate	Conference
38 PROVISION OF INDUSTRIAL FACILITIES	**116,175**	**128,275**	**170,759**	**154,479**
Holston, AAP, Twin Screw Extrusion Capability		3,000		1,350
Flex LAP Modern Munitions Enterprise		4,500		3,600
Insensitive Munitions High-Shear Mixing System Milan AAP		2,000	5,000	3,250
Ammunition Production Base Support		2,600		1,170
Program Adjustment			-19,116	-19,116
Industrial Facilities Modernization of Forge Equipment at Scranton Army Ammunition Plant			1,000	1,000
Insensitive Munition Flexible Load, Assemble, Pack Artillery			5,000	3,250
Lake City Army Ammunition Plant			18,200	8,200
Load, Assemble and Pack (LAP) Modernization - Lone Star			4,500	2,900
Radford Provision of Industrial Facilities			40,000	32,700

OTHER PROCUREMENT, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	OTHER PROCUREMENT, ARMY				
	TACTICAL AND SUPPORT VEHICLES				
	TACTICAL VEHICLES				
1	TACTICAL TRAILERS/DOLLY SETS	22,961	26,961	22,961	25,161
2	SEMITRAILERS, FLATBED	7,565	9,765	10,565	9,765
3	SEMITRAILERS, TANKERS	11,676	11,676	11,676	11,676
4	HI MOB MULTI-PURP WHLD VEH (HMMWV)	582,613	582,613	588,513	586,463
5	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	695,121	695,121	692,121	692,121
6	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIPMENT	29,286	29,286	30,586	30,286
7	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	353,198	353,198	353,198	353,198
8	ARMORED SECURITY VEHICLES (ASV)	155,491	77,741	155,491	77,741
10	TRUCK, TRACTOR, LINE HAUL, M915/M916	31,202	40,502	35,202	39,852
11	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	220,416	111,216	220,416	111,216
12	HMMWV RECAPITALIZATION PROGRAM	34,823	---	34,823	---
13	MODIFICATION OF IN SVC EQUIP	2,562	2,562	2,562	2,562
14	ITEMS LESS THAN $5.0M (TAC VEH)	---	---	8,000	4,400
15	TOWING DEVICE-FIFTH WHEEL	1,725	3,725	1,725	2,725
	NON-TACTICAL VEHICLES				
16	HEAVY ARMORED SEDAN	609	609	609	609
17	PASSENGER CARRYING VEHICLES	640	640	640	640
18	NONTACTICAL VEHICLES, OTHER	3,486	4,486	3,486	3,486
	TOTAL, TACTICAL AND SUPPORT VEHICLES	2,153,374	1,950,101	2,172,574	1,951,901

		(In thousands of dollars) Budget	House	Senate	Conference
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT				
	COMM - JOINT COMMUNICATIONS				
20	JCSE EQUIPMENT (USREDCOM)	4,805	4,805	4,805	4,805
	COMM - SATELLITE COMMUNICATIONS				
21	SECOMP-I	16,884	16,884	16,884	16,884
22	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	53,616	53,616	53,616	53,616
23	SHF TERM	28,459	28,459	28,459	28,459
24	SAT TERM, EMUT (SPACE)	833	833	833	833
25	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	61,611	66,611	67,611	69,511
26	SMART-T (SPACE)	62,342	62,342	62,342	62,342
27	SCAMP (SPACE)	954	954	954	954
28	GLOBAL BRDCST SVC - GBS	16,803	16,803	16,803	16,803
29	MOD OF IN-SVC EQUIP (TAC SAT)	9,113	9,113	9,113	9,113
	COMM - C3 SYSTEM				
30	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	25,253	25,253	25,253	25,253
	COMM - COMBAT COMMUNICATIONS				
31	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	4,890	4,890	4,890	4,890
32	JOINT TACTICAL RADIO SYSTEM	1,302	1,302	---	---
33	RADIO TERMINAL SET, MIDS LVT(2)	3,229	3,229	3,229	3,229
34	SINCGARS FAMILY	116,523	66,273	116,523	64,673
35	MULTI-PURPOSE INFORMATION OPERATIONS SYSTEMS	10,460	10,460	10,460	10,460
37	BRIDGE TO FUTURE NETWORKS	340,231	347,431	340,231	345,981
38	COMMS-ELEC EQUIP FIELDING	5,181	8,931	11,181	11,981
39	SPIDER APLA REMOTE CONTROL UNIT	27,599	27,599	27,599	27,599
40	SOLDIER ENHANCEMENT PROGRAM COMM/ELECTRONICS	9,933	9,933	9,933	9,933
41	COMBAT SURVIVOR EVADER LOCATOR (CSEL)	16,541	---	14,441	---
42	RADIO, IMPROVED HF FAMILY	91,418	50,718	91,418	48,068
43	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	10,548	10,548	10,548	10,548
	COMM - INTELLIGENCE COMM				
44	CI AUTOMATION ARCHITECTURE	1,409	1,409	1,409	1,409
	INFORMATION SECURITY				
45	TSEC - ARMY KEY MGT SYS (AKMS)	14,924	14,924	14,924	14,924
46	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	90,379	91,879	90,379	91,879

		(In thousands of dollars) Budget	House	Senate	Conference
	COMM - LONG HAUL COMMUNICATIONS				
47	TERRESTRIAL TRANSMISSION	14,432	14,432	14,432	14,432
48	BASE SUPPORT COMMUNICATIONS	33,754	33,754	43,104	39,004
50	ELECTROMAG COMP PROG (EMCP)	508	508	508	508
51	WW TECH CON IMP PROG (WWTCIP)	27,101	27,101	27,101	27,101
	COMM - BASE COMMUNICATIONS				
52	INFORMATION SYSTEMS	19,553	19,553	19,553	19,553
53	DEFENSE MESSAGE SYSTEM (DMS)	5,726	5,726	5,726	5,726
54	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	279,579	279,579	247,579	247,579
56	PENTAGON INFORMATION MGT AND TELECOM	32,711	29,711	32,711	29,711
	ELECT EQUIP - NAT INT PROG (NIP)				
	ELECT EQUIP - NAT INTEL PROG (NIP)				
59	ALL SOURCE ANALYSIS SYS (ASAS) (MIP)	34,431	34,431	34,431	34,431
60	JTT/CIBS-M (MIP)	985	985	985	985
61	PROPHET GROUND (MIP)	96,532	52,082	99,032	52,482
62	TACTICAL UNMANNED AERIAL SYS (TUAS)MIP	100,295	50,145	78,795	28,645
63	SMALL UNMANNED AERIAL SYSTEM (SUAS)	10,200	10,200	10,200	10,200
64	DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (MIP)	30,729	30,729	30,729	30,729
67	DCGS-A (MIP)	65,424	65,424	65,424	65,424
68	JOINT TACTICAL GROUND STATION (JTAGS)	9,852	9,852	9,852	9,852
69	TROJAN (MIP)	7,659	7,659	7,659	7,659
70	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	5,040	5,040	5,040	5,040
71	CI HUMINT INFO MANAGEMENT SYSTEM (CHIMS) (MIP)	19,704	19,704	19,704	19,704
72	ITEMS LESS THAN $5.0M (MIP)	29,739	29,739	39,739	37,739

		(In thousands of dollars) Budget	House	Senate	Conference
	ELECT EQUIP - ELECTRONIC WARFARE (EW)				
73	LIGHTWEIGHT COUNTER MORTAR RADAR	16,326	16,326	16,326	16,326
	ELECT EQUIP - TACTICAL SURV. (TAC SURV)				
76	SENTINEL MODS	15,125	15,125	15,125	15,125
77	NIGHT VISION DEVICES	320,989	164,189	324,989	166,389
78	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYSTEM	179,594	179,594	179,594	179,594
80	NIGHT VISION, THERMAL WPN SIGHT	209,537	209,537	209,537	209,537
81	RADIATION MONITORING SYSTEMS	4,393	4,393	4,393	4,393
83	ARTILLERY ACCURACY EQUIP	802	802	802	802
84	MOD OF IN-SVC EQUIP (MMS)	321	321	321	321
86	ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE	7,441	7,441	7,441	7,441
87	PROFILER	2,119	7,119	12,119	8,619
88	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	19,249	9,649	27,249	16,049
89	FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2)	160,060	80,010	160,060	80,010
90	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER (LLD	50,160	50,160	50,160	50,160
92	MORTAR FIRE CONTROL SYSTEM	38,971	38,971	38,971	38,971
93	INTEGRATED MET SYS SENSORS (IMETS) - MIP	3,510	3,510	3,510	3,510
	ELECT EQUIP - TACTICAL C2 SYSTEMS				
95	TACTICAL OPERATIONS CENTERS	57,707	57,707	57,707	57,707
96	ADV FA TAC DATA SYS / EFF CTRL SYS (AFATDS/EC	22,035	22,035	22,035	22,035
97	MOD OF IN-SVC EQUIP, AFATDS	5,434	5,434	5,434	5,434
98	LIGHT WEIGHT TECH FIRE DIRECTION SYS (LWT	6,042	6,042	6,042	6,042
99	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM	31,986	31,986	31,986	31,986
100	FAAD C2	21,095	21,095	21,095	21,095
101	AIR & MSL DEFENSE PLANNING & CONTROL SYS (AMD	69,289	69,289	69,289	69,289
102	FORWARD ENTRY DEVICE / LIGHTWEIGHT FED (FED/L	9,305	9,305	9,305	9,305
103	KNIGHT FAMILY	24,233	24,233	24,233	24,233
104	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	2,022	2,022	2,022	2,022
105	LOGTECH	97,235	88,735	106,235	104,135
106	TC AIMS II	29,919	29,919	29,919	29,919
107	JOINT NETWORK MANAGEMENT SYSTEM (JNMS)	8,279	8,279	8,279	8,279
108	TACTICAL INTERNET MANAGER	11,355	11,355	11,355	11,355
109	MANEUVER CONTROL SYSTEM (MCS)	77,023	77,023	77,023	77,023
110	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	121,808	81,808	121,808	101,808
111	MOUNTED BATTLE COMMAND ON THE MOVE (MBCOTM)	79,035	73,035	79,035	73,035

	(In thousands of dollars) Budget	House	Senate	Conference
ELECT EQUIP - AUTOMATION				
112 GENERAL FUND ENTERPRISE BUSINESS SYSTEM	78,403	53,403	2,000	2,000
113 ARMY TRAINING MODERNIZATION	21,636	21,636	21,636	21,636
114 AUTOMATED DATA PROCESSING EQUIP	139,206	104,206	104,206	133,956
115 CSS COMMUNICATIONS	15,861	15,861	15,861	15,861
116 RESERVE COMPONENT AUTOMATION SYS (RCAS)	28,675	28,675	28,675	28,675
ELECT EQUIP - AUDIO VISUAL SYS (A/V)				
117 AFRTS	1,007	1,007	2,007	2,007
118 ITEMS LESS THAN $5.0M (A/V)	6,754	6,754	6,754	6,754
119 ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	1,671	1,671	1,671	1,671
120 WEAPONIZATION OF UNMANNED AERIAL SYSTEM (UAS)	15,161	15,161	1,661	1,661
ELECT EQUIP - SUPPORT				
121 ITEMS UNDER $5M (SSE)	17,493	17,493	17,493	17,493
122 PRODUCTION BASE SUPPORT (C-E)	497	497	497	497
TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT	3,877,957	3,334,366	3,762,002	3,304,811
OTHER SUPPORT EQUIPMENT				
CHEMICAL DEFENSIVE EQUIPMENT				
123 CBRN SOLDIER PROTECTION	38,312	38,312	48,312	43,812
124 SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)	4,079	4,079	4,079	4,079
BRIDGING EQUIPMENT				
125 TACTICAL BRIDGING	69,608	69,608	69,608	69,608
126 TACTICAL BRIDGE, FLOAT-RIBBON	80,093	80,093	80,093	80,093
ENGINEER (NON-CONSTRUCTION) EQUIPMENT				
127 HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	52,829	52,829	52,829	52,829
129 GRND STANDOFF MINE DETECTION SYSTEM (GSTAMIDS	197,675	131,575	197,675	131,575
131 EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT)	37,269	37,269	37,269	37,269
132 ITEMS LESS THAN $5M, COUNTERMINE EQUIPMENT	546	546	546	546
COMBAT SERVICE SUPPORT EQUIPMENT				
133 HEATERS AND ECU'S	10,575	10,575	10,575	10,575
135 SOLDIER ENHANCEMENT	9,298	9,298	13,298	13,298
136 LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME)	---	---	6,000	3,900
137 DISMOUNTED BATTLE COMMAND SYSTEM (DBCS)	19,226	26,226	19,226	19,226
139 FIELD FEEDING EQUIPMENT	36,874	36,874	36,874	36,874
140 CARGO AERIAL DELIVERY PROGRAM	42,653	42,653	42,653	42,653
141 ITEMS LESS THAN $5.0M (ENG SPT EQ)	5,552	11,052	7,552	11,052
PETROLEUM EQUIPMENT				
143 QUALITY SURVEILLANCE EQUIPMENT	1,293	1,293	1,293	1,293

	(In thousands of dollars) Budget	House	Senate	Conference
144 DISTRIBUTION SYSTEMS, PETROLEUM & WATER	67,867	67,867	67,867	67,867
WATER EQUIPMENT				
145 WATER PURIFICATION SYSTEMS	9,769	9,769	9,769	9,769
MEDICAL EQUIPMENT				
146 COMBAT SUPPORT MEDICAL	20,467	29,467	22,467	27,467
MAINTENANCE EQUIPMENT				
147 SHOP EQ CONTACT MAINTENANCE TRK MTD (MYP)	54,732	54,732	54,732	54,732
148 WELDING SHOP, TRAILER MTD	3,051	3,051	3,051	3,051
149 ITEMS LESS THAN $5.0M (MAINT EQ)	---	---	4,400	2,850
CONSTRUCTION EQUIPMENT				
150 GRADER, ROAD MTZD, HVY, 6X4 (CCE)	2,902	2,902	2,902	2,902
151 SCRAPERS, EARTHMOVING	1,049	16,549	1,049	11,449
152 MISSION MODULES - ENGINEERING	12,108	12,108	12,108	12,108
153 LOADERS	13,023	13,023	13,023	13,023
154 HYDRAULIC EXCAVATOR	2,475	2,475	2,475	2,475
155 TRACTOR, FULL TRACKED	4,799	4,799	4,799	4,799
157 HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	47,846	47,846	47,846	47,846
158 CONST EQUIP ESP	40,209	40,209	40,209	40,209
159 ITEMS LESS THAN $5.0M (CONST EQUIP)	22,209	22,209	22,209	22,209
RAIL FLOAT CONTAINERIZATION EQUIPMENT				
162 HARBORMASTER COMMAND & CONTROL CENTER (HCCC)	9,265	9,265	9,265	9,265
163 CAUSEWAY SYSTEMS	8,974	8,974	8,974	8,974
164 ITEMS LESS THAN $5.0M (FLOAT/RAIL)	2,536	2,536	2,536	2,536
GENERATORS				
165 GENERATORS AND ASSOCIATED EQUIP	69,468	69,468	69,468	69,468
MATERIAL HANDLING EQUIPMENT				
167 ALL TERRAIN LIFTING ARMY SYSTEM	20,501	20,501	24,501	22,301
TRAINING EQUIPMENT				
168 COMBAT TRAINING CENTERS (CTC) SUPPORT	38,497	41,497	44,717	46,067
169 TRAINING DEVICES, NONSYSTEM	243,147	289,247	292,647	310,747
170 CLOSE COMBAT TACTICAL TRAINER	16,920	16,920	16,920	16,920
171 AVIATION COMBINED ARMS TACTICAL TRAINER (AVCA	80,555	80,555	80,555	80,555
TEST MEASURE AND DIG EQUIPMENT (TMD)				
172 CALIBRATION SETS EQUIPMENT	2,026	2,026	2,026	2,026
173 INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	47,789	51,389	47,789	50,689
174 TEST EQUIPMENT MODERNIZATION (TEMOD)	11,827	11,827	11,827	11,827

	(In thousands of dollars) Budget	House	Senate	Conference
OTHER SUPPORT EQUIPMENT				
175 RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	50,679	50,679	50,679	50,679
177 PHYSICAL SECURITY SYSTEMS (OPA3)	66,665	76,665	59,165	59,165
178 BASE LEVEL COM'L EQUIPMENT	3,279	3,279	18,690	12,490
179 MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	35,469	35,469	35,469	35,469
180 PRODUCTION BASE SUPPORT (OTH)	2,997	2,997	9,997	9,297
182 SPECIAL EQUIPMENT FOR USER TESTING	19,562	19,562	19,562	19,562
183 MA8975	2,423	2,423	2,423	2,423
TOTAL, OTHER SUPPORT EQUIPMENT	1,640,967	1,674,567	1,743,998	1,701,898
SPARE AND REPAIR PARTS				
184 INITIAL SPARES - C&E	31,271	31,271	31,271	31,271
185 INITIAL SPARES - OTHER SUPPORT EQUIP	2,202	2,202	2,202	2,202
TOTAL, SPARE AND REPAIR PARTS	33,473	33,473	33,473	33,473
999 CLASSIFIED PROGRAMS	12,831	12,831	12,831	12,831
TOTAL, OTHER PROCUREMENT, ARMY	7,718,602	7,005,338	7,724,878	7,004,914

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

P-1		Budget Request	House	Senate	Conference
1	**TACTICAL TRAILERS/DOLLY SETS**	**22,961**	**26,961**	**22,961**	**25,161**
	Heavy Expanded Mobility Ammunition Trailer (HEMAT)		4,000		2,200
2	**SEMITRAILERS, FLATBED**	**7,565**	**9,765**	**10,565**	**9,765**
	600 Series Commercial Tractor Trailers only for the Army Reserve		2,200	3,000	2,200
4	**HI MOB MULTI-PURP WHLD VEH (HMMWV)**	**582,613**	**582,613**	**588,513**	**586,463**
	M1151 HMMWV Utility Trucks			5,900	3,850
5	**FAMILY OF MEDIUM TACTICAL VEH (FMTV)**	**695,121**	**695,121**	**692,121**	**692,121**
	Program Reduction			-3,000	-3,000
6	**FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIPMENT**	**29,286**	**29,286**	**30,586**	**30,286**
	Fire and Emergency Services Equipment, Ft. Meade, MD			1,300	1,000
8	**ARMORED SECURITY VEHICLES (ASV)**	**155,491**	**77,741**	**155,491**	**77,741**
	Authorization Adjustment		-77,750		-77,750
10	**TRUCK, TRACTOR, LINE HAUL, M915/M916**	**31,202**	**40,502**	**35,202**	**39,852**
	M915A3 Production for the Army National Guard		9,300		6,050
	M915 Tractor Truck for Nevada NG			4,000	2,600
11	**HEAVY EXPANDED MOBILITY TACTICAL TRUCK EXTENDED SERVICE PROGRAM**	**220,416**	**111,216**	**220,416**	**111,216**
	Authorization Adjustment		-110,200		-110,200
	Advanced Stored Energy Systems for Military Hybrid-Electric Vehicles		1,000		1,000
12	**HMMWV RECAPITALIZATION PROGRAM**	**34,823**	**0**	**34,823**	**0**
	Authorization Adjustment		-34,823		-34,823
14	**ITEMS LESS THAN $5.0M (TAC VEH)**	**0**	**0**	**8,000**	**4,400**
	Lightweight Tactical, Utility Vehicles (COTS) for Army National Guard			4,000	2,200
	Lightweight Tactical, Utility Vehicles			4,000	2,200
15	**TOWING DEVICE-FIFTH WHEEL**	**1,725**	**3,725**	**1,725**	**2,725**
	Fifth Wheel Towing Device		2,000		1,000
18	**NONTACTICAL VEHICLES, OTHER**	**3,486**	**4,486**	**3,486**	**3,486**
	Light Tactical Vehicles and Light Utility Vehicles (COTS) for the Army National Guard (Transferred to line 14)		1,000		0

P-1		Budget Request	House	Senate	Conference
25	**NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)**	**61,611**	**66,611**	**67,611**	**69,511**
	AN/PSC-5 Preplanned Product Improvement (P3I)		5,000		4,000
	Defense Advanced GPS Receiver (DAGR); Situational Data Advisor			6,000	3,900
32	**JOINT TACTICAL RADIO SYSTEM**	**1,302**	**1,302**	**0**	**0**
	Align with Justification			-1,302	-1,302
34	**SINCGARS FAMILY**	**116,523**	**66,273**	**116,523**	**64,673**
	Authorization Adjustment		-58,250		-58,250
	SINCGARS ASIP-E		8,000		6,400
37	**BRIDGE TO FUTURE NETWORKS**	**340,231**	**347,431**	**340,231**	**345,981**
	AN/UXC-10 Digital Facsimile (TS-21 Blackjack)		7,200		5,750
38	**COMMUNICATIONS ELECTRONICS EQUIPMENT FIELDING**	**5,181**	**8,931**	**11,181**	**11,981**
	Interim Satellite Incident Site Communications Set (ISISCS) only for the Pennsylvania Army National Guard		1,350		1,100
	Regional Emergency Response Network Phase III only for the Florida Army National Guard		2,400		2,400
	High Speed Communication Assemblage Upgrade			3,000	1,950
	Joint Forces Wireless Redundant Comms, Montana NG			3,000	1,350
41	**COMBAT SURVIVOR EVADER LOCATOR (CSEL)**	**16,541**	**0**	**14,441**	**0**
	Authorization Adjustment		-8,270		-8,270
	Program Adjustment		-8,271		-8,271
	Pricing Adjustment			-2,100	0
42	**RADIO, IMPROVED HIGH FREQUENCY FAMILY**	**91,418**	**50,718**	**91,418**	**48,068**
	Authorization Adjustment		-45,700		-45,700
	Army Sustainment Center CSAR Beacon		2,000		1,000
	AN/PRC-150 High-Frequency Radios only for the Army Reserve		3,000		1,350
46	**INFORMATION SYSTEM SECURITY PROGRAM-ISSP**	**90,379**	**91,879**	**90,379**	**91,879**
	Critical Army Systems – Cyber Attack Technology (CASCAT)		1,500		1,500
48	**BASE SUPPORT COMMUNICATIONS**	**33,754**	**33,754**	**43,104**	**39,004**
	Program Reduction			-7,500	-7,500
	Regional Emergency Response Network			3,000	1,350
	USARPAC Deployable C4 Package			6,000	4,800
	USARPAC Core Warfighting C4 Network Infrastructure			2,350	1,900
	Alaska Land Mobile Radio			4,000	3,500
	C4 Modularity			1,500	1,200

P-1		Budget Request	House	Senate	Conference
54	**INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM**	**279,579**	**279,579**	**247,579**	**247,579**
	Program Reduction			-32,000	-32,000
56	**PENTAGON INFORMATION MANAGEMENT AND TELECOMMUNICATIONS**	**32,711**	**29,711**	**32,711**	**29,711**
	Program Adjustment		-3,000		-3,000
61	**PROPHET GROUND (MIP)**	**96,532**	**52,082**	**99,032**	**52,482**
	Authorization Adjustment		-48,250		-48,250
	Blue Marauder System		1,800		1,450
	Advanced Phraselator System		2,000		1,100
	Prophet Ground Block I Upgrades			2,500	1,650
62	**TACTICAL UNMANNED AERIAL SYSEM (TUAS)(MIP)**	**100,295**	**50,145**	**78,795**	**28,645**
	Authorization Adjustment		-50,150		-50,150
	Transferred to RDT&E,A for Warrior Program			-21,500	-21,500
72	**ITEMS LESS THAN $5.0M (MIP)**	**29,739**	**29,739**	**39,739**	**37,739**
	Wideband Imagery Dissemination Systems for NG			10,000	8,000
77	**NIGHT VISION DEVICES**	**320,989**	**164,189**	**324,989**	**166,389**
	Authorization Adjustment		-160,500		-160,500
	Ultra-High Intensity Illumination System (Nighthunter and Nighthunter II Visible/IR Illumination Devices)		2,000		2,000
	Maxa Beam Strobe Non-lethal Deterrent Illumination		1,700		1,300
	Mini-IR MX 2A Thermal Imager			4,000	2,600
87	**PROFILER**	**2,119**	**7,119**	**12,119**	**8,619**
	Meteorological Measuring Set Profiler		5,000	10,000	6,500
88	**MODIFICATION OF IN-SERVICE EQUIPMENT (FIREFINDER RADARS)**	**19,249**	**9,649**	**27,249**	**16,049**
	Authorization Adjustment		-9,600		-9,600
	AN/TPQ-37 Firefinder Service Life Extension Program			8,000	6,400
89	**FORCE XXI BATTLE COMMAND BRIGADE & BELOW (FBCB2)**	**160,060**	**80,010**	**160,060**	**80,010**
	Authorization Adjustment		-80,050		-80,050
105	**LOGTECH**	**97,235**	**88,735**	**106,235**	**104,135**
	Unique Identification Program for Army Aviation		1,500		1,000
	Global Combat Support System - Army program adjustment		-10,000		0
	Aviation Maintenance Automated Tracking System			1,000	1,000
	Active Data Rich RFID Technology Insertion			6,000	3,900
	HERALD			2,000	1,000

P-1		Budget Request	House	Senate	Conference
110	**(SALE)**	**121,808**	**81,808**	**121,808**	**101,808**
	Program Adjustment		-40,000		-20,000
111	**MOUNTED BATTLE COMMAND ON THE MOVE (MBCOTM)**	**79,035**	**73,035**	**79,035**	**73,035**
	Reduce unit cost growth		-6,000		-6,000
112	**GENERAL FUND ENTERPRISE BUSINESS SYSTEM**	**78,403**	**53,403**	**2,000**	**2,000**
	Program Adjustment		-25,000		0
	Program Reduction			-76,403	-76,403
114	**AUTOMATED DATA PROCESSING EQUIPMENT**	**139,206**	**104,206**	**104,206**	**133,956**
	Army High Performance Computing Research Center - Procurement of super computer low latency and high bandwidth systems		15,000		9,750
	Global Combat Support System - Army program adjustment		-50,000		0
	Program Reduction			-35,000	-15,000
117	**AFRTS**	**1,007**	**1,007**	**2,007**	**2,007**
	Fort Knox 911 System			1,000	1,000
120	**WEAPONIZATION OF UNMANNED AERIAL SYSTEM (UAS)**	**15,161**	**15,161**	**1,661**	**1,661**
	Transferred to RDT&E,A for Warrior Program			-13,500	-13,500
123	**CBRN SOLDIER PROTECTION**	**38,312**	**38,312**	**48,312**	**43,812**
	Improved Chemical Agent Monitor for Army NG			10,000	5,500
129	**GROUND STANDOFF MINE DETECTION SYSTEM (GSTAMIDS)**	**197,675**	**131,575**	**197,675**	**131,575**
	Authorization Adjustment		-66,100		-66,100
135	**SOLDIER ENHANCEMENT**	**9,298**	**9,298**	**13,298**	**13,298**
	Land Warrior (Includes transfer from line 137)			4,000	4,000
136	**LIGHTWEIGHT MAINTENANCE ENCLOSURE (LME)**	**0**	**0**	**6,000**	**3,900**
	Lightweight Maintenance Enclosure			6,000	3,900
137	**DISMOUNTED BATTLE COMMAND SYSTEM (DBCS)**	**19,226**	**26,226**	**19,226**	**19,226**
	Land Warrior (Transferred to line 135)		7,000		0
141	**ITEMS LESS THAN $5.0M (ENGINEER SUPPORT EQUIPMENT)**	**5,552**	**11,052**	**7,552**	**11,052**
	Diver Propulsion Device (DPD)		4,500	2,000	4,500
	Urban Operations SV Tool Kit		1,000		1,000
146	**COMBAT SUPPORT MEDICAL**	**20,467**	**29,467**	**22,467**	**27,467**
	Combat Support Hospitals (CSH)		4,000	2,000	2,000
	Life Support for Trauma and Transport (LSTAT)		4,000		4,000
	Smisson Cartilage Infuser		1,000		1,000

P-1	Budget Request	House	Senate	Conference
149 ITEMS LESS THAN $5.0M (MAINT EQ)	**0**	**0**	**4,400**	**2,850**
Advanced Turbine Engine Army Maintenance Dynamometer			4,400	2,850
151 SCRAPERS, EARTHMOVING	**1,049**	**16,549**	**1,049**	**11,449**
Airborne/Air Assault Scrapers only for the Army Reserve		14,500		9,400
C-130 Transportable Motor Graders		1,000		1,000
167 ALL TERRAIN LIFTING ARMY SYSTEM	**20,501**	**20,501**	**24,501**	**22,301**
All Terrain Lifter Army system			4,000	1,800
168 COMBAT TRAINING CENTERS (CTC) SUPPORT	**38,497**	**41,497**	**44,717**	**46,067**
Mobile Virtual Training Capability		3,000		1,350
PARC/Multi-Brigade Training Requirements			6,220	6,220
169 TRAINING DEVICES, NONSYSTEM	**243,147**	**289,247**	**292,647**	**310,747**
Digital Deployed Training Campus		10,000		10,000
Call for Fire Trainer/Joint Fires and Effects Trainer System (JFETS)		3,500	4,000	3,500
Virtual Door Gunner Trainers (VDGT) - only for the Washington Army National Guard		2,000		1,300
DLI Virtual Convoy Operations Trainer		2,300		1,250
Call for Fire Trainer (CFFT) for the Army National Guard		5,000		2,250
Laser Marksmanship Training System		7,500		7,500
Up-Armored HMMWV and Tactical Truck Crew Trainers for the Army National Guard		2,700	15,000	9,750
JRTC Instrumentation System (JRTC-IS)		4,800		2,150
COFT XXI only for the Army National Guard		3,000		1,350
Tabletop Gunnery Trainers (TGT) and Full Fidelity Trainers only for the Army National Guard		3,300		1,500
Tabletop Trainers (TGT, TMT and TFT)			6,000	4,800
Combat Arms Training System (CATS) only for the Army National Guard		2,000	1,500	1,500
Real-time Reporting at Joint Readiness Training Center			5,000	2,750
172nd SIB Range			18,000	18,000
173 INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	**47,789**	**51,389**	**47,789**	**50,689**
IFTE/Integrated Family of Test Equipment		3,600		2,900
177 PHYSICAL SECURITY SYSTEMS	**66,665**	**76,665**	**59,165**	**59,165**
Mi-17 V5 Helicopters, Threat systems		10,000		0
Program Reduction			-7,500	-7,500

P-1	Budget Request	House	Senate	Conference
178 BASE LEVEL COM'L EQUIPMENT	**3,279**	**3,279**	**18,690**	**12,490**
Realign Civil Affairs/Psyops (Funds transferred from Procurement, Defense-Wide)			5,611	5,611
Fort Riley ASR 11 Digital Airport Surveillance Radar			6,500	3,600
Fort Knox Godman Airfield Area Surveillance Radar (Transferred to OMA)			3,300	0
180 PRODUCTION BASE SUPPORT (OTH)	**2,997**	**2,997**	**9,997**	**9,297**
Rock Island Arsenal Production			7,000	6,300

CONTAINER ROLL IN—ROLL OUT PLATFORM (M3 CROP)

The conferees strongly urge the Secretary of the Army to allocate sufficient funding from amounts available under this heading to ensure the continuation of the program to procure the Container Roll In—Roll Out Platform (M3 CROP) in order to expedite logistical support to the warfighter.

AIRCRAFT PROCUREMENT, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	AIRCRAFT PROCUREMENT, NAVY				
	COMBAT AIRCRAFT				
2	EA-18G	865,421	86,400	608,021	608,021
3	EA-18G (AP-CY)	39,753	39,753	39,753	39,753
4	F/A-18E/F (FIGHTER) HORNET (MYP)	2,288,253	2,946,297	2,507,253	2,507,253
5	F/A-18E/F (FIGHTER) HORNET (MYP) (AP-CY)	52,954	52,954	52,954	52,954
6	JOINT STRIKE FIGHTER ADVANCE PROCUREMENT (CY)	245,016	123,016	---	125,000
7	V-22 (MEDIUM LIFT)	1,304,687	1,304,687	1,294,687	1,294,687
8	V-22 (MEDIUM LIFT) (AP-CY)	194,080	194,080	194,080	194,080
9	UH-1Y/AH-1Z	446,718	446,718	314,718	376,718
10	MH-60S (MYP)	458,158	458,158	458,158	458,158
11	MH-60S (MYP) (AP-CY)	90,401	90,401	90,401	90,401
12	MH-60R	795,262	800,662	795,262	799,562
13	MH-60R (AP-CY)	120,480	120,480	120,480	120,480
14	E-2C (EARLY WARNING) HAWKEYE (MYP)	203,572	203,572	203,572	203,572
	TOTAL, COMBAT AIRCRAFT	7,104,755	6,867,178	6,679,339	6,870,639
	AIRLIFT AIRCRAFT				
16	USMC OPERATIONAL SUPPORT AIRCRAFT LIGHT	---	8,000	---	5,200
	TOTAL, AIRLIFT AIRCRAFT	---	8,000	---	5,200

		(In thousands of dollars) Budget	House	Senate	Conference
	TRAINER AIRCRAFT				
19	T-45TS (TRAINER) GOSHAWK	376,361	376,361	312,361	376,361
20	JPATS	146,068	146,068	146,068	146,068
	TOTAL, TRAINER AIRCRAFT	522,429	522,429	458,429	522,429
	OTHER AIRCRAFT				
21	KC-130J	253,179	253,179	126,579	126,579
22	KC-130J ADVANCE PROCUREMENT (CY)	45,737	45,737	45,737	45,737
23	F-5	2,530	2,530	2,530	2,530
24	VTUAV	37,570	37,570	37,570	37,570
	TOTAL, OTHER AIRCRAFT	339,016	339,016	212,416	212,416
	MODIFICATION OF AIRCRAFT				
25	EA-6 SERIES	48,983	48,983	48,983	48,983
26	AV-8 SERIES	20,506	20,506	25,506	23,756
27	ADVERSARY	2,638	2,638	2,638	2,638
28	F-18 SERIES	411,524	414,124	428,524	426,374
29	H-46 SERIES	47,401	47,401	47,401	47,401
30	AH-1W SERIES	19,760	27,760	23,760	25,760
31	H-53 SERIES	28,252	31,252	32,652	32,652
32	SH-60 SERIES	33,113	23,613	33,113	23,613
33	H-1 SERIES	7,426	7,426	226	4,426
34	EP-3 SERIES	56,797	64,397	56,797	60,997
35	P-3 SERIES	204,606	206,668	197,606	202,168
36	S-3 SERIES	750	750	750	750
37	E-2 SERIES	9,087	9,087	9,087	9,087
38	TRAINER A/C SERIES	17,062	17,062	17,062	17,062
39	C-2A	37,157	37,157	37,157	37,157
40	C-130 SERIES	3,547	3,547	5,547	4,647

		(In thousands of dollars) Budget	House	Senate	Conference
41	FEWSG	625	625	625	625
42	CARGO/TRANSPORT A/C SERIES	30,332	30,332	30,332	30,332
43	E-6 SERIES	99,184	99,184	58,884	58,884
44	EXECUTIVE HELICOPTERS SERIES	40,190	40,190	40,190	40,190
45	SPECIAL PROJECT AIRCRAFT	14,300	17,900	14,300	17,200
46	T-45 SERIES	34,933	36,933	34,933	35,933
47	POWER PLANT CHANGES	24,580	24,580	24,580	24,580
48	JPATS SERIES	1,656	1,656	1,656	1,656
49	AVIATION LIFE SUPPORT MODS	14,315	8,915	415	415
50	COMMON ECM EQUIPMENT	35,886	35,886	35,886	35,886
51	COMMON AVIONICS CHANGES	177,500	177,500	177,500	177,500
52	COMMON DEFENSIVE WEAPON SYSTEM	13,656	13,656	---	10,156
53	ID SYSTEMS	11,148	11,148	11,148	11,148
54	V-22 (TILT/ROTOR ACFT) OSPREY	85,767	85,767	85,767	85,767
	TOTAL, MODIFICATION OF AIRCRAFT	1,532,681	1,546,643	1,483,025	1,497,743
	AIRCRAFT SPARES AND REPAIR PARTS				
55	SPARES AND REPAIR PARTS	812,689	793,568	740,839	768,789
	AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES				
56	COMMON GROUND EQUIPMENT	426,673	412,488	430,673	415,688
57	AIRCRAFT INDUSTRIAL FACILITIES	9,472	9,472	9,472	9,472
58	WAR CONSUMABLES	34,916	6,000	34,916	4,800
59	OTHER PRODUCTION CHARGES	19,501	19,501	19,501	19,501
60	SPECIAL SUPPORT EQUIPMENT	64,968	64,968	64,968	64,968
61	FIRST DESTINATION TRANSPORTATION	1,671	1,671	1,671	1,671
	TOTAL, AIRCRAFT SUPPORT EQUIPMENT & FACILITIES	557,201	514,100	561,201	516,100
	TOTAL, AIRCRAFT PROCUREMENT, NAVY	10,868,771	10,590,934	10,135,249	10,393,316

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
2	**EA-18G**	**865,421**	**86,400**	**608,021**	**608,021**
	Defer low rate procurement		-779,021		0
	Transfer 4 aircraft to F/A-18 E/F production			-257,400	-257,400
4	**F/A-18E/F (FIGHTER) HORNET (MYP)**	**2,288,253**	**2,946,297**	**2,507,253**	**2,507,253**
	Increase quantity from 30 to 42		658,044		0
	Transfer 4 aircraft from EA-18G production			219,000	219,000
6	**JOINT STRIKE FIGHTER ADVANCE PROCUREMENT**	**245,016**	**123,016**	**0**	**125,000**
	Reduction of 4 aircraft		-122,000		0
	Defer production			-245,016	0
	Reduction of 2 aircraft				-120,016
7	**V-22 (MEDIUM LIFT)**	**1,304,687**	**1,304,687**	**1,294,687**	**1,294,687**
	Production efficiencies			-10,000	-10,000
9	**UH-1Y/AH-1Z**	**446,718**	**446,718**	**314,718**	**376,718**
	Program delay and restructure			-132,000	-70,000
12	**MH-60R**	**795,262**	**800,662**	**795,262**	**799,562**
	AN/AQS-22 airborne low frequency sonar (ALFS)		5,400		4,300
16A	**USMC OPERATIONAL SUPPORT AIRCRAFT LIGHT**	**0**	**8,000**	**0**	**5,200**
	USMC Operational Support Aircraft Light		8,000		5,200
19	**T-45TS (TRAINER) GOSHAWK**	**376,361**	**376,361**	**312,361**	**376,361**
	Reduction of two aircraft			-64,000	0
21	**KC-130J**	**253,179**	**253,179**	**126,579**	**126,579**
	Reduction of two aircraft			-126,600	-126,600
26	**AV-8 SERIES**	**20,506**	**20,506**	**25,506**	**23,756**
	Litening targeting pods for Marine expeditionary tactical aircraft			5,000	3,250
28	**F-18 SERIES**	**411,524**	**414,124**	**428,524**	**426,374**
	APG-79 retrofit kits		-5,400		0
	F/A-18 roadmap procurement plan completion		6,000		2,700
	Increased combat effectiveness using EW sensors		2,000		1,100
	ASQ-228 advanced targeting forward looking infrared			12,000	7,800
	Litening targeting pods for Marine expeditionary tactical aircraft			5,000	3,250
30	**AH-1W SERIES**	**19,760**	**27,760**	**23,760**	**25,760**
	ANVIS HUD 24		5,000		4,000
	AH-1W ANVIS HUD 24 helmet cueing sensors (Note: Conference funding provided under "ANVIS HUD 24")			4,000	0
	Tactical video link II (TVL II)		3,000		2,000
31	**H-53 SERIES**	**28,252**	**31,252**	**32,652**	**32,652**
	Advanced helicopter emergency egress lighting system (ADHEELS) for the H-53		3,000	2,000	2,000
	Program reduction			-5,000	-2,500
	CH-53 IMDS-HUMS			4,400	2,900
	CH-53 CNS/ATM mission needs capability upgrade			3,000	2,000

P-1	Budget Request	House	Senate	Conference
32 SH-60 SERIES	**33,113**	**23,613**	**33,113**	**23,613**
AMCM and armed helo retrofit kits/NRE		-9,500		-9,500
33 H-1 SERIES	**7,426**	**7,426**	**226**	**4,426**
Navigation thermal imaging system			-7,200	-3,000
34 EP-3 SERIES	**56,797**	**64,397**	**56,797**	**60,997**
EP-3 environmental cooling system upgrade		7,600		4,200
35 P-3 SERIES	**204,606**	**206,668**	**197,606**	**202,168**
Reduce base program growth		-15,938	-10,000	-15,938
P-3C high resolution digital recorder		2,700		1,200
P-3 anti-submarine warfare maritime improvement program(AMIP)		2,000		1,300
Maritime patrol ESM system fleet readiness		1,800		1,450
P-3C BMUP ESM upgrade		4,500		3,600
Digital stores management system		7,000		4,600
P-3C AIP wideband over the horizon capability			3,000	1,350
40 C-130 SERIES	**3,547**	**3,547**	**5,547**	**4,647**
Electronic propeller control system			2,000	1,100
43 E-6 SERIES	**99,184**	**99,184**	**58,884**	**58,884**
Re-phasing of E-6B modifications			-40,300	-40,300
45 SPECIAL PROJECT AIRCRAFT	**14,300**	**17,900**	**14,300**	**17,200**
C4ISR Operations and Training Center for Excellence		3,600		2,900
46 T-45 SERIES	**34,933**	**36,933**	**34,933**	**35,933**
T-45 crash survivable memory unit		2,000		1,000
49 AVIATION LIFE SUPPORT MODS	**14,315**	**8,915**	**415**	**415**
Mobile aircrew restraint system - slower ramp up rate		-5,400	-13,900	-13,900
52 COMMON DEFENSIVE WEAPON SYSTEM	**13,656**	**13,656**	**0**	**10,156**
Program execution			-13,656	-3,500
55 SPARES AND REPAIR PARTS	**812,689**	**793,568**	**740,839**	**768,789**
EA-18G to F/A-18 E/Fspare recalculation		-22,121	-7,400	-7,400
Aviation maintenance training continuum system (AMTCS) software module (ASM)		3,000		2,000
H-1 program delay and restructure			-54,100	-30,000
T-45 TS			-1,850	0
KC-130J			-8,500	-8,500
56 COMMON GROUND EQUIPMENT	**426,673**	**412,488**	**430,673**	**415,688**
Program reduction		-14,185		-14,185
Direct squadron support readiness training program			4,000	3,200
58 WAR CONSUMABLES	**34,916**	**6,000**	**34,916**	**4,800**
Program adjustment		-34,916		-34,916
Multipurpose bomb rack		6,000		4,800

WEAPONS PROCUREMENT, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	WEAPONS PROCUREMENT, NAVY				
	MODIFICATION OF MISSILES				
2	TRIDENT II MODS	957,637	919,637	919,637	919,637
	SUPPORT EQUIPMENT AND FACILITIES				
3	MISSILE INDUSTRIAL FACILITIES	3,453	3,453	3,453	3,453
	TOTAL, BALLISTIC MISSILES	961,090	923,090	923,090	923,090
	OTHER MISSILES				
	STRATEGIC MISSILES				
4	TOMAHAWK	354,565	354,565	354,565	354,565
	TACTICAL MISSILES				
5	AMRAAM	98,651	98,651	68,651	88,651
6	SIDEWINDER	40,380	40,380	40,380	40,380
7	JSOW	125,551	123,551	125,551	124,551
8	STANDARD MISSILE	139,672	139,672	139,672	139,672
9	RAM	56,874	56,874	56,874	56,874
11	AERIAL TARGETS	83,299	83,299	83,299	83,299
13	OTHER MISSILE SUPPORT	8,990	8,990	8,990	8,990
	MODIFICATION OF MISSILES				
14	ESSM	99,571	99,571	99,571	99,571
15	STANDARD MISSILES MODS	54,644	57,644	63,644	58,644
	SUPPORT EQUIPMENT AND FACILITIES				
16	WEAPONS INDUSTRIAL FACILITIES	4,645	4,645	79,645	64,645
	ORDNANCE SUPPORT EQUIPMENT				
17	ORDNANCE SUPPORT EQUIPMENT	29,534	34,534	29,534	32,834
	TOTAL, OTHER MISSILES	1,096,376	1,102,376	1,150,376	1,152,676

		(In thousands of dollars) Budget	House	Senate	Conference
	TORPEDOES AND RELATED EQUIPMENT				
	TORPEDOES AND RELATED EQUIP				
18	SSTD	5,856	5,856	5,856	5,856
19	ASW TARGETS	25,034	25,034	25,034	25,034
	MOD OF TORPEDOES AND RELATED EQUIP				
20	MK-46 TORPEDO MODS	96,505	101,905	66,505	85,905
21	MK-48 TORPEDO ADCAP MODS	61,528	61,528	61,528	61,528
22	QUICKSTRIKE MINE	3,103	3,103	3,103	3,103
	SUPPORT EQUIPMENT				
23	TORPEDO SUPPORT EQUIPMENT	26,345	26,345	26,345	26,345
24	ASW RANGE SUPPORT	13,288	13,288	13,288	13,288
	DESTINATION TRANSPORTATION				
25	FIRST DESTINATION TRANSPORTATION	3,259	3,259	3,259	3,259
	TOTAL, TORPEDOES AND RELATED EQUIPMENT	234,918	240,318	204,918	224,318
	OTHER WEAPONS				
	GUNS AND GUN MOUNTS				
26	SMALL ARMS AND WEAPONS	12,508	12,508	12,508	12,508
	MODIFICATION OF GUNS AND GUN MOUNTS				
27	CIWS MODS	151,194	151,194	151,194	151,194
28	COAST GUARD WEAPONS	5,385	5,385	5,385	5,385
29	GUN MOUNT MODS	8,936	14,436	25,936	20,036
	OTHER				
30	PIONEER	7,056	7,056	7,056	7,056
31	CRUISER MODERNIZATION WEAPONS	18,470	18,470	18,470	18,470
32	AIRBORNE MINE NEUTRALIZATION SYSTEMS	3,151	3,151	3,151	3,151
	TOTAL, OTHER WEAPONS	206,700	212,200	223,700	217,800
34	SPARES AND REPAIR PARTS	55,936	55,936	55,936	55,936
	TOTAL, WEAPONS PROCUREMENT, NAVY	2,555,020	2,533,920	2,558,020	2,573,820

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
2	**TRIDENT II MODS**	**957,637**	**919,637**	**919,637**	**919,637**
	Conventional Trident Modification Program		-38,000	-38,000	-38,000
5	**AMRAAM**	**98,651**	**98,651**	**68,651**	**88,651**
	Excessive program delays			-30,000	-10,000
7	**JSOW**	**125,551**	**123,551**	**125,551**	**124,551**
	Program reduction - underexecution of FY06 funds		-2,000		-1,000
15	**STANDARD MISSILES MODS**	**54,644**	**57,644**	**63,644**	**58,644**
	Standard missile rocket motor regrain		3,000	9,000	4,000
16	**WEAPONS INDUSTRIAL FACILITIES**	**4,645**	**4,645**	**79,645**	**64,645**
	Allegany Ballistics Lab - facility restoration plan			75,000	60,000
17	**ORDNANCE SUPPORT EQUIPMENT**	**29,534**	**34,534**	**29,534**	**32,834**
	MK 48 ADCAP torpedo critical components		5,000		3,300
20	**MK-46 TORPEDO MODS**	**96,505**	**101,905**	**66,505**	**85,905**
	Torpedo technology insertion		5,400		4,400
	Stabilize acquisition profile			-30,000	-15,000
29	**GUN MOUNT MODS**	**8,936**	**14,436**	**25,936**	**20,036**
	MK 110 (57mm) naval gun		5,500	12,000	7,800
	MK 38 minor caliber gun system			5,000	3,300

MK–46/MK–54 MODS

The conferees agree to provide $85,905,000 for MK–46/MK–54 Mods. This is a reduction of $15,000,000 below the budget request due to fluctuating procurement quantities. The conferees understand that this funding will be sufficient to procure 160 MK–54 torpedo kits. The conferees are concerned about the inconsistent annual procurement quantities for this important program over the current Future Years Defense Plan. The conferees encourage the Navy to review this over the coming year and consider a more consistent annual rate, to provide manufacturing stability and lower unit costs.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	PROCUREMENT OF AMMO, NAVY & MARINE CORPS				
	PROC AMMO, NAVY				
	NAVY AMMUNITION				
1	GENERAL PURPOSE BOMBS	119,561	124,061	119,561	123,161
2	JDAM	84,014	84,014	86,014	85,014
3	AIRBORNE ROCKETS, ALL TYPES	15,473	15,473	15,473	15,473
4	MACHINE GUN AMMUNITION	16,140	16,140	16,140	16,140
5	PRACTICE BOMBS	44,573	44,573	44,573	44,573
6	CARTRIDGES & CART ACTUATED DEVICES	33,999	37,599	33,999	36,899
7	AIRCRAFT ESCAPE ROCKETS	11,029	11,029	11,029	11,029
8	AIR EXPENDABLE COUNTERMEASURES	72,935	72,935	72,935	72,935
9	JATOS	4,643	4,643	4,643	4,643
10	5 INCH/54 GUN AMMUNITION	24,547	29,947	24,547	26,997
12	INTERMEDIATE CALIBER GUN AMMUNITION	5,729	5,729	13,729	10,929
13	OTHER SHIP GUN AMMUNITION	21,772	21,772	21,772	21,772
14	SMALL ARMS & LANDING PARTY AMMO	32,647	32,647	32,647	32,647
15	PYROTECHNIC AND DEMOLITION	9,189	9,189	9,189	9,189
16	AMMUNITION LESS THAN $5 MILLION	1,197	1,197	1,197	1,197
	TOTAL, PROC AMMO, NAVY	497,448	510,948	507,448	512,598

		(In thousands of dollars) Budget	House	Senate	Conference
	PROC AMMO, MC				
	MARINE CORPS AMMUNITION				
17	5.56 MM, ALL TYPES	24,365	12,165	24,365	12,165
18	7.62 MM, ALL TYPES	14,814	7,414	14,814	7,414
19	LINEAR CHARGES, ALL TYPES	8,032	8,032	8,032	8,032
20	.50 CALIBER	6,440	3,240	6,440	3,240
21	40 MM, ALL TYPES	39,369	39,369	39,369	39,369
22	60MM, ALL TYPES	2,947	2,947	2,947	2,947
23	81MM, ALL TYPES	57,351	57,351	57,351	57,351
24	120MM, ALL TYPES	32,858	32,858	32,858	32,858
25	CTG 25MM, ALL TYPES	9,536	13,136	9,536	9,536
26	9 MM ALL TYPES	4,197	4,197	4,197	4,197
27	GRENADES, ALL TYPES	16,733	8,383	16,733	8,383
28	ROCKETS, ALL TYPES	10,201	10,201	10,201	13,101
29	ARTILLERY, ALL TYPES	35,514	35,514	35,514	35,514
30	EXPEDITIONARY FIGHTING VEHICLE	9,529	9,529	9,529	---
31	DEMOLITION MUNITIONS, ALL TYPES	8,282	8,282	8,282	8,282
32	FUZE, ALL TYPES	565	565	565	565
33	NON LETHALS	4,030	4,030	4,030	4,030
34	AMMO MODERNIZATION	7,732	7,732	7,732	7,732
	TOTAL, PROC AMMO, MC	292,495	264,945	292,495	254,716
	TOTAL, PROCUREMENT OF AMMO, NAVY & MARINE CORPS	789,943	775,893	799,943	767,314

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
1	**GENERAL PURPOSE BOMBS**	**119,561**	**124,061**	**119,561**	**123,161**
	Enhanced paveway II		4,500		3,600
2	**JDAM**	**84,014**	**84,014**	**86,014**	**85,014**
	IMU production facility sustainment			2,000	1,000
6	**CARTRIDGES & CART ACTUATED DEVICES**	**33,999**	**37,599**	**33,999**	**36,899**
	Joint water activated parachute release (JWARS)		3,600		2,900
10	**5 INCH/54 GUN AMMUNITION**	**24,547**	**29,947**	**24,547**	**26,997**
	Additional cartridge cases for 5"/54 ammunition		5,400		2,450
12	**INTERMEDIATE CALIBER GUN AMMUNITION**	**5,729**	**5,729**	**13,729**	**10,929**
	MK 295/MK 296 ammunition for MK 100 57mm naval gun			8,000	5,200
17	**5.56 MM, ALL TYPES**	**24,365**	**12,165**	**24,365**	**12,165**
	Authorization adjustment		-12,200		-12,200
18	**7.62 MM, ALL TYPES**	**14,814**	**7,414**	**14,814**	**7,414**
	Authorization adjustment		-7,400		-7,400
20	**.50 CALIBER**	**6,440**	**3,240**	**6,440**	**3,240**
	Authorization adjustment		-3,200		-3,200
25	**CTG 25MM, ALL TYPES**	**9,536**	**13,136**	**9,536**	**9,536**
	M72 lightweight attack weapon (LAW) system (Note: Conference funding provided in line 28)		3,600		0
27	**GRENADES, ALL TYPES**	**16,733**	**8,383**	**16,733**	**8,383**
	Authorization adjustment		-8,350		-8,350
28	**ROCKETS, ALL TYPES**	**10,201**	**10,201**	**10,201**	**13,101**
	M72 lightweight attack weapon (LAW) system (Note: Funding provided in House bill in line 25)				2,900
30	**EXPEDITIONARY FIGHTING VEHICLE**	**9,529**	**9,529**	**9,529**	**0**
	Adjustment to EFV acquisition strategy				-9,529

SHIPBUILDING AND CONVERSION, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	SHIPBUILDING & CONVERSION, NAVY				
	OTHER WARSHIPS				
2	CARRIER REPLACEMENT PROGRAM (AP-CY)	784,143	784,143	784,143	791,893
3	VIRGINIA CLASS SUBMARINE	1,775,472	1,775,472	1,775,472	1,775,472
4	VIRGINIA CLASS SUBMARINE (AP-CY)	676,582	676,582	676,582	676,582
7	CVN REFUELING OVERHAUL	954,495	954,495	954,495	954,495
8	CVN REFUELING OVERHAULS (AP-CY)	117,139	117,139	117,139	117,139
10	SSN ERO (AP-CY)	22,078	22,078	---	---
11	SSBN ERO	189,022	189,022	189,022	189,022
12	SSBN ERO (AP-CY)	37,154	37,154	37,154	37,154
13	DD(X)	2,568,111	2,568,111	2,568,111	2,568,111
15	DDG-51	355,849	355,849	355,849	355,849
16	DDG-51 MODERNIZATION PROGRAM	---	50,000	---	---
17	LITTORAL COMBAT SHIP	520,670	520,670	300,670	520,670
	TOTAL, OTHER WARSHIPS	8,000,715	8,050,715	7,758,637	7,986,387
	AMPHIBIOUS SHIPS				
20	LPD-17(AP-CY)	297,492	297,492	297,492	297,492
21	LHA REPLACEMENT	1,135,917	1,135,917	1,135,917	1,135,917
	TOTAL, AMPHIBIOUS SHIPS	1,433,409	1,433,409	1,433,409	1,433,409
	AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAM COSTS				
23	SPECIAL PURPOSE	---	4,500	---	2,900
23A	T-AGS OCEANGRAPHIC SURVEY SHIPS	---	---	117,000	117,000
25	OUTFITTING	410,643	410,643	370,643	370,643
26	SERVICE CRAFT	45,245	45,245	45,245	45,245
27	LCAC SLEP	110,692	110,692	110,692	110,692
28	COMPLETION OF PY SHIPBUILDING PROGRAMS	577,849	436,449	557,849	512,849
	TOTAL, AUXILIARIES, CRAFT, AND PRIOR-YEAR PROGRAM	1,144,429	1,007,529	1,201,429	1,159,329
	TOTAL, SHIPBUILDING & CONVERSION, NAVY	10,578,553	10,491,653	10,393,475	10,579,125

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
2	**CARRIER REPLACEMENT PROGRAM (AP-CY)**	**784,143**	**784,143**	**784,143**	**791,893**
	Nuclear propulsion equipment (Note: From Senate bill section 8147)				7,750
10	**SSN ERO (AP-CY)**	**22,078**	**22,078**	**0**	**0**
	Program delays/instability			-22,078	-22,078
16	**DDG-51 MODERNIZATION PROGRAM**	**0**	**50,000**	**0**	**0**
	Continuation of program (Note: Conference funding is provided in Other Procurement, Navy, line 6)		50,000		0
17	**LITTORAL COMBAT SHIP**	**520,670**	**520,670**	**300,670**	**520,670**
	Reduction of one LCS seaframe			-220,000	0
23	**SPECIAL PURPOSE**	**0**	**4,500**	**0**	**2,900**
	Surface unit riverine craft (SURC)		4,500		2,900
23A	**T-AGS OCEANOGRAPHIC SURVEY SHIPS**	**0**	**0**	**117,000**	**117,000**
	T-AGS 66 stretched modified repeat oceanographic survey ship			117,000	117,000
25	**OUTFITTING**	**410,643**	**410,643**	**370,643**	**370,643**
	Ship delivery schedule delays			-40,000	-40,000
28	**COMPLETION OF PRIOR YEAR SHIPBUILDING PROGRAMS**	**577,849**	**436,449**	**557,849**	**512,849**
	Unjustified cost growth		-141,400		-65,000
	Ship delivery schedule delays			-20,000	0

DDG–1000 PROGRAM

The conferees agree to provide $2,568,111,000 for the DDG–1000 (formerly DDX) Destroyer Program, and agree to delete language proposed by the House requiring full funding of a single lead ship. The effect of the conference agreement would allow the Navy to split fund twin lead ships of the DDG–1000 class, if authorized in separate legislation by the Congress. This action is being taken based upon the expectation that the total cost of these two ships is well understood and low risk. The conferees are willing to make this one-time exception to the full funding principle because of the unique situation with the shipbuilding industrial base and with the DDG–1000 program. The conferees will not entertain future requests to fund ships other than under the full funding principle, except for those historically funded in this manner (aircraft carriers and some large deck amphibious ships).

The unusual procurement of twin lead ships raises the risk that future design changes or production problems will impact two ships under construction simultaneously. This could raise costs significantly compared to other lead ship programs. However, the Navy believes the cost and schedule risk in the DDG–1000 program is low enough to permit the twin lead ship acquisition strategy. The Navy has identified the total cost to procure the twin lead ships of the DDG–1000 class as $6,582,200,000. The conferees insist that the Navy manage this program within that total cost, and will be unlikely to increase funding through a reprogramming or an additional budget request except in the case of emergency, natural disaster, or other impact arising from outside the Navy's shipbuilding program.

SHIP INSULATION

The conferees understand that the insulation material currently under consideration for use in future ships has not been fully evaluated for safety. The conferees believe that any new materials should be at least as safe as those materials currently in use and recommend that insulating materials that do not meet the weight, smoke generation, toxicity and other safety criteria should not be used in ship construction.

COMPLETION OF PRIOR YEAR SHIPBUILDING PROGRAMS

The conference agreement provides $512,849,000 for the completion of prior year shipbuilding programs. The reduction of $65,000,000 from the budget estimate shall be allocated as shown below:

Program	Budget estimate	Conference agreement	Reduction
CVN–77	$348,400,000	$318,400,000	−$30,000,000
LPD–20	65,049,000	60,049,000	−5,000,000
LPD–23	22,400,000	17,400,000	−5,000,000
SSN–775	25,000,000	20,000,000	−5,000,000
SSN–777	48,000,000	28,000,000	−20,000,000

OTHER PROCUREMENT, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	OTHER PROCUREMENT, NAVY				
	SHIPS SUPPORT EQUIPMENT				
	SHIP PROPULSION EQUIPMENT				
1	LM-2500 GAS TURBINE	7,441	7,441	7,441	7,441
2	ALLISON 501K GAS TURBINE	16,182	16,182	16,182	16,182
	NAVIGATION EQUIPMENT				
3	OTHER NAVIGATION EQUIPMENT	31,039	34,039	32,039	32,039
	UNDERWAY REPLENISHMENT EQUIPMENT				
4	UNDERWAY REPLENISHMENT EQUIPMENT	928	928	928	928
	PERISCOPES				
5	SUB PERISCOPES & IMAGING EQUIP	73,729	73,729	64,729	64,729
	OTHER SHIPBOARD EQUIPMENT				
6	DDG MOD	2,179	2,179	2,179	32,179
7	FIREFIGHTING EQUIPMENT	17,914	17,914	17,914	17,914
8	COMMAND AND CONTROL SWITCHBOARD	2,693	2,693	2,693	2,693
9	POLLUTION CONTROL EQUIPMENT	27,889	27,889	27,889	27,889
10	SUBMARINE SUPPORT EQUIPMENT	25,231	26,231	20,831	26,231
11	VIRGINIA CLASS SUPPORT EQUIPMENT	155,510	157,510	155,510	156,510
12	SUBMARINE BATTERIES	33,814	21,814	33,814	21,814
13	STRATEGIC PLATFORM SUPPORT EQUIP	21,892	27,292	21,892	26,192
14	DSSP EQUIPMENT	4,729	4,729	4,729	4,729
15	CG-MODERNIZATION	233,666	233,666	233,666	233,666
16	LCAC	437	437	437	437
17	MINESWEEPING EQUIPMENT	17,843	13,993	13,993	13,993
18	ITEMS LESS THAN $5 MILLION	172,775	162,843	169,775	165,925
19	CHEMICAL WARFARE DETECTORS	3,141	3,141	3,141	3,141
20	SUBMARINE LIFE SUPPORT SYSTEM	13,751	14,751	13,751	14,751

		(In thousands of dollars) Budget	House	Senate	Conference
	REACTOR PLANT EQUIPMENT				
21	REACTOR POWER UNITS	126,974	126,974	126,974	126,974
22	REACTOR COMPONENTS	228,087	228,087	228,087	228,087
	OCEAN ENGINEERING				
23	DIVING AND SALVAGE EQUIPMENT	6,287	6,287	6,287	6,287
	SMALL BOATS				
24	STANDARD BOATS	41,081	48,081	49,081	49,581
	TRAINING EQUIPMENT				
25	OTHER SHIPS TRAINING EQUIPMENT	3,887	6,137	3,887	5,687
	PRODUCTION FACILITIES EQUIPMENT				
26	OPERATING FORCES IPE	53,648	39,398	53,648	53,648
	OTHER SHIP SUPPORT				
27	NUCLEAR ALTERATIONS	109,571	109,571	109,571	109,571
28	LCS MODULES	79,059	79,059	1,559	79,059
29	TOTAL, SHIPS SUPPORT EQUIPMENT	1,511,377	1,492,995	1,422,627	1,528,277
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT				
	SHIP RADARS				
30	RADAR SUPPORT	---	26,200	---	20,000
31	SPQ-9B RADAR	2,494	2,494	2,494	2,494
	SHIP SONARS				
32	AN/SQQ-89 SURF ASW COMBAT SYSTEM	37,783	43,783	37,783	40,483
33	SSN ACOUSTICS	284,896	290,096	270,896	274,196
34	UNDERSEA WARFARE SUPPORT EQUIPMENT	9,204	9,204	9,204	9,204
35	SONAR SWITCHES AND TRANSDUCERS	12,524	12,524	12,524	12,524
	ASW ELECTRONIC EQUIPMENT				
36	SUBMARINE ACOUSTIC WARFARE SYSTEM	20,227	20,227	20,227	20,227
37	SSTD	8,404	17,404	8,404	15,604
38	FIXED SURVEILLANCE SYSTEM	60,681	60,681	60,681	60,681
39	SURTASS	4,688	4,688	8,688	7,888
40	TACTICAL SUPPORT CENTER	5,238	5,238	5,238	5,238
	ELECTRONIC WARFARE EQUIPMENT				
41	AN/SLQ-32	30,955	30,955	30,955	30,955
42	INFORMATION WARFARE SYSTEMS	5,032	5,032	5,032	5,032
	RECONNAISSANCE EQUIPMENT				
43	SHIPBOARD IW EXPLOIT	70,782	77,082	66,882	71,982
	SUBMARINE SURVEILLANCE EQUIPMENT				
44	SUBMARINE SUPPORT EQUIPMENT PROG	83,114	90,614	83,114	86,614
	OTHER SHIP ELECTRONIC EQUIPMENT				
45	NAVY TACTICAL DATA SYSTEM	---	3,600	---	2,900

		(In thousands of dollars) Budget	House	Senate	Conference
46	COOPERATIVE ENGAGEMENT CAPABILITY	22,502	27,502	22,502	27,502
47	GCCS-M EQUIPMENT	52,508	52,508	52,508	52,508
48	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	35,311	38,011	5,311	7,511
49	ATDLS	12,458	12,458	12,458	12,458
50	MINESWEEPING SYSTEM REPLACEMENT	75,442	75,442	57,448	57,448
51	SHALLOW WATER MCM	8,269	8,269	8,269	8,269
52	NAVSTAR GPS RECEIVERS (SPACE)	13,291	13,291	13,291	13,291
53	ARMED FORCES RADIO AND TV	4,481	4,481	4,481	4,481
54	STRATEGIC PLATFORM SUPPORT EQUIP	3,838	3,838	3,838	6,038
	TRAINING EQUIPMENT				
55	OTHER TRAINING EQUIPMENT	19,833	19,833	19,833	19,833
	AVIATION ELECTRONIC EQUIPMENT				
56	MATCALS	20,261	20,261	20,261	20,261
57	SHIPBOARD AIR TRAFFIC CONTROL	7,476	7,476	7,476	7,476
58	AUTOMATIC CARRIER LANDING SYSTEM	18,005	18,005	18,005	18,005
59	NATIONAL AIR SPACE SYSTEM	27,575	27,575	27,575	27,575
60	AIR STATION SUPPORT EQUIPMENT	3,968	3,968	3,968	3,968
61	MICROWAVE LANDING SYSTEM	9,157	9,157	9,157	9,157
62	FACSFAC	3,758	3,758	3,758	3,758
63	ID SYSTEMS	28,567	28,567	28,567	28,567
64	TAC A/C MISSION PLANNING SYS(TAMPS)	8,316	8,316	8,316	8,316
	OTHER SHORE ELECTRONIC EQUIPMENT				
66	COMMON IMAGERY GROUND SURFACE SYSTEMS	78,321	78,321	42,741	42,741
67	RADIAC	10,373	10,373	10,373	10,373
68	GPETE	7,086	9,086	7,086	8,086
69	INTEG COMBAT SYSTEM TEST FACILITY	4,283	4,283	4,283	4,283
70	EMI CONTROL INSTRUMENTATION	5,710	10,510	5,710	9,510
71	ITEMS LESS THAN $5 MILLION	22,489	28,489	22,489	27,289
	SHIPBOARD COMMUNICATIONS				
73	PORTABLE RADIOS	40,467	40,467	15,467	25,467
74	SHIP COMMUNICATIONS AUTOMATION	209,123	209,123	209,123	209,123
75	COMMUNICATIONS ITEMS UNDER $5M	12,574	12,574	12,574	12,574

		(In thousands of dollars) Budget	House	Senate	Conference
	SUBMARINE COMMUNICATIONS				
76	SUBMARINE BROADCAST SUPPORT	666	666	666	666
77	SUBMARINE COMMUNICATION EQUIPMENT	87,900	87,900	90,900	89,300
	SATELLITE COMMUNICATIONS				
78	SATELLITE COMMUNICATIONS SYSTEMS	12,291	27,291	12,291	20,541
	SHORE COMMUNICATIONS				
79	JCS COMMUNICATIONS EQUIPMENT	2,788	2,788	2,788	2,788
80	ELECTRICAL POWER SYSTEMS	1,145	1,145	1,145	1,145
83	NAVAL SHORE COMMUNICATIONS	50,429	50,429	50,429	50,429
	CRYPTOGRAPHIC EQUIPMENT				
84	INFO SYSTEMS SECURITY PROGRAM (ISSP)	101,749	101,749	101,749	101,749
	CRYPTOLOGIC EQUIPMENT				
85	CRYPTOLOGIC COMMUNICATIONS EQUIP	21,758	21,758	21,758	21,758
	OTHER ELECTRONIC SUPPORT				
86	COAST GUARD EQUIPMENT	41,133	41,133	30,133	30,133
	TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT	1,721,323	1,820,623	1,590,849	1,670,399
	AVIATION SUPPORT EQUIPMENT				
	SONOBUOYS				
88	SONOBUOYS - ALL TYPES	66,943	66,943	66,943	66,943
	AIRCRAFT SUPPORT EQUIPMENT				
89	WEAPONS RANGE SUPPORT EQUIPMENT	56,226	41,462	68,226	68,961
90	EXPEDITIONARY AIRFIELDS	8,064	8,064	8,064	8,064
91	AIRCRAFT REARMING EQUIPMENT	12,246	12,246	12,246	12,246
92	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	29,817	29,817	29,817	29,817
93	METEOROLOGICAL EQUIPMENT	14,905	15,905	14,905	15,905
94	OTHER PHOTOGRAPHIC EQUIPMENT	1,459	1,459	1,459	1,459
95	AVIATION LIFE SUPPORT	18,624	8,624	20,124	15,524
96	AIRBORNE MINE COUNTERMEASURES	89,727	89,727	47,535	78,727
97	LAMPS MK III SHIPBOARD EQUIPMENT	27,369	27,369	15,869	15,869
98	OTHER AVIATION SUPPORT EQUIPMENT	10,821	13,821	10,821	12,821
	TOTAL, AVIATION SUPPORT EQUIPMENT	336,201	315,437	296,009	326,336

		(In thousands of dollars) Budget	House	Senate	Conference
	ORDNANCE SUPPORT EQUIPMENT				
	SHIP GUN SYSTEM EQUIPMENT				
99	NAVAL FIRES CONTROL SYSTEM	3,311	3,311	3,311	3,311
100	GUN FIRE CONTROL EQUIPMENT	7,443	7,443	7,443	7,443
	SHIP MISSILE SYSTEMS EQUIPMENT				
101	HARPOON SUPPORT EQUIPMENT	100	100	100	100
102	NATO SEASPARROW	4,582	4,582	4,582	4,582
103	RAM GMLS	9,987	9,987	11,487	10,987
104	SHIP SELF DEFENSE SYSTEM	56,668	56,668	56,668	56,668
105	AEGIS SUPPORT EQUIPMENT	75,349	79,349	75,349	77,149
107	TOMAHAWK SUPPORT EQUIPMENT	61,185	61,185	61,185	61,185
109	VERTICAL LAUNCH SYSTEMS	6,557	6,557	6,557	6,557
	FBM SUPPORT EQUIPMENT				
110	STRATEGIC MISSILE SYSTEMS EQUIP	111,127	99,127	99,127	99,127
	ASW SUPPORT EQUIPMENT				
111	SSN COMBAT CONTROL SYSTEMS	92,876	92,876	92,876	92,876
112	SUBMARINE ASW SUPPORT EQUIPMENT	4,946	4,946	4,946	4,946
113	SURFACE ASW SUPPORT EQUIPMENT	4,642	4,642	7,642	6,642
114	ASW RANGE SUPPORT EQUIPMENT	7,188	7,188	7,188	7,188
	OTHER ORDNANCE SUPPORT EQUIPMENT				
115	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	21,494	21,494	24,494	23,444
116	ITEMS LESS THAN $5 MILLION	4,041	4,041	4,041	4,041
	OTHER EXPENDABLE ORDNANCE				
117	ANTI-SHIP MISSILE DECOY SYSTEM	54,131	54,131	59,631	56,631
118	SURFACE TRAINING DEVICE MODS	11,243	11,243	11,243	11,243
119	SUBMARINE TRAINING DEVICE MODS	24,776	24,776	24,776	27,526
	TOTAL, ORDNANCE SUPPORT EQUIPMENT	561,646	553,646	562,646	561,646

	(In thousands of dollars) Budget	House	Senate	Conference
CIVIL ENGINEERING SUPPORT EQUIPMENT				
120 PASSENGER CARRYING VEHICLES	2,184	2,184	2,184	2,184
121 GENERAL PURPOSE TRUCKS	2,200	2,200	2,200	2,200
122 CONSTRUCTION & MAINTENANCE EQUIP	25,441	40,441	25,441	35,191
123 FIRE FIGHTING EQUIPMENT	16,726	16,726	16,726	16,726
124 TACTICAL VEHICLES	29,432	29,432	29,432	29,432
125 AMPHIBIOUS EQUIPMENT	86,604	86,604	86,604	86,604
126 POLLUTION CONTROL EQUIPMENT	12,066	12,066	12,066	12,066
127 ITEMS UNDER $5 MILLION	39,845	39,845	39,845	39,845
128 PHYSICAL SECURITY VEHICLES	1,317	1,317	1,317	1,317
TOTAL, CIVIL ENGINEERING SUPPORT EQUIPMENT	215,815	230,815	215,815	225,565
SUPPLY SUPPORT EQUIPMENT				
129 MATERIALS HANDLING EQUIPMENT	13,716	14,716	30,716	26,416
130 OTHER SUPPLY SUPPORT EQUIPMENT	12,080	13,080	12,080	13,080
131 FIRST DESTINATION TRANSPORTATION	5,925	5,925	5,925	5,925
132 SPECIAL PURPOSE SUPPLY SYSTEMS	65,938	65,938	65,938	65,938
TOTAL, SUPPLY SUPPORT EQUIPMENT	97,659	99,659	114,659	111,359
PERSONNEL AND COMMAND SUPPORT EQUIPMENT				
TRAINING DEVICES				
133 TRAINING SUPPORT EQUIPMENT	18,222	20,222	18,222	19,222
COMMAND SUPPORT EQUIPMENT				
134 COMMAND SUPPORT EQUIPMENT	58,576	60,576	67,076	63,326
135 EDUCATION SUPPORT EQUIPMENT	390	390	390	390
136 MEDICAL SUPPORT EQUIPMENT	5,590	9,590	11,590	9,290
138 OPERATING FORCES SUPPORT EQUIPMENT	15,270	15,270	15,270	15,270
139 C4ISR EQUIPMENT	10,685	10,685	10,685	10,685
140 ENVIRONMENTAL SUPPORT EQUIPMENT	16,138	16,138	16,138	16,138
141 PHYSICAL SECURITY EQUIPMENT	166,302	139,237	160,769	140,587
142 ENTERPRISE INFORMATION TECHNOLOGY	3,995	7,995	6,495	6,595
TOTAL, PERSONNEL AND COMMAND SUPPORT EQUIPMENT	295,168	280,103	306,635	281,503
147 SPARES AND REPAIR PARTS	219,886	219,886	213,750	213,750
999 CLASSIFIED PROGRAMS	8,841	8,841	8,841	8,841
TOTAL, OTHER PROCUREMENT, NAVY	4,967,916	5,022,005	4,731,831	4,927,676

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1	Budget Request	House	Senate	Conference
3 OTHER NAVIGATION EQUIPMENT	**31,039**	**34,039**	**32,039**	**32,039**
Amphibious integrated bridge system		3,000	3,000	3,000
Scalable ECDIS-N acquisition profile			-2,000	-2,000
5 SUBMARINE PERISCOPES AND IMAGING EQUIPMENT	**73,729**	**73,729**	**64,729**	**64,729**
ISIS -- maintain LRIP			-10,000	-10,000
Photonic mast spares for SSGN class submarines			1,000	1,000
6 DDG MODERNIZATION	**2,179**	**2,179**	**2,179**	**32,179**
DDG-51 modernization program (Note: House bill provided funding in Shipbuilding and Conversion, Navy, line 16)				30,000
10 SUBMARINE SUPPORT EQUIPMENT	**25,231**	**26,231**	**20,831**	**26,231**
High performance brush program		1,000		1,000
South TOTO schedule deceleration			-4,400	0
11 VIRGINIA CLASS SUPPORT EQUIPMENT	**155,510**	**157,510**	**155,510**	**156,510**
Virginia/668 and DDX class maintenance planning system technology insertion		2,000		1,000
12 SUBMARINE BATTERIES	**33,814**	**21,814**	**33,814**	**21,814**
Funding ahead of need		-12,000		-12,000
13 STRATEGIC PLATFORM SUPPORT EQUIPMENT	**21,892**	**27,292**	**21,892**	**26,192**
U. S. Navy submarine common electronics equipment replacement Q-70		5,400		4,300
17 MINESWEEPING EQUIPMENT	**17,843**	**13,993**	**13,993**	**13,993**
Very shallow water UUV - reduce from 9 to 6		-3,850	-3,850	-3,850
18 ITEMS LESS THAN $5 MILLION	**172,775**	**162,843**	**169,775**	**165,925**
Reduce LPD-17 class upgrades (-$8,356) and LSD mid-life upgrades (-$9,076)		-17,432		0
Total ship information management system (TSIMS)		3,500		2,300
LSD 49 class 30 ton crane controls replacement		4,000		3,200
Reduction to growth			-20,000	-20,000
Advanced control monitoring system (ACMS)			4,000	1,800
Canned lube pumps LSD-41/49 class amphibious ships			2,000	1,000
CVN propeller replacement program			5,000	2,250
Machinery control and surveillance system for gas turbine ships			3,000	1,300
Naval shipyard electronic procedure and training tracking system			3,000	1,300
20 SUBMARINE LIFE SUPPORT SYSTEM	**13,751**	**14,751**	**13,751**	**14,751**
Central atmosphere monitoring system (CAMS IIA)		1,000		1,000
24 STANDARD BOATS	**41,081**	**48,081**	**49,081**	**49,581**
Life raft procurement		4,000		2,200
Weapon retrieval vehicle		3,000		2,400
Advanced boat lifts for Navy small boats program			3,000	1,700
Barrier boat craft			5,000	2,200
25 OTHER SHIPS TRAINING EQUIPMENT	**3,887**	**6,137**	**3,887**	**5,687**
Tactical fifth wheel trailer		2,250		1,800
26 OPERATING FORCES IPE	**53,648**	**39,398**	**53,648**	**53,648**
Shipyard Capital Investment Program - reduce growth		-14,250		0

P-1		Budget Request	House	Senate	Conference
28	**LCS MISSION MODULES**	**79,059**	**79,059**	**1,559**	**79,059**
	Mission package -- buying ahead of need			-77,500	0
30	**RADAR SUPPORT**	**0**	**26,200**	**0**	**20,000**
	Enhanced detection adjunct processor		7,000		4,600
	AN/SYS-2(V)13 track management systems for FFG-7 ships		4,000		3,200
	AN/SPS-67		8,000		6,400
	SPA-25G radar display refresh kits		7,200		5,800
32	**AN/SQQ-89 SURF ASW COMBAT SYSTEM**	**37,783**	**43,783**	**37,783**	**40,483**
	AN/SPQ-9B for littoral combat ship		6,000		2,700
33	**SSN ACOUSTICS**	**284,896**	**290,096**	**270,896**	**274,196**
	Common depth sounder		2,500		1,100
	Submarine sonar technology insertion (SBIR N96-278)		2,700		2,200
	Excessive growth			-14,000	-14,000
37	**SSTD**	**8,404**	**17,404**	**8,404**	**15,604**
	AN/SLQ-25A torpedo countermeasure system		7,200		5,800
	Distributed engineering center for torpedo defense		1,800		1,400
39	**SURTASS**	**4,688**	**4,688**	**8,688**	**7,888**
	Surveillance towed array repair and overhaul facility			4,000	3,200
43	**SHIPBOARD IW EXPLOIT**	**70,782**	**77,082**	**66,882**	**71,982**
	Tapered slot antenna (TSA) system		2,700		2,200
	SSEE tactical COMINT/ELINT integration upgrade		3,600		2,900
	CDLS delays			-3,900	-3,900
44	**SUBMARINE SUPPORT EQUIPMENT PROGRAM**	**83,114**	**90,614**	**83,114**	**86,614**
	Submarine AN/BLQ-10 digital receiver upgrade		2,000		1,000
	Submarine RNB multi-channel ELINT insertion		5,500		2,500
45	**NAVY TACTICAL DATA SYSTEM**	**0**	**3,600**	**0**	**2,900**
	SSDS/ACDS CVN/amphib shore site upgrade		3,600		2,900
46	**COOPERATIVE ENGAGEMENT CAPABILITY**	**22,502**	**27,502**	**22,502**	**27,502**
	Cooperative engagement capability		5,000		5,000
48	**NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)**	**35,311**	**38,011**	**5,311**	**7,511**
	AN/UYQ-70-based C4ISR servers		2,700		2,200
	MS C delays			-30,000	-30,000
50	**MINESWEEPING SYSTEM REPLACEMENT**	**75,442**	**75,442**	**57,448**	**57,448**
	RMS program delays			-17,994	-17,994
54	**STRATEGIC PLATFORM SUPPORT EQUIPMENT**	**3,838**	**3,838**	**3,838**	**6,038**
	Intelligent graphic interface for submarines (Note: Transfer from O&M, Navy)				2,200
66	**COMMON IMAGERY GROUND SURFACE SYSTEMS**	**78,321**	**78,321**	**42,741**	**42,741**
	DCGS-N test concurrency			-35,580	-35,580

P-1		Budget Request	House	Senate	Conference
68	**GPETE**	**7,086**	**9,086**	**7,086**	**8,086**
	Allen telescope array		2,000		1,000
70	**EMI CONTROL INSTRUMENTATION**	**5,710**	**10,510**	**5,710**	**9,510**
	Pacific Missile Range Facility (PMRF) spectrum monitoring stations		1,800		1,400
	Personal dosimeters		3,000		2,400
71	**ITEMS LESS THAN $5 MILLION**	**22,489**	**28,489**	**22,489**	**27,289**
	AN/SPS-48E radar obsolescence, availability and recovery		6,000		4,800
73	**PORTABLE RADIOS**	**40,467**	**40,467**	**15,467**	**25,467**
	Stabilize acquisition profile			-25,000	-15,000
77	**SUBMARINE COMMUNICATION EQUIPMENT**	**87,900**	**87,900**	**90,900**	**89,300**
	Integrated voice communications equipment for the SSN 688			3,000	1,400
78	**SATELLITE COMMUNICATIONS SYSTEMS**	**12,291**	**27,291**	**12,291**	**20,541**
	Navy satellite comm terminals WSC-6E(V)9		15,000		8,250
86	**COAST GUARD EQUIPMENT**	**41,133**	**41,133**	**30,133**	**30,133**
	Excessive growth			-11,000	-11,000
89	**WEAPONS RANGE SUPPORT EQUIPMENT**	**56,226**	**41,462**	**68,226**	**68,961**
	Shallow Water Training Range		-19,164		-1,665
	Multispectral threat emitter system (MTES)		2,000		1,300
	SCORE smart targets for San Clemente range complex		2,400		1,100
	Joint threat emitter for PTA			4,000	4,000
	PMRF equipment			8,000	8,000
93	**METEOROLOGICAL EQUIPMENT**	**14,905**	**15,905**	**14,905**	**15,905**
	Runway visual range for NAS Lemoore		1,000		1,000
95	**AVIATION LIFE SUPPORT**	**18,624**	**8,624**	**20,124**	**15,524**
	Combat survivor evader locator (CSEL) radio		-10,000	-10,000	-10,000
	M-176 microphone and mask			5,000	3,250
	RI-2200 long arm high intensity searchlights for Navair			3,500	2,300
	Multi climate protection system (MCP) for Navy and USMC			3,000	1,350
96	**AIRBORNE MINE COUNTERMEASURES**	**89,727**	**89,727**	**47,535**	**78,727**
	AQS-20A - maintain LRIP			-20,000	0
	ALMDS program restructure			-22,192	-11,000
97	**LAMPS MK III SHIPBOARD EQUIPMENT**	**27,369**	**27,369**	**15,869**	**15,869**
	Excessive growth			-11,500	-11,500
98	**OTHER AVIATION SUPPORT EQUIPMENT**	**10,821**	**13,821**	**10,821**	**12,821**
	Navy depot maintenance unique ID		3,000		2,000
103	**RAM GMLS**	**9,987**	**9987**	**11,487**	**10,987**
	RAM weapon system - launcher switching multiplexer unit			1,500	1,000

P-1	Budget Request	House	Senate	Conference
105 AEGIS SUPPORT EQUIPMENT	**75,349**	**79,349**	**75,349**	**77,149**
Aegis computer center upgrades		4,000		1,800
110 STRATEGIC MISSILE SYSTEMS EQUIP	**111,127**	**99,127**	**99,127**	**99,127**
Conventional Trident Modification Program		-12,000	-12,000	-12,000
113 SURFACE ASW SUPPORT EQUIPMENT	**4,642**	**4,642**	**7,642**	**6,642**
MK 32 surface vessel torpedo tube (SVTT) remanufacture			3,000	2,000
115 EXPLOSIVE ORDNANCE DISPOSAL EQUIPMENT	**21,494**	**21,494**	**24,494**	**23,444**
SCOUT system for Navy EOD			3,000	1,950
117 ANTI-SHIP MISSILE DECOY SYSTEM	**54,131**	**54,131**	**59,631**	**56,631**
MK 53 (Nulka) decoy system			5,500	2,500
119 SUBMARINE TRAINING DEVICE MODS	**24,776**	**24,776**	**24,776**	**27,526**
Intelligent graphic data distribution training (Note: Transfer from O&M, Navy)				2,750
122 CONSTRUCTION & MAINTENANCE EQUIPMENT	**25,441**	**40,441**	**25,441**	**35,191**
U. S. Navy NCF construction equipment		15,000		9,750
129 MATERIALS HANDLING EQUIPMENT	**13,716**	**14,716**	**30,716**	**26,416**
NIROP industrial facilities materials staging area		1,000		1,000
Flight hanger/deck cleaner			4,000	3,200
Millenia military vehicle			8,000	5,200
Seabee loaders with six-ton materials handling equipment capability			5,000	3,300
130 OTHER SUPPLY SUPPORT EQUIPMENT	**12,080**	**13,080**	**12,080**	**13,080**
Serial number tracking system		1,000		1,000
133 TRAINING SUPPORT EQUIPMENT	**18,222**	**20,222**	**18,222**	**19,222**
Laser marksmanship training system (LMTS) for the Navy Reserve		2,000		1,000
134 COMMAND SUPPORT EQUIPMENT	**58,576**	**60,576**	**67,076**	**63,326**
EMPRS IT COOP (Note: Conference funding is provided under "Electronic military personnel records system (EMPRS)")		2,000		0
Command and support equipment			4,000	1,800
Electronic military personnel records system (EMPRS)			4,500	2,950
136 MEDICAL SUPPORT EQUIPMENT	**5,590**	**9,590**	**11,590**	**9,290**
Catastrophic response and accountability 21		2,000		1,000
Combat casualty care equipment upgrade		2,000	6,000	2,700
141 PHYSICAL SECURITY EQUIPMENT	**166,302**	**139,237**	**160,769**	**140,587**
WRAS and SPS program adjustment		-28,865		-28,865
SPS program restructure			-8,533	0
Body armor -- procurement with side, under arm, and extremity protection		1,800		1,450
SEAFOX remote controlled surface vehicle			3,000	1,700

P-1	Budget Request	House	Senate	Conference
142 ENTERPRISE INFORMATION TECHNOLOGY	**3,995**	**7,995**	**6,495**	**6,595**
NAVRES IT COOP		4,000	2,500	2,600
147 SPARES AND REPAIR PARTS	**219,886**	**219,886**	**213,750**	**213,750**
Buying ahead of need			-6,136	-6,136

WEAPONS RANGE SUPPORT EQUIPMENT

The reduction of $1,665,000 in this program element deletes funding for the East Coast Undersea Warfare Training Range (USWTR). The House had proposed no funding for this project. None of the reduction is to be allocated against the Southern California ASW Range (SOAR) or the Barking Sands Underwater Range Expansion (BSURE) projects. In addition, the conferees direct that no fiscal year 2007 or prior year funding be obligated for the East Coast USWTR project except for activities directly associated with the National Environmental Policy Act (NEPA) process. The conferees further direct the Navy to clearly identify funding for the East Coast USWTR in future budget submissions.

PROCUREMENT, MARINE CORPS

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	PROCUREMENT, MARINE CORPS				
	WEAPONS AND COMBAT VEHICLES				
	TRACKED COMBAT VEHICLES				
1	AAV7A1 PIP	12,481	12,481	12,481	12,481
2	EXPEDITIONARY FIGHTING VEHICLE	230,622	166,622	230,622	---
3	EXPEDITIONARY FIGHTING VEHICLE ADVANCE PROC (CY)	25,582	25,582	25,582	---
4	LAV PIP	25,990	25,990	14,455	14,455
8	M1A1 FIREPOWER ENHANCEMENTS	19,085	19,085	19,085	19,085
	ARTILLERY AND OTHER WEAPONS				
9	EXPEDITIONARY FIRE SUPPORT SYSTEM	7,361	15,361	352	15,361
10	155MM LIGHTWEIGHT TOWED HOWITZER	94,365	94,365	94,365	94,365
13	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	57,524	57,524	5,524	5,524
14	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	8,959	4,459	1,959	3,459
	OTHER SUPPORT				
16	MODIFICATION KITS	8,968	8,968	8,968	8,968
17	WEAPONS ENHANCEMENT PROGRAM	17,051	17,051	17,051	17,051
	TOTAL, WEAPONS AND COMBAT VEHICLES	507,988	447,488	430,444	190,749
	GUIDED MISSILES AND EQUIPMENT				
	GUIDED MISSILES				
19	GROUND BASED AIR DEFENSE	3,894	3,894	3,894	3,894
22	COMPLEMENTARY LOW ALTITUDE WEAPON SYSTEM	3,155	3,155	---	---
	OTHER SUPPORT				
23	MODIFICATION KITS	3,282	3,282	3,282	3,282
	TOTAL, GUIDED MISSILES AND EQUIPMENT	10,331	10,331	7,176	7,176

		(In thousands of dollars) Budget	House	Senate	Conference
	COMMUNICATIONS AND ELECTRONICS EQUIPMENT				
	COMMAND AND CONTROL SYSTEMS				
24	UNIT OPERATIONS CENTER	7,752	7,752	1,252	1,252
	REPAIR AND TEST EQUIPMENT				
25	REPAIR AND TEST EQUIPMENT	13,088	13,088	13,088	13,088
26	AUTO TEST SYSTEM	---	---	12,000	10,000
	OTHER SUPPORT (TEL)				
29	COMBAT SUPPORT SYSTEM	14,304	14,304	14,304	14,304
30	MODIFICATION KITS	17,456	17,456	17,456	17,456
32	ITEMS UNDER $5 MILLION (COMM & ELEC)	4,061	4,061	4,061	4,061
33	AIR OPERATIONS C2 SYSTEMS	41,056	41,056	5,525	24,056
	RADAR + EQUIPMENT (NON-TEL)				
37	RADAR SYSTEMS	14,796	14,796	14,796	14,796
	INTELL/COMM EQUIPMENT (NON-TEL)				
41	FIRE SUPPORT SYSTEM	31,808	31,808	32,808	31,808
43	INTELLIGENCE SUPPORT EQUIPMENT	26,040	26,040	28,800	27,600
	OTHER COMM/ELEC EQUIPMENT (NON-TEL)				
47	NIGHT VISION EQUIPMENT	13,675	6,825	14,675	7,825
	OTHER SUPPORT (NON-TEL)				
48	COMMON COMPUTER RESOURCES	67,230	72,230	76,130	78,380
49	COMMAND POST SYSTEMS	19,747	19,747	19,747	19,747
50	RADIO SYSTEMS	53,521	32,271	45,096	21,921
51	COMM SWITCHING & CONTROL SYSTEMS	49,190	49,190	49,190	49,190
52	COMM & ELEC INFRASTRUCTURE SUPPORT	17,137	17,137	17,137	17,137
	TOTAL, COMMUNICATIONS AND ELECTRONICS EQUIPMENT	390,861	367,761	366,065	352,621

		(In thousands of dollars) Budget	House	Senate	Conference
	SUPPORT VEHICLES				
	ADMINISTRATIVE VEHICLES				
54	COMMERCIAL PASSENGER VEHICLES	351	351	351	351
55	COMMERCIAL CARGO VEHICLES	12,035	12,035	12,035	12,035
	TACTICAL VEHICLES				
56	5/4T TRUCK HMMWV (MYP)	72,351	36,151	72,351	36,151
58	MEDIUM TACTICAL VEHICLE REPLACEMENT	656	656	656	656
59	LIGHTWEIGHT PRIME MOVER	11	11	11	11
60	LOGISTICS VEHICLE SYSTEM REP	68,785	47,085	47,085	47,085
61	FAMILY OF TACTICAL TRAILERS	12,664	12,664	12,664	12,664
	OTHER SUPPORT				
62	ITEMS LESS THAN $5 MILLION	2,869	2,869	2,869	2,869
	TOTAL, SUPPORT VEHICLES	169,722	111,822	148,022	111,822
	ENGINEER AND OTHER EQUIPMENT				
	ENGINEER AND OTHER EQUIPMENT				
63	ENVIRONMENTAL CONTROL EQUIP ASSORT	2,039	2,039	2,039	2,039
65	BULK LIQUID EQUIPMENT	17,543	17,543	17,543	17,543
66	TACTICAL FUEL SYSTEMS	4,064	5,064	4,064	5,064
68	POWER EQUIPMENT ASSORTED	9,999	13,999	9,999	13,199
69	AMPHIBIOUS SUPPORT EQUIPMENT	13,218	13,218	15,218	13,218
70	EOD SYSTEMS	14,838	7,438	14,838	7,438
	MATERIALS HANDLING EQUIPMENT				
72	PHYSICAL SECURITY EQUIPMENT	5,205	5,205	11,205	9,105
73	GARRISON MOBILE ENGR EQUIP	11,161	11,161	11,161	11,161
74	MATERIAL HANDLING EQUIP	17,031	17,031	17,031	17,031
75	FIRST DESTINATION TRANSPORTATION	5,216	5,216	5,216	5,216

		(In thousands of dollars) Budget	House	Senate	Conference
	GENERAL PROPERTY				
77	FIELD MEDICAL EQUIPMENT	3,224	5,224	3,224	5,224
79	TRAINING DEVICES	13,797	73,297	13,797	61,397
80	CONTAINER FAMILY	3,011	3,011	3,011	3,011
81	FAMILY OF CONSTRUCTION EQUIPMENT	20,058	20,058	20,058	20,058
82	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)	2,759	2,759	2,759	2,759
84	RAPID DEPLOYABLE KITCHEN	5,148	5,148	5,148	5,148
	OTHER SUPPORT				
86	ITEMS LESS THAN $5 MILLION	10,463	10,463	10,463	10,463
	TOTAL, ENGINEER AND OTHER EQUIPMENT	158,774	217,874	166,774	209,074
88	SPARES AND REPAIR PARTS	35,837	35,837	32,837	23,129
	TOTAL, PROCUREMENT, MARINE CORPS	1,273,513	1,191,113	1,151,318	894,571

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

P-1	Budget Request	House	Senate	Conference
2 EXPEDITIONARY FIGHTING VEHICLE	**230,622**	**166,622**	**230,622**	**0**
Adjustment to acquisition strategy		-64,000		-75,622
Transfer to RDTE,N Line for continued SDD effort				-155,000
3 EXPEDITIONARY FIGHTING VEHICLE ADVANCE PROC (CY)	**25,582**	**25,582**	**25,582**	**0**
Adjustment to acquisition strategy		-64,000		-25,582
4 LAV PIP	**25,990**	**25,990**	**14,455**	**14,455**
C2 Upgrade program deceleration			-11,535	-11,535
9 EXPEDITIONARY FIRE SUPPORT SYSTEM	**7,361**	**15,361**	**352**	**15,361**
Armor Kits for Expeditionary Fire Support System (EFSS)/ITV		8,000		8,000
Program deceleration			-7,009	0
13 HIGH MOBILITY ARTILLERY ROCKET SYSTEM	**57,524**	**57,524**	**5,524**	**5,524**
Budget Realignment			-52,000	-52,000
14 WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	**8,959**	**4,459**	**1,959**	**3,459**
Authorization Adjustment		-4,500		0
Execution delays			-7,000	-5,500
22 COMPLEMENTARY LOW ALTITUDE WEAPON SYSTEM	**3,155**	**3,155**	**0**	**0**
Program delay			-3,155	-3,155
24 UNIT OPERATIONS CENTER	**7,752**	**7,752**	**1,252**	**1,252**
Program growth			-6,500	-6,500
26 AUTO TEST SYSTEM	**0**	**0**	**12,000**	**10,000**
Digitization of DoD Manuals			12,000	10,000
33 AIR OPERATIONS C2 SYSTEMS	**41,056**	**41,056**	**5,525**	**24,056**
CAC2S premature LRIP			-35,531	-17,000
41 FIRE SUPPORT SYSTEM	**31,808**	**31,808**	**32,808**	**31,808**
Laser Designator LITES (Transfer to RDTE,N Line 21)			1,000	0
43 INTELLIGENCE SUPPORT EQUIPMENT	**26,040**	**26,040**	**28,800**	**27,600**
Distributed Common Ground Station Integration delays			-3,240	-3,240
Carbon Composite Expandable Two Side ISO Shelter for USMC			6,000	4,800
47 NIGHT VISION EQUIPMENT	**13,675**	**6,825**	**14,675**	**7,825**
Authorization Adjustment		-6,850		-6,850
Commanders Handheld Thermal Sensor			1,000	1,000
48 COMMON COMPUTER RESOURCES	**67,230**	**72,230**	**76,130**	**78,380**
Marine Corps Enterprise IT Service COOP		5,000		4,000
Performance Enhancements for Information Assurance and Information Systems			8,900	7,150

P-1	Budget Request	House	Senate	Conference
50 RADIO SYSTEMS	**53,521**	**32,271**	**45,096**	**21,921**
Authorization Adjustment		-26,750		-26,750
Miniature Multi-band Beacons (MMB)		5,500		3,575
Condor delays			-8,425	-8,425
56 5/4T TRUCK HMMWV (MYP)	**72,351**	**36,151**	**72,351**	**36,151**
Authorization Adjustment		-36,200		-36,200
60 LOGISTICS VEHICLE SYSTEM REP	**68,785**	**47,085**	**47,085**	**47,085**
Schedule Slip/Excessive Unit Cost Growth		-21,700	-21,700	-21,700
66 TACTICAL FUEL SYSTEMS	**4,064**	**5,064**	**4,064**	**5,064**
Nitrile Rubber Collapsible Storage Units		1,000		1,000
68 POWER EQUIPMENT ASSORTED	**9,999**	**13,999**	**9,999**	**13,199**
Range Modernization Air Sensor Tracking System		4,000		3,200
69 AMPHIBIOUS SUPPORT EQUIPMENT	**13,218**	**13,218**	**15,218**	**13,218**
Virtual Combat Convoy Trainer (VCCT) (Transfer to P,MC Line 79)			2,000	0
70 EOD SYSTEMS	**14,838**	**7,438**	**14,838**	**7,438**
Authorization Adjustment		-7,400		-7,400
72 PHYSICAL SECURITY EQUIPMENT	**5,205**	**5,205**	**11,205**	**9,105**
Marine Corps Flight Line Security acceleration			6,000	3,900
77 FIELD MEDICAL EQUIPMENT	**3,224**	**5,224**	**3,224**	**5,224**
Rapid Intravenous (IV) Infusion Pump		2,000		2,000
79 TRAINING DEVICES	**13,797**	**73,297**	**13,797**	**61,397**
MAGTFTC Range Transformation Initiative		54,000		43,200
MCB Virtual Combat Convoy Trainer (VCCT) (includes transfer from P,MC Line 69)		5,500		4,400
88 SPARES AND REPAIR PARTS	**35,837**	**35,837**	**32,837**	**23,129**
Funding ahead of need			-3,000	-3,000
Adjustment to EFV acquisition strategy				-9,708

AIRCRAFT PROCUREMENT, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	AIRCRAFT PROCUREMENT, AIR FORCE				
	COMBAT AIRCRAFT				
	TACTICAL FORCES				
1	F-35	869,704	729,704	---	480,000
2	F-35 (AP-CY)	145,310	73,310	---	94,000
3	F-22A	1,503,898	2,903,898	2,921,898	2,710,398
4	F-22A (AP-CY)	477,404	477,404	409,804	687,404
	TOTAL, COMBAT AIRCRAFT	2,996,316	4,184,316	3,331,702	3,971,802
	AIRLIFT AIRCRAFT				
	TACTICAL AIRLIFT				
7	C-17A (MYP)	2,636,192	2,246,192	2,306,692	2,264,692
	OTHER AIRLIFT				
11	C-130J	697,287	697,287	697,287	697,287
12	C-130J ADVANCE PROCUREMENT (CY)	90,000	90,000	90,000	90,000
13	KC-X ADVANCE PROCUREMENT (CY)	36,130	---	---	---
14	LIGHT CARGO AIRCRAFT	15,783	---	---	---
	TOTAL, AIRLIFT AIRCRAFT	3,475,392	3,033,479	3,093,979	3,051,979
	TRAINER AIRCRAFT				
	OPERATIONAL TRAINERS				
17	JPATS	305,129	305,129	305,129	305,129
	OTHER AIRCRAFT				
	HELICOPTERS				
18	V-22 OSPREY	208,573	208,573	208,573	208,573
19	V-22 OSPREY (AP-CY)	34,390	34,390	34,390	34,390
	MISSION SUPPORT AIRCRAFT				
20	CIVIL AIR PATROL A/C	2,193	10,193	10,193	10,193
	OTHER AIRCRAFT				
21	TARGET DRONES	82,042	82,042	82,042	82,042
23	GLOBAL HAWK	429,288	341,288	392,288	398,988
24	GLOBAL HAWK (AP-CY)	63,903	45,903	50,903	50,903
25	PREDATOR UAV	229,095	37,865	152,415	37,865
	TOTAL, OTHER AIRCRAFT	1,049,484	760,254	930,804	822,954

		(In thousands of dollars) Budget	House	Senate	Conference
	MODIFICATION OF INSERVICE AIRCRAFT				
	STRATEGIC AIRCRAFT				
26	B-2A	191,282	191,282	191,282	191,282
27	B-1B	53,255	55,255	55,255	55,255
28	B-52	70,147	70,147	70,147	70,147
29	F-117	24,422	24,422	2,022	2,022
	TACTICAL AIRCRAFT				
30	A-10	107,432	89,832	120,132	107,332
31	F-15	92,901	149,901	179,901	164,901
32	F-16	352,054	371,054	363,054	374,154
33	F-22A	216,095	156,095	146,095	146,095
	AIRLIFT AIRCRAFT				
35	C-5	156,378	156,378	168,378	161,778
36	C-5 (AP-CY)	66,700	66,700	66,700	66,700
38	C-17A	251,404	251,404	251,404	251,404
39	C-21	1,322	1,322	1,322	1,322
40	C-32A	198	5,198	198	5,198
41	C-37A	404	404	404	404
	TRAINER AIRCRAFT				
42	GLIDER MODS	115	115	115	115
43	T6	6,164	6,164	6,164	6,164
44	T-1	188	188	188	188
45	T-38	143,701	143,701	143,701	143,701
47	T-43	2,139	2,139	2,139	2,139
	OTHER AIRCRAFT				
48	KC-10A (ATCA)	6,761	6,761	6,761	6,761
49	C-12	929	929	929	929
50	C-20 MODS	513	513	513	513
51	VC-25A MOD	1,027	1,027	1,027	1,027
52	C-40	198	198	198	198
53	C-130	217,677	192,677	156,777	183,277
54	C130J MODS	39,001	25,001	2,001	19,001
55	C-135	83,541	86,541	86,541	86,541
56	COMPASS CALL MODS	46,818	46,818	46,818	46,818
58	DARP	89,796	89,796	89,796	89,796
59	E-3	64,547	64,547	64,547	64,547

		(In thousands of dollars) Budget	House	Senate	Conference
60	E-4	5,640	5,640	5,640	5,640
61	E-8	138,162	135,162	138,162	138,162
62	H-1	40,421	40,421	40,421	40,421
63	H-60	16,738	16,738	16,738	16,738
64	GLOBAL HAWK MODS	11,309	4,609	4,609	4,609
65	OTHER AIRCRAFT	43,733	49,333	51,733	54,333
66	PREDATOR MODS	58,255	58,255	58,255	58,255
67	CV-22 MODS	451	451	451	451
	TOTAL, MODIFICATION OF INSERVICE AIRCRAFT	2,601,818	2,567,118	2,540,518	2,568,318
	AIRCRAFT SPARES AND REPAIR PARTS				
69	INITIAL SPARES/REPAIR PARTS	305,207	260,207	205,507	240,507
	AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES				
	COMMON SUPPORT EQUIPMENT				
70	COMMON SUPPORT EQUIPMENT	138,918	134,418	106,521	102,021
	POST PRODUCTION SUPPORT				
71	B-1	10,320	10,320	10,320	10,320
72	B-2A	7,693	7,693	7,693	7,693
73	B-2A	11,709	11,709	11,709	11,709
74	B-52	8,081	8,081	8,081	8,081
76	F-15 POST PRODUCTION SUPPORT	10,741	10,741	10,741	10,741
77	F-16 POST PRODUCTION SUPPORT	12,245	12,245	12,245	12,245
78	INDUSTRIAL PREPAREDNESS	23,524	23,524	23,524	23,524
	WAR CONSUMABLES				
79	WAR CONSUMABLES	25,438	25,438	25,438	25,438
	OTHER PRODUCTION CHARGES				
80	OTHER PRODUCTION CHARGES	474,853	474,853	449,553	447,953
81	DEPOT MODERNIZATION	1,370	1,370	1,370	1,370
	DARP				
86	DARP	13,000	13,000	13,000	13,000
	TOTAL, AIRCRAFT SUPPORT EQUIPMENT AND FACILITIES	737,892	733,392	680,195	674,095
999	CLASSIFIED PROGRAMS	8,572	8,572	8,572	8,572
	TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	11,479,810	11,852,467	11,096,406	11,643,356

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
1	**F-35**	**869,704**	**729,704**	**0**	**480,000**
	Reduction of 1 Aircraft		-140,000		
	Delay Production			-869,704	
	Reduction of 3 Aircraft				-389,704
2	**F-35 (AP-CY)**	**145,310**	**73,310**	**0**	**94,000**
	Reduction of 4 Aircraft		-72,000		
	Delay Production			-145,310	
	Reduction of 2 Aircraft				-51,310
3	**F-22A**	**1,503,898**	**2,903,898**	**2,921,898**	**2,710,398**
	Full Funding for 20 Aircraft		1,400,000	1,400,000	1,190,000
	Flight Simulator, EAFB			18,000	16,500
4	**F-22A (AP-CY)**	**477,404**	**477,404**	**409,804**	**687,404**
	Pricing Reduction			-67,600	0
	MYP EOQ				210,000
7	**C-17A (MYP)**	**2,636,192**	**2,246,192**	**2,306,692**	**2,264,692**
	Shutdown Funding Request		-390,000	-348,000	-390,000
	PACAF C-17 Maintenance Training System			18,500	18,500
13	**KC-X ADVANCE PROCUREMENT (CY)**	**36,130**	**0**	**0**	**0**
	Funding Early to Need		-36,130	-36,130	-36,130
14	**LIGHT CARGO AIRCRAFT**	**15,783**	**0**	**0**	**0**
	Air Force requested transfer to new line RDTE, AF		-15,783	-15,783	-15,783
20	**CIVIL AIR PATROL AIRCRAFT**	**2,193**	**10,193**	**10,193**	**10,193**
	Civil Air Patrol Aircraft		8,000	8,000	8,000
23	**GLOBAL HAWK**	**429,288**	**341,288**	**392,288**	**398,988**
	Reduction of 2 aircraft		-88,000		0
	Fund Approved Program			-37,000	-37,000
	AF Requested Transfer from Line P-64				6,700
24	**GLOBAL HAWK (AP-CY)**	**63,903**	**45,903**	**50,903**	**50,903**
	Reduction of 2 aircraft		-18,000		0
	Fund Approved Program			-13,000	-13,000
25	**PREDATOR UAV**	**229,095**	**37,865**	**152,415**	**37,865**
	Acceleration of SOF capability		-76,680	-76,680	-76,680
	Authorization Adjustment		-114,550		-114,550
27	**B-1B**	**53,255**	**55,255**	**55,255**	**55,255**
	B-1B MSOGS Reliability Improvement Program		2,000	2,000	2,000
29	**F-117**	**24,422**	**24,422**	**2,022**	**2,022**
	Program Reduction			-22,400	-22,400
30	**A-10**	**107,432**	**89,832**	**120,132**	**107,332**
	Precision Engagement		-17,600	-17,600	-17,600
	Wing Replacement			20,300	11,000
	On-Board Oxygen Generation Retrofit			10,000	6,500

P-1	Budget Request	House	Senate	Conference
31 F-15	**92,901**	**149,901**	**179,901**	**164,901**
AESA V3 Radar Procurement		57,000	87,000	72,000
32 F-16	**352,054**	**371,054**	**363,054**	**374,154**
ARC-210 Radio		4,000		2,600
ANG Block 42 Engine Upgrade		15,000		12,000
Thunder Radar Pod for Air National Guard			1,000	1,000
LITENING Target Pod for Air National Guard F-16s			10,000	6,500
33 F-22A	**216,095**	**156,095**	**146,095**	**146,095**
Common Configuration		-60,000	-70,000	-70,000
35 C-5	**156,378**	**156,378**	**168,378**	**161,778**
C-5B AMP			12,000	5,400
40 C-32A	**198**	**5,198**	**198**	**5,198**
Winglet Integration and Modification on 4 Aircraft		5,000		5,000
53 C-130	**217,677**	**192,677**	**154,977**	**183,277**
ALR-69 RWR		-17,000		0
Center Wing Box		-27,800		-2,000
Airborne Synthetic Aperture Radar for 109th Air National Guard		1,000		1,000
MC-130P Survivability and Capability Upgrades (LAIRCM) Systems for the 129th Air National Guard Rescue Wing		5,000		2,300
Reasoning and Assessment of Intelligence for Counter-Narcotics and Anti-Terrorism		3,000		1,700
APN-241 Color Weather Radar - AFRC		3,000		2,000
APN-241 Color Weather Radar - ANG		4,000		2,600
C-130 Active Noise Control System for the ANG		2,000		1,300
C-130 Scathe View Communications System (Note: only for the Nevada Air National Guard)		1,800	1,800	1,800
Program Growth			-79,700	-54,100
APN 241 Radar for C-130H2 aircraft			7,000	3,200
LAIRCM for Nevada NG			5,000	3,300
Senior Scout, Special Signal Processing			3,000	1,400
EC-130 Senior Scout RF Distribution			2,000	1,100
54 C130J MODIFICATIONS	**39,001**	**25,001**	**2,001**	**19,001**
Block 6.0 Upgrade		-14,000	-37,000	-20,000
55 C-135	**83,541**	**86,541**	**86,541**	**86,541**
Emergency Vision Assurance System (EVAS)		3,000	3,000	3,000
61 E-8	**138,162**	**135,162**	**138,162**	**138,162**
Affordable Moving Surface Target Indicator		-3,000		0
64 GLOBAL HAWK MODIFICATIONS	**11,309**	**4,609**	**4,609**	**4,609**
Air Force requested transfer to P-23		-6,700		-6,700
Program Reduction			-6,700	0
65 OTHER AIRCRAFT	**43,733**	**49,333**	**51,733**	**54,333**
ANG RC-26B Modernization Program		5,600		3,600
SA-90 Airship Persistent Surveillance Program			8,000	7,000

P-1		Budget Request	House	Senate	Conference
69	**INITIAL SPARES/REPAIR PARTS**	**305,207**	**260,207**	**205,507**	**240,507**
	Joint Strike Fighter		-45,000		0
	Program Reduction			-99,700	-64,700
70	**COMMON SUPPORT EQUIPMENT**	**138,918**	**134,418**	**106,521**	**102,021**
	Air Force requested transfer to R-91		-4,500		-4,500
	Program Growth			-12,500	-12,500
	Delete Common Low Observable Maintenance			-19,897	-19,897
80	**OTHER PRODUCTION CHARGES**	**474,853**	**474,853**	**449,553**	**447,953**
	Program Reduction			-30,000	-30,000
	P5 Combat Training system, Montana 120th Fighter Wing			4,700	3,100

JOINT STRIKE FIGHTER

The conference agreement provides $480,000,000 in Aircraft Procurement, Air Force, for the procurement of 2 conventional take-off and landing (CTOL) variant F–35 Joint Strike Fighters in fiscal year 2007. In addition, $94,000,000 is provided for advance procurement of 6 CTOL variants in fiscal year 2008. The conference agreement also provides $125,000,000 in Aircraft Procurement, Navy, for advance procurement of 6 short take-off and vertical landing (STOVL) variants. Combined, these quantities will allow F–35 production to continue to ramp up, but at a more modest rate and with less program risk than the program requested by the Department.

F–22A RAPTOR PROCUREMENT

The conference agreement includes authority for a multiyear procurement of 60 F–22A aircraft, beginning with 20 fully funded aircraft in fiscal year 2007. The conferees anticipate that the Department will budget for two subsequent lots of 20 aircraft in fiscal years 2008 and 2009. To enable this strategy, $210,000,000 of additional funds provided by both the House and the Senate were realigned from the F–22A budget line to the F–22A Advance Procurement line to provide the required funds for economic order quantity items, bringing the total budget for Advance Procurement to $687,404,000. The conferees expect that the Department of the Air Force will continue to seek improved efficiencies in this program.

F–15 ADVANCED ELECTRONICALLY SCANNED ARRAY (AESA) RADARS

The conference agreement provides $72,000,000 to procure and install Advanced Electronically Scanned Array (AESA) radars only for the Air National Guard F–15C fleet. The Department of Defense is strongly encouraged to develop a plan for keeping the F–15 inventory updated with current technologies for its expected active service life.

MISSILE PROCUREMENT, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	MISSILE PROCUREMENT, AIR FORCE				
	BALLISTIC MISSILES				
	MISSILE REPLACEMENT EQUIPMENT - BALLISTIC				
1	MISSILE REPLACEMENT EQ-BALLISTIC	34,344	34,344	34,344	34,344
	OTHER MISSILES				
	TACTICAL				
2	JASSM	187,165	187,165	147,165	167,165
4	SIDEWINDER (AIM-9X)	43,834	43,834	43,834	43,834
5	AMRAAM	135,869	135,869	65,869	115,869
6	PREDATOR HELLFIRE MISSILE	65,312	32,662	39,912	32,662
7	SMALL DIAMETER BOMB	99,062	99,062	54,062	99,062
	INDUSTRIAL FACILITIES				
8	INDUSTRIAL PREPAREDNESS/POLLUTION PREVENTION	2,236	2,236	2,236	2,236
	TOTAL, OTHER MISSILES	533,478	500,828	353,078	460,828
	MODIFICATION OF INSERVICE MISSILES				
	CLASS IV				
9	ADVANCED CRUISE MISSILE	1,352	1,352	1,352	1,352
10	MISSILE REPLACEMENT EQ-BALLISTIC	833	833	---	---
11	MM III MODIFICATIONS	691,657	625,257	702,657	651,257
12	AGM-65D MAVERICK	246	246	---	246
13	AIR LAUNCH CRUISE MISSILE	9,708	9,708	9,708	9,708
	TOTAL, MODIFICATION OF INSERVICE MISSILES	703,796	637,396	713,717	662,563

		(In thousands of dollars) Budget	House	Senate	Conference
	SPARES AND REPAIR PARTS				
14	INITIAL SPARES/REPAIR PARTS	50,602	50,602	50,602	50,602
	OTHER SUPPORT				
	SPACE PROGRAMS				
17	WIDEBAND GAPFILLER SATELLITES	363,651	363,651	363,651	363,651
18	WIDEBAND GAPFILLER SATELLITES (AP-CY)	50,700	50,700	50,700	50,700
19	SPACEBORNE EQUIP (COMSEC)	10,085	10,085	10,085	10,085
20	GLOBAL POSITIONING (SPACE)	97,182	67,182	97,182	85,882
21	GLOBAL POSITIONING (SPACE) (AP-CY)	43,259	---	---	---
22	DEF METEOROLOGICAL SAT PROG (SPACE)	86,720	86,720	86,720	86,720
23	DEFENSE SUPPORT PROGRAM (SPACE)	38,391	38,391	38,391	38,391
25	TITAN SPACE BOOSTERS (SPACE)	31,126	31,126	31,126	31,126
26	EVOLVED EXPENDABLE LAUNCH VEH (SPACE)	936,490	692,290	936,490	856,490
27	MEDIUM LAUNCH VEHICLE (SPACE)	102,004	102,004	102,004	102,004
	SPECIAL PROGRAMS				
29	DEFENSE SPACE RECONN PROGRAM	214,262	214,262	214,262	214,262
33	SPECIAL UPDATE PROGRAMS	131,362	131,362	131,362	131,362
	TOTAL, OTHER SUPPORT	2,105,232	1,787,773	2,061,973	1,970,673
999	CLASSIFIED PROGRAMS	776,693	735,693	761,693	735,693
	TOTAL, MISSILE PROCUREMENT, AIR FORCE	4,204,145	3,746,636	3,975,407	3,914,703

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
2	**JASSM**	**187,165**	**187,165**	**147,165**	**167,165**
	JASSM-ER testing concurrency			-40,000	-20,000
5	**AMRAAM**	**135,869**	**135,869**	**65,869**	**115,869**
	Excessive program delays			-70,000	-20,000
6	**PREDATOR HELLFIRE MISSILE**	**65,312**	**32,662**	**39,912**	**32,662**
	Authorization Adjustment		-32,650		-32,650
	Program adjustment			-25,400	0
7	**SMALL DIAMETER BOMB**	**99,062**	**99,062**	**54,062**	**99,062**
	Maintain LRIP			-45,000	0
10	**MISSILE REPLACEMENT EQ-BALLISTIC**	**833**	**833**	**0**	**0**
	Unjustified request			-833	-833
11	**MM III MODIFICATIONS**	**691,657**	**625,257**	**702,657**	**651,257**
	Minuteman Propulsion Replacement Program		-66,400		-46,400
	Minuteman III Mod. for Propulsion Replacement Program			11,000	6,000
12	**AGM-65D MAVERICK**	**246**	**246**	**0**	**246**
	Unjustified request			-246	0
20	**GLOBAL POSITIONING (SPACE)**	**97,182**	**67,182**	**97,182**	**85,882**
	Program Slip (SV10-12)		-30,000		-11,300
21	**GLOBAL POSITIONING (SPACE) (AP-CY)**	**43,259**	**0**	**0**	**0**
	Program Slip (SV10-12)		-43,259		0
	SV 16 - 18 procurement ahead of need			-43,259	-43,259
26	**EVOLVED EXPENDABLE LAUNCH VEHICLE (SPACE)**	**936,490**	**692,290**	**936,490**	**856,490**
	Launch Delay Infrastructure Reduction		-244,200		-80,000

MINUTEMAN III PROPULSION REPLACEMENT PROGRAM

The conference agreement provides $651,257,000 for Minuteman III modifications, including modifications to replace the missile propulsion system. The conferees disagree with proposals to terminate the program after fiscal year 2007 and expect that the Department of Defense will budget for the remaining requirements identified in the fiscal year 2007 budget justifications in the fiscal year 2008 budget submission.

GLOBAL POSITIONING SYSTEM (GPS)

The budget request includes $97,182,000 in missile procurement with an additional $43,259,000 in advance procurement for GPS vehicles 16 through 18. The conferees note that the GPS IIF program has been troubled by cost growth and significant delays, and the Department of Defense has chosen not to pursue vehicles 13 through 18. Consequently, the conferees recommend $85,882,000 in missile procurement and no funding in advance procurement, a reduction of $11,300,000 and $43,259,000 respectively.

The conferees share the Department's concerns regarding the short-term risk associated with the current constellation, and also the long-term risk of gaps in capability, especially as the country moves toward a transition to the GPS III system. The conferees note that, in general, on-orbit models of GPS are living longer than expected. Accordingly, the conferees believe that through proper constellation planning and management, and launching based on constellation need rather than on payload delivery, the Department can strike the right balance between short and long-term risks with the goal of maximizing constellation coverage. Therefore, the conferees encourage the Department to use this strategy in order to minimize risk and maximize coverage as it endeavors to maintain the current constellation, complete the development and fielding of the GPS IIF satellites, and transition to the new GPS III satellites.

EVOLVED EXPENDABLE LAUNCH VEHICLE (EELV)

The budget request includes $936,490,000 for EELV. The conferees recommend $856,490,000, a reduction of $80,000,000, and intend to monitor the balance between risk and return for costs and activities associated with launch preparation and capability. The conferees believe the Air Force should challenge the national launch government and industry team to develop and implement a strategy to eliminate unnecessary practices and excessive costs while protecting the viability of the program.

Additionally, the conferees maintain interest in execution of the acquisition strategy for the Buy–3 contract. The conferees direct the Department of the Air Force to adopt acquisition practices for space launch relative to the EELV program that will maximize economic efficiencies through fiscal year 2010. Further, the conferees support open competition for launch services from qualified bidders. Therefore, the conferees direct the Department to create, adopt, and promote a set of criteria by which new entrants might more readily qualify for the EELV program, including opportunities to compete for demonstration launches, which will facilitate competition and promote assured access.

PROCUREMENT OF AMMUNITION, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	PROCUREMENT OF AMMUNITION, AIR FORCE				
	PROCUREMENT OF AMMO, AIR FORCE				
1	ROCKETS	58,671	58,671	51,391	51,391
2	CARTRIDGES	168,499	154,999	164,832	161,332
	BOMBS				
3	PRACTICE BOMBS	15,036	15,036	15,036	15,036
4	GENERAL PURPOSE BOMBS	235,533	255,533	240,533	251,533
5	SENSOR FUZED WEAPON	118,887	118,887	118,887	118,887
6	JOINT DIRECT ATTACK MUNITION	175,013	175,013	175,013	175,013
7	WIND CORRECTED MUNITIONS DISPENSER	34,704	34,704	14,704	14,704
	FLARE, IR MJU-7B				
8	CAD/PAD	29,909	29,909	29,909	29,909
9	EXPLOSIVE ORDINANCE DISPOSAL (EOD)	3,091	3,091	3,091	3,091
10	SPARES AND REPAIR PARTS	4,705	4,705	4,705	4,705
12	MODIFICATIONS	919	919	919	919
13	ITEMS LESS THAN $2,000,000	4,083	4,083	4,083	4,083
	FUZES				
14	FLARES	161,958	161,958	161,958	161,958
15	FUZES	56,777	56,777	56,777	56,777
	TOTAL, PROCUREMENT OF AMMO, AIR FORCE	1,067,785	1,074,285	1,041,838	1,049,338
	WEAPONS				
16	SMALL ARMS	4,964	4,964	4,964	4,964
	TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	1,072,749	1,079,249	1,046,802	1,054,302

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
1	**ROCKETS**	**58,671**	**58,671**	**51,391**	**51,391**
	2.75 Inch Rocket Motor (HA07)			-3,000	-3,000
	2.75 Inch Rocket Warhead (H855)			-4,280	-4,280
2	**CARTRIDGES**	**168,499**	**154,999**	**164,832**	**161,332**
	Program Growth		-13,500		-3,500
	Type Adjustment			-3,667	-3,667
4	**GENERAL PURPOSE BOMBS**	**235,533**	**255,533**	**240,533**	**251,533**
	MK-80 Series General Purpose Bombs		20,000	5,000	16,000
7	**WIND CORRECTED MUNITIONS DISPENSER**	**34,704**	**34,704**	**14,704**	**14,704**
	WCMD-ER Program Delays			-20,000	-20,000

OTHER PROCUREMENT, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	OTHER PROCUREMENT, AIR FORCE				
	VEHICULAR EQUIPMENT				
	PASSENGER CARRYING VEHICLES				
1	ARMORED VEHICLE	487	487	487	487
2	PASSENGER CARRYING VEHICLE	14,373	14,373	14,373	14,373
	CARGO + UTILITY VEHICLES				
8	FAMILY MEDIUM TACTICAL VEHICLE	21,003	21,003	21,003	21,003
9	HIGH MOBILITY VEHICLE (MYP)	4,072	4,072	4,072	4,072
11	CAP VEHICLES	695	695	695	695
	SPECIAL PURPOSE VEHICLES				
15	HMMWV, ARMORED	8,432	4,232	8,432	4,232
17	HMWWV, UP-ARMORED	11,334	5,684	11,334	5,684
	FIRE FIGHTING EQUIPMENT				
22	FIRE FIGHTING/CRASH RESCUE VEHICLES	21,492	21,492	21,492	21,492
	MATERIALS HANDLING EQUIPMENT				
26	HALVERSEN LOADER	8,211	13,011	8,211	10,411
	BASE MAINTENANCE SUPPORT				
31	RUNWAY SNOW REMOVAL & CLEANING EQUIP	30,260	30,260	30,260	30,260
34	ITEMS LESS THAN $5M	27,918	27,918	27,918	27,918
35	TOTAL, VEHICULAR EQUIPMENT	148,277	143,227	148,277	140,627
	ELECTRONICS AND TELECOMMUNICATIONS EQUIP				
	COMM SECURITY EQUIPMENT(COMSEC)				
36	COMSEC EQUIPMENT	121,763	121,763	121,763	121,763
37	MODIFICATIONS (COMSEC)	692	692	692	692
	INTELLIGENCE PROGRAMS				
38	INTELLIGENCE TRAINING EQUIPMENT	5,235	5,235	5,235	5,235
39	INTELLIGENCE COMM EQUIP	1,576	6,576	9,076	6,576
	ELECTRONICS PROGRAMS				
40	TRAFFIC CONTROL/LANDING	6,241	15,541	3,241	12,241
41	NATIONAL AIRSPACE SYSTEM	53,761	53,761	53,761	53,761
42	THEATER AIR CONTROL SYS IMPRO	77,184	77,184	77,184	77,184
43	WEATHER OBSERVATION FORECAST	35,093	35,093	41,093	38,393
44	STRATEGIC COMMAND AND CONTROL	27,076	27,076	27,076	27,076
45	CHEYENNE MOUNTAIN COMPLEX	19,257	11,257	19,257	11,257
47	DRUG INTERDICTION SUPPORT	431	431	431	431

		(In thousands of dollars) Budget	House	Senate	Conference
	SPECIAL COMM-ELECTRONICS PROJECTS				
48	GENERAL INFORMATION TECHNOLOGY	120,406	130,406	133,906	133,406
49	AF GLOBAL COMMAND & CONTROL SYSTEM	13,877	13,877	16,377	16,377
50	MOBILITY COMMAND AND CONTROL	10,060	10,060	10,060	10,060
51	AIR FORCE PHYSICAL SECURITY SYSTEM	41,382	45,882	44,582	47,382
52	COMBAT TRAINING RANGES	35,382	53,382	53,882	58,682
53	MINIMUM ESSENTIAL EMERGENCY COM	3,413	3,413	3,413	3,413
54	C3 COUNTERMEASURES	4,657	4,657	4,657	4,657
55	GCSS-AF FOS	31,994	31,994	31,994	31,994
56	THEATER BATTLE MGT C2 SYS	23,586	23,586	23,586	23,586
57	AIR OPERATIONS CENTER (AOC)	25,183	25,683	25,183	25,683
	AIR FORCE COMMUNICATIONS				
58	BASE INFORMATION INFRASTRUCTURE	334,655	334,655	334,655	334,655
59	USCENTCOM	32,558	32,558	32,558	32,558
	DISA PROGRAMS				
61	SPACE BASED IR SENSOR PROG SPACE	4,219	4,219	4,219	4,219
62	NAVSTAR GPS SPACE	6,004	6,004	6,004	6,004
63	NUDET DETECTION SYS (NDS) SPACE	13,456	13,456	13,456	13,456
64	AF SATELLITE CONTROL NETWORK SPACE	85,512	85,512	85,512	85,512
65	SPACELIFT RANGE SYSTEM SPACE	120,450	120,450	120,450	120,450
66	MILSATCOM SPACE	75,846	75,846	75,846	75,846
67	SPACE MODS SPACE	25,153	25,153	25,153	25,153
68	COUNTERSPACE SYSTEM	31,434	31,434	31,434	31,434
	ORGANIZATION AND BASE				
69	TACTICAL C-E EQUIPMENT	147,658	147,658	149,658	148,758
70	COMBAT SURVIVOR EVADER LOCATER	27,225	27,225	30,725	29,525
71	RADIO EQUIPMENT	7,730	8,730	7,730	8,730
72	TV EQUIPMENT (AFRTV)	2,743	2,743	2,743	2,743
73	CCTV/AUDIOVISUAL EQUIPMENT	8,416	8,416	8,416	8,416
74	BASE COMM INFRASTRUCTURE	135,169	143,169	138,169	139,969
75	ITEMS LESS THAN $2M	3,795	3,795	3,795	3,795
	MODIFICATIONS				
76	COMM ELECT MODS	28,344	28,344	28,344	28,344
	TOTAL, ELECTRONICS AND TELECOMMUNICATIONS EQUIP	1,748,616	1,796,916	1,805,316	1,809,416

		(In thousands of dollars) Budget	House	Senate	Conference
	OTHER BASE MAINTENANCE AND SUPPORT EQUIP				
	PERSONAL SAFETY AND RESCUE EQUIP				
80	NIGHT VISION GOGGLES	19,304	19,304	31,304	26,104
81	ITEMS LESS THAN $2M (SAFETY)	---	7,600	4,000	6,700
	DEPOT PLANT + MATERIALS HANDLING EQ				
82	MECHANIZED MATERIAL HANDLING	14,593	14,593	14,593	14,593
	BASE SUPPORT EQUIPMENT				
86	BASE PROCURED EQUIPMENT	11,417	13,417	17,417	16,317
87	MEDICAL/DENTAL EQUIPMENT	16,377	17,377	20,377	19,977
88	AIR BASE OPERABILITY	5,063	5,063	8,563	9,263
90	PRODUCTIVITY CAPITAL INVESTMENT	5,401	5,401	5,401	5,401
91	MOBILITY EQUIPMENT	26,043	26,043	26,043	26,043
93	ITEMS LESS THAN $2M (BASE SUPPORT)	30,876	30,876	30,876	30,876
	SPECIAL SUPPORT PROJECTS				
96	DARP RC135	21,204	21,204	21,204	21,204
97	DARP, MRIGS	195,723	195,723	195,723	195,723
99	SPECIAL UPDATE PROGRAM	467,601	467,601	467,601	467,601
100	DEFENSE SPACE RECONNAISSANCE PROGRAM	15,171	15,171	15,171	15,171
	TOTAL, OTHER BASE MAINTENANCE AND SUPPORT EQUIP	828,773	839,373	858,273	854,973
	SPARE AND REPAIR PARTS				
102	SPARES AND REPAIR PARTS	28,634	28,634	28,634	28,634
999	CLASSIFIED PROGRAMS	12,653,786	12,615,386	12,669,786	12,659,836
	TOTAL, OTHER PROCUREMENT, AIR FORCE	15,408,086	15,423,536	15,510,286	15,493,486

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

P-1		Budget Request	House	Senate	Conference
15	**HMMWV, ARMORED**	**8,432**	**4,232**	**8,432**	**4,232**
	Authorization Adjustment		-4,200		-4,200
17	**HMWWV, UP-ARMORED**	**11,334**	**5,684**	**11,334**	**5,684**
	Authorization Adjustment		-5,650		-5,650
26	**HALVERSEN LOADER**	**8,211**	**13,011**	**8,211**	**10,411**
	Halversen 25K Loader		4,800		2,200
39	**INTELLIGENCE COMMUNICATIONS EQUIPMENT**	**1,576**	**6,576**	**9,076**	**6,576**
	161st Intelligence Squadron Equipment		5,000	7,500	5,000
40	**TRAFFIC CONTROL/LANDING**	**6,241**	**15,541**	**3,241**	**12,241**
	ANG Mobile Approach Control System		9,300		6,000
	MACS Readiness			-3,000	0
43	**WEATHER OBSERVATION FORECAST**	**35,093**	**35,093**	**41,093**	**38,393**
	Fixed Base System Weather Observation Systems			6,000	3,300
45	**CHEYENNE MOUNTAIN COMPLEX**	**19,257**	**11,257**	**19,257**	**11,257**
	CCIC2S		-8,000		-8,000
48	**GENERAL INFORMATION TECHNOLOGY**	**120,406**	**130,406**	**133,906**	**133,406**
	Eagle Vision		3,500	3,500	3,500
	Pocket J for NORAD		4,500		3,600
	Worldwide Warehouse Redistribution System		2,000		1,300
	Pocket J			3,000	1,400
	Palmtop Emergency Action for Chemicals (PEAC)			7,000	3,200
49	**AF GLOBAL COMMAND & CONTROL SYSTEM**	**13,877**	**13,877**	**16,377**	**16,377**
	Scathe View Upgrade			2,500	2,500
51	**AIR FORCE PHYSICAL SECURITY SYSTEM**	**41,382**	**45,882**	**44,582**	**47,382**
	Advanced Video Surveillance Equipment - Moffett Federal Airfield		1,000		1,000
	Force Protection Near Real Time Surveillance System		1,000		2,000
	IBDSS INITIAL MOODY		2,500		1,600
	Schriever Air Force Base, Ground Space Electronic Security System Replacement			3,200	1,400
52	**COMBAT TRAINING RANGES**	**35,382**	**53,382**	**53,882**	**58,682**
	P5 Combat Training System (CTS) Infrastructure Assets		4,000		2,600
	UMTE Modernization		4,000		2,600
	Joint Threat Emitter		10,000		4,500
	Joint Threat Emitter, Mountain Home AFB			10,000	5,500
	Red Flag AK - PARC Upgrades			8,500	8,100
57	**AIR OPERATIONS CENTER (AOC)**	**25,183**	**25,683**	**25,183**	**25,683**
	AOC Multifunction Information Distribution System Low Volume Terminal		500		500
69	**TACTICAL C-E EQUIPMENT**	**147,658**	**147,658**	**149,658**	**148,758**
	Rover III Receiver			2,000	1,100

P-1		Budget Request	House	Senate	Conference
70	**COMBAT SURVIVOR EVADER LOCATER**	**27,225**	**27,225**	**30,725**	**29,525**
	Life Support Radio Test Sets			3,500	2,300
71	**RADIO EQUIPMENT**	**7,730**	**8,730**	**7,730**	**8,730**
	High Frequency Ground Control Stations (Note: Only for Guam)		1,000		1,000
74	**BASE COMMUNICATIONS INFRASTRUCTURE**	**135,169**	**143,169**	**138,169**	**139,969**
	Secure Wireless LAN Infrastructure for Point of Maintenance, 182 AW (IL ANG)		3,000	2,000	2,000
	ANG Network Operations Security Center		1,000	1,000	1,000
	Digital Deployed Training Campus for the Air National Guard		4,000		1,800
80	**NIGHT VISION GOGGLES**	**19,304**	**19,304**	**31,304**	**26,104**
	Advanced Mission Extender Device (AMXD) Kits			2,000	1,300
	Air Force Academy Telescope			10,000	5,500
81	**ITEMS LESS THAN $2M (SAFETY)**	**0**	**7,600**	**4,000**	**6,700**
	Self-Deploying Infrared Streamer		4,000	4,000	4,000
	Virtual Reality Parachute Simulator		1,000		1,000
	Life Support Radio Test Sets for the ANG		2,600		1,700
86	**BASE PROCURED EQUIPMENT**	**11,417**	**13,417**	**17,417**	**16,317**
	Combat Arms Training System - ANG		2,000		1,300
	Virtual Combat Convoy Trainer (VCCT)			2,000	1,000
	Laser Markmanship Training System			4,000	2,600
87	**MEDICAL/DENTAL EQUIPMENT**	**16,377**	**17,377**	**20,377**	**19,977**
	Mobile Oxygen Storage Tank		1,000		1,000
	Iondinated Ionic Antimicrobial Disposable Masks			4,000	2,600
88	**AIR BASE OPERABILITY**	**5,063**	**5,063**	**8,563**	**9,263**
	Radar Test Sets for the Identification of Friend or Foe (IFF)			3,500	4,200

PROCUREMENT, DEFENSE-WIDE

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	PROCUREMENT, DEFENSE-WIDE				
	MAJOR EQUIPMENT				
	MAJOR EQUIPMENT, OSD				
1	MAJOR EQUIPMENT, OSD	84,861	84,861	84,861	84,861
	MAJOR EQUIPMENT, NSA				
3	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	12,133	12,133	12,133	12,133
	MAJOR EQUIPMENT, WHS				
6	WHS MOTOR VEHICLES	175	175	175	175
7	MAJOR EQUIPMENT, WHS	23,451	23,451	23,451	23,451
	MAJOR EQUIPMENT, DISA				
9	INFORMATION SYSTEMS SECURITY	18,747	18,747	38,747	34,747
10	DEFENSE MESSAGE SYSTEM	6,247	6,247	6,247	6,247
11	GLOBAL COMMAND AND CONTROL SYS	5,584	5,584	5,584	5,584
12	GLOBAL COMBAT SUPPORT SYSTEM	2,652	2,652	2,652	2,652
13	TELEPORT PROGRAM	50,280	50,280	50,280	50,280
15	ITEMS LESS THAN $5M	41,386	41,386	42,386	42,386
16	NET CENTRIC ENTERPRISE SERVICES (NCES)	26,952	11,952	26,952	24,952
17	DEFENSE INFORMATION SYSTEMS NETWORK	29,870	29,870	29,870	29,870
18	PUBLIC KEY INFRASTRUCTURE	1,928	1,928	1,928	1,928
	MAJOR EQUIPMENT, DLA				
23	MAJOR EQUIPMENT	8,694	8,694	8,694	8,694
	MAJOR EQUIPMENT, DCAA				
24	MAJOR EQUIPMENT ITEMS LESS THAN $5M	1,520	1,520	1,520	1,520
	MAJOR EQUIPMENT, TJS				
25	MAJOR EQUIPMENT, TJS	42,988	47,988	42,988	46,988
	MAJOR EQUIPMENT, DHRA				
26	PERSONNEL ADMINISTRATION	7,915	7,915	7,915	7,915
	DEFENSE THREAT REDUCTION AGENCY				
28	VEHICLES	180	180	180	180

		(In thousands of dollars) Budget	House	Senate	Conference
29	OTHER MAJOR EQUIPMENT	15,698	15,698	15,698	15,698
	DEFENSE SECURITY COOPERATION AGENCY				
30	OTHER MAJOR EQUIPMENT	507	507	507	507
	MAJOR EQUIPMENT, AFIS				
31	MAJOR EQUIPMENT, AFIS	5,636	5,636	5,636	5,636
	MAJOR EQUIPMENT, DODDE				
32	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,522	1,522	1,522	1,522
	MAJOR EQUIPMENT, DCMA				
33	MAJOR EQUIPMENT	3,257	3,257	3,257	3,257
	MAJOR EQUIPMENT, DTSA				
34	MAJOR EQUIPMENT	421	421	421	421
35	MAJOR EQUIPMENT, BTA	16,291	16,291	16,291	16,291
	TOTAL, MAJOR EQUIPMENT	408,895	398,895	429,895	427,895
	SPECIAL OPERATIONS COMMAND				
	AVIATION PROGRAMS				
36	SOF ROTARY WING UPGRADES AND SUSTAINMENT	86,758	96,058	86,758	93,058
38	MH-130H AIR REFUELING SYSTEM	1,522	1,522	1,522	1,522
39	MH-47 SLEP	59,812	59,812	59,812	59,812
40	MH-60 SOF MODERNIZATION PROGRAM	91,902	91,902	91,902	91,902
41	MC-130H COMBAT TALON II	158,824	158,824	---	122,000
42	CV-22 SOF MODIFICATION	168,780	168,780	168,780	168,780
43	AC-130U GUNSHIP ACQUISITION	1,131	1,131	1,131	1,131
44	C-130 MODIFICATIONS	49,763	46,763	49,763	46,763
45	AIRCRAFT SUPPORT	1,143	1,143	1,143	1,143
	SHIPBUILDING				
46	ADVANCED SEAL DELIVERY SYS (ASDS)	12,629	12,629	12,629	12,629
47	MK VIII MOD 1 - SEAL DELIVERY VEH	2,473	2,473	2,473	2,473
	AMMUNITION PROGRAMS				
48	SOF ORDNANCE REPLENISHMENT	43,679	47,479	43,679	46,719
49	SOF ORDNANCE ACQUISITION	13,604	13,604	17,604	15,404

		(In thousands of dollars) Budget	House	Senate	Conference
	OTHER PROCUREMENT PROGRAMS				
50	COMM EQUIPMENT & ELECTRONICS	70,410	51,410	67,910	55,990
51	SOF INTELLIGENCE SYSTEMS	32,743	32,743	32,488	32,489
52	SMALL ARMS & WEAPONS	105,788	114,288	134,188	124,788
54	MARITIME EQUIPMENT MODS	1,831	1,831	1,831	1,831
55	SPECIAL APPLICATIONS FOR CONTINGENCIES	9,608	9,608	9,608	9,608
56	SOF COMBATANT CRAFT SYSTEMS	20,204	22,204	28,404	27,764
57	SPARES AND REPAIR PARTS	5,302	5,302	5,302	5,302
59	TACTICAL VEHICLES	13,196	13,196	13,196	13,196
60	MISSION TRAINING AND PREPARATIONS SYSTEMS	12,841	12,841	15,841	14,791
62	MILCON COLLATERAL EQUIPMENT	3,090	3,090	3,090	3,090
63	UNMANNED VEHICLES	20,700	20,700	20,700	20,700
65	SOF MARITIME EQUIPMENT	2,655	2,655	2,655	2,655
67	MISCELLANEOUS EQUIPMENT	13,074	13,074	13,074	13,074
69	SOF OPERATIONAL ENHANCEMENTS	434,472	450,272	436,272	444,892
70	PSYOP EQUIPMENT	93,881	93,881	88,270	88,270
	EMERGENT CRITICAL COMBAT MISSION NEEDS EQUIPMENT	---	22,000	---	22,000
	TOTAL, SPECIAL OPERATIONS COMMAND	1,531,815	1,571,215	1,410,025	1,543,776
	CHEMICAL/BIOLOGICAL DEFENSE				
	CBDP				
71	INSTALLATION FORCE PROTECTION	86,157	90,127	86,157	90,127
72	INDIVIDUAL PROTECTION	76,732	76,732	76,732	76,732
73	DECONTAMINATION	16,793	18,793	18,793	18,793
74	JOINT BIOLOGICAL DEFENSE PROGRAM	47,113	47,113	47,113	47,113
75	COLLECTIVE PROTECTION	43,508	43,508	43,508	43,508
76	CONTAMINATION AVOIDANCE	236,120	236,120	248,120	242,720
	TOTAL, CHEMICAL/BIOLOGICAL DEFENSE	506,423	512,393	520,423	518,993
999	CLASSIFIED PROGRAMS	414,328	408,028	402,728	412,628
	TOTAL, PROCUREMENT, DEFENSE-WIDE	2,861,461	2,890,531	2,763,071	2,903,292

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

P-1		Budget Request	House	Senate	Conference
9	**INFORMATION SYSTEMS SECURITY**	**18,747**	**18,747**	**38,747**	**34,747**
	U.S. Forces Alaska GIG and CIP Support			20,000	16,000
15	**ITEMS LESS THAN $5M**	**41,386**	**41,386**	**42,386**	**42,386**
	ALCOM Communications Infrastructure Diversity and Survivability			1,000	1,000
16	**NET CENTRIC ENTERPRISE SERVICES (NCES)**	**26,952**	**11,952**	**26,952**	**24,952**
	Program adjustment		-15,000		-2,000
25	**MAJOR EQUIPMENT, TJS**	**42,988**	**47,988**	**42,988**	**46,988**
	Mobile Forensic Laboratories and Forensic Technical Assistance and Training Support		5,000		4,000
36	**SOF ROTARY WING UPGRADES AND SUSTAINMENT**	**86,758**	**96,058**	**86,758**	**93,058**
	Rotary Wing Mini Gun Replacements		3,300		1,500
	Integrated RF Countermeasures		6,000		4,800
41	**MC-130H COMBAT TALON II**	**158,824**	**158,824**	**0**	**122,000**
	MC-130H + 10 Program Restructure - Early to Need			-158,824	-36,824
44	**C-130 MODIFICATIONS**	**49,763**	**46,763**	**49,763**	**46,763**
	30mm Gun		-3,000		-3,000
48	**SOF ORDNANCE REPLENISHMENT**	**43,679**	**47,479**	**43,679**	**46,719**
	M72 Lightweight Attack Weapon System (LAW)		3,800		3,040
49	**SOF ORDNANCE ACQUISITION**	**13,604**	**13,604**	**17,604**	**15,404**
	M153 Time Delayed firing Device/Sympathetic Detonator			4,000	1,800
50	**COMM EQUIPMENT & ELECTRONICS**	**70,410**	**51,410**	**67,910**	**55,990**
	MBITR Radios (Transfer $9 million to RDTE,DW Line 213)		-19,000	-10,000	-19,000
	Miniature Multi-band Beacons			4,500	2,930
	Warfighter Pocket XP			3,000	1,650
51	**SOF INTELLIGENCE SYSTEMS**	**32,743**	**32,743**	**32,488**	**32,489**
	CA/PYSOP transfer to Army Reserve			-255	-254
52	**SMALL ARMS & WEAPONS**	**105,788**	**114,288**	**134,188**	**124,788**
	Durable Illumination Aiming Laser-Green/Dial 100G		3,500		1,560
	Miniature Day/Night Sight (AN/PVS-24) Accelerated Procurement		5,000		2,250
	LA-5/PEQ Illuminator			6,000	3,900
	MK47 Mod 0 Striker 40			12,900	5,810
	Special Operations Forces Laser Acquisition Marker			3,500	1,580
	Thermal Clip-on Night Vision Device (CNVD-T)			6,000	3,900
56	**SOF COMBATANT CRAFT SYSTEMS**	**20,204**	**22,204**	**28,404**	**27,764**
	Integrated Combat System for Special Operations Riverine Craft		2,000		1,000
	SOCOM Craft Modification (HSAC Technology Insertion)			8,200	6,560

P-1		Budget Request	House	Senate	Conference
60	**MISSION TRAINING AND PREPARATIONS SYSTEMS**	**12,841**	**12,841**	**15,841**	**14,791**
	Northern Nevada Special Opns Training Project			3,000	1,950
69	**SOF OPERATIONAL ENHANCEMENTS**	**434,472**	**450,272**	**436,272**	**444,892**
	High Speed Assault Craft Modifications		6,000		2,700
	Secure Wireless Local Area Network Program		2,000		1,300
	Sentry HP Unmanned Aerial Vehicle System		6,800		4,420
	SWORDS Mobile Weapons Systems for Special Operations Forces		1,000		1,000
	Sec Net 54 - Secure Wireless Local Area Network			1,800	1,000
70	**PSYOP EQUIPMENT**	**93,881**	**93,881**	**88,270**	**88,270**
	PSYOP Equipment transfer to Army Reserve			-5,611	-5,611
70A	**EMERGENT CRITICAL COMBAT MISSION NEEDS EQUIPMENT**	**0**	**22,000**	**0**	**22,000**
71	**INSTALLATION FORCE PROTECTION**	**86,157**	**90,127**	**86,157**	**90,127**
	WMD CST Team - Florida National Guard		2,200		2,200
	WMD CST Team - New York National Guard		1,770		1,770
73	**DECONTAMINATION**	**16,793**	**18,793**	**18,793**	**18,793**
	M291 Skin Decontamination Kit		2,000	2,000	2,000
76	**CONTAMINATION AVOIDANCE**	**236,120**	**236,120**	**248,120**	**242,720**
	M22 ACADA for Army National Guard			12,000	6,600
999	**CLASSIFIED PROGRAMS**	**414,328**	**408,028**	**402,728**	**412,628**
	Classified Adjustment		-6,300	-11,600	-1,700

NATIONAL GUARD AND RESERVE EQUIPMENT

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	NATIONAL GUARD & RESERVE EQUIPMENT				
1	MISCELLANEOUS EQUIPMENT	---	---	35,000	35,000
2	MISCELLANEOUS EQUIPMENT	---	---	35,000	35,000
3	MISCELLANEOUS EQUIPMENT	---	---	35,000	35,000
4	MISCELLANEOUS EQUIPMENT	---	---	35,000	35,000
	TOTAL, RESERVE EQUIPMENT	---	---	140,000	140,000
	NATIONAL GUARD EQUIPMENT				
	ARMY NATIONAL GUARD				
5	MISCELLANEOUS EQUIPMENT	---	500,000	100,000	75,000
6	MISCELLANEOUS EQUIPMENT	---	---	100,000	75,000
	TOTAL, NATIONAL GUARD EQUIPMENT	---	500,000	200,000	150,000
	TOTAL, NATIONAL GUARD & RESERVE EQUIPMENT	---	500,000	340,000	290,000

NATIONAL GUARD AND RESERVE EQUIPMENT

The conferees agree that National Guard and Reserve forces are integral to our efforts in Iraq and Afghanistan and play a critical role in our Nation's response to national disasters. The conferees are aware that the equipment needs of our Reserve Component forces far exceed the amounts provided in the budget request and agree to provide an additional $290,000,000 for miscellaneous equipment for ''National Guard and Reserve Equipment'' as identified above.

ITEMS OF SPECIAL INTEREST

The conferees agree that the National Guard and Reserve equipment program shall be executed by the heads of the Guard and Reserve components with priority consideration for miscellaneous equipment appropriations given to the following items as identified in Senate Report 109–292: Mobile Approach Control System, Virtual Warrior Interactive Program, Block 42 F–16 Upgrades, Flex Train Combat Training, Battlefield Mobility Enhancers [MGators], M777A1 Lightweight 155mm Howitzers, Joint Threat Emitters, Line Haul Trucks, Thunder Radar Pod, Virtual Door Gunners, and Communications Equipment.

DEFENSE PRODUCTION ACT PURCHASES

The conferees agree to provide $63,184,000 for Defense Production Act Purchases instead of $39,384,000 as proposed by the House and $68,884,000 as proposed by the Senate.

The conference agreement on items addressed by either the House or the Senate is as follows:

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

Project	House	Senate	Conference
Beryllium supply industrial base	7,500	7,500	7,500
Silicon carbide MMIC device production	3,167	3,167	3,167
Lithium ion battery production	2,433	2,433	2,433
Next generation radiation hardened microprocessors	3,462	3,462	3,462
Advanced technologies production initiative	1,922	1,922	1,922
ALON and spinnel optical ceramics	3,500		1,600
Flexible aerogel material supplier initiative	3,000	4,000	3,000
Production of affordable methanol fuel cells components	2,000		1,100
Armor and structures transformation initiative (ASTI) -- steel to titanium	3,600		2,900
Military lens fabrication and assembly	1,800		1,450
Thermal battery industrial base infrastructure	4,500		4,500
Photovoltaic solar cell encapsulant production		3,000	1,350
Reactive plastic CO2 absorbent production capabity		4,400	2,000
Titanium metal matrix and nano enhanced titanium development		10,000	8,000
Read out integrated circuit manufacturing improvement		4,000	2,200
Carbon foam		2,000	1,600
SOI substrate for next generation defense electronics		6,000	3,900
Automated composite technologies initiative (Note: House funded under "Automated composite technologies and manufacturing center")	2,500	10,000	5,500
POSS nanotechnology engineering scale-up initiative		7,000	5,600
Total	39,384	68,884	63,184

TITLE IV—RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars)			
	Budget	House	Senate	Conference
RECAPITULATION				
Research, Development, Test and Evaluation, Army	10,855,559	11,834,882	11,245,040	11,054,958
Research, Development, Test and Evaluation, Navy.....	16,912,223	17,654,518	17,048,238	18,673,894
Research, Development, Test and Evaluation, Air Force.	24,396,767	24,457,062	23,974,081	24,516,276
Research, Development, Test and Evaluation, Defense-Wide.....	20,809,939	21,208,264	20,543,393	21,291,056
Operational Test and Evaluation, Defense.....	181,520	181,520	187,520	185,420
GRAND TOTAL.....	73,156,008	75,336,246	72,998,272	75,721,604

SPECIAL INTEREST ITEMS

Items for which additional funds have been provided as shown in the project level tables or in paragraphs using the phrase ''only for'' or ''only to'' in this report are congressional interest items for the purpose of the Base for Reprogramming (DD 1414). Each of these items must be carried on the DD Form 1414 at the stated amount, specifically addressed in the conference report. These items remain special interest items whether or not they are repeated in a subsequent conference report.

REPROGRAMMING GUIDANCE FOR ACQUISITION ACCOUNTS

The conferees direct the Department of Defense to continue to follow the reprogramming guidance specified in the report accompanying the House version of the fiscal year 2006 Department of Defense Appropriations bill (H.R. 109–119). Specifically, the dollar threshold for reprogramming funds will remain at $20,000,000 for procurement, and $10,000,000 for research, development, test and evaluation. The Department shall continue to follow the limitation that prior approval reprogrammings are set at either the specified dollar threshold or 20% of the procurement or research, development, test and evaluation line, whichever is less. These thresholds are cumulative. Therefore, if the combined value of transfers into or out of a procurement (P–1) or research, development, test and evaluation (R–1) line exceeds the identified threshold, the Department of Defense must submit a prior approval reprogramming to the congressional defense committees. In addition, guidelines on the application of prior approval reprogramming procedures for congressional special interest items are established elsewhere in this report.

FUNDING INCREASES

The conferees direct that the funding increases outlined in these tables shall be provided only for the specific purposes indicated in the table.

JOINT TACTICAL RADIO SYSTEM (JTRS)

In July 2006, the Department of Defense established a new management arrangement for the JTRS program. As a result, the Department of the Navy is now the lead component for JTRS development. In support of this new arrangement, the conferees agree to transfer JTRS research and development funding from the ''Research, Development, Test and Evaluation, Army'' account to the ''Research, Development, Test and Evaluation, Navy'' account. The conferees note the JTRS Joint Program Executive Office remains in control of JTRS development funding and must approve any obligation or transfer of execution year funds for radio development associated with any of the JTRS program elements.

PROMPT GLOBAL STRIKE

The budget request includes $127,000,000 to demonstrate the feasibility of using existing TRIDENT II (D–5) missiles with conventional payloads to provide a prompt global strike capability. The conferees believe that fundamental issues about the requirement for and use of this weapon must be addressed prior to determining the efficacy of this program. Therefore, the conferees are providing $5,000,000 in Research, Development, Test and Evaluation, Defense-Wide for a study to be conducted by the National Academy of Sciences to analyze the mission requirement and, where appropriate, consider and recommend alternatives that meet the prompt global strike mission in the near term (1–2 years), the mid-term (3–5 years), and the long term. The study should include analyses of the military, political and international issues associated with each alternative. The study should consider technology options for achieving desired objectives as well as mitigating policy concerns. The study is due to the congressional defense committees by March 15, 2007. In addition, the conferees are providing $20,000,000 in Research, Development, Test and Evaluation, Navy for developmental efforts under the Conventional Trident Modification program. These funds should be used to focus on those developmental items which are common to all the global strike alternatives until the completion of the study and a determination has been made on the best course of action in this matter.

JOINT STRIKE FIGHTER ALTERNATE ENGINE DEVELOPMENT AND COST ANALYSIS

The conferees recommend an additional $170,000,000 in Research, Development, Test and Evaluation, Air Force and $170,000,000 in Research, Development, Test and Evaluation, Navy for continuing development of the F–136 engine for the Joint Strike Fighter program. The conferees direct the Under Secretary of Defense for Acquisition, Technology and Logistics to sponsor a comprehensive independent cost analysis of the Joint Strike Fighter engine program. The conferees strongly encourage the analysis be conducted by the Institute for Defense Analyses (IDA). This analysis shall include but not be limited to: (1) a comparison of costs associated with the development of the F–135 and F–136 engines; (2) an evaluation of potential savings achieved by eliminating or continuing the development and production of an alternate engine over the program's life cycle; and (3) the potential effects on the industrial base of eliminating or continuing the development and production of an alternate engine over the program's life cycle. This analysis shall be transmitted to the congressional defense committees not later than March 15, 2007.

The conferees in no way intend for this analysis to be an excuse for the Department of Defense not to fully fund the development of both the F–135 and the F–136 engines in fiscal year 2008. All evidence suggests that the development of two alternate engines will lead to cost savings through competition, increased capabilities for the warfighter, and a strengthened industrial base. Accordingly, the conferees direct the Department of Defense to fund the continued development of both the engines in the fiscal year 2008 budget submission while this cost analysis is ongoing.

DEPARTMENT OF DEFENSE BIOMETRICS PROGRAMS

The conferees reaffirm the authority of the Secretary of the Army as Executive Agent for all biometrics within the Department of Defense under Public Law 106–246, and encourage the Department of Defense to designate a Principal Staff Assistant to define policy, architecture, and interagency cooperation. The conferees look forward to receiving the final report of the Defense Science Board study on biometrics and receiving the associated recommendations of the Secretary of Defense by January 15, 2007.

ALTERNATIVE FUELS

At the behest of Congress, the Air Force initiated research into developing alternatives to jet fuels in current use. That research has paid dividends. A recent report from the Air Force indicates that substituting standard jet fuels (such as JP–4 and JP–8) with coal-based synthetic fuels and natural gas derivatives could result in savings of up to two-thirds of the cost of a gallon of JP–8. Moreover, the Air Force research shows that these alternative fuels burn cleaner than standard jet fuels, a result that portends savings from lower maintenance and engine replacement costs. In light of these findings, the Navy reports that it plans to initiate a pilot program to develop alternative fuels. Given the high costs of fuel and maintenance, the conferees are encouraged by these reports and believe that the military services should continue to pursue alternative fuels research and development. As such, the conferees encourage the Department to provide sufficient funding in its fiscal year 2008 and future budget requests to continue these important research programs.

SPECIALTY STEEL INDUSTRIAL BASE

The Department of Defense's demand for iron-based alloy aviation specialty steels has dramatically increased as a result of continuing deployments to the overseas theaters of operation. Today, there is only one domestic supplier for a unique process which utilizes vacuum inducted melt/vacuum arc remelt, the process which gives aviation grade steels their required properties. These specialty steels are critical to building high technology U.S. military weapon systems. Further, there has been a related and dramatic increase in the raw material needed to make these specialty steels. Lead times for these raw materials have grown from 3 months to 1 year. According to the Army, the overall effect on lead times for spare part deliverables has swelled in some cases to greater than 24 months. As such, the conferees encourage the Department of Defense to partner with domestic industry to develop a greater capacity to meet the delivery requirements for aviation parts to the military within an acceptable time frame. The conferees suggest that the Department explore a 50/50 cost share project between the Federal government, private industry, and/or state governments as the best means to create this capacity as rapidly as possible.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY				
	BASIC RESEARCH				
1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,402	19,402	19,402	19,402
2	DEFENSE RESEARCH SCIENCES	137,568	157,968	162,168	172,018
3	UNIVERSITY RESEARCH INITIATIVES	68,545	84,545	72,545	81,745
4	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	86,416	90,066	105,166	96,816
	TOTAL, BASIC RESEARCH	311,931	351,981	359,281	369,981
	APPLIED RESEARCH				
6	MATERIALS TECHNOLOGY	18,822	40,122	70,022	60,772
7	SENSORS AND ELECTRONIC SURVIVABILITY	38,428	52,678	45,728	49,878
8	TRACTOR HIP	8,466	8,466	8,466	8,466
9	AVIATION TECHNOLOGY	32,804	40,804	38,804	40,604
10	ELECTRONIC WARFARE TECHNOLOGY	19,218	36,018	22,718	31,318
11	MISSILE TECHNOLOGY	59,439	68,439	82,939	78,139
12	ADVANCED WEAPONS TECHNOLOGY	19,430	19,430	26,930	24,330
13	ADVANCED CONCEPTS AND SIMULATION	16,181	21,681	23,181	25,281
14	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	59,304	98,904	73,304	92,504
15	BALLISTICS TECHNOLOGY	52,221	57,021	57,221	59,221
16	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	2,212	13,212	9,212	13,062
17	JOINT SERVICE SMALL ARMS PROGRAM	6,247	6,247	6,247	6,247
18	WEAPONS AND MUNITIONS TECHNOLOGY	35,344	109,944	90,094	120,094
19	ELECTRONICS AND ELECTRONIC DEVICES	42,175	85,975	74,175	83,075
20	NIGHT VISION TECHNOLOGY	23,907	45,857	25,907	36,607
21	COUNTERMINE SYSTEMS	22,088	22,088	30,588	27,438
22	HUMAN FACTORS ENGINEERING TECHNOLOGY	18,858	41,858	25,358	41,358
23	ENVIRONMENTAL QUALITY TECHNOLOGY	17,923	17,923	17,323	19,823
24	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	21,193	57,493	26,693	49,093
25	COMPUTER AND SOFTWARE TECHNOLOGY	3,844	6,844	5,644	6,794
26	MILITARY ENGINEERING TECHNOLOGY	50,098	50,698	48,948	51,848
27	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	16,200	16,200	16,200	16,200

		Budget	House	Senate	Conference
		(In thousands of dollars)			
28	WARFIGHTER TECHNOLOGY	25,436	38,536	42,236	44,536
29	MEDICAL TECHNOLOGY	75,407	252,907	105,107	232,457
	TOTAL, APPLIED RESEARCH	685,245	1,209,345	973,045	1,219,145
	ADVANCED TECHNOLOGY DEVELOPMENT				
30	WARFIGHTER ADVANCED TECHNOLOGY	45,666	63,666	62,166	66,366
31	MEDICAL ADVANCED TECHNOLOGY	50,757	357,907	114,257	302,357
32	AVIATION ADVANCED TECHNOLOGY	64,654	95,654	101,454	97,654
33	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	74,717	100,117	77,717	93,117
34	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	109,952	185,802	181,052	207,202
35	COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY	10,851	12,651	10,851	12,301
36	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	6,794	6,794	11,794	9,444
37	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	44,022	55,322	51,022	53,722
38	TRACTOR HIKE	9,324	9,324	9,324	9,324
39	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	18,296	19,296	22,296	21,096
40	TRACTOR ROSE	5,183	5,183	5,183	5,183
41	IED DEFEAT TECHNOLOGY DEVELOPMENT	---	1,800	---	---
42	EXPLOSIVES DEMILITARIZATION TECHNOLOGY	10,376	18,376	26,276	25,926
43	MILITARY HIV RESEARCH	7,042	15,042	7,042	13,042
44	COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT	7,497	9,497	7,497	8,597
45	GLOBAL SURVEILLANCE/AIR DEFENSE/PRECISION STRIKE TECHN	12,995	12,995	12,995	12,995
46	ELECTRONIC WARFARE TECHNOLOGY	18,612	28,412	18,612	25,562
47	MISSILE AND ROCKET ADVANCED TECHNOLOGY	42,127	65,627	55,294	63,644
48	TRACTOR CAGE	19,192	19,192	19,192	19,192
49	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	25,554	27,054	30,554	30,554
50	JOINT SERVICE SMALL ARMS PROGRAM	7,202	9,202	7,202	8,202
51	NIGHT VISION ADVANCED TECHNOLOGY	44,307	68,107	64,307	76,457
52	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	14,089	18,089	14,089	17,289
53	MILITARY ENGINEERING ADVANCED TECHNOLOGY	7,848	19,848	26,348	27,998

		(In thousands of dollars) Budget	House	Senate	Conference
54	ADVANCED TACTICAL COMPUTER SCIENCE & SENSOR TECHNOLOGY	64,604	76,004	60,736	71,054
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	721,661	1,300,961	997,260	1,278,278
	DEMONSTRATION & VALIDATION				
55	UNIQUE ITEM IDENTIFICATION (UID)	1,520	9,520	1,520	4,120
56	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	11,233	68,933	75,233	88,983
57	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE)	11,771	11,771	33,771	39,171
58	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	143,417	149,117	121,417	138,667
59	LANDMINE WARFARE AND BARRIER - ADV DEV	8,439	8,439	8,439	8,439
60	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	10,714	10,714	5,714	5,714
61	TANK AND MEDIUM CALIBER AMMUNITION	---	2,000	2,000	2,600
62	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	5,415	11,215	5,415	8,665
63	SOLDIER SUPPORT AND SURVIVABILITY	2,778	5,278	2,778	4,378
64	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM - ADV DEV	20,077	20,077	20,077	20,077
65	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	5,337	5,337	5,337	5,337
66	ENVIRONMENTAL QUALITY TECHNOLOGY	5,166	28,566	11,866	24,466
67	WARFIGHTER INFORMATION NETWORK-TACTICAL	158,157	118,157	128,157	123,157
68	NATO RESEARCH AND DEVELOPMENT	4,946	4,946	4,946	4,946
69	AVIATION - ADV DEV	6,542	6,542	10,442	9,642
71	LOGISTICS AND ENGINEER EQUIPMENT - ADV DEV	13,216	13,216	10,216	10,216
72	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION	8,645	8,645	8,645	8,645
73	MEDICAL SYSTEMS - ADV DEV	11,973	27,373	21,973	23,873
74	SOLDIER SYSTEMS - ADVANCED DEVELOPMENT	10,605	12,605	10,605	11,605
75	INTEGRATED BROADCAST SERVICE	1,135	1,135	1,135	1,135
	TOTAL, DEMONSTRATION & VALIDATION	441,086	523,586	489,686	543,836

		Budget	House	Senate	Conference
		(In thousands of dollars)			
	ENGINEERING & MANUFACTURING DEVELOPMENT				
78	AIRCRAFT AVIONICS	61,946	44,646	51,946	49,096
79	ARMED, DEPLOYABLE OH-58D	132,781	112,781	132,781	132,781
80	ELECTRONIC WARFARE DEVELOPMENT	41,655	47,255	41,655	45,555
81	JOINT TACTICAL RADIO	832,259	797,259	832,259	---
82	ALL SOURCE ANALYSIS SYSTEM	7,074	7,074	7,074	7,074
83	TRACTOR CAGE	16,057	16,057	16,057	16,057
84	COMMON MISSILE	---	30,000	---	25,000
85	INFANTRY SUPPORT WEAPONS	31,748	37,648	48,748	43,648
86	MEDIUM TACTICAL VEHICLES	1,925	5,925	13,925	13,025
87	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-SDD	5,297	5,297	5,297	5,297
89	FAMILY OF HEAVY TACTICAL VEHICLES	3,960	8,660	17,360	13,460
90	AIR TRAFFIC CONTROL	4,527	4,527	4,527	4,527
91	LIGHT TACTICAL WHEELED VEHICLES	---	10,000	---	4,500
92	ARMORED SYSTEMS MODERNIZATION (ASM)-SDD	3,310,477	2,984,677	3,064,677	2,989,977
93	NON-LIGHT OF SIGHT LAUNCH SYSTEM	322,880	322,880	325,880	324,230
94	NON-LINE OF SIGHT CANNON	112,237	112,237	112,237	112,237
95	NIGHT VISION SYSTEMS - SDD	38,821	43,621	38,821	41,621
96	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	3,017	3,017	3,017	3,017
97	NON-SYSTEM TRAINING DEVICES - SDD	121,553	121,553	127,553	125,453
100	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE -SDD	21,757	21,757	21,757	21,757
101	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	40,006	40,006	40,006	40,006
102	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	8,136	8,136	8,136	8,136
103	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS) - SDD	19,596	21,896	19,596	20,646
107	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	39,901	40,901	38,801	38,901
108	JOINT NETWORK MANAGEMENT SYSTEM	5,187	5,187	5,187	5,187
110	WEAPONS AND MUNITIONS - SDD	130,581	138,081	80,739	122,781
111	LOGISTICS AND ENGINEER EQUIPMENT - SDD	40,301	43,801	41,801	42,801
112	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS - SDD	10,783	15,283	10,783	13,183
113	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT	14,509	24,109	19,009	24,809

	(In thousands of dollars) Budget	House	Senate	Conference
114 LANDMINE WARFARE/BARRIER - SDD	118,078	122,078	90,078	93,278
115 ARTILLERY MUNITIONS	102,554	102,554	102,554	102,554
116 COMBAT IDENTIFICATION	39	39	39	39
117 ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	69,172	69,172	61,172	60,572
119 RADAR DEVELOPMENT	2,527	2,527	2,527	2,527
120 GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	61,194	21,994	---	21,994
121 FIREFINDER	70,151	70,151	55,151	55,151
122 SOLDIER SYSTEMS - WARRIOR DEM/VAL	27,498	27,498	30,498	29,148
123 ARTILLERY SYSTEMS	1,650	1,650	1,650	1,650
125 PATRIOT/MEADS COMBINED AGGREGATE PROGRAM (CAP)	329,583	329,583	329,583	329,583
126 NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK	7,428	7,428	7,428	7,428
127 INFORMATION TECHNOLOGY DEVELOPMENT	70,185	61,385	63,685	62,385
TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT	6,239,030	5,890,330	5,873,994	5,061,071
RDT&E MANAGEMENT SUPPORT				
128 THREAT SIMULATOR DEVELOPMENT	21,180	23,180	23,180	23,780
129 TARGET SYSTEMS DEVELOPMENT	10,928	13,928	12,928	12,928
130 MAJOR T&E INVESTMENT	64,953	67,453	64,953	66,053
131 RAND ARROYO CENTER	20,171	20,171	22,171	21,471
132 ARMY KWAJALEIN ATOLL	178,891	178,891	178,891	178,891
133 CONCEPTS EXPERIMENTATION PROGRAM	21,626	25,126	24,626	25,576
135 ARMY TEST RANGES AND FACILITIES	389,840	389,840	389,840	389,840
136 ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	74,066	77,066	83,066	81,366
137 SURVIVABILITY/LETHALITY ANALYSIS	40,780	42,780	45,780	44,030
138 DOD HIGH ENERGY LASER TEST FACILITY	16,622	16,622	16,622	16,622
139 AIRCRAFT CERTIFICATION	4,580	4,580	4,580	4,580
140 METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	8,571	8,571	8,571	8,571
141 MATERIEL SYSTEMS ANALYSIS	16,526	16,526	16,526	16,526
142 EXPLOITATION OF FOREIGN ITEMS	4,993	4,993	4,993	4,993
143 SUPPORT OF OPERATIONAL TESTING	80,057	81,057	80,057	81,057
144 ARMY EVALUATION CENTER	60,129	60,129	60,129	60,129

	(In thousands of dollars) Budget	House	Senate	Conference
145 SIMULATION & MODELING FOR ACQ, RQTS, & TNG (SMART)	5,441	5,441	5,441	5,441
147 PROGRAMWIDE ACTIVITIES	72,214	72,214	72,214	72,214
148 TECHNICAL INFORMATION ACTIVITIES	34,834	51,834	38,334	47,884
149 MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	18,726	36,126	33,626	37,326
150 ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	4,418	4,418	4,418	4,418
151 MANAGEMENT HEADQUARTERS (RESEARCH AND DEVELOPMENT)	14,092	14,092	14,092	14,092
TOTAL, RDT&E MANAGEMENT SUPPORT	1,163,638	1,215,038	1,205,038	1,217,788
OPERATIONAL SYSTEMS DEVELOPMENT				
153 MLRS PRODUCT IMPROVEMENT PROGRAM	74,506	74,506	74,506	75,506
154 WEAPONS CAPABILITY MODIFICATIONS UAV	16,532	16,532	3,500	1,600
155 AEROSTAT JOINT PROJECT OFFICE	264,491	245,491	264,491	245,491
156 ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	17,394	18,394	17,394	18,394
157 COMBAT VEHICLE IMPROVEMENT PROGRAMS	12,741	16,741	12,741	14,541
158 MANEUVER CONTROL SYSTEM	37,976	37,976	34,976	34,976
159 AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	301,739	295,939	307,139	307,239
160 AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	860	860	860	860
161 DIGITIZATION	13,373	16,073	13,373	14,873
162 FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB2)	26,375	26,375	26,375	26,375
163 MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	10,770	10,770	10,770	10,770
164 OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	19,706	19,706	17,606	22,806
166 TRACTOR CARD	7,242	7,242	7,242	7,242
167 JOINT TACTICAL COMMUNICATIONS PROGRAM (TRI-TAC)	5,804	5,804	5,804	5,804
168 JOINT TACTICAL GROUND SYSTEM	15,044	15,044	15,044	15,044
169 JOINT HIGH SPEED VESSEL (JHSV)	20,397	20,397	20,397	20,397
173 SECURITY AND INTELLIGENCE ACTIVITIES	3,170	6,670	7,170	8,420
174 INFORMATION SYSTEMS SECURITY PROGRAM	23,828	24,751	25,828	25,751
175 GLOBAL COMBAT SUPPORT SYSTEM	55,272	58,272	39,272	48,522
176 SATCOM GROUND ENVIRONMENT (SPACE)	41,336	41,336	33,336	33,336
177 WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	12,200	12,200	12,200	12,200

	(In thousands of dollars) Budget	House	Senate	Conference
178 JOINT COMMAND AND CONTROL PROGRAM (JC2)	4,057	4,057	4,057	4,057
179 TACTICAL UNMANNED AERIAL VEHICLES	114,087	117,087	158,087	154,937
180 AIRBORNE RECONNAISSANCE SYSTEMS	12	12	1,012	1,012
181 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	120,562	140,112	125,562	135,812
182 AVIONICS COMPONENT IMPROVEMENT PROGRAM	1,031	1,031	1,031	1,031
183 END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	68,075	101,375	102,575	113,475
184 NATO JOINT STARS	688	688	688	688
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	1,289,268	1,335,441	1,343,036	1,361,159
999 CLASSIFIED PROGRAMS	3,700	8,200	3,700	3,700
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	10,855,559	11,834,882	11,245,040	11,054,958

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1	Budget Request	House	Senate	Conference
2 DEFENSE RESEARCH SCIENCES	**137,568**	**157,968**	**162,168**	**172,018**
Reduce program growth		-13,000		-7,000
Perpetually Assailable and Secure Information Systems (PASIS)		5,000		5,000
Technology Commercialization and Management Network		2,000		1,600
Cyber-Threat Analytics only for Cyber TA Phase 3 real-time detection/prevention of emerging internet threats including incorporation of IASM capabilities to guard against cyber-attack		5,000		4,000
Advanced Research and Technology Initiative (ARTI)		4,000	5,500	4,000
Advanced Carbon Nanotechnology Program		2,500	4,000	2,600
Broad Spectrum Anti-Viral Host Oriented Therapeutics		1,000		1,000
Functionally Integrated Reactive Surface Technologies (FIRST)		3,000		3,000
Optical Technologies Research		2,000	2,000	2,000
Imaging Research Center for Research of Disorders due to military training and performance		900		900
Combat Mental Health Initiative		4,000		2,600
Plasti-Bone Research		2,000		1,500
Viral Biosensors		1,000		1,000
Chemical Mechanical Planarization		1,000		1,000
Sci Prob with Military Applications/Network Behavior Research			-2,000	0
Army Landscape Dynamics Support Program			1,000	1,000
Biological Raman and Optical Imaging			1,000	1,000
Document Exploitation			1,000	1,000
Flexible Electronics Research Initiative			1,000	1,000
Fuel Logistics Reduction through Enhanced Engine Performance			1,000	1,000
Illicit Narcotics Lab Detection System			3,000	1,950
Integrated Nanosensor Technologies for NBC Detection Applications			2,000	1,000
Nanomaterials for ISR			1,000	1,000
Organic Semiconductor Modeling and Simulation Research			2,100	1,000
Terrain Atmosphere Research to Optimize Battlefield Operations			2,000	1,300

R-1		Budget Request	House	Senate	Conference
3	**UNIVERSITY RESEARCH INITIATIVES**	**68,545**	**84,545**	**72,545**	**81,745**
	Cyber Enabled Technology Program		1,000		1,000
	Desert Environmental Research only for the University-based GIS program initiative to enhance knowledge, skills and technology for DoD research facilities		2,500		2,000
	Collaboration Skills for Time Critical Teams - only to build on the success of the High-Rise Evacuation Learning Platform (HELP) program		1,500		1,000
	Nanosystems through Optical Biosensors		4,000		1,800
	Laboratory for Engineered Human Protection		2,000		1,100
	Physical and Behavioral Rehabilitation		1,000		1,000
	Nanomedical Technologies Research		2,000		1,000
	Nanocrystal Therapeutic Agents and Screening Tools		1,000	1,000	1,000
	Transmission Electron Microscope		1,000		1,000
	Advanced Precision Supply Parts Manufacturing			2,000	1,300
	Low Temperature Vehicle Performance Research			1,000	1,000
4	**UNIVERSITY AND INDUSTRY RESEARCH CENTERS**	**86,416**	**90,066**	**105,166**	**96,816**
	Program adjustment		-6,000		-5,000
	Center for Ferroelectric Electronic-Photonic Nanodevices		1,600	3,000	1,600
	Nanosensor Stagegate Accelerator - U.S. Army Benet Laboratories, Watervliet Arsenal		1,000		1,000
	Northern California Institute for Research and Education (Transferred to RDTE, Army, Line 29)		4,000		0
	Center for Advanced Sensors		1,500		1,000
	Florida Collaborative Development of Advanced Materials for defense applications		300		300
	Western Hemisphere Security Analysis Center (WHSAC)		1,000		1,000
	Transparent Nanocomposite Armor		250	250	250
	Army Corrosion Control: Inhibition and Detection			1,500	1,000
	Automotive Research			2,000	1,300
	Center for Education in Nanoscience and Nanotechnology			2,000	1,300
	Center for Information Assurance and Cyberwarfare			1,000	1,000
	Integrated Systems in Sensing, Imaging and Communications Research			1,000	1,000
	Nanotubes Composite Materials Research			3,000	1,350
	National Center for Infotonics			2,000	1,000
	National Network Security Test Bed			2,000	1,300
	Visualization for Training and Simulation in Urban Terrains			1,000	1,000

R-1	Budget Request	House	Senate	Conference
6 MATERIALS TECHNOLOGY	**18,822**	**40,122**	**70,022**	**60,772**
Spinel Tactical Armor Manufacturing Production Technology		2,000	5,000	3,250
Cutting Tools for Aerospace Materials		3,000		2,350
FCA Advanced Ballistic Technology Program		3,000		1,650
Future Affordable Multi-Utility Materials for the Army Future Combat Systems		2,000	2,000	2,000
Control System for Laser Powder Deposition		300	300	300
Improvised Explosive Device Simulation in Different Soils		500	500	500
Production of Turtle Shell Armor for E-SAPI and Future AP Threats		3,000		1,350
Lightweight Transparent Armor for Force Protection		1,500		1,000
Nanomanufacturing of Multifunctional Sensors		2,000	2,000	2,000
Defense Materials Technology Center (Transferred to line 149)		1,000		0
MEMS Sensors for Rolling Element Bearings		3,000	3,000	3,000
Airfield Matting System Replacement			2,900	1,900
Composite Materials Technology for Future Combat System			2,000	1,000
Erosion Resistant Surface Engineering for Helicopter Compressor Blades			4,000	2,600
LASSO Ground Mobility Vehicle Testing			5,000	4,000
Materials Joining for Army Weapons Systems			3,000	1,650
Multifunctional Nanostructured Materials for Future Combat System			4,000	2,200
Munitions Shape Charge Control Research			6,000	2,700
Precision Polishing of Large Optics			2,000	1,300
Structural Reliability of Smart Munitions and Lightweight Structures			2,000	1,300
Thermal Sprays for Polymeric-Based Ballistic Mitigation Materials			4,000	2,600
Ultrasonic Consolidation for Advanced Materials Fabrication			3,500	2,300
Thermo Plastic Body Armor (From Senate section 8154)				1,000
7 SENSORS AND ELECTRONIC SURVIVABILITY	**38,428**	**52,678**	**45,728**	**49,878**
Program adjustment		-5,000		-3,000
Vertical/Horizontal Integration of Space Technologies and Applications (VISTA)		3,200		1,450
Advanced Detection of Explosives (ADE) Program		1,350		1,100
High Brightness Diode Source (HiBriDS)		3,000		1,350
Wearable Video Capture System		1,000		1,000
Graphics Simulation Hardware		1,000		0
ONYX OPTICS - Advanced Bonded Diamond for Optical Applications		3,000		1,950
Single Crystal Chemical Vapor Deposition Diamond Lens Elements for High Energy Lasers		1,000		1,000
Roll-to-Roll (R2R) Microelectronics in Support of FDI		1,700		1,000
Network Enabled Combat Identification Program		4,000		2,200

R-1	Budget Request	House	Senate	Conference
Biotechnology Applied Research			-2,000	-2,000
Center for Advanced Microelectronics Manufacturing			3,000	1,950
Lighter-Than-Air Unmanned Aerial Vehicle Multirole Technologies			3,300	1,500
Prometheus Spectrometer System and THazer Free Electron Laser			3,000	1,950
9 AVIATION TECHNOLOGY	**32,804**	**40,804**	**38,804**	**40,604**
Aircraft Structural Condition Monitoring System (ASCM) for Diagnostics and Prognostics		2,000		1,100
Center for Rotorcraft Innovation		4,000		1,800
Test and Evaluation of Energy Attenuating Seat for Military Aircraft		2,000		1,000
Composite Small Main Rotor Blades			4,000	2,600
Limited Visibility Landing System			2,000	1,300
10 ELECTRONIC WARFARE TECHNOLOGY	**19,218**	**36,018**	**22,718**	**31,318**
Dominant MOUT Viewer (DMV)		7,000		3,850
Silver Fox Unmanned Aerial Vehicle - Army		3,500	3,500	3,500
Integrated Information Technology Policy Analyses Research		2,000		1,600
Xenon Light Source for Non Lethal Deterrence from Small Unmanned Aerial Vehicle		2,300		1,850
Battlefield Connectivity, Multi-Level Secure Networks		2,000		1,300
11 MISSILE TECHNOLOGY	**59,439**	**68,439**	**82,939**	**78,139**
Materials Applications Research Center (UAB)		2,000		1,000
Jam Resistent Technology for INS/GPS Precision		2,000		1,300
Mariah II Hypersonic Wind Tunnel Development		5,000	3,000	3,000
Enhanced Area Protection and Survivability			2,500	1,650
LENS X Hypervelocity Ground Testing			3,500	1,600
Missile Aero-propulsion Computer System Modernization			10,000	6,500
Nanotechnology Research with AMRDEC			1,000	1,000
Novel Lightweight Armor Material for Insensitive Munitions			1,000	1,000
Unmanned Systems Initiative at AMRDEC			2,500	1,650
12 ADVANCED WEAPONS TECHNOLOGY	**19,430**	**19,430**	**26,930**	**24,330**
Army Missile and Space Technology Initiative			7,500	4,900
13 ADVANCED CONCEPTS AND SIMULATION	**16,181**	**21,681**	**23,181**	**25,281**
Automated MIST -- Man-in-Simulant		1,000		1,000
Photonics Center		4,500		3,600
RedOwl Acoustic Targeting Device/Photonics Center			7,000	4,500

R-1	Budget Request	House	Senate	Conference
14 COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	**59,304**	**98,904**	**73,304**	**92,504**
Mobile Secure Wireless Sensor		1,200		1,000
Component Optimization for Ground Systems (COGS)		2,000		1,000
Liquid Desiccant-Based Atmospheric Water Generation		2,000		1,600
Turbo Fuel Cell Engine		1,800		1,450
Multi-Sensor Payloads for Unmanned Systems		1,800		1,450
Nanofluids for Advanced Military Mobility Systems		1,300		1,000
Defense Transportation Energy Research		3,000		1,350
Transportable Synthetic Fuel Manufacturing Modules		2,000		1,300
Defect-Free Commercially Viable Si/C Semiconductors Using Superlattice Technology		1,000		1,000
HAMMER		6,000		3,900
Rapid Product Development and Deployment Portal		1,000		1,000
Globally Accessible Manufacturing Activty (GAMMA) for military repair parts		7,000		3,850
Plasma JP-8 Fuel Reformer for military auxilary power		2,700		1,500
50% Weight Reduced, Multi-Hit Capable Transparent Vehicle Armor		1,800		1,000
HMMWV Hybrid Technology Conversion Kits (IIT)		1,000	1,000	1,000
Hydrogen PEM Ambient Pressure Fuel Cell Medium/Heavy Duty Vehicles		3,000	3,000	3,000
Advanced Composite Materials Research for Air and Ground Vehicles		1,000	5,000	2,250
Program Reduction			-5,000	-2,500
Advanced Electrical Drive			2,500	1,100
Advanced Manufacture of Lightweight Materials and Components			1,000	1,000
Ground Vehicle Reliability Prediction and Optimization			1,000	1,000
Light Weight Composite Brake for Armored Wheeled Vehicles			1,500	1,000
Maturation and User Evaluation of Hybrid Electric XM1124 HMMWVs			3,000	1,950
Military Fuels Research Program			1,000	1,000
15 BALLISTICS TECHNOLOGY	**52,221**	**57,021**	**57,221**	**59,221**
StandOff Explosives Detector		1,000		1,000
Advanced Tungsten Penetrators and Ballistic Materials		1,800		1,450
TAC-C Robotic Vehicles for Special Operations Forces		2,000		1,300
Laser Based Explosives - Chem/Bio Standoff and Point Detector			5,000	3,250

R-1		Budget Request	House	Senate	Conference
16	**CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY**	**2,212**	**13,212**	**9,212**	**13,062**
	Biomarker Molecular Toxicology Initiative		3,000		2,400
	Bioaerosol Sampling for Base Protection		2,000		1,100
	Application of CHP-105 to Class A Biowarfare Agents		1,000		1,000
	Rapid and Accurate Pathogen Identification/Detection (RAPID) Program		2,000		1,300
	Thermal Acceleration Decontamination with modified Vaporous Hydrogen Peroxide		3,000		1,350
	Battlefield Production of Improved Vaporous Hydrogen Peroxide			6,000	2,700
	Nanocrystalline Solid Decontamination Technology			1,000	1,000
18	**WEAPONS AND MUNITIONS TECHNOLOGY**	**35,344**	**109,944**	**90,094**	**120,094**
	Electrolytic Super-Capacitors, Polymer for FCS application		2,000	4,000	2,600
	Weapon System Integration Force Protection Vehicle		1,500		1,000
	High Speed Data Communications System (HSDCS)		4,000		4,000
	Nanoparticle Development for Energetic Materials and Protective Systems for Military Munitions and Armor Applications		2,300		1,850
	Integrated Command Operations Program (ICOP)		4,500		3,600
	Improved Airborne Command and Control System (IACCS) only for the Pennsylvania Army National Guard		1,800		1,450
	SOSSEC Demonstration only for the Pennsylvania Army National Guard		1,800		1,450
	Civilian Military Incident Management (CMIM) automated information tool - only for integration with the Integrated Command Operations Program		1,000		1,000
	Sculpted Transparent Armor		2,700		2,150
	Seamless Data to Display (SDD)		2,000		1,000
	Energetic Formulation and Fabrication		3,000		2,950
	Developmental Mission Integration		6,000		3,900
	Remotely Operated Weapon/Sensor Technology		6,000		3,900
	Perimeter Defense Technologies		4,000		2,600
	Armament Manufacturing Model/Science		3,000		1,950
	Armaments Systems Information Assurance		3,000		1,950
	Green Armaments/Rangesafe Technology		3,000	3,000	3,000
	Armament Systems Engineering - ASEI2		4,000		2,600
	Lightweight Munitions and Surveillance System for Unmanned Air and Ground Vehicles		2,000		1,000
	Advanced Rarefaction Weapon Engineered System		3,000		1,950
	Advanced Materials and Process For Armament Structures (AMPAS)		8,000		4,400
	Plasma Acoustic Dazzler Denial Systems Initiative (PADDS)		6,000		2,700
	Hospital Emergency Planning and Integration System (Transferred from line 24)				1,000
	Active Coatings Technology			2,000	1,000

R-1	Budget Request	House	Senate	Conference
Army Center of Excellence in Acoustics			5,700	4,600
Center for Micro/Nano Systems and Nanotechnology			3,500	2,300
Electroconversion of Energetic Materials			5,000	2,250
Engineered Surfaces for Weapons Life Extension			5,000	4,250
Fatigue Odometer for Vehicle Components and Gun Barrels Project			3,000	1,650
Non-Nuclear Earth Penetrator			3,000	1,950
Parts-on-Demand for CONUS Operations			3,850	2,500
Precision Manufacturing Initiative			3,000	1,950
Rarefaction Wave Gun			2,500	1,100
Steering Guided Munitions and Projectiles with Microactuators			2,000	1,100
Titanium Extraction Mining and Process Engineering Research			4,000	2,600
Toxin Guard Research			1,700	1,400
Transition Laser Engineered Shaping Technology			1,000	1,000
Unmanned Ground Vehicle Weaponization			2,500	1,100
19 ELECTRONICS AND ELECTRONIC DEVICES	**42,175**	**85,975**	**74,175**	**83,075**
Program adjustment		-5,000		-5,000
Tactical Jet-Fueled Fuel Cell Generator		3,000	3,000	3,000
PEM Fuel Cell Tactical Generators		2,500	2,500	2,500
Advanced High Energy Rechargeable Lithium Metal Air Battery		5,000		2,250
Weapons of Mass Destruction Marking Set		2,000		1,600
Flexible Polymer Multi-Laminate Packaging		2,000		1,600
Direct Methanol Fuel Cell – Battery Recharger Program		1,000		1,000
Soldier Fuel Cell System		2,000		1,300
Non-Flammable, High Energy Density, Low Temperature Warrior Battery		1,000		2,000
Pulse Tech Army Battery Management for Lithium Batteries		2,000		1,300
Conformal Lithium Ion Polymer Battery Belt		2,000		1,000
Renewable Energy for Military Applications		1,500	1,500	1,500
Miniature Tactical Energy Systems Development		1,000	1,700	1,000
Field-Ruggedized Mid-Range Direct Methanol Fuel Cells		1,000		1,000
Advanced Portable Power Institute		2,000		1,000
Portable Solid Oxide Fuel Cell (SOFC)/JP-8 Demonstrator		2,000	2,000	2,000
Revolutionary 1.5 Volt Alkaline Battery		1,500	1,500	1,500
Thin Lithium-Iron Disulfide Primary Batteries		1,000		1,000
Defense Systems Modernization and Sustainment Initiative		2,700		1,200
E-Beam Reticle and Lithography Inspection Tool		4,000		1,800
Nanofluidic Electronic BioSensor Technologies for Defense Applications		1,000		1,000
Micromachined Switches in Support of Tranformational Communications Architecture		2,000		1,000
Manufacturing Technology Development of Advanced Components for High Power Solid State Lasers		3,600		1,600
Q-Band Millimeter Wave Power Module for Tactical Satellite Communications		1,000		1,000
Novel Zinc Air Power Sources for Military Applications		2,000	2,000	2,000

R-1		Budget Request	House	Senate	Conference
	Compact Tactical Laser Program			3,000	1,950
	Portable Energy Devices			4,800	2,000
	Revolutionary Lithium Metal Air Technology			2,000	1,100
	Soldier Portable Solid Fuel Hydrogen Generator			3,000	1,950
	Transcritical Carbon Dioxide Environmental Control Unit			5,000	2,750
20	**NIGHT VISION TECHNOLOGY**	**23,907**	**45,857**	**25,907**	**36,607**
	Millimeter/Terahertz Imaging Arrays		2,250		1,800
	Advanced Multi-Spectral Fusion Sensors		1,350		1,100
	Eyesafe Pulsed Fiber Laser for LADAR		1,350		1,100
	Multispectrum Sensor Protection		1,350		1,100
	Mid-Wave Infrared Sensor Technologies		1,350		1,100
	Sensor Solutions for Unattended Surveillance		1,500		1,000
	Enhanced Micro-Image Display Technology		3,000		1,350
	Power Efficient Microdisplay Development for US Army Night Vision		3,000		1,350
	ISR - Radar Module Cooling System (Transferred to RDTE, Navy)		3,000		0
	Miniaturized Sensors for Small and Tactical Unmanned Aerial Vehicles (MINISENS)		2,000		1,000
	Small Business Infrared Materials Manufacturing - Silicon Alternative Substrate		1,800	2,000	1,800
21	**COUNTERMINE SYSTEMS**	**22,088**	**22,088**	**30,588**	**27,438**
	Biological Detection of Unexploded Ordnance and Land Mines			5,000	3,250
	Mapping and Detection of Unexploded Ordnance			2,500	1,100
	Small Synthetic Aperture Radar Buried Mine Detection			1,000	1,000
22	**HUMAN FACTORS ENGINEERING TECHNOLOGY**	**18,858**	**41,858**	**25,358**	**41,358**
	Leonard Wood Research Institute		20,000		16,800
	MANPRINT		3,000		2,000
	High Optempo Performance Soldier Training			4,000	2,600
	Team Performance and Optimization Research			2,500	1,100
23	**ENVIRONMENTAL QUALITY TECHNOLOGY**	**17,923**	**17,923**	**17,323**	**19,823**
	Program Reduction			-3,000	0
	Chemical Materials and Environmental Modeling Project			2,400	1,900
24	**COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY**	**21,193**	**57,493**	**26,693**	**49,093**
	Integrated Lightweight Electronics Shelter		1,800		1,000
	Lightweight, Intra-theater Transportable Tactical Operations Center (TOC)		4,500		3,600
	Lightweight 10-Meter Antenna Mast		1,000		1,000
	Ruggedized Cylinders for Expandable Mobile Shelters		3,500		2,800
	Tactical Bandwidth Booster for Mobile Network Centric Warfare		2,000		1,600
	Improved Bandwidth for Battle Command Communications		4,000		3,200

R-1	Budget Request	House	Senate	Conference
Enhanced Wireless Digital Communications for Urban First Responders		5,000		4,000
Ultra Wideband Chipset Technology		1,000		1,000
C4ISR Integrated Digital Environment Service Model (IDESM) (Incorrectly identified as "Communications Electronic Cost Module for Quick Response (CECM)" in the House report)		2,000		1,000
Digital Alert Display for Army Commanders		3,000		1,950
USB Data Acquistion for Voice Recognition/Response		2,000		1,000
Hospital Emergency Planning and Integration System (Transferred to line 18)		2,000		0
Highly Mobile Large-Scale C41SR Command Post Systems, C-130 Compatible Command Trailer		3,000		1,650
Dynamically Managed Data Dissemination (DMDD)		1,500		1,000
Innovative Wireless Technologies			2,000	1,000
Nanophotonic Device Development			1,000	1,000
Portable Flexible Communication Display Devices			2,500	1,100
25 COMPUTER AND SOFTWARE TECHNOLOGY	**3,844**	**6,844**	**5,644**	**6,794**
Commercial Off The Shelf Military (COTS-M) Scout Robot		3,000		1,950
Biologically-Inspired Security Infrastructure for Tactical Environments			1,800	1,000
26 MILITARY ENGINEERING TECHNOLOGY	**50,098**	**50,698**	**48,948**	**51,848**
Program adjustment		-4,000		-3,000
Army Power and Energy Initiative		3,600		2,900
National Fuel Cell Research Center to advance fuel cell technology for military applications		1,000		1,000
Topographical Research			-2,000	0
Airborne Threats			850	850
28 WARFIGHTER TECHNOLOGY	**25,436**	**38,536**	**42,236**	**44,536**
Development of Protective Textile Fabric		1,500		1,000
Precision Guided Air-Dropped Equipment		3,600		2,900
Chemical and Biological-Protective Hangers (CAB-PH)		2,000		1,000
Advanced Warfighter Sustainment Systems for the 21st Century (AWSS-21)		2,000	2,000	2,000
Solar Powered Refridgerated Container for Food and Medicine Storage		2,000		1,000
Army Combat Uniform Advanced Fabric Treatment Technology Demonstration		1,000		1,000
Center of Excellence for High Performance Fibers at Natick Soldier Center		1,000		1,000
Biosecurity Research for Soldier Food Safety			2,000	1,300
Combat Effective Facial Armor			2,000	1,000
Electrochemical Field-Deployable System for Potable Water Generation			1,000	1,000
Flexible Monolithically Integrated Solar Panels on a Polymer Substrate			3,000	1,950
Improved Shelf-life for Vegetables			3,000	1,650
Inorganic Metallic Barriers for Chem-Bio Structures			2,000	1,300
Next Generation Chem-Bio Protection Suit			1,800	1,000

R-1	Budget Request	House	Senate	Conference
29 MEDICAL TECHNOLOGY	**75,407**	**252,907**	**105,107**	**232,457**
Advanced Antimicrobial-Nano Technology		1,000		1,000
Advanced Proteomics for Military Clinical Applications		1,500		1,000
Applied and Clinical Prosthetic Research Program at the Walter Reed Amputee Center		6,000		6,000
DoD Biological and Immunological Infectious Agent and Cancer Vaccine Research		2,500		1,900
Biomarkers: Evaluating and Treating Acute and Chronic TBI		2,250		1,800
Biomedical Materials Initiative		2,000		1,000
Bone and Tissure Repair and Regeneration Center		1,000		1,000
Bone Health and Military Medical Readiness		1,000		1,000
Center for Advanced Surgical and Interventional Technology (CASIT)		3,000		2,400
Center for Diagnosis of Pathogens		2,000		1,300
Center for Research on Integrative Medicine in the Military (CRIMM)		2,000		1,300
Center for Respiratory Biodefense		1,000		1,000
Center for the Advanced Studies of Brain Injury		1,500		1,000
CIC Interdisciplinary Research for Prevention, Diagnosis and Treatment of Cancer		5,000		2,250
Combat Stress Intervention Program		1,800		1,500
Comprehensive Management Initiative for Chronic Diseases (CMICD)		1,800		1,500
Computer-Based Training Methods for Surgical Training		1,000		1,000
CRF Spinal Cord Injury Clinical Trials DoD Research Initiative		2,500		2,000
Development of Minimally Invasive Cardiac-Assist Devices		1,000		1,000
Diabetes Research - Madigan Army Medical Center		500		500
Early and Rapid Analyzer for Diagnosis of Heart Attacks		1,000		1,000
Elgen Gene-based Vaccine Delivery Technology Program		1,500		1,100
Epigenetic Origin of Disease Research for Casualty Detection, Avoidance, Evacuation and Treatment		500		500
DoD Evaluation of p75 protein for Non-surgical Treatment of Central Nervous System Trauma		1,000		1,000
Hydrogen Sulfide Human Health and Disease Research		500		500
IDEAnet		1,000		1,000
Immunostimulating HIV Therapy		1,000		1,000
Improving Musculoskeletal Health and Function		2,000		1,000
Infectious Disease Research		1,000		1,000
Northern California Institute for Research and Education		4,000		2,600
Integrated Medicine, Communications, Compassion, Chronic Care Program (IC4)		2,500		1,600
Integrated Multimedia Medical Record		2,500		1,600
Lehman Injury Research Center/Ryder Trauma Center		1,300		2,000
Life Science Research Initiative		1,000		1,000
MCIS Portable Clinical Information Initiative		1,000		1,000

R-1	Budget Request	House	Senate	Conference
Medical Area Network for Virtual Technology		5,400		4,300
Medical Image Database Holographic Archiving Library System (MID-HALS)		1,000	1,000	1,000
Medical Resources Conservation Technology System		2,500		1,600
Military Interoperable Digital Hospital Testbed		5,000		4,000
Military Molecular Medicine Initiative (M3I) (To include funds for a pilot project to improve the operational readiness of Army National Guard and Reserve personnel through Integrative Cardiac Health Project (ICHP) prevention strategies at the Walter Reed Army Medical center)		20,000		17,400
Nanofabricated Bioartificial Kidney		2,700		1,500
National Center for Cancer Prevention through Remote Biological Sensing		2,000		1,100
National Eye Evaluation and Research for Defense Applications		5,000		4,000
Neural Controlled Prosthetic Device for Amputees		1,800		1,450
Neutron/Hadron Particle Therapy		5,000		3,300
Non-Electric Disposable IV Infusion Pump		2,000		1,800
Online Health Services Optimization		1,000		1,000
Orthopedic Extremity Trauma Research		9,000	4,000	6,800
Orthopedic Implant Design and Manufacturing for Traumatic Injuries		1,000		1,000
Pain and Neuroscience Center Research (Only for a public/private effort among the Department of Defense Medical Treatment Facilities and a primary health care center to provide a comprehensive program in pain and neurosciences for Department of Defense medical beneficiaries)		13,000		10,400
Parallelavax Rapid Vaccine Testing Technology		2,000		1,000
Preventive Medicine Research Institute		2,000		1,800
Protein Hydrogel		1,500		1,000
Rapid Prototyping Prosthetic Limbs		1,500		1,000
Rapid Wound Healing Technology Development		1,000	1,000	1,000
Rare Blood Program		1,000		1,000
Reservist Medical Simulation Training		1,500		1,000
Robotic Surgical Systems		1,000		1,000
Silver Foam Technologies Healing Program		1,000		1,000
Storage Area Network Implemenation - Eisenhower Medical Center		2,000		1,000
Synchrotron-Based Scanning Research		10,000		8,000
Synthetic Malaria Vaccine Research		2,000		1,000
Targeted Nanotherapy for Advanced Breast and Prostate Cancers		1,000		1,000
Transportable Pathogen Reduction and Blood Safety System		2,250		1,100
Type 1 Diabetes Regeneration Project		2,700		2,100
Ultrafiltration Catheter for Prevention of Compartment Syndrome in Battlefield Injuries		1,000		1,000
Viral Immunology Center Rapid Pathogen Identification		1,000		1,000
Weapons Agents Bio-Defense Analysis Program		4,500		2,100
Blast Protection Research (From Senate section 8141)				1,000

R-1	Budget Request	House	Senate	Conference
Advanced Bio-Engineering for Enhancement of Soldier Survivability			1,000	1,000
Carbon Nanotube Production			1,000	1,000
Combat Casualty Care - Battlefield Wounds			6,000	3,900
Hibernation Genomics			3,500	2,800
High Technology Mass Spectrometry Laboratory			1,500	1,000
Military Alternative Medicine Research			5,000	4,500
Neuroprosthetics and BioMEMS Development Project			1,000	1,000
Respiratory Bio-Defense			3,000	1,650
Science, Humanitarian Intervention, Education, and Leadership for Disasters			1,700	1,100
30 WARFIGHTER ADVANCED TECHNOLOGY	**45,666**	**63,666**	**62,166**	**66,366**
Joint Precision Airdrop Systems – 2 K lb. Resupply Requirements and Support		2,500		1,100
Monolithic Breatheable Film for Chemical and Biological Protective Clothing		2,000		1,600
Multi-Layer Coextrusion for High Performance Packaging Film		4,000		3,200
Ration Packaging Materials and Systems for Meals Ready-to-Eat		3,000		2,400
Multifunctional Protective Packaging Technology		3,000	3,000	3,000
Silicon Based Micro Fuel Cell on a Chip		1,000	3,000	1,350
Rapid Fielding of Precision Airdrop Technology to Iraq and Afghanistan		1,000		1,000
Center for Excellence for High Performance Fibers		1,500		1,000
Future Force Warrior			-5,000	-5,000
Chemical/Biological Agent Protection			3,000	1,950
High-Pressure/Microwave Meals-Ready-to-Eat Processing			6,000	3,300
Mosaic Extremity Protection			1,000	1,000
NBC Integrated Protection Membrane-Shelters			3,500	2,800
Small Business Development and Transition			2,000	2,000
31 MEDICAL ADVANCED TECHNOLOGY	**50,757**	**357,907**	**114,257**	**302,357**
Acellular Matrix Constructs for Military Casualties		1,500		1,000
Advance of Non-Invasive Glucose Monitoring		1,800		1,450
Advanced Lower Limb Prosthesis for Battlefield Amputees		1,000	2,000	1,000
Advanced Proteomics Program		3,000		1,350
Advanced Regenerative Medicine, Skin Cell Therapies: Burn, Limb and Digit Treatment		1,800		1,450
Advanced Diagnostic and Therapeutic Digital Technologies		2,000		1,600
Advanced Restoration Therapies in Spinal Cord Injuries		3,000		1,350
Alliance for Nanohealth		2,000		1,100
ALS Therapy Development for Gulf War Research		1,500		1,000
Anthrax Skin Patch Vaccine		2,000		1,000
Anti-Terror Medical Technology Program		2,000		1,000

R-1	Budget Request	House	Senate	Conference
Assistive Technology Research Center at the National Rehabilitation Hospital (Note: Only for assistive technology to support innovative applied technology programs for veterans, service members and their families at the Assistive Technology and Research Center at the National Rehabilitation Hospital)		2,700		2,200
Research on Autism Spectrum Disorder in the Military		7,500		7,500
Battlefield Extraction and Retrevial for Medical Intervention		2,500		1,100
Armed Forces and Dependants Behavorial Health Readiness Portal		2,000		1,000
Biodefense Vaccine Development and Engineering		1,000		1,000
Biomarker-Guided Therapy for Traumatic Brain Injury		2,000		1,000
Blood Safety and Decontamination Technology		1,000		1,000
Brain, Biology, and Machine Initiative		2,500	2,500	2,500
Cancer Biomolecular Markers Research		1,000		1,000
Warfighter Cancer Care Engineering		2,700		1,200
Candida/Staphylococcus Vaccine (Note: only to develop Candida and S.Sureus Vaccine based on recombinant DNA technologies)		1,000		1,000
Center for Integrated Functional Materials Research		1,000		1,000
Center for Integration of Medicine and Innovative Technology (CIMIT)		12,000	5,000	9,600
Center for Proteomics		1,800		1,400
Center for Resuscitation Research		3,000	3,000	3,000
Center for Targeted Cancer Therapy (NCTCT)		1,000		1,000
Center for Untethered Healthcare in the Military		1,000		1,000
Cancer Genomics Center for Women in the Military		4,000		1,800
Opthamology Research on Surgical Techniques and Treatment Modalities for Wounded Soldiers at Wills Eye Center		2,500		2,500
Military Dependant Childhood Cancer Research (USOC/COG)		3,000		3,000
Chitosan Hemmorrhage Control Dressing		3,000		1,400
Combat Casualty Care Medical Technology Surgical Skills Lab		1,900		1,000
Combat Medic Training		1,350		1,000
Consortium on Preparedness Infectious Disease Research and Emergency, Bioterrorism and Pandemic Preparedness		1,000		1,000
Cooperative International Neuromuscular Research		3,000		1,900
Diabetes Management Program		100		100
Diagnostic and Therapeutic Cancer Care Equipment		5,000		3,000
DMCT Medical/Training Technolgy Enhancement Initiative - Pocket PC		2,000		1,300
Duchenne Muscular Dystrophy (DMD) Repair and Regeneration Clinical Trials		1,800		1,500
Durable Antimicrobial Technology for Healthcare Environments		2,000		1,000
Exceptional Family Transition (EFTT) for Soldiers, Sailors, Marines, and Airmen		1,000		1,000

R-1	Budget Request	House	Senate	Conference
Fibrinogen Bandages for Military Use		4,000		1,800
Field Medical Robotics for Military Combat Casualty Care		1,000		1,000
Genomic Medicine and Gene Therapy		4,000		1,800
Gynecological Disease Program		4,500		3,600
Hospital of the Future Program		2,700		1,200
Human Organ and Tissue Preservation Technology		2,000		1,000
Institute for Human Genetics and Military Health		4,000		1,800
Intelligent Orthopedic Fracture Implant Program		1,000		1,000
Joint Collaborative Medical Information System (JCMIS)		2,700		2,200
Joint US-Norwegian Telemedicine Program		2,000		1,300
Joslin Diabetes Center		2,700		2,200
Medvisor Secure Telemedicine		2,000		1,300
Metadata Language and Toolset		2,400		1,100
Military Low Vision Research		2,000		2,000
Model Patient Care Workflow		3,000		1,650
Modeling and Managing the Impact of Sleep Deprivation (MMISD)		3,600		2,800
National Bioterrorism Civilian Medical Response Center (CIMERC)		2,000	5,000	3,250
National Functional Genomics Center - Molecular Signature and Proteomics Research		12,000		9,000
National Functional Genomics Center - SNCC		2,500		1,100
Neurofibromatosis (NF) Research		15,000		10,000
Neuroprosthetics and Solutions for Spinal Cord Dysfunction		2,250		1,800
Neurotoxin Exposure Treatment Research Program (Note: only for the continuation of current program)		26,500		26,500
Next Generation Injury Creation Science		1,000		1,000
Smart Sensing Technologies for On-Body Sensing of Critical or Traumatic/Life Threatening Events		2,000		1,100
NVCI New Radiation Therapy Systems		2,000		1,000
Obesity in the military Medical Research Program at WRAMC		3,000		1,350
Oncogenomics Imaging Center - NFGC		4,500		2,500
Oxygen Diffusion Dressing for Accelerated Healing of Battlefield and Other Wounds		1,000		1,000
Military Dependant Pediatric Brain Tumor and Neurological Disease Research		2,700		1,200
Robotics Medical Simulation for defense applications		1,000		1,000
Personnel Readiness and Warfighter Performance		3,000		1,650
Post Traumatic Stress Disorder Research		2,000		1,000
Prader-Willi Syndrome (PWS) Resesarch		1,000		1,000
Project Battlefield Exercise and Combat Related Spinal Chord Injury Resesarch		2,700		1,200

R-1	Budget Request	House	Senate	Conference
Project Genesis Patient-Centric Healthcare Delivery System		1,300		1,000
Prostate Cancer DNA Detection Initiative		2,800		1,200
Proton Beam Therapy (Note: Only to continue a civilian-military collaborative proton beam therapy initiative on the East Coast of the United States in conjunction with WRAMC to provide state-of-the-art radiation treatment as well as clinical and non-clinical research)		7,200		5,800
Rapid Detection of Pathogens		1,000		1,000
Remote Bio-Medical Detector		1,500		1,200
Rural Health - CERMUSA		5,400		4,300
SEATreat - Cervical Cancer Research for the Military		2,000		1,600
Smart Bedside IV Pumps Automated Dose Error Reduction		2,500		1,600
Soldier Health Promotion and Preventative Medicine Strategies		2,000		1,100
Spinal Muscular Atrophy Research		3,500		3,300
Surgical Wound Disinfection and Biological Agents		1,000		1,000
Targeted Radiation Therapy for Cancer Initiative		3,000		2,000
Technologies for Metabolic Monitoring of Solider Physiology (JWF Initiative)		3,000		1,900
Electronic Medical Records Technology Infrastruture		1,500		1,000
Telehealth and Medical Applications for Combat Injuries		2,000		1,000
Patient Monitor/Defibrillator for the Wounded Warrior		3,000		1,400
Tissue and Limb Transplantation Medical Technology Development		2,500		1,400
Trauma Insitute of San Antonio (TRISTAT)		1,000		1,000
California Gallo Center Neurological Research		6,000		5,500
Ultra Hgh Resolution Display for Army Medicine		3,000		1,400
Ultra High-Speed MEMS Electromagnetic Cell Sorter		3,000	3,000	3,000
Universal Medical/Surgical Product Catalog for the Department of Defense		3,500		2,300
Veterinary Manpower Development for Defense		500		500
Walter Reed Army Hospital Research Sustainment		10,000		10,000
Weight Measurements and Standards for Military Personnel		1,750		1,000
WFU Health Sciences Regenerative Research for Military Medicine		2,000		1,000
Wireless Personal Information Carrier (WPIC) (Note: Only to complete development and to productionize the WPIC wireless dog tag system)		2,500		2,000
Advanced Surface Technologies for Prosthetic Development			3,000	1,950
Biochemical-Organic-Radiological-Disaster Educational Response			2,000	1,300
Bio-Surveillance in a Highly Mobile Population			2,000	1,300
Chitosan Based Burn Dressing			4,800	2,150
Enhanced Blood Delivery and Preservation System			2,000	1,600
Extra Corporeal Membrane Oxygenation at Tripler			2,000	1,600
Fort Detrick Technology Transfer Initiative			1,500	1,500

R-1	Budget Request	House	Senate	Conference
Hand Transplant Technologies			3,000	1,400
Intravenous Membrane Oxygenator			1,000	1,000
Medical Imaging			1,000	1,000
Medical Modeling and Simulation Through Synthetic Genes			2,000	1,100
Minimally Invasive Removal of Ballistic Foreign Bodies			1,200	1,000
Pharmacological Countermeasures to Ionizing Radiation			4,000	1,800
Plasma Sterilizer (Transferred to line 113)			1,000	0
Robotic Telesurgery Research			5,000	2,250
Soldier Biomaterials Institute for Acute and Regenerative Care			4,000	1,800
Soldier Mounted Eye Tracking and Control Systems			2,500	1,650
Troop Recruitment Improvement			1,000	1,000
32 AVIATION ADVANCED TECHNOLOGY	**64,654**	**95,654**	**101,454**	**97,654**
Composite Tail for Armed Reconnaissance Helicopter		1,000	2,000	1,300
Process Technologies for Replacement Part Production		6,000	4,000	4,800
Small Heavy Fuel Engine (SHFE) VAATE Program		2,000		1,600
Drive System Composite Structural Component Reduction Program		2,000		2,000
Lightweight Sapphire Transparent Armor for Rotorcraft		1,000		1,000
Heavy Fuel Burning Engines for UAVs - to complete engine testing and flight tests with UAV prototypes		4,000		1,800
Rapid Prototyping for Special Projects		6,000		4,900
Helicopter Nanocrystalline Diamond Rotor Blade Leading Edge Protection - Army		1,500		1,000
Fuel Cells for Mobile Robotic Systems Project		1,000	1,000	1,000
Universal Control - Full Authority Digital Engine Control		4,000	2,000	3,000
Alternative Payload Bomb Live Unit (AP-BLU)		2,000		1,000
Directed Energy Systems for UAV Payloads		500		500
UAV Systems Demonstration			-15,700	-15,700
Joint Heavy Lift			-3,000	-3,000
Excalibur Unmanned Combat Aerial Vehicle			10,000	6,500
Helmet-Mounted Display/Visor Projection			3,000	1,950
Improved VAROC/UAV Compression System Development			4,000	2,600
Integrated Aircraft Test Bed			3,000	1,950
Mission Execution Technology Implementation			6,000	3,900
Quick-Materiel Express Delivery System			2,500	1,100
Rapid Tactical Integration and Fielding of Systems Initiative			3,000	1,950
Reconfigurable Tooling Systems			2,000	1,000
Unmanned Aerial Vehicle Resupply			5,000	2,250
Vertical Takeoff and Landing Unmanned Aerial Vehicle			3,000	1,350
VTDP Compound Helicopter Technology Flight Demonstration			5,000	3,250

R-1		Budget Request	House	Senate	Conference
33	**WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY**	**74,717**	**100,117**	**77,717**	**93,117**
	Program adjustment		-4,000		-4,000
	Armament Titanium Casting Advancement Program (ATCAP)		2,700		2,150
	Telepresent Rapid Aiming Platform (TRAP)		3,000		2,400
	Mid-Range Munition (MRM)		2,000		2,000
	Rapid Insertion of Development Tech		4,000		3,600
	Manufacturing of Precision Aspheric Optics for Military Use		1,000	1,000	1,000
	Disruptive Technology Acceleration		4,000		3,600
	Electromagnetic Gun Initiative to further develop advanced lightweight silicon switch technology for use as the primary pulse-power switching element in a mobile electromagnetic gun system, in conjunction with U.S. Army, ARDEC.		2,000		1,000
	Terramechanics Research to Reduce Vehicle Rollovers		1,700		1,000
	Optical Processing Realization for Army Armaments Systems		3,000		1,350
	National Nanotechnology Manufacturing Center		2,000	2,000	2,000
	Reactive Nanocomposite Materials		2,000		1,000
	Production-Class Nanopowder Processing Facility		2,000		1,300
34	**COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY**	**109,952**	**185,802**	**181,052**	**207,202**
	Program adjustment		-5,000	-10,000	-4,000
	High Speed Machining of Ceramics for military application		4,700		3,100
	Battery Charging Technology		3,000		2,400
	Battery System Development		1,000		1,000
	Battlefield Requirements Management Support System		1,800		1,450
	Lightweight Aluminum Structures for Tactical Vehicles		2,550		2,050
	Vehicle Maintenance Prognostics System		1,800		1,450
	HMMWV Equipment Innovations in Lighting and Towing		1,000		1,000
	HAZ-MAT Material Vacuum Truck		1,000		1,000
	Secure Pervasive Computing for Advanced Combat Vehicles		2,000		1,300
	Mobile Armor Plant: In-Theater Battlefield Expedient Armor Manufacturing		2,000		1,000
	Advanced Drivetrains for Enhanced Mobility and Safety		1,500	1,500	1,500
	Light Weight Structural Composite Armor for Blast and Ballistic Protection		4,000	4,000	4,000
	Development of Logistical Fuel Processors to Meet Army/TARDEC/TACOM Needs		3,700	1,500	1,700
	Cross-Cue APS Radar		2,000		1,300
	Advanced Thermal Management System		5,000	2,000	3,000
	Fire Resistant Fuels		2,000		2,000
	Army Tactical RPG Airbag Protection System (TRAPS)		3,500	3,000	3,000
	LEAN Digital Product Development		1,000		1,000
	Antiballistic Windshield Armor (AWA)		2,000	3,000	2,000
	Fuel Cell Ground Support Equipment		2,000	6,000	3,900

R-1		Budget Request	House	Senate	Conference
	Mobile Information Distribution and Access-Control System (MIDAS)		2,800		1,250
	Light Weight Medium Tactical Trailer - Advanced Technology Development		1,000		1,000
	Lightweight Armor Ready Composite Cab		3,000		1,950
	Versatile Utility Vehicle		4,000		2,600
	Advanced Tactical Vehicle Safety and Reliability		2,100		1,150
	3D Advanced Battery Technology (3D ABT)		5,000		3,250
	High Speed Diesel Combustion		5,500		3,600
	Digital Humans and Virtual Reality for Future Combat Systems		1,200	3,000	1,950
	Center for Innovative Materials Research (CIMR) Vehicle Armor Application Development		1,000	1,000	1,000
	Low Quantity Precision Fabrication		3,000	3,000	3,000
	National Center for Titanium Machining		2,000		1,000
	CCMMC Lightweight Diesel Engine Initiative for Army Ground Vehicles		2,700		1,200
	Advanced Lightweight Composite Armor			1,000	1,000
	Alternative Fuels Validation Program/Military Ground Vehicles			2,000	1,600
	Amphibious Personal Mobility Vehicle			4,500	3,600
	Center for Military Vehicle Technologies			7,100	8,100
	Composite Armored Cab Program			4,000	1,800
	Compressible Magneto-Rheological Fluids			1,000	1,000
	Heat Dissipation for Electronic Systems and Enclosures			3,000	1,950
	Lightweight Road Wheels			1,000	1,000
	Next Generation Non-Tactical Vehicle Propulsion			3,000	1,950
	Pacific Rim Environmental Degradation of Materials			3,000	1,350
	Purpose Built Armored Tractor Test and Evaluation			3,000	2,400
	Segmented Band Track			1,500	1,000
	Solid Oxide Fuel Cell Materials and Manufacturing			2,000	1,300
	Tactical Vehicle Design Tools			2,000	1,300
	Tactical Vehicle Fleet Management			2,000	1,300
	Unmanned Ground Vehicle Initiative			10,000	6,500
	Unmanned Ground Vehicle/Unmanned Air Vehicle Collaborative Operations			1,000	1,000
	Vehicle Information Manager Display for Drivers			2,000	1,000
35	**COMMAND, CONTROL, COMMUNICATIONS ADVANCED TECHNOLOGY**	**10,851**	**12,651**	**10,851**	**12,301**
	Exportable Combat Training Centers (E-CTC) - only for NTC to expand RIPPLE Program		1,800		1,450
36	**MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY**	**6,794**	**6,794**	**11,794**	**9,444**
	Adaptive Command and Control Team Training			2,000	1,300
	Modeling and Simulation Technologies for Homeland Defense/Security Training			3,000	1,350

R-1	Budget Request	House	Senate	Conference
37 ELECTRONIC WARFARE ADVANCED TECHNOLOGY	44,022	55,322	51,022	53,722
Applied Communications and Information Networking (ACIN) Program		6,000		2,700
Joint Unified Maritime Protection system (JUMPS)		1,800		1,450
Portable Mobile Emergency Broadband Systems		2,000	5,000	3,250
Advanced Wireless Technologies		1,500		1,000
JEM Radio Communications Range Extension			2,000	1,300
39 NEXT GENERATION TRAINING & SIMULATION SYSTEMS	18,296	19,296	22,296	21,096
Vigilant Auto-ID and Access Control System		1,000		1,000
Joint Fires and Effects Training System			4,000	1,800
41 IED DEFEAT TECHNOLOGY DEVELOPMENT	0	1,800	0	0
IED Electronic Signature Detection (Transferred to RDTE,D-W Line 17)		1,800		0
42 EXPLOSIVES DEMILITARIZATION TECHNOLOGY	10,376	18,376	26,276	25,926
Sierra Army Depot (SIAD) Cryofracture/Plasma Arc System		2,000		1,100
Demilitarization of Obsolete Munitions		4,000		2,200
Missile Recycling Capability - Ammonium Perchlorate Recycling and Reuse		2,000	2,000	2,000
Combined Bomb Unit Decasing			3,000	1,950
Contained Static Rocket Motor			1,500	1,000
Demilitarization of Hazardous Munitions			5000	4,000
HMX Requalification Program			2,000	1,300
Missile Recycling Capability - Letterkenny Munitions Center			1,400	1,000
Small Rocket Motor Disposal			1,000	1,000
43 MILITARY HIV RESEARCH	7,042	15,042	7,042	13,042
Test, Treatment and Preventive Vaccines		8,000		6,000
44 COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT	7,497	9,497	7,497	8,597
Advanced Mobile Microgrid Fueler		2,000		1,100
46 ELECTRONIC WARFARE TECHNOLOGY	18,612	28,412	18,612	25,562
Advanced IED Jammer Research and Development Program		2,000		1,000
Portable Level I Fusion Toolset		2,300		1,850
US Army Future Force ELINT		2,500		1,600
Aerial Canopy MASINT System (ACMS)		1,000		1,000
WIZARD -- Remotely Controlled Improvised Explosive Device Countermeasures (RCIED) Equipment for Dismounted Soldiers		2,000		1,500

R-1		Budget Request	House	Senate	Conference
47	**MISSILE AND ROCKET ADVANCED TECHNOLOGY**	**42,127**	**65,627**	**55,294**	**63,644**
	Persistent Surveillance for Active Protection of Army Ground and Air Vehicles		4,000		2,200
	General Aviation Demonstration Optionally Piloted Aircraft including Reconnaissance, Surveillance, and Target Acquisition (RSTA) integration		10,000		8,000
	Close Combat Lethal Recon (CCLR)		2,000		1,300
	FTT50 High Efficiency Turbine Engine		3,000		1,350
	Compact Kinetic Energy Missile (Only for finalizing Fire Control-Net integration, demonstration and rapid field deployment of the stabilized Compact Mobile Multi-missile Launcher with independent ITAS elevation drive and adaptive load tuning)		2,500		1,350
	Smart Energetics Architecture for Missile Systems		2,000		1,000
	Army Hypersonics Advanced Technology (Transferred $2,000,000 to RDTE,D-W)			-8,833	-8,833
	Loitering Attack Missile Development			-5,000	-5,000
	Applied Counterspace Technology Testbed			17,000	13,600
	Missile Simulation Technology Rapid Assessment and Deployment of Systems Initiative			7,000	4,600
	Warfighter Protection and Homeland Security Lab			3,000	1,950
49	**LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY**	**25,554**	**27,054**	**30,554**	**30,554**
	EDIT Advanced Landmine Detection		1,500		1,000
	Advanced Demining Technology			5,000	4,000
50	**JOINT SERVICE SMALL ARMS PROGRAM**	**7,202**	**9,202**	**7,202**	**8,202**
	Lightweight Small Arms Technology (LSAT)		2,000		1,000
51	**NIGHT VISION ADVANCED TECHNOLOGY**	**44,307**	**68,107**	**64,307**	**76,457**
	Buster Backpack		5,000		4,250
	Camera Assisted Monitoring System (CAMS)		7,000		7,000
	EO Sensor Technology for Suicide Bomber Detection		4,000		4,000
	Additive Night Vision Capabilities for Deployed Systems		1,800		1,450
	Ubiquitously Persistent Surveillance (UPS) for Force Protection		2,000		1,300
	Intelligent Surveillance Sensor Suite (Cerberus)		4,000		1,800
	Collimated Infrared Weapon Sniper Sight/Spotter Scope			2,500	1,600
	Cost Effective Targeting System			3,000	1,350
	Electron Bombarded Active Pixel Sensor Camera			2,000	1,300
	Enhanced Digital Electronic Night Vision for Unmanned Ground Vehicles			6,000	3,900
	Passive Millimeter Wave Imaging (PMMW)			2,500	1,600
	Real-Time Geospatial Video Sensor Intelligence			4,000	2,600
52	**ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS**	**14,089**	**18,089**	**14,089**	**17,289**
	Alternate Power Fuel Cell Demonstration at Fort Irwin only to continue and expand the High Electric Efficiency Planar Solid Oxide Fuel Cell System Cluster Demonstration		4,000		3,200

R-1		Budget Request	House	Senate	Conference
53	**MILITARY ENGINEERING ADVANCED TECHNOLOGY**	**7,848**	**19,848**	**26,348**	**27,998**
	Frameworks for Rapid Engineering Design Optimization Management Software for military vehicle application		1,000		1,000
	Defense Applications of Carbonate Fuel Cells		3,000		1,350
	Accelerating the Transition of Fuel Cell Systems Through Life-Cycle Engineering		3,000		1,350
	Counter Rocket, Artillery, Mortar (C-RAM) Armor Development		1,000		1,000
	Advanced Structures and Composites in Construction		2,000	2,000	3,000
	Fuel Cell Hybrid Generation System - Ramgen Technology		2,000		1,000
	Advanced Tactical Fuels			5,000	3,250
	Concrete Sealing System			1,500	1,000
	Defense Applications for Thermo-Electric Energy Devices			1,000	1,000
	Fuel Cell Mobile Electric Power System			2,000	1,300
	Fuel Cell Power for Continuity of Operations			6,000	3,900
	Real-Time Drinking Water Security Program			1,000	1,000
54	**ADVANCED TACTICAL COMPUTER SCIENCE & SENSOR TECHNOLOGY**	**64,604**	**76,004**	**60,736**	**71,054**
	Bi-Directional English-Iraqi Instant Language Translation System for the Warfighter		2,400	2,400	2,400
	Digital Array Radar (DAR) Technology Development		2,000		1,000
	Communications Electronics Cost Module for Quick Response (CECM) for military force structure/systems development		7,000		3,150
	Foliage Penetrating Radar for Unmanned Aerial Vehicles			-25,268	-12,000
	Aviation Responsive Maintenance System			1,000	1,000
	Handheld Phraselator Translator Technology			2,000	1,000
	Hyperspectral Imaging and Synthetic Aperture Radar			7,000	4,600
	Lightweight Counter-Mortar Radar Base Protection Systems			1,500	1,000
	Radar Tag Emitter			1,500	1,000
	Sensor Visualization and Data Fusion			3,000	1,350
	SharedVision			3,000	1,950
55	**UNIQUE ITEM IDENTIFICATION (UID)**	**1,520**	**9,520**	**1,520**	**4,120**
	AERAM Turbine Engine Development		4,000		2,600
	Geospatial Airship Research Platform (GARP) (Transferred to line 56)		4,000		0
56	**ARMY MISSILE DEFENSE SYSTEMS INTEGRATION**	**11,233**	**68,933**	**75,233**	**88,983**
	Standoff Sensor for Radionuclide ID (SSRID) Program		3,000		1,650
	Multiple Component Army Flight Test		3,000		2,400
	Advanced Battery Technology		3,000		2,400
	Modeling Environment for Target Scenario Testing		1,000		1,000
	Combustion Driven Compaction		1,000		1,000
	Orion High Altitude Long Loiter UAV		11,000		7,150
	Ultra Light UAV Sensor Platform		4,500		2,900
	Next Generation Passive Sensors		2,500		1,650
	Dielectric Enhanced Sensor Systems		2,500		1,650
	Aero Acoustic Test Facility (Phase II)		3,000		1,950

R-1		Budget Request	House	Senate	Conference
	Geospatial Airship Research Platform (GARP) (Transferred from line 55)				2,600
	Technology Transfer from Missile Defense for Improved Medical Imaging		2,000		1,000
	Hypersonic Thermal Protection Materials Development		2,000		1,000
	Standoff Hazardous Agent Detection and Evaluations System (SHADES)		2,000	4,000	2,000
	Joint Wavelet Transform of Hyperspectral Data for space and missile defense		2,700		1,200
	Army Missile Defense Systems Integration (Non Space) - Integrated Modeling of Air and Ground Environments (IMAGE)		3,000		1,650
	Radiation Hardening Technology Knowledge Based (HardBase)		2,000		1,100
	Micro Seeker System for Small Steerable Projectiles		2,000		1,000
	Advanced Hypersonic Weapon BMC2 Hardware in the Loop HWIL Technology Demonstration		3,000	6,000	3,900
	Next Generation Advanced Materials Research		2,000		1,000
	Thermal and Electrical Nanoscale Transport (TENT)		1,500		1,000
	Advanced Fuel Cell Research Program		1,000	4,000	2,600
	Advanced Cavitation Power Technology			4,100	3,300
	Advanced Electronics Integration Center			5,000	2,750
	Carbon Foam Program - Missile Defense			5,000	4,000
	Extended Range Attack Missile			2,000	1,100
	Future Tactical Operations Center Hardware/Software Integration			3,000	1,950
	Global Infrasound Monitoring			4,800	3,850
	Integrated Air and Missile Defense BMC4I Hardware in the Loop Test Bed			3,000	1,950
	Low Cost Avionics			2,000	1,000
	Low Cost Uncooled Infrared Camera for Missile Defense and UAVs			2,000	1,300
	Low-Earth Orbit Nanosatellite Integrated Defense Autonomous Systems			5,000	4,000
	Missile and Space Modeling and Simulation Technology			4,000	1,600
	P3 Micro-Power Devices			2,000	1,100
	Reagan Test Site Distributed Operations Control Center			3,000	1,950
	Transfer Missile Power System			5,100	4,100
57	**ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE)**	**11,771**	**11,771**	**33,771**	**39,171**
	Advanced Hypersonic Weapon Kill Vehicle Integration			5,000	4,000
	Allen Army Airfield (Expeditionary Capability)			8,000	16,500
	Divert Barriers at Allen Army Airfield			3,000	3,000
	Low Cost Interceptor			6,000	3,900

R-1		Budget Request	House	Senate	Conference
58	**AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING**	**143,417**	**149,117**	**121,417**	**138,667**
	MultiView Integrated Engineering Environment Pilot		3,700		1,650
	Joint Awareness Warfighter - Space (JAWS)		2,000		1,000
	Joint SIAP System Engineering - Program Growth with no Acquistion Strategy			-25,000	-10,000
	Area Security and Defense Systems Research			1,000	1,000
	Command Responder			2,000	1,600
60	**SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV**	**10,714**	**10,714**	**5,714**	**5,714**
	Program Execution/Milestone B Delay			-5,000	-5,000
61	**TANK AND MEDIUM CALIBER AMMUNITION**	**0**	**2,000**	**2,000**	**2,600**
	Mid-Range Munition - CE		2,000		1,300
	High Explosive Air Burst Munition			2,000	1,300
62	**ADVANCED TANK ARMAMENT SYSTEM (ATAS)**	**5,415**	**11,215**	**5,415**	**8,665**
	M151E2 Protector Integration on Light Tactical Vehicle Program		1,800		1,450
	Stryker Vehicle Open Architecture Electronic Enhancements		4,000		1,800
63	**SOLDIER SUPPORT AND SURVIVABILITY**	**2,778**	**5,278**	**2,778**	**4,378**
	Biodegradable Soil Penetrant Dust Palliative for Land Surfaces		2,500		1,600
66	**ENVIRONMENTAL QUALITY TECHNOLOGY**	**5,166**	**28,566**	**11,866**	**24,466**
	Strategic Biofuel Supply Program		3,000		1,950
	Arsenic Removal		2,000		1,600
	Biowastes to Bioenergy		1,000		1,000
	Biodiesel Plastic Recycling for Reduction of Battlefield Clutter		5,000	3,700	3,700
	No Rinse Decontamination of Battlefield Equipment		1,000		1,000
	Vanadium Technology Partnership		3,000		1,350
	Regional Sustainability Solutions		2,700		2,150
	Mission Critical ESOH Technology Transition		2,700		2,150
	Western Hemisphere Information Exchange Program		2,000		1,000
	Plasma Energy Pyrolysis System(PEPS) Gasification Unit		1,000		1,000
	HI Undersea Chemical Weapons Assessment Program			3,000	2,400
67	**WARFIGHTER INFORMATION NETWORK-TACTICAL**	**158,157**	**118,157**	**128,157**	**123,157**
	Program decrease		-40,000	-30,000	-35,000
69	**AVIATION - ADV DEV**	**6,542**	**6,542**	**10,442**	**9,642**
	Aviation Ground Power Unit II			3,900	3,100
71	**LOGISTICS AND ENGINEER EQUIPMENT - ADV DEV**	**13,216**	**13,216**	**10,216**	**10,216**
	Marine Oriented Logistics			-3,000	-3,000

R-1		Budget Request	House	Senate	Conference
73	**MEDICAL SYSTEMS - ADVANCED DEVELOPMENT**	**11,973**	**27,373**	**21,973**	**23,873**
	Electroosmotic Pain Therapy System Adjustable Rate Implantable Drug Delivery System		1,000		1,000
	Future Medical Shelter System		10,000	5,000	6,500
	Future Medical Shelter System - 44/48 Bed Combat Support Hospital		3,400	5,000	3,400
	Iraqi Skin Disease Test		1,000		1,000
74	**SOLDIER SYSTEMS - ADVANCED DEVELOPMENT**	**10,605**	**12,605**	**10,605**	**11,605**
	Nickel Boron Metal Coating Technology for Crew Served Weapons		2,000		1,000
78	**AIRCRAFT AVIONICS**	**61,946**	**44,646**	**51,946**	**49,096**
	Program adjustment		-20,000	-10,000	-15,000
	Army Airborne Avionics (AAA) Improved Data Modem		2,700		2,150
79	**ARMED, DEPLOYABLE OH-58D**	**132,781**	**112,781**	**132,781**	**132,781**
	Program adjustment		-20,000		0
80	**ELECTRONIC WARFARE DEVELOPMENT**	**41,655**	**47,255**	**41,655**	**45,555**
	AN/APR-39A(V)X Digital Receiver Upgrade		1,800		1,450
	Warrior SIGINT Capability		2,000		1,000
	Blue Marauder System		1,800		1,450
81	**JOINT TACTICAL RADIO**	**832,259**	**797,259**	**832,259**	**0**
	Program adjustment		-35,000		-35,000
	Transferred to RDTE,Navy Line 100				-797,259
84	**COMMON MISSILE**	**0**	**30,000**	**0**	**25,000**
	Program sustainment		30,000		25,000
85	**INFANTRY SUPPORT WEAPONS**	**31,748**	**37,648**	**48,748**	**43,648**
	Durable Nylon/Cotton Army Combat Uniform Fabric		2,400		1,100
	CROWS Lightning Integrated Acoustic Sensor		2,000	5,000	3,250
	Development of Enhanced Self-Sintered Silicon Carbide Body Armor		1,500	1,000	1,000
	Polymer Cased Small Arms Ammunition Production Program			6,000	3,300
	XM307 25mm Advanced Crew Served Weapon System			5,000	3,250
86	**MEDIUM TACTICAL VEHICLES**	**1,925**	**5,925**	**13,925**	**13,025**
	Future Track Over Tire System		400		400
	Universal Diagnostic Data Management system (UDDMS)		3,600		2,900
	Family of Medium Tactical Vehicles - A2			7,000	4,550
	Tactical Vehicle Technology Demonstrator Trucks			5,000	3,250

R-1		Budget Request	House	Senate	Conference
89	**FAMILY OF HEAVY TACTICAL VEHICLES**	**3,960**	**8,660**	**17,360**	**13,460**
	Heavy Expanded Mobility Tactical Truck A3 (HEMTT A3) System Deployment and Demonstration Project		2,000	11,500	6,350
	Family of Army Scalable Trailers (FAST)		2,700		2,150
	Off Road Navigation Software For Augmenting Soldiers Decision Making			1,900	1,000
91	**LIGHT TACTICAL WHEELED VEHICLES**	**0**	**10,000**	**0**	**4,500**
	PM Program for Bloc Improvement Program (HMMWV)		10,000		4,500
92	**ARMORED SYSTEMS MODERNIZATION (ASM)- SYSTEM DEVELOPMENT AND DEMONSTRATION**	**3,310,477**	**2,984,677**	**3,064,677**	**2,989,977**
	Program Reduction		-325,800	-254,000	-325,800
	Micro Air Vehicle			8,200	5,300
93	**NON-LIGHT OF SIGHT LAUNCH SYSTEM**	**322,880**	**322,880**	**325,880**	**324,230**
	EnforcIT Anti-Tamper Software			3,000	1,350
95	**NIGHT VISION SYSTEMS - SYSTEM DEVELOPMENT AND DEMONSTRATION**	**38,821**	**43,621**	**38,821**	**41,621**
	Digital Enhanced Night Vision Goggle		3,000		1,350
	Soldier Wearable Acoustic Targeting System (SWATS)		1,800		1,450
97	**NON-SYSTEM TRAINING DEVICES - SDD**	**121,553**	**121,553**	**127,553**	**125,453**
	Jamming Effects Training Module			6,000	3,900
103	**DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS) - SYSTEM DEVELOPMENT AND DEMONSTRATION**	**19,596**	**21,896**	**19,596**	**20,646**
	Joint Training Integration and Evaluation Center (JTIEC)		2,300		1,050
107	**COMBINED ARMS TACTICAL TRAINER (CATT) CORE**	**39,901**	**40,901**	**38,801**	**38,901**
	Gunner Crew Chief Station Program		1,000		1,000
	Synthetic Environment Core Execution			-3,000	-3,000
	Longbow Block III - Aviation Combined Arms Tactical Trainer			1,900	1,000
110	**WEAPONS AND MUNITIONS - SYSTEM DEVELOPMENT AND DEMONSTRATION**	**130,581**	**138,081**	**80,739**	**122,781**
	HYBRID Propellant		4,000		2,200
	XM932 120mm Mortar - Short Range Practice Cartridge		1,500		1,000
	30mm Airburst Ammunition		2,000		1,000
	Advanced Precision Kill Weapon System			-44,742	-10,000
	Course Correcting Fuze Contract Award Delay			-5,100	-2,000
111	**LOGISTICS AND ENGINEER EQUIPMENT - SYSTEM DEVELOPMENT AND DEMONSTRATION**	**40,301**	**43,801**	**41,801**	**42,801**
	2kw Military Tactical Generator Improvements		1,500	1,500	1,500
	Improved Environmental Control Unit		2,000		1,000

R-1		Budget Request	House	Senate	Conference
112	**COMMAND, CONTROL, COMMUNICATIONS SYSTEMS - SYSTEM DEVELOPMENT AND DEMONSTRATION**	**10,783**	**15,283**	**10,783**	**13,183**
	Software Based VOIP only for Army Reserve implementation and deployment of Sphericall JITC/DISA certified VOIP PBX-1 Technology		3,000		2,400
	HIMARS Enhanced Command and Control (C2), XM142 (Transferred to line 153)		1,500		0
113	**MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT**	**14,509**	**24,109**	**19,009**	**24,809**
	Battlefield Respirator and Ventilator (BRAV)		3,600		1,600
	Life Support for Trauma and Transport (LSTAT)		4,000		2,200
	Plasma Sterilizer		1,000		1,000
	Oxygen Generation Systems Advanced Development		1,000		1,000
	Chitosan Bandage Component			4,500	4,500
114	**LANDMINE WARFARE/BARRIER - SYSTEM DEVELOPMENT AND DEMONSTRATION**	**118,078**	**122,078**	**90,078**	**93,278**
	Magneto Inductive Remote Activation Munition System (MI-RAMS) XM40 Hybrid		4,000		3,200
	Intelligent Munition System Contract Award Delay			-28,000	-28,000
117	**ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE**	**69,172**	**69,172**	**61,172**	**60,572**
	Mounted Battle Command on the Move (MBCOTM)			-6,500	-6,500
	Program Reductions - Redundancies with DJC2			-4,500	-4,500
	C34 Cross Domain Strategic and Operational Solution			3,000	2,400
120	**GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)**	**61,194**	**21,994**	**0**	**21,994**
	Program adjustment		-39,200	-61,194	-39,200
121	**FIREFINDER**	**70,151**	**70,151**	**55,151**	**55,151**
	Enhanced AN/TPQ-36 SDD Contract Award Delay			-15,000	-15,000
122	**SOLDIER SYSTEMS - WARRIOR DEM/VAL**	**27,498**	**27,498**	**30,498**	**29,148**
	Mounted Warrior Command and Control Heads Up Display			3,000	1,650
127	**INFORMATION TECHNOLOGY DEVELOPMENT**	**70,185**	**61,385**	**63,685**	**62,385**
	Future Business System		-9,800	-7,500	-9,800
	ARDEC Knowledgebase System		1,000		1,000
	Electronic Commodity Project			1,000	1,000
128	**THREAT SIMULATOR DEVELOPMENT**	**21,180**	**23,180**	**23,180**	**23,780**
	Integration of Live and Virtual Threats -Towsend Range		2,000		1,300
	Integrated RF/SAM Threat Environment			2,000	1,300

R-1	Budget Request	House	Senate	Conference
129 TARGET SYSTEMS DEVELOPMENT	**10,928**	**13,928**	**12,928**	**12,928**
Next Generation Ice Protection Technologies for Unmanned Aerial Vehicles		3,000	2,000	2,000
130 MAJOR TEST AND EVALUATION INVESTMENT	**64,953**	**67,453**	**64,953**	**66,053**
US Army Network Centric Warfare-Digital Battlefield Instrumentation		2,500		1,100
131 RAND ARROYO CENTER	**20,171**	**20,171**	**22,171**	**21,471**
Analytical and Technical Support			2,000	1,300
133 CONCEPTS EXPERIMENTATION PROGRAM	**21,626**	**25,126**	**24,626**	**25,576**
Automated Language Translation (Only for automated translation software proven in deployments within the Federal Government and employing a new statistical approach to machine translation)		3,500		2,300
Online Arabic Language Learning Community-Pilot			3,000	1,650
136 ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	**74,066**	**77,066**	**83,066**	**81,366**
Mobile Optical Tracking System		3,000		1,950
Chemical Biological Defense Material Test and Evaluation Initiative			3,000	1,650
Dugway Testing and Infrastructure Upgrade			2,000	1,100
White Sands Missile Range Study			4,000	2,600
137 SURVIVABILITY/LETHALITY ANALYSIS	**40,780**	**42,780**	**45,780**	**44,030**
Rotorcraft Survivability Assessment Facility		2,000	5,000	3,250
143 SUPPORT OF OPERATIONAL TESTING	**80,057**	**81,057**	**80,057**	**81,057**
Track Conversion System for Light Wheeled Vehicles and Unmanned Ground Vehicles		1,000		1,000
148 TECHNICAL INFORMATION ACTIVITIES	**34,834**	**51,834**	**38,334**	**47,884**
Knowledge Integration and Management Center of Excellence - only for improving Actionable Intelligence and Fusion for Situational Understanding		2,000		1,000
Army High Performance Computing Research Center		15,000		9,750
Knowledge System and Relational Database			3,500	2,300
149 MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	**18,726**	**36,126**	**33,626**	**37,326**
Mitigation of Energetic Single Point Failures		3,500		2,800
Advanced Cluster Energetics (ACE)		4,000	4,000	4,000
Cadmium Zinc Telluride Detectors for Automated Munitions Inspection		2,000		1,000
Munitions Standarization, Effectiveness and Safety		1,400	1,400	1,400
Defense Materials Technology Center (Transferred from line 6)				1,000
Gun Propellant Demilitarization		2,500	2,400	2,400
Medium Caliber Metal Parts Upgrade			3,100	2,000
MEMS Technology Applications - Nano Consortium		4,000	4,000	4,000

R-1		Budget Request	House	Senate	Conference
153	**MLRS PRODUCT IMPROVEMENT PROGRAM**	**74,506**	**74,506**	**74,506**	**75,506**
	HIMARS Enhanced Command and Control (C2), XM142 (Transferred from line 112)				1,000
154	**WEAPONS CAPABILITY MODIFICATIONS UAV**	**16,532**	**16,532**	**3,500**	**1,600**
	Transferred to line 164			-7,700	-7,700
	Program Reduction			-8,832	-8,832
	Guided Dispenser System for Tactical Unmanned Aerial Vehicles			3,500	1,600
155	**AEROSTAT JOINT PROJECT OFFICE**	**264,491**	**245,491**	**264,491**	**245,491**
	Joint Land Attack Cruise Missile Defense (JLENS)		-20,000		-20,000
	MEMS Demonstration Radar System (MEMS DRS)		1,000		1,000
156	**ADVANCED FIELD ARTILLERY TACTICAL DATA SYSTEM**	**17,394**	**18,394**	**17,394**	**18,394**
	Fire Support Technology Improvement		1,000		1,000
157	**COMBAT VEHICLE IMPROVEMENT PROGRAMS**	**12,741**	**16,741**	**12,741**	**14,541**
	Bradley Fighting Vehicle Turret Drive Electronics System on Chip Consolidation		4,000		1,800
158	**MANEUVER CONTROL SYSTEM**	**37,976**	**37,976**	**34,976**	**34,976**
	JTCW Development			-3,000	-3,000
159	**AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS**	**301,739**	**295,939**	**307,139**	**307,239**
	Aerial Common Sensor		-12,300	-9,600	-12,300
	CH-47 Maintenance Analysis Safety and Training Program		4,000		3,200
	Advanced Communications Intelligence for Army Intelligence Aircraft (COMINT)		2,500		1,600
	CH-47 IVHMS-HUMS Demonstration			15,000	13,000
161	**DIGITIZATION**	**13,373**	**16,073**	**13,373**	**14,873**
	Digitization Support to Fort Hood-University XXI		2,700		1,500
164	**OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS**	**19,706**	**19,706**	**17,606**	**22,806**
	ATACMS PIP SDD Contract Award Delay			-9,800	-4,600
	Transferred from line 154			7,700	7,700
173	**SECURITY AND INTELLIGENCE ACTIVITIES**	**3,170**	**6,670**	**7,170**	**8,420**
	Mobile Objects for Net-Centric Operations		3,500		2,300
	Portable Iris Enrollment and Recognition Device			3,000	1,950
	Type-I TACTI-NET System Development			1,000	1,000

R-1	Budget Request	House	Senate	Conference
174 INFORMATION SYSTEMS SECURITY PROGRAM	**23,828**	**24,751**	**25,828**	**25,751**
MILS Separation Kernel Technology Demonstration		923		923
Retinal/Iris Multimodal Biometrics Technology			2,000	1,000
175 GLOBAL COMBAT SUPPORT SYSTEM	**55,272**	**58,272**	**39,272**	**48,522**
Army Legacy Systems Modernization (SAMS-E)-Standard Army Retail Supply Systems (SARSS)/Standard Army Ammunition System (SAAS) Integration		3,000	5,000	3,250
Product Life Cycle Management Plus (PLM+) Delay			-21,000	-10,000
176 SATCOM GROUND ENVIRONMENT (SPACE)	**41,336**	**41,336**	**33,336**	**33,336**
MIST Program			-8,000	-8,000
179 TACTICAL UNMANNED AERIAL VEHICLES	**114,087**	**117,087**	**158,087**	**154,937**
Smart Machine Platform Initiative (Transferred to line 183.)		3,000		0
Heavy Fuel Engine for Shadow Tactical UAV			5,000	3,250
Tactical Signals Intelligence Payload			4,000	2,600
Army Requested Transfer from Other Procurement, Army Lines 62 and 120			35,000	35,000
180 AIRBORNE RECONNAISSANCE SYSTEMS	**12**	**12**	**1,012**	**1,012**
Sentinel UAV, Phase II			1,000	1,000
181 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	**120,562**	**140,112**	**125,562**	**135,812**
Asymmetric Threat Response and Analysis Project (ATRAP)		4,500		2,500
Joint Visualization System (JVS)		2,700		2,150
IMaG-ATC and Net-Centric Imagery Applications for Fixed and Mobile Sites of Multi-Service Distributed Common Ground System - Army (DCGS-A)		5,000		2,750
Intelligence Data Exchange for Execution and Planning, Distributed Common Ground Systems		5,000		4,000
Blast Risk Analysis and Mitigation Application		2,350		1,050
Effects Based Approach to Operations			1,000	1,000
National Defense Imagery Processing Program			4,000	1,800
183 END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	**68,075**	**101,375**	**102,575**	**113,475**
Manufacturing Systems Demonstration for military machined parts application		3,000	3,000	3,000
National Center for Defense Manufacturing and Machining		3,600		2,900
Durable Gun Barrel Steel		1,000		1,000
Advanced Ceramic Manufacturing and Machining Process Developoment		1,800		1,450
Small Heavy Fuel Engines for Tactical UAVs		2,000		1,600
Spring Suspended Airless Tires for Convoy Protection		6,000		4,800
Reactive Atom Plasma Manufacturing of Silicon Carbide for Optics and Electronics		2,700		2,150

R-1	Budget Request	House	Senate	Conference
Replicable Defense Manufacturing Management and Solutions System		1,800		1,450
Industrial Prepardeness		1,000		1,000
Vehicle Common Armor Manufacturing Process (VCAMP)		4,400		2,000
Short Pulse Laser Technology for Pulse Laser				
System Development for Turbine Engine Applications		2,000	3,500	2,000
Virtual Parts Engineering Research Center (VPERC)		1,000		1,000
Advanced Modeling Technology for Large StructureTitanium Machining		3,000	2,900	2,900
Electrodeposited Coatings Systems for Munitions			2,000	1,100
High Performance Alloy Materials/Advanced Manufacturing of Steel Castings			2,000	1,300
Laser Peening for Army Helicopters			4,000	2,200
Legacy Aerospace Gear Drive Re-Engineering Initiative			1,500	1,000
Low Cost Domestic Titanium Reduction to Powder Initiative			5,000	4,450
Next Generation Combat Helmet			2,000	1,300
Packaging and Interconnection Technologies			3,000	1,350
Rigid-Rod Polyphenylene Compositions for Light Weight Cartridge Cases			3,100	2,500
Solid Free Form Fabrication of Components from Low-Cost Titanium			2,500	1,600
Smart Machine Platform Initiative (Transferred from line 179.)				1,350
999 CLASSIFIED PROGRAMS	**3,700**	**8,200**	**3,700**	**3,700**
Program adjustment		4,500		0

MEDICAL COUNTERMEASURES AGAINST ACUTE RADIATION SYNDROME AND SIMILAR THREATS

The conferees recognize that acute radiation syndrome and other forms of radiation sickness could potentially afflict forward deployed members of the military, and that currently there are no effective means of treating individuals exposed to radiation or a nuclear attack. Therefore, the conferees direct the Secretary of Defense to submit to the congressional defense committees a report that outlines a plan for procuring medical countermeasures that will treat forward deployed service members against the lethal effects of acute radiation syndrome, to include neutropenia and thrombocytopenia. This report will also identify the countermeasures required to protect service members in the event of a nuclear or bioterrorist attack, a plan to forward deploy those countermeasures, and an assessment of costs associated with implementing this plan. This report should be provided no later than March 15, 2007.

STRYKER UPGRADES

The conferees are pleased with the performance of the Stryker armored vehicle in Iraq and encourage the Army to pursue new technologies and capabilities for the Stryker to improve the capabilities of the vehicle on the battlefield. The conferees encourage the Army to pursue these technology upgrades including an integrated power management system, increased improvised explosive device and mine blast protection, improved situational awareness, new brakes and suspension, and the addition of the XM307 gun, Javelin missile and target detection capabilities.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY				
	BASIC RESEARCH				
1	UNIVERSITY RESEARCH INITIATIVES	73,322	96,822	81,822	92,072
2	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	15,916	15,916	15,916	15,916
3	DEFENSE RESEARCH SCIENCES	366,649	386,149	380,649	385,649
	TOTAL, BASIC RESEARCH	455,887	498,887	478,387	493,637
	APPLIED RESEARCH				
4	POWER PROJECTION APPLIED RESEARCH	84,914	116,714	97,914	114,514
5	FORCE PROTECTION APPLIED RESEARCH	123,443	123,243	172,943	160,793
6	MARINE CORPS LANDING FORCE TECHNOLOGY	37,741	38,741	45,741	42,191
8	MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY	---	1,000	---	1,000
9	COMMON PICTURE APPLIED RESEARCH	68,352	74,241	87,852	89,291
10	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	89,964	115,664	104,264	120,214
11	RF SYSTEMS APPLIED RESEARCH	42,619	47,619	46,919	50,519
12	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	48,718	55,718	48,718	53,718
13	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,036	6,036	6,036	6,036
14	UNDERSEA WARFARE APPLIED RESEARCH	83,435	85,235	89,435	93,585
15	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	53,435	63,135	57,435	57,085
	TOTAL, APPLIED RESEARCH	638,657	727,346	757,257	788,946
	ADVANCED TECHNOLOGY DEVELOPMENT				
16	POWER PROJECTION ADVANCED TECHNOLOGY	76,806	89,306	115,306	114,656
17	FORCE PROTECTION ADVANCED TECHNOLOGY	61,504	162,104	108,004	147,704
18	COMMON PICTURE ADVANCED TECHNOLOGY	61,725	63,725	64,725	63,975
19	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY	82,035	89,735	92,035	99,134
20	RF SYSTEMS ADVANCED TECHNOLOGY	45,317	77,417	73,817	98,437
21	MARINE CORPS ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	59,170	78,670	86,670	83,320
22	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	1,405	1,405	405	1,405
24	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	17,982	58,482	17,982	58,332
25	UNDERSEA WARFARE ADVANCED TECHNOLOGY	35,055	35,055	38,055	35,055
27	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	41,308	41,308	41,308	41,308

		(In thousands of dollars) Budget	House	Senate	Conference
28	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY....	21,326	24,926	24,126	25,426
29	JOINT COMMAND AND CONTROL PROGRAM (JC2).....	1,001	1,001	1,001	1,001
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT.....	504,634	723,134	663,434	769,753
	DEMONSTRATION & VALIDATION				
30	AIR/OCEAN TACTICAL APPLICATIONS.....	31,778	28,278	31,778	32,778
31	AVIATION SURVIVABILITY.....	6,177	31,377	21,677	29,627
32	DEPLOYABLE JOINT COMMAND AND CONTROL.....	16,383	16,383	16,383	16,383
33	ASW SYSTEMS DEVELOPMENT.....	16,782	22,782	23,482	25,432
34	TACTICAL AIRBORNE RECONNAISSANCE.....	3,959	3,959	3,959	3,959
35	ADVANCED COMBAT SYSTEMS TECHNOLOGY.....	12,398	12,398	12,398	12,398
36	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES.....	130,265	134,765	114,365	116,565
37	SURFACE SHIP TORPEDO DEFENSE.....	40,627	55,027	48,627	57,727
38	CARRIER SYSTEMS DEVELOPMENT.....	153,894	158,394	153,894	156,844
39	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT.....	14,135	34,235	39,935	50,185
40	PILOT FISH.....	134,550	134,550	134,550	134,550
41	RETRACT LARCH.....	87,180	87,180	87,180	87,180
42	RETRACT JUNIPER.....	38,462	38,462	38,462	38,462
43	RADIOLOGICAL CONTROL.....	1,901	1,901	1,901	1,901
44	SURFACE ASW.....	38,696	42,696	35,696	34,146
45	SSGN CONVERSION.....	25,953	25,953	25,953	25,953
46	ADVANCED SUBMARINE SYSTEM DEVELOPMENT.....	140,432	155,432	158,932	157,582
47	SUBMARINE TACTICAL WARFARE SYSTEMS.....	10,357	10,357	10,357	10,357
48	SHIP CONCEPT ADVANCED DESIGN.....	21,549	14,721	26,649	21,771
49	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES.....	21,314	24,314	28,314	25,864
50	ADVANCED NUCLEAR POWER SYSTEMS.....	174,648	174,648	174,648	174,648
51	ADVANCED SURFACE MACHINERY SYSTEMS.....	---	5,800	---	2,800
52	CHALK EAGLE.....	139,017	139,017	139,017	139,017
53	LITTORAL COMBAT SHIP (LCS).....	319,671	332,271	321,471	330,671
54	COMBAT SYSTEM INTEGRATION.....	62,095	74,745	63,095	72,195
55	CONVENTIONAL MUNITIONS.....	22,385	23,885	22,385	23,385

		(In thousands of dollars) Budget	House	Senate	Conference
56	MARINE CORPS ASSAULT VEHICLES	188,306	194,906	191,306	349,206
57	MARINE CORPS MINE/COUNTERMEASURES SYSTEMS - ADV DEV	3,777	3,777	3,777	3,777
58	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	503	2,003	19,503	12,953
59	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	24,467	24,467	24,467	24,467
60	COOPERATIVE ENGAGEMENT	53,406	67,406	48,106	64,606
61	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	16,324	18,324	16,324	17,324
62	ENVIRONMENTAL PROTECTION	20,271	26,771	24,271	26,071
63	NAVY ENERGY PROGRAM	1,600	1,600	1,600	1,600
64	FACILITIES IMPROVEMENT	4,194	6,194	6,194	8,294
65	CHALK CORAL	28,578	28,578	28,578	28,578
66	NAVY LOGISTIC PRODUCTIVITY	6,306	26,206	11,306	24,706
67	RETRACT MAPLE	344,912	344,912	344,912	344,912
68	LINK PLUMERIA	80,662	70,662	80,662	80,662
69	RETRACT ELM	64,133	64,133	64,133	64,133
70	SHIP SELF DEFENSE	8,897	8,897	8,897	8,897
71	LINK EVERGREEN	55,051	55,051	55,051	55,051
72	SPECIAL PROCESSES	47,180	47,180	47,180	47,180
73	NATO RESEARCH AND DEVELOPMENT	9,784	9,784	9,784	9,784
74	LAND ATTACK TECHNOLOGY	18,571	48,171	36,571	56,471
75	NONLETHAL WEAPONS	44,815	48,515	46,815	49,315
77	JOINT PRECISION APPROACH AND LANDING SYSTEMS	41,242	41,242	33,242	33,242
78	SINGLE INTEGRATED AIR PICTURE (SIAP) SYSTEM ENGINEER	50,282	42,500	37,282	41,650
79	COUNTER-DRUG RDT&E PROJECTS	---	4,000	---	2,200
80	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES	20,527	20,527	17,527	17,527
81	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS)	77,000	30,000	---	20,000
82	SPACE & ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINE	43,909	43,909	43,909	43,909
	DIRECTED ENERGY RESEARCH	---	---	30,000	19,500
	TOTAL, DEMONSTRATION & VALIDATION	2,919,305	3,063,245	2,966,505	3,238,395

		Budget	House	Senate	Conference
		(In thousands of dollars)			
	ENGINEERING & MANUFACTURING DEVELOPMENT				
84	OTHER HELO DEVELOPMENT	86,197	86,197	86,197	86,197
85	AV-8B AIRCRAFT - ENG DEV	13,878	13,878	13,878	13,878
86	STANDARDS DEVELOPMENT	112,257	92,257	70,987	73,237
87	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	19,259	19,259	19,259	19,259
88	AIR/OCEAN EQUIPMENT ENGINEERING	5,578	5,578	5,578	5,578
89	P-3 MODERNIZATION PROGRAM	16,139	16,139	6,139	17,139
90	WARFARE SUPPORT SYSTEM	2,203	2,203	2,203	2,203
91	TACTICAL COMMAND SYSTEM	74,225	60,625	57,625	56,625
92	ADVANCED HAWKEYE	497,842	497,842	497,842	497,842
93	H-1 UPGRADES	7,844	7,844	7,844	7,844
94	ACOUSTIC SEARCH SENSORS	36,764	47,064	38,764	42,164
95	V-22A	268,461	268,461	268,461	268,461
96	AIR CREW SYSTEMS DEVELOPMENT	12,434	14,234	12,434	13,884
97	EA-18	372,363	375,363	372,363	373,713
98	ELECTRONIC WARFARE DEVELOPMENT	39,842	41,042	39,842	40,842
99	VHXX EXECUTIVE HELO DEVELOPMENT	682,597	682,597	557,597	632,597
100	JOINT TACTICAL RADIO SYSTEM - NAVY (JTRS-NAVY)	1,153	1,153	1,153	798,412
101	SC-21 TOTAL SHIP SYSTEM ENGINEERING	817,528	831,528	818,528	826,228
102	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	190,059	191,059	179,659	179,009
103	LPD-17 CLASS SYSTEMS INTEGRATION	5,960	5,960	5,960	5,960
105	SMALL DIAMETER BOMB (SDB)	10,021	10,021	10,021	10,021
106	STANDARD MISSILE IMPROVEMENTS	186,144	187,244	176,144	177,144
107	AIRBORNE MCM	56,145	62,145	56,145	58,845
108	NAVAL INTEGRATED FIRE CONTROL-COUNTER AIR SYSTEMS ENG.	14,792	14,792	---	14,792
109	SSN-688 AND TRIDENT MODERNIZATION	94,839	109,139	106,839	109,639
110	AIR CONTROL	4,603	4,603	4,603	4,603
112	SHIPBOARD AVIATION SYSTEMS	33,392	35,392	32,892	32,892
113	COMBAT INFORMATION CENTER CONVERSION	6,708	7,708	8,208	7,708
114	NEW DESIGN SSN	169,580	189,980	216,780	202,130

	(In thousands of dollars) Budget	House	Senate	Conference
115 SSN-21 DEVELOPMENTS	3,260	3,260	3,260	3,260
116 SUBMARINE TACTICAL WARFARE SYSTEM	51,656	54,156	53,656	54,806
117 SHIP CONTRACT DESIGN/ LIVE FIRE T&E	72,055	73,855	72,055	73,505
119 MINE DEVELOPMENT	5,631	5,631	5,631	5,631
121 LIGHTWEIGHT TORPEDO DEVELOPMENT	40,540	40,540	35,040	40,540
122 JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	10,026	10,026	10,026	10,426
123 PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	8,754	9,754	8,754	9,754
124 BATTLE GROUP PASSIVE HORIZON EXTENSION SYSTEM	---	1,000	2,000	2,000
125 JOINT STANDOFF WEAPON SYSTEMS	27,524	27,524	27,524	27,524
126 SHIP SELF DEFENSE (DETECT & CONTROL)	10,050	25,650	15,250	26,750
127 SHIP SELF DEFENSE (ENGAGE: HARD KILL)	46,390	50,890	51,390	50,890
128 SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	11,513	12,913	27,513	21,213
129 INTELLIGENCE ENGINEERING	4,865	4,865	4,865	4,865
130 MEDICAL DEVELOPMENT	7,663	35,263	9,663	29,663
131 NAVIGATION/ID SYSTEM	47,070	47,070	47,070	47,070
132 DISTRIBUTED SURVEILLANCE SYSTEM	58,273	60,773	58,273	60,273
133 JOINT STRIKE FIGHTER (JSF)	2,030,979	2,033,679	2,172,285	2,172,135
135 INFORMATION TECHNOLOGY DEVELOPMENT	13,326	14,326	13,326	14,326
136 INFORMATION TECHNOLOGY DEVELOPMENT	88,323	92,323	127,423	115,423
137 MULTINATIONAL INFORMATION SHARING (MNIS)	20,856	20,856	20,856	20,856
138 CH-53X	362,672	362,672	357,672	357,672
139 MULTI-MISSION MARITIME AIRCRAFT (MMA)	1,131,655	1,131,655	1,131,655	1,131,655
140 TACTICAL CRYPTOLOGIC SYSTEMS	23,526	27,526	23,526	25,826
TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT	7,915,414	8,027,514	7,952,658	8,884,909

	(In thousands of dollars) Budget	House	Senate	Conference
RDT&E MANAGEMENT SUPPORT				
141 THREAT SIMULATOR DEVELOPMENT	23,668	23,668	23,668	23,668
142 TARGET SYSTEMS DEVELOPMENT	45,666	45,666	50,666	47,916
143 MAJOR T&E INVESTMENT	39,750	47,250	48,750	48,600
144 STUDIES AND ANALYSIS SUPPORT - NAVY	7,093	7,093	7,093	7,093
145 CENTER FOR NAVAL ANALYSES	48,900	48,900	48,900	48,900
146 FLEET TACTICAL DEVELOPMENT	2,595	2,595	2,595	2,595
148 TECHNICAL INFORMATION SERVICES	670	9,170	21,670	25,070
149 MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	47,213	47,213	45,413	45,413
150 STRATEGIC TECHNICAL SUPPORT	3,347	3,347	3,347	3,347
151 RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	67,328	67,328	66,328	67,328
152 RDT&E INSTRUMENTATION MODERNIZATION	1,243	1,243	1,243	1,243
153 RDT&E SHIP AND AIRCRAFT SUPPORT	83,140	83,140	83,140	83,140
154 TEST AND EVALUATION SUPPORT	328,276	328,276	328,276	328,276
155 OPERATIONAL TEST AND EVALUATION CAPABILITY	11,532	11,532	11,532	11,532
156 NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	2,904	2,904	2,904	2,904
157 SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	20,073	20,073	18,173	18,173
158 MARINE CORPS PROGRAM WIDE SUPPORT	25,343	31,343	31,343	31,343
159 TACTICAL CRYPTOLOGIC ACTIVITIES	1,004	1,004	1,004	1,004
160 SERVICE SUPPORT TO JFCOM, JNTC	5,202	12,802	5,202	12,802
TOTAL, RDT&E MANAGEMENT SUPPORT	764,947	794,547	801,247	810,347

	Budget	House	Senate	Conference
	(In thousands of dollars)			
OPERATIONAL SYSTEMS DEVELOPMENT				
163 HARPOON MODIFICATIONS	36,284	28,000	---	28,000
164 UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT	239,163	189,163	---	100,000
165 STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	124,522	129,522	124,522	127,172
166 SSBN SECURITY TECHNOLOGY PROGRAM	42,869	42,869	42,869	42,869
167 SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	2,131	2,131	2,131	2,131
168 NAVY STRATEGIC COMMUNICATIONS	37,464	37,464	37,464	37,464
169 RAPID TECHNOLOGY TRANSITION (RTT)	39,285	44,285	35,485	39,485
170 F/A-18 SQUADRONS	31,098	38,698	41,598	39,448
171 E-2 SQUADRONS	1,540	6,240	7,540	9,840
172 FLEET TELECOMMUNICATIONS (TACTICAL)	27,189	27,189	27,189	27,189
173 TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	18,635	25,635	18,635	24,235
174 INTEGRATED SURVEILLANCE SYSTEM	30,740	42,540	28,240	40,590
175 AMPHIBIOUS TACTICAL SUPPORT UNITS	1,812	1,812	1,812	1,812
176 CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	17,857	19,857	17,857	19,157
177 CRYPTOLOGIC DIRECT SUPPORT	1,425	1,425	1,425	1,425
178 ELECTRONIC WARFARE (EW) READINESS SUPPORT	20,673	20,673	20,673	20,673
179 HARM IMPROVEMENT	99,208	105,208	94,208	100,208
180 TACTICAL DATA LINKS	41,967	41,967	41,967	41,967
181 SURFACE ASW COMBAT SYSTEM INTEGRATION	9,417	21,667	9,417	18,617
182 MK-48 ADCAP	24,988	24,988	24,988	24,988
183 AVIATION IMPROVEMENTS	71,612	80,412	89,212	88,312
184 NAVY SCIENCE ASSISTANCE PROGRAM	3,376	3,376	3,376	3,376
185 OPERATIONAL NUCLEAR POWER SYSTEMS	69,350	69,350	69,350	69,350
186 MARINE CORPS COMMUNICATIONS SYSTEMS	218,460	241,160	219,460	234,710
187 MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	47,592	68,892	57,592	65,742
188 MARINE CORPS COMBAT SERVICES SUPPORT	17,524	17,524	17,524	17,524
189 TACTICAL AIM MISSILES	7,946	7,946	7,946	7,946
190 ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	6,705	6,705	6,705	6,705
191 JOINT HIGH SPEED VESSEL (JHSV)	14,163	14,163	14,163	14,163

	(In thousands of dollars) Budget	House	Senate	Conference
195 SATELLITE COMMUNICATIONS (SPACE)	748,662	751,662	750,662	751,612
196 INFORMATION SYSTEMS SECURITY PROGRAM	23,037	27,037	26,837	29,037
197 JOINT COMMAND AND CONTROL PROGRAM (JC2)	5,073	5,073	5,073	5,073
198 COBRA JUDY	135,372	135,372	135,372	135,372
199 NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	7,307	9,307	7,307	8,307
201 JOINT MILITARY INTELLIGENCE PROGRAMS	6,793	6,793	6,793	6,793
202 TACTICAL UNMANNED AERIAL VEHICLES	115,950	118,950	115,950	119,550
203 ENDURANCE UNMANNED AERIAL VEHICLES	26,357	26,357	26,357	26,357
204 AIRBORNE RECONNAISSANCE SYSTEMS	35,038	36,838	39,038	39,138
205 MANNED RECONNAISSANCE SYSTEMS	22,815	35,815	32,815	29,065
206 DISTRIBUTED COMMON GROUND SYSTEMS	16,587	18,587	16,587	17,887
207 AERIAL COMMON SENSOR (ACS)	17,182	17,182	---	17,182
208 MODELING AND SIMULATION SUPPORT	7,503	7,503	7,503	7,503
209 DEPOT MAINTENANCE (NON-IF)	2,960	6,960	2,960	6,160
210 AVIONICS COMPONENT IMPROVEMENT PROGRAM	1,375	1,375	1,375	1,375
211 INDUSTRIAL PREPAREDNESS	55,048	63,848	57,048	61,048
212 MARITIME TECHNOLOGY (MARITECH)	---	22,000	16,100	20,500
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	2,532,054	2,651,520	2,311,125	2,537,057
999 CLASSIFIED PROGRAMS	1,181,325	1,168,325	1,117,625	1,150,850
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	16,912,223	17,654,518	17,048,238	18,673,894

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	House	Senate	Conference
1	**UNIVERSITY RESEARCH INITIATIVES**	**73,322**	**96,822**	**81,822**	**92,072**
	Center for Southeastern Tropical Advanced Remote Sensing (CSTARS)		4,000	4,000	4,000
	Research infrastructure for the Applied Physics Laboratory		5,000		3,300
	Neurotechnology Center		3,000		1,650
	National security training		2,000		1,100
	Defense Commercialization Research Initiative Technology, Research, Education and Commercialization Center (TRECC)		5,000		3,300
	Smart, remote sensing systems using nanotechnology		3,000	2,000	2,400
	Center for Nanoscience and Nanomaterials (CNN)		1,500		1,000
	Multifunctional materials for naval structures			1,500	1,000
	Blast and impact resistant composite structures for Navy ships			1,000	1,000
3	**DEFENSE RESEARCH SCIENCES**	**366,649**	**382,149**	**380,649**	**385,649**
	Base program reduction		-8,000		-8,000
	Navy use of UNOLS ships		5,000		4,400
	DoD Agile Manufacturing Center for Castings Technology (AMCast)		1,500		1,000
	ONAMI nanoelectronics and nanometrology initiative		2,500	2,500	2,500
	Standoff bio-chem agent detection		1,000		1,000
	Maritime domain awareness		2,500		1,600
	Carbon nanotube-based radiation-hard non-volatile RAM		9,000		5,900
	Mobile ad hoc data communications for unmanned systems		2,000		1,300
	Evaluation of ELF signals in deep and shallow water			1,000	1,000
	Bio-inspired materials			5,000	3,300
	Energetics Technology Center/S&T workforce revitalization		4,000	5,500	5,000
4	**POWER PROJECTION APPLIED RESEARCH**	**84,914**	**116,714**	**97,914**	**114,514**
	Marine mammal hearing and echolocation research		1,500		1,500
	Retroreflecting optical communications for special operations		3,000		3,000
	Millimeter terahertz imaging arrays		2,800		1,250
	Multifunctional oxide materials MFMA		2,000		1,000
	Computational design tools for high power sources for directed energy applications		1,500		1,000
	Multifunctional oxide materials applications and devices		2,000		1,000
	Electronic motion actuation systems		4,000		2,200
	High performance frequency modulated (FM) fiberoptic link		2,000		1,100
	High energy density capacitors for military applications		5,500		2,500
	Device integration of wide bandgap semiconductors and multifunctional oxides		2,700		2,200
	Development processes for full scale production of silicon carbide wafers		1,800		1,450
	H.264 video compression		1,000		1,000
	High energy superior battery technology for defense applications		2,000		1,000
	Program growth			-4,500	-4,500
	Thermal management systems for high density electronics			6,000	5,000
	Combustion light gas gun projectile			5,000	4,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	House	Senate	Conference
	Multi-sensor hyperspectral system for day/night reconnaissance			4,500	3,600
	HALOH engine			2,000	1,300
5	**FORCE PROTECTION APPLIED RESEARCH**	**123,443**	**123,243**	**172,943**	**160,793**
	Base program reduction		-20,000	-18,400	-18,400
	Advanced simulation tools for aircraft structures made of composite materials		1,500	3,000	1,950
	Mark V patrol boat replacement craft		5,000	5,000	5,000
	Direct motor driven waterjets		2,300		1,000
	Facial recognition technology		1,000		1,000
	Blast resistant anechoic sprayable elastomeric coating for ships		1,500		1,000
	Advanced material techniques for lithium ion large cell manufacturing		3,500		2,300
	UTC SimCenter solid oxide fuel cell - military applications		3,000		1,650
	Large unmanned underwater vehicle technologies		2,000		1,000
	Nanostructured composite marine coatings			3,000	2,000
	Small watercraft propulsion demonstrator			6,000	2,700
	Magnetic refrigeration technology for naval applications			3,000	1,650
	Undersea perimeter security integrated defense environment			2,000	1,000
	Shipboard production of synthetic logistics and aviation fuel			1,000	1,000
	Advanced receive-while-transmit sonar for UUVs			4,000	2,200
	Aperstructures			27,900	21,800
	Nano-magnetic materials for propulsion/energy systems			1,000	1,000
	ADPICAS			2,000	1,600
	PMRF force protection lab			4,000	3,200
	High frequency acoustic signal processor system			6,000	2,700
6	**MARINE CORPS LANDING FORCE TECHNOLOGY**	**37,741**	**38,741**	**45,741**	**42,191**
	High power lightweight zinc-air batteries (Note: only for Department of Defense military activities)		1,000	3,000	1,650
	Warfighter rapid awareness processing technology for distributed ops			4,000	1,800
	Integrated asymmetric urban warfare			1,000	1,000
8	**MATERIALS, ELECTRONICS AND COMPUTER TECHNOLOGY**	**0**	**1,000**	**0**	**1,000**
	Center for Microwave Ferrites and Multifunctional Integrated Circuits		1,000		1,000
9	**COMMON PICTURE APPLIED RESEARCH**	**68,352**	**74,241**	**87,852**	**89,291**
	Base program reduction		-5,211	-2,000	-5,211
	Radio sensor module (RASM)		4,000		2,200
	Multicultural operations training and tactics systems (MCOTTS)		2,500		1,650
	Pacific missile range facility/Pearl Harbor integrated network		3,600		2,900
	Advanced panoramic sensor systems for UAVs		1,000		1,000
	M2C2			7,500	6,000
	Theater undersea warfare initiative			7,000	5,600
	PACOM agile coalition environment			7,000	6,800

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	House	Senate	Conference
10	**WARFIGHTER SUSTAINMENT APPLIED RESEARCH**	**89,964**	**115,664**	**104,264**	**120,214**
	Base program reduction		-10,000	-14,500	-12,000
	Durability of composite materials and structures		2,500		1,100
	Low observable aircraft sealants		3,400		1,500
	Environmental microbiological energy harvesting		1,500		1,000
	Advanced fouling and corrosion control coatings		2,000	9,000	7,000
	National Center for Advanced Secure Systems Research (NCASSR)		7,500	4,000	4,900
	Magnetic resonance imaging and magnetic resonance angiography for accurate diagnosis of traumatic brain injury		1,000		1,000
	Partnership simulation laboratory for military health		3,000		1,350
	Virtual clinical learning lab reality simulation environment		2,000		1,000
	Sensory substitution for wounded service members		5,000		4,000
	Neurobiologically inspired computational architectures and methodologies		4,000		3,200
	Atmospheric water harvesting -- military applications		1,000		1,000
	Continuation of hydrate desalination technology		1,800		1,450
	Mast-mounted in-port video force protection surveillance system		1,000		1,000
	Materials and coatings enhancements through high performance materials			10,800	8,650
	Advanced reinforced materials and new materials for aircraft tires			1,000	1,000
	Friction stir welding			2,000	1,100
	Amelioration of military hearing loss			1,000	1,000
	Biosensors for defense applications			1,000	1,000
11	**RF SYSTEMS APPLIED RESEARCH**	**42,619**	**47,619**	**46,919**	**50,519**
	ND Center for the Engineering of Oxide Nitride Structures (CEONS)		2,000		1,300
	Reparative health initiative		1,000		1,000
	DoD reparative medicine initiative		1,000		1,000
	Silicon carbide MOSFETs for electric power systems		1,000		1,000
	Gallium nitride RF power technology			1,300	1,000
	Advanced microwave ferrite research phase IV (Note: House bill provided funding in line 12)			1,000	1,000
	Pacific theater data fusion testbed			2,000	1,600
12	**OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH**	**48,718**	**55,718**	**48,718**	**53,718**
	Extended capability underwater optics		1,000		1,000
	Advanced microwave ferrite research (AMFeR) phase IV (Note: Conference funding is provided in line 11)		1,000		0
	Autonomous marine sensors and networks for rapid littoral assessment		5,000		4,000
14	**UNDERSEA WARFARE APPLIED RESEARCH**	**83,435**	**85,235**	**89,435**	**93,585**
	ATT (6.75-in diameter) multi-mission weapon		1,800		1,450
	Advanced acoustic transducer concepts			3,000	1,950
	Micro electro mechanical systems - inertial measurement units			3,000	1,950
	Acoustic littoral glider (Note: Transferred from line 15)				4,800

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	House	Senate	Conference
	MINE AND EXPEDITIONARY WARFARE APPLIED				
15	**RESEARCH**	**53,435**	**63,135**	**57,435**	**57,085**
	Detection and neutralization of electronically initiated IEDs		3,000		1,650
	NSW unattended sensor network		2,700		2,200
	AUV docking and recharging station		4,000		1,800
	Program growth			-3,000	-3,000
	Acoustic littoral glider (Note: Conference funding provided in line 14)			6,000	
	NMSU water security program			1,000	1,000
16	**POWER PROJECTION ADVANCED TECHNOLOGY**	**76,806**	**89,306**	**115,306**	**114,656**
	Laser radar (LADAR) - Naval Air Warfare Center China Lake		1,000		1,000
	DP-2 vectored thrust aircraft		6,000		3,900
	Laser radar (LADAR)		4,000		3,200
	Computational analysis of cyber-terrorism against the United States		1,500		1,000
	Program reduction			-10,000	-5,000
	Time critical strike ramjet			1,000	1,000
	Long wavelength array			2,500	1,650
	Smart instrument development for Magdalena Ridge Observatory			6,000	3,900
	High Energy Laser Systems Test Facility			4,000	2,600
	Expeditionary craft			10,000	9,400
	Quiet high-speed propulsion			8,000	4,400
	Advanced lifting body ship research			7,000	5,600
	Articulated stable ocean platform			2,000	1,600
	Autonomous unmanned surface vessel			4,000	1,800
	Information sharing for ISRTE of mobile targets			4,000	1,800
17	**FORCE PROTECTION ADVANCED TECHNOLOGY**	**61,504**	**162,104**	**108,004**	**147,704**
	Phase II virent-NAVSEA antifreeze hydrogen project		2,000		1,000
	SMART micro-sensor arrays		1,400		1,000
	Transparent armor		500		500
	Wave power electric power generating system for Hawaii Naval Base		1,500		1,000
	Pure hydrogen supply from logistic fuel		2,700		1,200
	High speed power node switching center		5,400	1,000	2,400
	Porous silicon-based direct methanol fuel cell		3,000		1,350
	Protective apparel technology systems (Note: Conference funding is provided in line 19)		2,500		0
	Solid state DC protection system		2,000		1,000
	High power density motor drive		3,000		1,350
	HTS AC synchronous Navy propulsion motor		3,000	6,000	3,000
	Wireless condition-based maintenance monitoring for naval shipyard equipment and facilities		3,000		1,650
	Accelerated development of mobile acoustic countermeasure for force protection FNC		1,500		1,000
	Agile port and high speed ship technology		2,400	3,500	2,400
	Detecting IEDs		1,000		1,000
	Stabilized laser designation capability		1,500		1,000
	Superconducting DC homopolar motor for electric drive ships		4,000		2,600
	Mobile manufacturing and repair cell		2,000	5,000	3,250
	Sea fighter		23,000		15,000
	Damage control wireless communications and experimentation (DCWC&E)		2,700		2,200

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	House	Senate	Conference
	Missile warning sensor		3,500		2,800
	Aviation ground advanced technology		2,700		2,200
	Lightweight, ruggedized reconnaissance robot		1,000		1,000
	Center for Applied Research for Autonomous Systems		1,800		1,450
	Unmanned systems technologies for explosive ordnance disposal		1,000		1,000
	Affordable distributed aperture IRCM for helicopters and regional jets		5,000		4,000
	Strategic mobility 21 deployment technology		3,500		2,800
	Multipolar motor		2,000		1,100
	Secure infrastructure technology laboratory (SINTEL)		8,000		6,400
	Development of high performance sandwich panel construction		4,000		1,800
	Fuel cell fast-start battery for ship propulsion			5,000	3,300
	High temperature superconducting (HTS) generator			5,000	2,250
	Wide-area sensor for force protection targeting			4,000	2,600
	Large unmanned undersea vehicle (LUUV) test bed			2,000	1,300
	Advanced technology to reduce vulnerability of military installations (Note: Conference funding is provided in line 64)			2,000	0
	Completion of advanced ship service fuel cell power plant			2,000	1,000
	Wide-band gap semiconductor materials research			8,000	5,200
	Remote continuous energetic material manufacturing for pyrotechnic IR decoys			2,000	1,100
	Solid oxide fuel cells (SOFCs)			1,000	1,000
18	**COMMON PICTURE ADVANCED TECHNOLOGY**	**61,725**	**63,725**	**64,725**	**63,975**
	Maritime identification surveillance technology (MIST)		1,000		1,000
	Urban data delivery in the virtual battle lab		1,000		1,000
	Program growth			-4,000	-4,000
	Improved shipboard combat information center			3,000	1,350
	Rail sensor testbed			2,000	1,300
	4D data fusion visualization			2,000	1,600
19	**WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY**	**82,035**	**89,735**	**92,035**	**99,134**
	Sea base planning, operations, and logistics		-1,829		-1,829
	Sea base mobility and interfaces		-6,145		-6,145
	Sea basing		-2,320		-2,320
	Friction drag reduction		-2,497		-2,497
	Manpower and personnel development		-3,898		-1,500
	Training systems		-1,851		-1,000
	Airframe/ship corrosion		-1,360		-1,360
	Program underexecution			-4,000	0
	Program growth			-3,000	0
	Curve plate technology		1,000		1,000
	NADEP Cherry Point Center for Vertical Lift - Institute for Maintenance Science and Technology		3,000		1,350
	Autonomous sustainment cargo container (ASCC) delivery system		2,000	2,000	2,000
	SEAPRINT		3,000		2,000
	On-demand distributed training for the warfighter (ODTW)		2,700		2,200
	Photonic machining of electronic materials		1,000		1,000
	Mission readiness advancements for vertical lift aircraft		1,800		1,450
	Adaptive IED tactical system		1,800		1,450

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	House	Senate	Conference
	National Center for Research on Evaluation, Standards, and Student Testing (CRESST) skill set analysis (Note: Including $2,000,000 to formalize CRESST relationship as UARC for educational and training technology assessment		6,500		5,200
	Intelligent work management		1,800		1,450
	Training transformation for the littoral combat ship		1,000		1,000
	Shipboard personal locator beacon		2,000		1,300
	Protective apparel technology systems			2,000	2,000
	Advanced composite materials research			5,000	3,250
	Defense systems modernization and sustainment initiative			4,000	1,500
	HEET			4,000	3,200
	Training transformation for the Pacific (Note: Funding of $3,000,000 was provided in the Senate bill under "Research and Development, Defense Wide", line 112)				2,400
20	**RF SYSTEMS ADVANCED TECHNOLOGY**	**45,317**	**77,417**	**73,817**	**98,437**
	HESS		1,500		1,500
	Command and control on the move network digital over the horizon relay (CONDOR)		8,000		6,400
	AN/SPS-67 C-band active array radar (CBAAR)		17,000		16,470
	Common radar signal processor		3,600		2,900
	APY-6 real time precision targeting radar		2,000	3,000	2,000
	Joint electronic attack unmanned vehicles			1,500	1,000
	Polyimide macro electromechanical systems			2,000	1,100
	Common affordable radar processor			7,000	6,800
	Open architecture computer test bed			2,000	1,600
	Advanced wideband open architecture radar system			13,000	12,000
	Advanced low cost radar module cooling system (Note: Transfer from RDT&E, Army)				1,350
21	**MARINE CORPS ADVANCED TECHNOLOGY DEMONSTRATION (ATD)**	**59,170**	**78,670**	**86,670**	**83,320**
	Craft integrated electronic suite (CIES)		3,000		1,650
	Dual stage ultra reliable water filtration technology development		1,000		1,000
	Indirect fire multi-grenade launcher		1,500		1,000
	Laser integrated target engagement system (LITES)		7,000		4,850
	C3RP		4,000		3,200
	ULTRA program		3,000	6,000	3,000
	Expeditionary unit water purification			5,000	3,250
	USMC advanced tech demo			8,000	5,200
	Warfighter protection: integrated warfighter bio-defense (Note: Conference funding provided in line 24)			7,500	0
	Maritime air-ground task force situation awareness			1,000	1,000
22	**JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT**	**1,405**	**1,405**	**405**	**1,405**
	Program underexecution			-1,000	0
24	**WARFIGHTER PROTECTION ADVANCED TECHNOLOGY**	**17,982**	**58,482**	**17,982**	**58,332**
	Joint experimentation visualization		2,000		1,300
	Mobile oxygen, ventilation, and external suction (MOVES)		2,500		1,100

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	House	Senate	Conference
	Brain injury disease management initiative		2,000		2,000
	C. W. Bill Young Bone Marrow Donor Recruitment and Research Program		31,500		31,500
	Navy special warfare performance and injury prevention program		2,500		1,100
	Warfighter protection: integrated warfighter bio-defense (Note: Transfer from line 21)				3,350
25	**UNDERSEA WARFARE ADVANCED TECHNOLOGY**	**35,055**	**35,055**	**38,055**	**35,055**
	Program growth			-5,000	-5,000
	Demonstration wave power buoy for advanced deployable system			4,000	1,800
	Undersea vehicle test and training environment			4,000	3,200
28	**MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY**	**21,326**	**24,926**	**24,126**	**25,426**
	JEOD diver situational awareness system		2,000		1,800
	Upward looking sensor		1,600		1,050
	Visual integrated bridge system			2,800	1,250
30	**AIR/OCEAN TACTICAL APPLICATIONS**	**31,778**	**28,278**	**31,778**	**32,778**
	Base program reduction		-5,000		0
	Gateway concept		1,500		1,000
31	**AVIATION SURVIVABILITY**	**6,177**	**31,377**	**21,677**	**29,627**
	Unmanned force augmentation system		2,000		1,000
	Smart visor		1,500		1,000
	Intelligence gathering uninhabited system (IGUS)		2,000	2,000	2,000
	Equipment life extension project		2,700		1,200
	Intelligent autonomy technology transition program		4,000		1,800
	Rotorcraft external airbag protection system (REAPS)		3,000	4,000	3,000
	Integrated command decision work environment		5,000		4,000
	Joint helmet mounted cueing system (JHMCS) QuadEye		5,000		3,250
	Unmanned aircraft systems optimization technologies program			3,500	2,800
	Silver Fox unmanned aerial vehicle			4,000	1,800
	Air Sentinel			2,000	1,600
33	**ASW SYSTEMS DEVELOPMENT**	**16,782**	**22,782**	**23,482**	**25,432**
	Electro-optical passive ASW system		3,000	6,700	6,700
	Tactical e-field buoy development program		3,000		1,950
36	**SURFACE AND SHALLOW WATER MINE COUNTERMEASURES**	**130,265**	**134,765**	**114,365**	**116,565**
	AN/SQQ-32 mine hunting sonar upgrade		4,500		3,600
	Program growth			-3,000	-3,000
	Delay in MRUUV program			-16,900	-16,900
	Surface Navy integrated undersea tactical technology - mine warfare			4,000	2,600
37	**SURFACE SHIP TORPEDO DEFENSE**	**40,627**	**55,027**	**48,627**	**57,727**
	TDCL commonality - shipboard DCL technology demonstration and transfer		9,000		7,200
	AN/SLQ-25A torpedo countermeasure system		3,600		2,900
	Affordable fast ASW response weapon system		1,800		1,450
	Torpedo detection, classification, localization capability			1,000	1,000
	Integrated multi-platform sonar system (IMPSS)			7,000	4,550

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1	Budget Request	House	Senate	Conference
38 CARRIER SYSTEMS DEVELOPMENT	**153,894**	**158,394**	**153,894**	**156,844**
QuIPS integration with CV tactical support center (CV-TSC)		2,000		1,300
Sentinel Net for Ship Anti-Terrorism/Force Protection		2,500		1,650
39 SHIPBOARD SYSTEM COMPONENT DEVELOPMENT	**14,135**	**34,235**	**39,935**	**50,185**
Intelligent systems consortium		1,000		1,000
Advanced repair technology for the expeditionary Navy		2,000		1,000
Integrated power system converter		2,000		1,000
Smart machinery spaces system		4,200		2,750
High efficiency quiet electric drive		1,500	1,500	1,500
Air gun shock testing of naval vessels		1,000		1,000
Advanced combatant materials research		5,400		4,300
Fuel contaminate detection system		2,000		2,500
Smart valve		1,000	2,500	1,150
MTTC/IPI and National Surface Treatment Center			6,000	3,900
Advanced steam turbine			2,000	1,000
Water mist fire protection			1,000	1,000
Advanced fluid controls for shipboard applications			2,000	1,000
Carbon foam, Navy			3,500	2,800
Propulsor manufacturing technology development			5,300	4,250
Critical on demand information support for shipboard maintainers			1,000	1,000
Carrier strike group forward sensor network (Note: House bill provided funds in line 101)				3,900
Braided ropes for US Navy ship salvage			1,000	1,000
44 SURFACE ASW	**38,696**	**42,696**	**35,696**	**34,146**
Automated readiness measurement system (ARMS) - SBIR phase III		4,000		1,800
Program growth			-10,000	-10,000
Advanced receive while transmit sonar			2,000	1,000
Improved surface vessel torpedo launcher			3,000	1,350
All electric torpedo launcher			2,000	1,300
46 ADVANCED SUBMARINE SYSTEM DEVELOPMENT	**140,432**	**155,432**	**158,932**	**157,582**
Experimental research transformational submersible		4,500		4,500
Cryogenic power system for unmanned underwater vehicles		2,000		1,300
Large displacement UUV at sea launch and recovery		4,000	10,000	4,500
Inner and outer decoupler materials for fiberoptic conformal arrays		4,500		2,000
Low cost thin line fiber optic towed array			1,000	1,000
Fiber optic conformal acoustic velocity system (FO-CAVES)			4,500	2,500
Submarine automated simulation			3,000	1,350
48 SHIP CONCEPT ADVANCED DESIGN	**21,549**	**14,721**	**26,649**	**21,771**
Reduction to growth		-9,828		-9,828
Program underexecution			-5,500	0
Machinery analytics for controls and monitoring systems (ACMS)		3,000		1,350
Scout radar stealth upgrades for special warfare craft			1,000	1,000
Autonomous maritime navigation program			7,000	5,600
Advanced capabilities group			2,600	2,100

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	House	Senate	Conference
49	**SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES**	**21,314**	**24,314**	**28,314**	**25,864**
	Support for naval ship hydrodynamic test facilities		3,000	7,000	4,550
51	**ADVANCED SURFACE MACHINERY SYSTEMS**	**0**	**5,800**	**0**	**2,800**
	Lightweight metals technology for aluminum intensive marine structures		1,800		1,000
	LCS advanced lightweight metals technology for aluminum marine structures		4,000		1,800
53	**LITTORAL COMBAT SHIP (LCS)**	**319,671**	**332,271**	**321,471**	**330,671**
	LCS ASW mission area commonality		3,500		2,300
	Unmanned surface vehicles concepts and technology		2,700		2,200
	LCS mission module enhanced tactical response		5,400		4,300
	Remote operation of active sonar technology (ROAST)		1,000		1,000
	Advanced lightweight metals tech for aluminum intensive marine structures			1,800	1,200
54	**COMBAT SYSTEM INTEGRATION**	**62,095**	**74,745**	**63,095**	**72,195**
	Open architecture/maintenance free operating period (OA/MFOP)		2,000		1,300
	Lasers for Navy applications		4,000		3,200
	Deployable ultra-short pulse laser development		3,150		2,500
	Optical line replaceable units (O-LRUs) for high energy laser systems		1,000		1,000
	Prototype instrumentation system for MUTC		2,500		1,100
	Visualization and service-oriented architecture for strike force interoperabiity			1,000	1,000
55	**CONVENTIONAL MUNITIONS**	**22,385**	**23,885**	**22,385**	**23,385**
	Non-discarding sabot ammunition		1,500		1,000
56	**MARINE CORPS ASSAULT VEHICLES**	**188,306**	**194,906**	**191,306**	**349,206**
	Intelligent machining of advanced defense materials		3,000	3,000	3,000
	AN/UXC-10 digital facsimile upgrade for the EFV		3,600		2,900
	Adjustment to EFV acquisition strategy				155,000
58	**MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM**	**503**	**2,003**	**19,503**	**12,953**
	Marine sensor integrated, modular protection-combat helmet (MSIMP-CH)		1,500		1,000
	Moldable fabric armor			2,000	1,000
	Anti-sniper infrared targeting system			3,000	1,350
	Urban operations environment laboratory			11,000	7,150
	Marine expeditionary rifle squad			3,000	1,950
60	**COOPERATIVE ENGAGEMENT**	**53,406**	**67,406**	**48,106**	**64,606**
	Cooperative engagement capability integration		14,000		11,200
	Program underexecution			-5,300	0
61	**OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT**	**16,324**	**18,324**	**16,324**	**17,324**
	Advanced composite riverine craft		2,000		1,000
62	**ENVIRONMENTAL PROTECTION**	**20,271**	**26,771**	**24,271**	**26,071**
	U. S. Navy marine mammal program increase		2,500		2,000
	Puget Sound anoxia research		3,000		2,000
	Auditory electro-physiological testing program		1,000		0

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	House	Senate	Conference
	Integrated marine mammal monitoring and protection system			4,000	1,800
64	**FACILITIES IMPROVEMENT**	**4,194**	**6,194**	**6,194**	**8,294**
	Development of regenerative fuel cell back-up power systems for naval land-based installations		2,000		1,100
	Advanced technology to reduce vulnerability of military installations (Note: Senate provided funding in line 17)				2,000
	Permanent magnet linear generator power buoy system			2,000	1,000
66	**NAVY LOGISTIC PRODUCTIVITY**	**6,306**	**26,206**	**11,306**	**24,706**
	Navy operational logistics innovation		1,000		1,000
	Defense integrated technical data center		6,000		3,900
	Reliability testing of lead free circuits/components		2,000		1,300
	High density power electronics		1,800		1,450
	Fiber optic interconnect technology		2,250		1,800
	Unique identification of tangible items		5,500		3,600
	Fiber optic components for military applications		1,350		1,100
	Wireless maritime inspection system (Note: Senate bill addressed in a general provision)				1,000
	Multi-color infrared sensors			5,000	3,250
68	**LINK PLUMERIA**	**80,662**	**70,662**	**80,662**	**80,662**
	Program adjustment		-10,000		0
74	**LAND ATTACK TECHNOLOGY**	**18,571**	**48,171**	**36,571**	**56,471**
	Extended range munition program reduction		-8,000		0
	Affordable weapon system		24,000		15,600
	Millenium gun system		2,000	3,000	2,000
	EX-171 extended range guided munitions (ERGM) EMD		2,700		2,200
	Projectile common guidance		2,700		2,200
	Automated explosive safety assessment tools		1,000		1,000
	Advanced medium gun demonstrator		1,400		1,100
	76mm super rapid medium caliber gun		1,800		1,800
	Ballistic trajectory extended range munition		2,000	15,000	12,000
75	**NONLETHAL WEAPONS**	**44,815**	**48,515**	**46,815**	**49,315**
	3-dimensional through wall imaging of terrorist activities		1,000		1,000
	Non-lethal defense technology		2,700		2,200
	Boat trap system for port security/water craft interdiction			2,000	1,300
77	**JOINT PRECISION APPROACH AND LANDING SYSTEMS**	**41,242**	**41,242**	**33,242**	**33,242**
	Program reduction			-8,000	-8,000
78	**SINGLE INTEGRATED AIR PICTURE (SIAP) SYSTEM ENGINEERING**	**50,282**	**42,500**	**37,282**	**41,650**
	Reduction to program growth		-10,282	-13,000	-10,282
	SIAP open architecture automated test and retest		2,500		1,650
79	**COUNTER-DRUG RDT&E PROJECTS**	**0**	**4,000**	**0**	**2,200**
	Project Athena		4,000		2,200
80	**TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)**	**20,527**	**20,527**	**17,527**	**17,527**
	Program underexecution			-3,000	-3,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	House	Senate	Conference
81	**HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS)**	**77,000**	**30,000**	**0**	**20,000**
	Program reduction		-47,000	-72,000	-52,000
	Transfer to RDT&E, DW			-5,000	-5,000
	DIRECTED ENERGY RESEARCH	**0**	**0**	**30,000**	**19,500**
	Directed energy research			30,000	19,500
86	**STANDARDS DEVELOPMENT**	**112,257**	**92,257**	**70,987**	**73,237**
	CNS/ATM upgrades		-25,000		0
	Navy and Marine Corps sensor metrology R & D		5,000		2,250
	Defer new start -- CNS/ATM upgrades			-40,770	-40,770
	Sustain calibration standards at FY 2006 funded level			-500	-500
89	**P-3 MODERNIZATION PROGRAM**	**16,139**	**16,139**	**6,139**	**17,139**
	Defer new start			-11,000	0
	Personal digital assistant maintenance application			1,000	1,000
91	**TACTICAL COMMAND SYSTEM**	**74,225**	**60,625**	**57,625**	**56,625**
	Joint Mission Planning System - reduction to growth		-13,600	-13,600	-13,600
	Defer new start			-5,000	-5,000
	Navy logistics common operation picture (LOGCOP)			2,000	1,000
94	**ACOUSTIC SEARCH SENSORS**	**36,764**	**47,064**	**38,764**	**42,164**
	Acoustic environmental sensor system		2,300		1,000
	AN/USQ-78B acoustic processor improvements		8,000	2,000	4,400
96	**AIR CREW SYSTEMS DEVELOPMENT**	**12,434**	**14,234**	**12,434**	**13,884**
	SIIIS ejection seat improvement		1,800		1,450
97	**EA-18**	**372,363**	**375,363**	**372,363**	**373,713**
	Next generation electronic warfare simulator		3,000		1,350
98	**ELECTRONIC WARFARE DEVELOPMENT**	**39,842**	**723,639**	**39,842**	**40,842**
	IR signature reduction		1,200		1,000
99	**VHXX EXECUTIVE HELO DEVELOPMENT**	**682,597**	**682,597**	**557,597**	**632,597**
	Program underexecution			-125,000	-50,000
100	**JOINT TACTICAL RADIO SYSTEM - NAVY**	**1,153**	**0**	**0**	**798,412**
	Transfer from RDT&E, Army line 81				797,259
101	**SC-21 TOTAL SHIP SYSTEM ENGINEERING**	**817,528**	**831,528**	**818,528**	**826,228**
	Carrier strike group forward sensor network (Note: Conference funding provided in line 39)		6,000		0
	MEMS center for defense applications		1,000		1,000
	Surface vessel electric actuator technology development		2,500		1,400
	SmartLink planar scanner antenna modernization		2,000		1,000
	Floating area network		2,500	2,000	2,000
	Defer funding for CG(X) integration			-18,000	-9,000
	Bio/nano-MEMS Center for Defense Applications			2,000	1,300
	Permanent magnet motor system			15,000	11,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1	Budget Request	House	Senate	Conference
SURFACE COMBATANT COMBAT SYSTEM				
102 ENGINEERING	**190,059**	**191,059**	**179,659**	**179,009**
Smart integrated data environment		1,000		1,000
Program underexecution			-13,400	-13,400
Gas turbine electric start system technology			3,000	1,350
106 STANDARD MISSILE IMPROVEMENTS	**186,144**	**187,244**	**176,144**	**177,144**
Alternative thermal battery production capability		1,100		1,000
Program growth			-10,000	-10,000
107 AIRBORNE MCM	**56,145**	**62,145**	**56,145**	**58,845**
Airborne mine countermeasures open architecture technology insertion		6,000		2,700
NAVAL INTEGRATED FIRE CONTROL - COUNTER AIR				
108 SYSTEMS ENGINEERING	**14,792**	**14,792**	**0**	**14,792**
Defer new start			-14,792	0
109 SSN-688 AND TRIDENT MODERNIZATION	**94,839**	**109,139**	**106,839**	**109,639**
Twin thin line towed array processing improvements in ARCI		2,500		1,650
Connectionless technology for towed arrays		3,000		1,650
SONAR advanced optical co-processor		1,800		1,000
Submarine-enabling airborne data exchange and enhancement (SEADeep)		3,000		2,400
Common submarine radio room		4,000	4,000	4,000
Affordable towed array construction			2,000	1,300
Improved submarine towed array and array handler			4,000	1,800
Active intercept and ranging system			2,000	1,000
112 SHIPBOARD AVIATION SYSTEMS	**33,392**	**35,392**	**32,892**	**32,892**
Aircraft carrier launch and recovery (ALRE)/support equipment continued modernization		2,000	2,000	2,000
Program underexecution			-3,500	-3,500
Synthetic material arresting cable			1,000	1,000
113 COMBAT INFORMATION CENTER CONVERSION	**6,708**	**7,708**	**8,208**	**7,708**
C2 web-based architecture		1,000	1,500	1,000
114 NEW DESIGN SSN	**169,580**	**189,980**	**216,780**	**202,130**
Submarine low power computing advanced technology insertion and cost reduction initiative for command and control		2,000		1,000
Large aperture bow array on Virginia class		9,000	16,000	9,000
Flexible payload module and Virginia payload interface module development		4,000	15,000	6,750
Large scale demonstration item for Virginia class bow dome			6,200	5,000
Multilevel secure wireless network			2,000	1,300
Advanced submarine research			8,000	5,200
Submarine modernization and technology insertion		5,400		4,300
116 SUBMARINE TACTICAL WARFARE SYSTEM	**51,656**	**54,156**	**53,656**	**54,806**
Submarine maintenance automation and communication system		2,500		2,150
Automated submarine command and control center			2,000	1,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1	Budget Request	House	Senate	Conference
117 SHIP CONTRACT DESIGN/ LIVE FIRE T&E	**72,055**	**73,855**	**72,055**	**73,505**
Integrated lifecycle management environment for the surface fleet		1,800		1,450
121 LIGHTWEIGHT TORPEDO DEVELOPMENT	**40,540**	**40,540**	**35,040**	**40,540**
Defer new start			-5,500	0
122 JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMEN	**10,026**	**10,026**	**10,026**	**10,426**
Independent testing of the joint improvised explosive device neutralizer III (Note: Senate addressed this in a general provision)				400
123 PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	**8,754**	**9,754**	**8,754**	**9,754**
SEAPRINT		1,000		1,000
124 BATTLE GROUP PASSIVE HORIZON EXTENSION SYSTEM	**0**	**1,000**	**2,000**	**2,000**
TREX/MILDEC tactical target generator system		1,000		1,000
COBLU-direction finding enhancement			2,000	1,000
126 SHIP SELF DEFENSE (DETECT & CONTROL)	**10,050**	**25,650**	**15,250**	**26,750**
Shipboard swimmer defense system		3,000		2,400
Integrated display and enhanced architecture/surface combatant systems engineering (common display architecture - CDA)		12,600		10,100
Reusable unambiguous swimmer warning vehicle			5,200	4,200
127 SHIP SELF DEFENSE (ENGAGE: HARD KILL)	**46,390**	**50,890**	**51,390**	**50,890**
Future phalanx next generation improvements		4,500	5,000	4,500
128 SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	**11,513**	**12,913**	**27,513**	**21,213**
Advanced radar absorbing tiles for surface ships		1,400	2,000	1,400
Shipboard electronic warfare improvement program			5,000	3,250
MK53 (Nulka) decoy system			4,000	1,800
SLQ-32 ESM system interference cancellation			5,000	3,250
130 MEDICAL DEVELOPMENT	**7,663**	**35,263**	**9,663**	**29,663**
Advanced molecular medicine initiative - City of Hope National Medical Center		3,000		1,350
Community Hospital Telehealth Consortium		1,500		1,000
Diabetes research, somatic cell processing program		3,000		1,400
HUCTC proton beam therapy research		2,000		1,000
Infusible hemostatic therapeutic trials		2,000	2,000	2,000
Military dental research		4,000		4,000
On-demand custom body implants/prosthesis for injured personnel		3,000		1,350
Discovery, early detection, evaluation, treatment, and prevention in cancer		5,000		4,000
Defense graduate psychology education program (Note: Only to continue program between WRAMC and USUHS)		3,600		2,900
Thermotube battlefield body temperature regulator		500		500
Validation of prognostic and health management systems (Note: House recommended $2,500,000 out of available funds)				2,500

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1	Budget Request	House	Senate	Conference
132 DISTRIBUTED SURVEILLANCE SYSTEM	**58,273**	**60,773**	**58,273**	**60,273**
SureTrak		1,500		1,000
Off-board sensor		1,000		1,000
133 JOINT STRIKE FIGHTER (JSF)	**2,030,979**	**2,033,679**	**2,172,285**	**2,172,135**
Innovative technology for an open architecture JSF/F/A-18 E/F core processor		2,700		1,200
Maintain development of 2nd source for engine			170,000	170,000
Excess award fee			-31,694	-31,694
JSF heat exchanger development; weight reduction and performance			3,000	1,650
135 INFORMATION TECHNOLOGY DEVELOPMENT	**13,326**	**14,326**	**13,326**	**14,326**
Oblique imaging and software tool for Marine installations		1,000		1,000
136 INFORMATION TECHNOLOGY DEVELOPMENT	**88,323**	**92,323**	**127,423**	**115,423**
SPAWAR Systems Center ITC, including joint Naval/local university information systems research		4,000	15,000	8,250
Internet relay chat improvement and upgrade project			3,000	1,950
Enterprise resource planning (Navy converged)			8,100	6,500
Digitization of NCIS files			8,000	6,400
Integration of logistics info for knowledge projection and readiness assessments			2,000	1,600
Condition-based maintenance enabling technologies program			3,000	2,400
138 CH-53X RDT&E	**362,672**	**362,672**	**357,672**	**357,672**
Program underexecution			-5,000	-5,000
140 TACTICAL CRYPTOLOGIC SYSTEMS	**23,526**	**27,526**	**23,526**	**25,826**
ANS/SSQ-137(V) ships signals exploitation equipment increment E		2,000		1,300
Scan Eagle UAV advanced datalink and sensor development		2,000		1,000
142 TARGET SYSTEMS DEVELOPMENT	**45,666**	**45,666**	**50,666**	**47,916**
Supersonic sea skimming target - air diver/Coyote			5,000	2,250
143 MAJOR T&E INVESTMENT	**39,750**	**47,250**	**48,750**	**48,600**
Low cost Coyote ramjet demonstration		2,000		1,000
Upgrading range instrumentation to support network centric operations		2,500	4,000	2,600
Network expansion of RDT&E ranges		3,000		2,000
Network expansion & integration of Navy/NASA RDT&E ranges and facilities			5,000	3,250
148 TECHNICAL INFORMATION SERVICES	**670**	**9,170**	**21,670**	**25,070**
Illinois Technology Transition Center		2,500		1,650
Commercialization of advanced technology (CAT)		6,000		4,800
Integrated manufacturing enterprise			3,000	1,650
Joint Information Technology Center			6,000	4,800
HTDV			4,000	4,000
Pacific-based Joint Info Tech Center			8,000	7,500
149 MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	**47,213**	**47,213**	**45,413**	**45,413**
Program growth			-1,800	-1,800

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1	Budget Request	House	Senate	Conference
151 RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	**67,328**	**67,328**	**66,328**	**67,328**
Program growth			-1,000	0
157 SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	**20,073**	**20,073**	**18,173**	**18,173**
Program underexecution			-1,900	-1,900
158 MARINE CORPS PROGRAM WIDE SUPPORT	**25,343**	**31,343**	**31,343**	**31,343**
Corrosion service teams		2,000		1,000
Individual chemical alert system (ICAS)		1,000	1,000	1,000
Tactical air sentinel		3,000	3,000	3,000
Field rapid assay biological system			2,000	1,000
160 SERVICE SUPPORT TO JFCOM, JNTC	**5,202**	**12,802**	**5,202**	**12,802**
Training transformation for training and test and evaluation ranges		7,600		7,600
163 HARPOON MODIFICATIONS	**36,284**	**28,000**	**0**	**28,000**
Program reduction		-8,284		-8,284
Defer new start			-36,284	0
164 UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT DEVELOPMENT	**239,163**	**189,163**	**0**	**100,000**
Program execution reduction		-50,000	-239,163	-139,163
165 STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	**124,522**	**129,522**	**124,522**	**127,172**
Advanced conventional strike capability (SLIRBM)		2,000		1,300
Free electron laser facility		3,000		1,350
169 RAPID TECHNOLOGY TRANSITION (RTT)	**39,285**	**44,285**	**35,485**	**39,485**
120mm tank high explosive plastic (HEP) cartridge		5,000		4,000
Program underexecution			-3,800	-3,800
170 F/A-18 SQUADRONS	**31,098**	**38,698**	**41,598**	**39,448**
F/A-18 C/D digital electronic warfare system		7,600	5,000	5,000
F/A-18 A-D series tech manual conversion			3,000	1,350
Military rapid response command information system			2,500	2,000
171 E-2 SQUADRONS	**1,540**	**6,240**	**7,540**	**9,840**
E-2C open architecture computing framework		2,000		1,300
Airborne advanced networks		2,700		2,200
Makaha Ridge FORCEnet Lab			4,000	3,200
E-2C/Advanced Hawkeye transmitter technologies			2,000	1,600
173 TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	**18,635**	**25,635**	**18,635**	**24,235**
Precision terrain aided navigation		7,000		5,600
174 INTEGRATED SURVEILLANCE SYSTEM	**30,740**	**42,540**	**28,240**	**40,590**
Program increase		8,200		8,200
Program underexecution			-2,500	-1,200
High channel count interrogator for sensor arrays		1,800		1,450
Tunable laser and laser array		1,800		1,400

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1	Budget Request	House	Senate	Conference
176 CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	**17,857**	**19,857**	**17,857**	**19,157**
Total ship training capability support system		2,000		1,300
179 HARM IMPROVEMENT	**99,208**	**105,208**	**94,208**	**100,208**
Joint common missile		5,000		5,000
Program underexecution (Note: None of the reduction shall be applied against the Joint Common Missile program)			-5,000	-5,000
Aircraft composite rocket launcher improvement program		1,000		1,000
181 SURFACE ASW COMBAT SYSTEM INTEGRATION	**9,417**	**21,667**	**9,417**	**18,617**
Advanced materials for acoustic window applications		2,000		1,000
Surface ship sonar integrated data fusion initiative		2,250		1,800
Surface ship ASW R&D improvements (SQQ-89)		8,000		6,400
183 AVIATION IMPROVEMENTS	**71,612**	**80,412**	**89,212**	**88,312**
Rotor blade protection		1,000		1,000
Real time measurement weight and balance system for C-130s		1,000	4,500	2,500
AGE exploration model extension to multi-signal diagnostics		3,000		2,000
Low maintenance material applications		1,800		1,450
Navair obsolescence management and tools		1,000		1,000
Aircraft sustainment technology rapid deployment initiative		1,000		1,000
Nanocrystalline diamond coatings for complex curved impeller blades			2,300	1,050
Arc fault circuit breaker with arc location system			2,500	1,400
Wireless sensors for Navy aircraft			3,000	1,950
Sacrificial film laminates for Navy helicopter windscreens			2,300	1,050
F/A-18 avionics ground support system			1,000	1,000
Advanced avionics miniaturization program			2,000	1,300
186 MARINE CORPS COMMUNICATIONS SYSTEMS	**218,460**	**241,160**	**219,460**	**234,710**
Battlefield management system (BMS)/advanced situational awareness system (AS2) (BMS/AS2)		5,000		3,250
Foliage penetrating synthetic aperture radar		1,000		1,000
Ground/air task-oriented radar (G/ATOR)		5,000		2,750
Marine Corps battlefield fusion		3,000		1,350
Remote tactical collection and transmission system		3,000		2,400
Marine Corps composite tracking network sensor/comms integration		2,700		2,200
Improved Marine communications		2,000		1,300
Trident - soldier training		1,000		1,000
Wireless tactical remote video/sensor surveillance system			1,000	1,000
187 MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	**47,592**	**68,892**	**57,592**	**65,742**
Amplifying fluorescent polymer based IED detection		2,800	2,000	2,000
Particulate matter filter system		1,000		500
USMC light armored vehicles integrated digital and collaborative environment (IDCE) service network		2,700		2,200
Precision extended range munition (PERM) - EFSS - USMC		8,000	8,000	8,000

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1	Budget Request	House	Senate	Conference
Lightweight prime mover vehicle		5,000		4,000
Development of lightweight, flexible, multi-threat body and appendage armor		1,800		1,450
195 SATELLITE COMMUNICATIONS (SPACE)	**748,662**	**751,662**	**750,662**	**751,612**
Joint integrated systems for advanced digital networking (JIST-NET)		3,000		1,950
Internet protocol version 6 transition planning laboratory			2,000	1,000
196 INFORMATION SYSTEMS SECURITY PROGRAM	**23,037**	**27,037**	**26,837**	**29,037**
Tactical key loader		4,000		3,200
Universal description, discovery and integration			2,800	1,800
SECUREkit			1,000	1,000
199 NAVY METEOROLOGICAL AND OCEAN SENSORS-SPACE (METOC)	**7,307**	**9,307**	**7,307**	**8,307**
Radiation hardened vector processor		2,000		1,000
202 TACTICAL UNMANNED AERIAL VEHICLES	**115,950**	**118,950**	**115,950**	**119,550**
Unmanned air systems tactical control system open architecture migration		1,000		1,000
Advanced airship flying laboratory (Note: Senate addressed this in a general provision)				1,000
UAV payload for nuclear, biological, and chemical (NBC) detection		2,000		1,600
204 AIRBORNE RECONNAISSANCE SYSTEMS	**35,038**	**36,838**	**39,038**	**39,138**
C4ISR aircraft		1,800		1,450
Deployable unmanned aerial vehicle system for targeting, exploitation			3,000	1,650
Passive collision avoidance and reconnaissance			1,000	1,000
205 MANNED RECONNAISSANCE SYSTEMS	**22,815**	**35,815**	**32,815**	**29,065**
Classified program increase		12,000		0
Miniature radar responsive tag (MRRT)		1,000		1,000
High altitude hyperspectral imaging for Navy's SHARP program			3,000	1,000
Sonochute-launched VTOL UAVs			2,000	1,000
Collective aperture multi-band sensor system			5,000	3,250
206 DISTRIBUTED COMMON GROUND SYSTEMS	**16,587**	**18,587**	**16,587**	**17,887**
Maritime intelligence integration for shared situational awareness		2,000		1,300
207 AERIAL COMMON SENSOR (ACS)	**17,182**	**17,182**	**0**	**17,182**
Defer funding pending plan			-17,182	0
209 DEPOT MAINTENANCE (NON-IF)	**2,960**	**6,960**	**2,960**	**6,160**
Portable laser depainting system		4,000		3,200
211 INDUSTRIAL PREPAREDNESS	**55,048**	**63,848**	**57,048**	**61,048**
Formable aligned carbon thermoSets (FACTS)/stretch broken carbon fiber		4,000		2,200
Nano-imprint at manufacturing scale (NIMS)		1,800		1,450

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	House	Senate	Conference
	U. S. Navy nuclear power plant and ship propulsion shaft manufacturing improvement		3,000		1,350
	Polyetherimide resin foam domestic manufacturing capability			2,000	1,000
212	**MARITIME TECHNOLOGY (MARITECH)**	**0**	**22,000**	**16,100**	**20,500**
	National Shipbuilding Research Program		20,000	10,000	15,000
	Shipyard enterprise warehouse management system with integrated radio frequency system (EWMS/RFID) and CAC card technology pilot		2,000		1,000
	Naval Air Warfare Center asset visibility business process improvement			3,000	2,000
	Navy automatic ID technology engineering support center			3,100	2,500

MICROMANUFACTURING PROCESSES

The conferees are aware of the growing need for microdevices and improved micromanufacturing processes to meet Defense requirements for smart micromachines. Streamlined micromanufacturing processes will enhance the Department's development and use of embedded biochemical sensors and miniature safe-and-arm devices. The Department is encouraged to work with universities with demonstrated expertise in novel micromanufacturing processes and equipment.

CORROSION PROTECTION

The Navy spends significant amounts of its fleet maintenance budget on corrosion protection. The conferees are aware of important research performed by the Center for Photochemical Sciences that develops corrosion resistant marine paint using photo-cure technology. These new photo-cure technologies can increase corrosion protection while reducing environmentally harmful emissions. This technology may provide unique advantages over current materials. The conferees encourage the Office of Naval Research to consider continued funding for this important research project.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	RESEARCH, DEVELOPMENT, TEST & EVAL, AF				
	BASIC RESEARCH				
1	DEFENSE RESEARCH SCIENCES	250,232	259,832	259,732	262,232
2	UNIVERSITY RESEARCH INITIATIVES	107,571	112,571	114,471	115,471
3	HIGH ENERGY LASER RESEARCH INITIATIVES	12,403	12,403	12,403	12,403
	TOTAL, BASIC RESEARCH	370,206	384,806	386,606	390,106
	APPLIED RESEARCH				
4	MEDICAL DEVELOPEMENT	---	24,300	---	23,900
5	MATERIALS	111,073	144,273	146,473	149,973
6	AEROSPACE VEHICLE TECHNOLOGIES	112,751	124,351	118,751	125,851
7	HUMAN EFFECTIVENESS APPLIED RESEARCH	92,991	104,691	103,591	107,491
8	AEROSPACE PROPULSION	170,885	204,835	200,885	213,485
9	AEROSPACE SENSORS	117,553	132,553	127,053	133,753
10	MULTI-DISCIPLINARY SPACE TECHNOLOGY	---	3,500	2,500	4,400
11	SPACE TECHNOLOGY	85,594	90,344	106,579	100,879
12	CONVENTIONAL MUNITIONS	62,105	62,105	64,105	63,405
13	DIRECTED ENERGY TECHNOLOGY	48,422	57,422	50,922	52,722
14	COMMAND CONTROL AND COMMUNICATIONS	119,267	122,267	121,767	123,367
16	HIGH ENERGY LASER RESEARCH	50,166	51,166	54,166	53,366
17	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	2,287	2,287	2,287	2,287
	TOTAL, APPLIED RESEARCH	973,094	1,124,094	1,099,079	1,154,879

		Budget	House	Senate	Conference
		(In thousands of dollars)			
	ADVANCED TECHNOLOGY DEVELOPMENT				
18	ADVANCED MATERIALS FOR WEAPON SYSTEMS	48,901	66,501	79,201	81,901
19	ADVANCED AEROSPACE SENSORS	55,150	60,450	55,150	58,450
20	AEROSPACE TECHNOLOGY DEV/DEMO	27,424	69,548	38,424	58,524
21	AEROSPACE PROPULSION AND POWER TECHNOLOGY	115,546	141,546	140,346	148,446
22	CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY	32,156	49,006	32,156	42,756
23	ELECTRONIC COMBAT TECHNOLOGY	24,436	30,436	27,936	29,636
24	BALLISTIC MISSILE TECHNOLOGY	---	9,000	4,500	9,400
26	ADVANCED SPACECRAFT TECHNOLOGY	68,026	92,926	102,026	101,226
27	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	6,074	6,074	52,074	50,574
29	CONVENTIONAL WEAPONS TECHNOLOGY	19,658	45,958	19,658	40,058
30	ADVANCED WEAPONS TECHNOLOGY	51,336	62,336	73,336	77,036
32	C3I ADVANCED DEVELOPMENT	35,785	48,535	38,785	47,385
33	SPECIAL PROGRAMS	316,605	316,605	316,605	316,605
35	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	3,713	3,713	3,713	3,713
36	TACTICAL AIRBORNE CONTROL SYSTEMS	26	26	26	26
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	804,836	1,002,660	983,936	1,065,736
	DEMONSTRATION & VALIDATION				
40	INTELLIGENCE ADVANCED DEVELOPMENT	4,776	6,776	4,776	5,776
41	PHYSICAL SECURITY EQUIPMENT	298	298	298	298
42	NAVSTAR GLOBAL POSITIONING SYSTEM III	315,314	315,314	315,314	315,314
43	ADVANCED EHF MILSATCOM (SPACE)	633,258	633,258	633,258	633,258
44	POLAR MILSATCOM (SPACE)	35,685	35,685	35,685	35,685
45	SPACE CONTROL TECHNOLOGY	27,076	27,076	31,076	30,276
46	COMBAT IDENTIFICATION TECHNOLOGY	26,517	26,517	26,517	26,517
47	NATO RESEARCH AND DEVELOPMENT	4,095	4,095	4,095	4,095
48	INTERNATIONAL SPACE COOPERATIVE R&D	593	593	593	593
49	TRANSFORMATIONAL SATCOM (TSAT)	867,102	767,102	637,102	737,102
50	INTEGRATED BROADCAST SERVICE	20,592	20,592	20,592	20,592
51	INTERCONTINENTAL BALLISTIC MISSILE	45,538	65,038	45,538	61,138

		Budget	House	Senate	Conference
		(In thousands of dollars)			
52	WIDEBAND GAPFILLER SYSTEM RDT&E (SPACE)	37,672	37,672	37,672	37,672
53	SPACE-BASED RADAR	266,401	200,000	166,401	186,401
54	POLLUTION PREVENTION (DEM/VAL)	2,853	7,553	4,353	7,053
55	JOINT PRECISION APPROACH AND LANDING SYSTEMS	10,011	10,011	10,011	10,011
56	NEXT GENERATION BOMBER	25,598	25,598	25,598	25,598
60	COMMON AERO VEHICLE (CAV)	33,386	33,386	33,386	33,386
61	OPERATIONALLY RESPONSIVE SPACE	35,625	23,601	35,625	35,625
63	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SAT.	349,311	349,311	349,311	349,311
	TOTAL, DEMONSTRATION & VALIDATION	2,741,701	2,589,476	2,417,201	2,555,701
	ENGINEERING & MANUFACTURING DEVELOPMENT				
64	GLOBAL BROADCAST SERVICE (GBS)	23,599	25,599	23,599	24,899
65	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	2,792	2,792	2,792	2,792
66	NUCLEAR WEAPONS SUPPORT	14,895	14,895	14,895	14,895
67	B-1B	130,546	130,546	130,546	130,546
68	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	3,703	3,703	3,703	3,703
70	B-2 ADVANCED TECHNOLOGY BOMBER	224,177	240,177	231,177	242,577
71	PERSONNEL RECOVERY SYSTEMS	254,310	224,310	201,455	201,455
72	ELECTRONIC WARFARE DEVELOPMENT	87,784	92,184	93,684	93,184
74	PHYSICAL SECURITY EQUIPMENT	93	93	93	93
75	SMALL DIAMETER BOMB (SDB)	104,080	106,080	104,080	105,880
76	COUNTERSPACE SYSTEMS	47,292	47,292	50,319	50,492
77	SPACE SITUATION AWARENESS SYSTEMS	121,157	121,157	123,157	122,157
78	AIRBORNE ELECTRONIC ATTACK	12,421	12,421	12,421	12,421
79	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	668,902	668,902	668,902	668,902
80	ALTERNATIVE INFRARED SPACE SYSTEM (AIRSS)	102,962	67,962	102,962	67,962
83	ARMAMENT/ORDNANCE DEVELOPMENT	5,039	5,039	5,039	5,039
84	SUBMUNITIONS	5,759	5,759	9,759	8,359
85	AGILE COMBAT SUPPORT	10,095	10,095	10,095	10,095
86	JOINT DIRECT ATTACK MUNITION	15,450	15,450	15,450	15,450
87	LIFE SUPPORT SYSTEMS	12,370	14,170	12,370	14,270

	(In thousands of dollars) Budget	House	Senate	Conference
88 COMBAT TRAINING RANGES	14,363	17,363	14,363	16,763
89 INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A)	167	17,467	9,167	15,667
90 INTELLIGENCE EQUIPMENT	1,426	3,426	5,426	4,926
91 COMMON LOW OBSERVABLES VERIFICATION SYSTEM (CLOVERS)	---	4,500	4,500	4,500
92 JOINT STRIKE FIGHTER (JSF)	1,999,068	2,200,568	2,137,374	2,138,374
94 EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)	18,513	20,513	18,513	19,813
95 RDT&E FOR AGING AIRCRAFT	25,490	26,490	27,490	26,590
96 TEST AND EVALUATION SUPPORT	2,388	2,388	2,388	2,388
97 LINK-16 SUPPORT AND SUSTAINMENT	172,625	174,625	172,625	174,225
99 E-10 SQUADRONS	390,896	390,896	390,896	390,896
100 SINGLE INTEGRATED AIR PICTURE (SIAP)	40,124	40,124	40,124	40,124
101 FULL COMBAT MISSION TRAINING	32,243	35,843	32,243	35,143
103 CV-22	26,601	26,601	26,601	26,601
TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT	4,571,330	4,769,430	4,698,208	4,691,181
RDT&E MANAGEMENT SUPPORT				
104 THREAT SIMULATOR DEVELOPMENT	38,131	38,131	38,131	38,131
105 MAJOR T&E INVESTMENT	58,506	63,506	58,506	61,906
106 RAND PROJECT AIR FORCE	25,211	28,211	25,211	26,611
109 INITIAL OPERATIONAL TEST & EVALUATION	34,802	34,802	34,802	34,802
110 TEST AND EVALUATION SUPPORT	740,134	740,134	740,134	740,134
111 ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	14,704	29,704	14,704	26,104
112 SPACE TEST PROGRAM (STP)	46,310	46,310	46,310	46,310
113 FACILITIES RESTORATION & MODERNIZATION - TEST & EVAL	54,683	55,683	54,683	55,683
114 FACILITIES SUSTAINMENT - TEST AND EVALUATION SUPPORT	25,579	29,579	25,579	28,179
115 GENERAL SKILL TRAINING	305	305	305	305
118 INTERNATIONAL ACTIVITIES	3,911	3,911	3,911	3,911
TOTAL, RDT&E MANAGEMENT SUPPORT	1,042,276	1,070,276	1,042,276	1,062,076

	(In thousands of dollars) Budget	House	Senate	Conference
OPERATIONAL SYSTEMS DEVELOPMENT				
119 ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	8,014	8,014	8,014	8,014
121 B-52 SQUADRONS	71,379	77,379	71,379	76,279
122 ADVANCED CRUISE MISSILE	6,983	6,983	6,983	6,983
123 AIR-LAUNCHED CRUISE MISSILE (ALCM)	3,736	3,736	3,736	3,736
124 STRAT WAR PLANNING SYSTEM - USSTRATCOM	27,285	27,285	30,285	28,685
125 NIGHT FIST - USSTRATCOM	5,162	5,162	5,162	5,162
126 ADVANCED STRATEGIC PROGRAMS	22,423	22,423	22,423	22,423
127 REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION	14,853	14,853	14,853	14,853
128 WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRAN	30,584	30,584	30,584	30,584
129 A-10 SQUADRONS	80,771	16,771	31,971	31,971
130 F-16 SQUADRONS	148,373	152,373	151,273	152,573
131 F-15E SQUADRONS	125,062	138,062	125,062	138,062
132 MANNED DESTRUCTIVE SUPPRESSION	515	515	515	515
133 F-22 SQUADRONS	584,290	484,290	434,290	474,290
134 F-117A SQUADRONS	14,093	14,093	14,093	14,093
135 TACTICAL AIM MISSILES	8,850	8,850	8,850	8,850
136 ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	43,417	43,417	43,417	43,417
138 AF TENCAP	11,202	11,202	11,202	11,202
139 SPECIAL EVALUATION PROGRAM	530,038	530,038	530,038	530,038
140 COMPASS CALL	4,469	15,969	4,469	9,969
141 AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	154,319	154,319	154,319	154,319
142 CSAF INNOVATION PROGRAM	1,612	1,612	1,612	1,612
143 JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	40,881	40,881	40,881	40,881
144 AIR AND SPACE OPERATIONS CENTER (AOC)	87,483	77,483	77,483	77,483
145 CONTROL AND REPORTING CENTER (CRC)	8,798	8,798	8,798	8,798
146 AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	165,820	165,820	165,820	165,820
147 TACTICAL AIRBORNE CONTROL SYSTEMS	2,286	2,286	2,286	2,286
148 ADVANCED COMMUNICATIONS SYSTEMS	53,093	53,093	43,093	43,093
149 EVALUATION AND ANALYSIS PROGRAM	---	3,250	---	2,600

	(In thousands of dollars) Budget	House	Senate	Conference
150 ADVANCED PROGRAM TECHNOLOGY	313,251	313,251	313,251	313,251
151 THEATER BATTLE MANAGEMENT (TBM) C4I	31,835	31,835	31,835	31,835
152 FIGHTER TACTICAL DATA LINK	113,388	113,388	113,388	113,388
153 BOMBER TACTICAL DATA LINK	168,168	101,168	101,168	101,168
154 C2ISR TACTICAL DATA LINK	4,338	4,338	4,338	4,338
155 COMMAND AND CONTROL (C2) CONSTELLATION	44,027	44,027	44,027	44,027
156 JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEM	152,696	152,696	160,696	156,296
157 SEEK EAGLE	16,426	16,426	16,426	16,426
158 ADVANCED PROGRAM EVALUATION	437,057	437,057	437,057	437,057
159 USAF MODELING AND SIMULATION	23,470	28,970	6,470	23,770
160 WARGAMING AND SIMULATION CENTERS	6,595	6,595	6,595	6,595
161 DISTRIBUTED TRAINING AND EXERCISES	6,138	6,138	6,138	6,138
162 MISSION PLANNING SYSTEMS	146,396	129,896	146,396	129,896
163 INFORMATION WARFARE SUPPORT	24,758	24,758	24,758	24,758
169 E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	283	283	283	283
170 MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK	64,109	64,109	64,109	64,109
171 INFORMATION SYSTEMS SECURITY PROGRAM	183,523	185,523	183,523	185,523
172 GLOBAL COMBAT SUPPORT SYSTEM	19,895	19,895	19,895	19,895
173 GLOBAL COMMAND AND CONTROL SYSTEM	3,348	15,848	3,348	11,448
174 JOINT COMMAND AND CONTROL PROGRAM (JC2)	5,818	5,818	5,818	5,818
175 MILSATCOM TERMINALS	271,562	271,562	271,562	271,562
177 AIRBORNE SIGINT ENTERPRISE	117,834	117,834	117,834	117,834
181 GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	6,620	6,620	6,620	6,620
182 SATELLITE CONTROL NETWORK (SPACE)	19,907	19,907	19,907	21,787
183 WEATHER SERVICE	34,899	35,899	34,899	35,899
184 AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATC	---	2,000	---	1,600
185 AERIAL TARGETS	5,203	5,203	5,203	5,203
187 SECURITY AND INVESTIGATIVE ACTIVITIES	509	509	509	509
191 DEFENSE METEOROLOGICAL SATELLITE PROGRAM (SPACE)	969	969	969	969
192 NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT)	131,083	133,083	136,083	134,383

	(In thousands of dollars) Budget	House	Senate	Conference
193 NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL)	177,792	177,792	177,792	177,792
195 SPACE AND MISSILE TEST AND EVALUATION CENTER	4,675	4,675	4,675	4,675
196 SPACE WARFARE CENTER	726	726	726	726
197 SPACELIFT RANGE SYSTEM (SPACE)	38,044	39,044	38,044	39,044
198 INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS	3,813	3,813	3,813	3,813
200 AIRBORNE RECONNAISSANCE SYSTEMS	52,824	52,824	52,824	52,824
201 MANNED RECONNAISSANCE SYSTEMS	10,132	13,132	13,132	13,132
202 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	120,777	124,577	120,777	122,477
203 PREDATOR UAV (JMIP)	61,466	63,966	67,466	68,166
204 GLOBAL HAWK UAV	247,665	248,665	247,665	248,665
205 NETWORK-CENTRIC COLLABORATIVE TARGET (TIARA)	8,499	8,499	8,499	8,499
206 INTELLIGENCE SUPPORT TO INFORMATION WARFARE	5,163	5,163	5,163	5,163
207 NCMC - TW/AA SYSTEM	50,908	16,308	57,908	43,500
209 NUDET DETECTION SYSTEM (SPACE)	60,281	60,281	60,281	60,281
211 NATIONAL SECURITY SPACE OFFICE	13,437	13,437	13,437	13,437
212 SPACE SITUATION AWARENESS OPERATIONS	31,401	31,401	31,401	31,401
213 NASS, IO TECHNOLOGY INTEGRATION & TOOL DEV	15,449	15,449	15,449	15,449
214 SHARED EARLY WARNING (SEW)	2,999	2,999	2,999	2,999
215 C-130 AIRLIFT SQUADRON	248,283	213,783	250,283	233,183
216 C-5 AIRLIFT SQUADRONS	150,209	152,209	150,209	151,209
217 C-17 AIRCRAFT	173,781	173,781	173,781	173,781
218 C-130J PROGRAM	40,542	44,542	40,542	40,542
220 LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	34,916	39,916	42,416	40,616
221 KC-135S	1,126	1,126	1,126	1,126
222 KC-10S	4,781	4,781	4,781	4,781
223 KC-135 TANKER REPLACEMENT	203,932	203,932	---	70,000
224 AIR MOBILITY TACTICAL DATA LINK	32,099	20,099	22,099	22,099
225 SPECIAL TACTICS / COMBAT CONTROL	1,024	3,024	1,024	2,024
226 DEPOT MAINTENANCE (NON-IF)	1,457	1,457	1,457	1,457

	(In thousands of dollars) Budget	House	Senate	Conference
228 ACQUISITION AND MANAGEMENT SUPPORT	17,706	17,706	17,706	17,706
229 INDUSTRIAL PREPAREDNESS	36,673	54,473	69,073	66,373
230 LOGISTICS SUPPORT ACTIVITIES	---	2,000	---	1,300
231 LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	166,338	136,338	106,338	121,338
232 SUPPORT SYSTEMS DEVELOPMENT	10,596	26,696	27,996	32,896
233 JOINT NATIONAL TRAINING CENTER	3,073	3,073	3,073	3,073
234 OTHER PERSONNEL ACTIVITIES	113	113	113	113
235 JOINT PERSONNEL RECOVERY AGENCY	992	992	992	992
236 CIVILIAN COMPENSATION PROGRAM	7,779	7,779	7,779	7,779
237 PERSONNEL ADMINISTRATION	18,262	18,262	18,262	18,262
238 FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	27,541	27,541	27,541	27,541
LIGHT CARGO AIRCRAFT	---	15,783	15,783	15,783
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	6,697,170	6,467,303	6,230,421	6,366,993
999 CLASSIFIED PROGRAMS	7,196,154	7,049,017	7,116,354	7,229,604
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, AF	24,396,767	24,457,062	23,974,081	24,516,276

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[In thousands of dollars]

R-1		Budget Request	House	Senate	Conference
1	**DEFENSE RESEARCH SCIENCES**	**250,232**	**259,832**	**259,732**	**262,232**
	Fully-Integrated Solar-Powered Interior Lighting Technology		1,000		1,000
	NanoPhotonic Components		3,000		1,700
	Coal-Based Jet Fuel (Note: only for the continuation of efforts between the Energy Institute and the USAF)		3,600		2,900
	National Hypersonic Research Center		2,000	2,000	2,000
	New Methods for Designing and Testing Aircraft Coatings			2,500	1,600
	Smart Surfaces & Interfaces			1,000	1,000
	Virtual Tele-operation for Unmanned Aerial Vehicles			4,000	1,800
2	**UNIVERSITY RESEARCH INITIATIVES**	**107,571**	**112,571**	**114,471**	**115,471**
	Single Chip Multi-modal Nanosensors		5,000		4,000
	High Assurance Software Engineering			3,900	1,800
	High Temperature Hydrogen Energy Producton			1,000	1,000
	Partnership in Innovative Preparation for Educators and Students			2,000	1,100
4	**MEDICAL DEVELOPMENT**	**0**	**24,300**	**0**	**23,900**
	National Diabetes Model Program (Note: To include funds for a clinical data investigation for bariatric surgery)		22,000		22,000
	Retinal Eye Scan for Pilots		500		500
	Assessment and Demonstration Center for USAF Surgeon General		1,800		1,400
5	**MATERIALS**	**111,073**	**144,273**	**144,473**	**149,973**
	Secure Coating Systems Technology		2,000		1,000
	NanoMaterials Commercialization Center		1,000		1,000
	Chrome Free Environmentally Friendly Corrosion Protection for Aircraft		2,000		1,000
	Integral Fuel Tank Protective Coating System		1,000		1,000
	Accelerated Insertion of Advanced Materials for Materials Substitution and Repair - National Institute for Aviation Research		2,000		1,300
	Wide Bandgap Materials Integration for Power Electronic, Sensor, and Optical Devices		3,600		2,900
	Power Electronics Reliability		1,800		1,400
	Fabrication and Processing of Adaptive Optics and Optical Materials		1,800		1,400
	Electronic Type-specific Buckytubes for Next Generation Defense Electronics		3,000		2,000
	Blast Resistant Panels for Buildings, Shelters, and Vehicles		2,000	2,000	2,000
	High Temperature Aerogel Materials for Global Strike Vehicles		2,000		1,000
	Hybrid Materials Integration		2,000		1,000
	Domestic Titanium Powder Manufacturing Initiative		1,000		1,000
	Quantum Wire Progam for Defense		1,000		1,000
	Consortium for Nanomaterials for Aerospace Commerce and Technology (CONTACT)		3,000	1,000	1,400
	ONAMI Safer Nanomaterials and Nanomanufacturing		2,000	5,000	2,300
	Domestic High Modulus PAN Carbon Fiber Qualification Initiative		2,000	3,000	2,000
	Advanced Aerospace Manufacturing Technologies			5,000	3,300

R-1		Budget Request	House	Senate	Conference
	Advanced Materials Deposition for Semiconductor Nanostructure			1,400	1,000
	Advanced Materials Development for Force Protection			2,000	1,000
	Air Force Minority Leader Program			10,000	5,500
	Durable Hybrid Coatings for Aircraft Systems			2,000	1,300
	Engineered Optical Materials for Quantum Cryptography			2,000	1,000
	Fire and Blast Resistant Materials for Force Protection			2,000	1,100
6	**AEROSPACE VEHICLE TECHNOLOGIES**	**112,751**	**124,351**	**118,751**	**125,851**
	AIRPRINT		3,000		2,000
	Neurobiologically Enabled Autonomous Vehicle		3,000		2,400
	Advanced Coating Technologies for JSF and F-22 Survivability		3,600		2,900
	C4ISR Fusion System		2,000		1,600
	Characterization of Airborne Environment for Tactical Lasers			4,000	2,200
	Sentient Adaptive Systems Technology for Vehicle Condition-based Maintenance			1,000	1,000
	Unmanned Aerial Vehicle Research			1,000	1,000
7	**HUMAN EFFECTIVENESS APPLIED RESEARCH**	**92,991**	**104,691**	**103,591**	**107,491**
	Active Combustion Control Systems for Military Aircraft		4,000		1,800
	Bio Medical DNA Program		1,000		1,000
	Battlefield Automatic Life Status Monitor		2,000		1,300
	Miniature Tri-Axial Accelerometer		1,000		1,000
	Eyewear Display for Battlefield Operations		1,200		1,000
	Unmasking Deception and Denial		1,000		1,000
	Networked Warfighter Decision Support		1,500		1,000
	COM Attitude Control System Simulation/Trainer			2,500	1,100
	Solid Electrolyte Oxygen Separator			6,600	4,300
	Warfighter Sustainability: Maximizing Human Performance (Note: Only for AFSOC)			1,500	1,000
8	**AEROSPACE PROPULSION**	**170,885**	**204,835**	**200,885**	**213,485**
	Advanced High Speed Propulsion Development		1,000		1,000
	MEPS Thermal Management		2,000		1,300
	Integrated Electrical Starter/Generator		1,000		1,000
	Methane Second Stage Rocket Engine		2,000		1,600
	Intelligent Engine Technology Development for UAV's		3,000		1,400
	Chemical Hydride Power System		2,550		2,500
	Solid Boost Propulsion Technology - Technology for the Sustainment of Strategic Systems		1,000		1,000
	VAATE-TMC FLADE Technology Demonstration		2,000		1,100
	Advanced Vehicle and Propulsion Center		4,000		3,200
	High Flux ESC System with TES for Military High Energy Laser		1,400		1,100
	Advanced Liquid Rocket Booster Propulsion Technology		3,000		1,400
	Military Purpose Electrolyte Supported Fuel Cells		1,000		1,000
	Aerospace Lab Equipment Upgrade		1,000		1,000
	Advanced Affordability Assurance Tools for the Versatile Affordable Advanced Turbine Engine (VAATE) Initiative		1,500		1,000
	Center for Solar Electricity and Hydrogen		5,500		3,600
	Ultrafast, Ultraintense Laser Microfabrication and Diagnostics		1,000		1,000
	High-Energy Laser for Detection, Inspection, and Non-destructive Testing		1,000	6,000	2,700
	Active Combustion Control System for Military Aircraft			6,000	3,900
	Advanced Vortex Hybrid Propulsion System			3,000	1,700

R-1		Budget Request	House	Senate	Conference
	Affordable Lightweight Power Supply Development			1,000	1,000
	Manufacturing of High Energy Superior Lithium Battery Technology			8,000	5,200
	X-51 Robust Scramjet Flight Research			6,000	3,900
9	**AEROSPACE SENSORS**	**117,553**	**132,553**	**127,053**	**133,753**
	Optically Pumped Atomic Laser		3,000		2,000
	Compact, Ultra-sensitive Optical Receiver for Smart and Loitering Standoff Weapons		2,000		2,000
	Hanscom AFB Collaboration on Meta-Materials and Conformal Antenna Technologies		1,000		1,000
	Phased Array Antenna Control Computer		1,000		1,000
	3-D Packaging Technology for High Speed RF Communications		2,500		1,400
	Center for Advanced Sensor and Communication Antennas		2,500		1,600
	WBI LADAR Development and Demonstration		3,000		2,000
	Advanced Sensor Aided Vigilance Technologies			2,000	1,100
	Super-Resolution Sensor System			3,000	1,700
	Sensor Network Technology			1,500	1,000
	Wideband Digital Airborne Electronic Sensing Array			3,000	1,400
10	**MULTI-DISCIPLINARY SPACE TECHNOLOGY**	**0**	**3,500**	**2,500**	**4,400**
	Engineering Tool Improvement Program		3,500		2,800
	Integrated Control for Autonomous Space Systems			2,500	1,600
11	**SPACE TECHNOLOGY**	**85,594**	**90,344**	**106,294**	**100,879**
	Elastic Memory Composites		1,000		1,000
	Three Dimensional Deployable Structure Systems for Space		2,500		1,100
	Shielding Rocket Payloads		250	285	285
	Multicontinuum Technology for Space Structures		1,000	2,200	1,000
	Deployable Structures Experiment			2,000	1,100
	Field Programmable Gate Array			2,000	1,000
	Flexible CIGS Solar Cells on Silicone Substrates for Spacecraft			1,500	1,000
	HAARP			4,000	3,200
	Joint Micro Power Initiative			1,000	1,000
	Nanoscale Microelectronic Circuit Technology Development			2,000	1,100
	USAF National Security Research - Signature			2,000	1,300
	Space-Qualified Common Data Link			4,000	2,200
12	**CONVENTIONAL MUNITIONS**	**62,105**	**62,105**	**64,105**	**63,405**
	Advanced Energy Technology for Munitions - Dominator Program			2,000	1,300
13	**DIRECTED ENERGY TECHNOLOGY**	**48,422**	**57,422**	**50,922**	**52,722**
	Adaptive Optics Lasercom System		2,500	2,500	2,500
	Digital Free Space Optical Laser Transmitter Modems (Transferred to Line 14)		2,500		0
	Ceramics for Next-Generation Tactical Lasers Systems		4,000		1,800
14	**COMMAND CONTROL AND COMMUNICATIONS**	**119,267**	**122,267**	**121,767**	**123,367**
	MASINT Warfighter Visualization Tools		3,000	1,500	1,500
	Advanced Collaboration Platform for Net Centric C2			1,000	1,000
	Digital Free Space Optical Laser Transmitter Modems (Transferred from Line 13)				1,600

R-1		Budget Request	House	Senate	Conference
16	**HIGH ENERGY LASER RESEARCH**	**50,166**	**51,166**	**54,166**	**53,366**
	Quantitative Inspection Techniques for Assessing Aging Military Aircraft		1,000		1,000
	Air Laser Technology Development			4,000	2,200
18	**ADVANCED MATERIALS FOR WEAPON SYSTEMS**	**48,901**	**66,501**	**79,201**	**81,901**
	Large Panel Sapphire Producibility		2,700		1,200
	Metals Affordability Initiative		3,500		2,300
	Encapsulated Ballistic Protection System		2,000		1,600
	Combined Agent Fire Fighting System		1,000		1,000
	Continuous Integrated Vehicle Health Monitoring System		1,400		1,000
	Aging Aircraft Fleet Support - National Institute for Aviation Research		3,000		2,000
	Low Observable Multi-Purpose Inspection Tool		1,500		1,000
	Coated Field Repair		1,500		1,000
	Optical Filters for Hardened Night Vision Goggles		1,000		1,000
	Blast-Resistant Barriers and Structural Design for Homeland Defense			2,000	1,300
	Advanced Power Technology: Silicon-Carbide Power, Bipolar Junction Transistors			4,000	1,800
	Assessing Aging of Military Aircraft			3,000	2,000
	Hybrid Bearing			3,000	1,700
	Hydrothermal Oxidation (HTO) for Alaska			4,100	3,300
	Improved Stealth Aircraft Availability/Functionality			3,000	2,000
	Inspection and Analysis Methods for Aging Military Aircraft			3,000	2,000
	Materials Integrity Management Research for AF Systems			1,000	1,000
	Silicon Carbide Electronics Material Producibility Initiative			7,200	5,800
19	**ADVANCED AEROSPACE SENSORS**	**55,150**	**60,450**	**55,150**	**58,450**
	TACNODES		1,500		1000
	National Operational Radar Signature Production and Research Capability (Combat Identification Signature Center)		2,000		1300
	Precision Image Tracking and Registration Program		1,800		1000
20	**AEROSPACE TECHNOLOGY DEVELOPMENT/DEMONSTRATION**	**27,424**	**69,548**	**38,424**	**58,524**
	Advanced Aerospace Titanium Structures (AATS)		1,300		1,000
	ARES Transfer from Line 61, RDTE, AF		12,024		0
	National Aerospace Leadership Initiative		25,000		20,000
	Advanced Satellite Thermal Control Program		1,800		1,400
	Large Scale Affordable Composite Structures		2,000		1,300
	3-D Woven/Braided Composites			1,000	1,000
	Advanced Aluminum Aerostructures Initiative			2,000	1,300
	Hybrid Radio Frequency / Optical Communications Terminal			1,000	1,000
	Phasor-Bird Helmet Tracker			2,000	1,300
	Titanium Honeycomb Sandwich and Composite Structures			2,000	1,100
	National Capabilities Analysis Collaborative, Phase III			3,000	1,700
21	**AEROSPACE PROPULSION AND POWER TECHNOLOGY**	**115,546**	**141,546**	**140,346**	**148,446**
	Research Institute for Environmental Studies (TRIES)		2,000		2,000
	Versatile Affordable Advanced Turbine Engines (Note: only for project 681B)		4,000		2,200

R-1	Budget Request	House	Senate	Conference
Field Renewable Energy System Hybrids Li Ion Battery Program		2,000		1,000
Assured Fuels Process Demonstration Unit		7,000		4,600
XTC58F Technology Versatile Affordable Advanced Turbine Engine Program		8,000	2,500	8,000
Flexible JP-8 Military Fuel Certification		3,000	2,000	2,000
Acceleration VAATE Adv Supersonic Cruise Missile Engine			10,000	5,500
Development of Bi-Polar Wafer-cell NI-MH battery			2,000	1,000
Silicon Carbide Power Electronics for More Electric AC			8,300	6,600
22 CREW SYSTEMS AND PERSONNEL PROTECTION TECHNOLOGY	**32,156**	**49,006**	**32,156**	**42,756**
Authentic Tactical Flight Simulator for JSF		2,000		1,300
Full Spectrum Laser Eye Protection		1,000		1,000
Variable Transmittance Visor		2,000		1,000
Virtual Medical Trainer		2,700		2,200
Deployment Environmental & Biological Surveillance System (DEBS)		1,350		1,000
Field Deployable Influenza Genotyping System		1,000		1,000
Telepharmacy Robotic Medical Device Unit		1,800		0
Database Integration Tools		1,500		1,000
Low Cost Improved Performance Helmet Display		2,000		1,100
Air Force Advanced Micro-Compression Sock Program		1,500		1,000
23 ELECTRONIC COMBAT TECHNOLOGY	**24,436**	**30,436**	**27,936**	**29,636**
Enabling Polymeric Materials for Three-Dimensional (3D) Microdevice Construction		1,000		1,000
RAPCEval		1,500		1,000
Electronic Combat Battle Management		1,500		0
BLADES		2,000		1,300
Affordable Visible Missile Warning System			3,500	1,900
24 BALLISTIC MISSILE TECHNOLOGY	**0**	**9,000**	**4,500**	**9,400**
Forward Based Conventional Strike		4,000		1,800
Minuteman III		5,000		4,000
Pacific Ballistic Missile Technology Program			1,500	1,200
P-Net			3,000	2,400
26 ADVANCED SPACECRAFT TECHNOLOGY	**68,026**	**92,926**	**102,026**	**101,226**
Precision Integrated Navigation and Position-Intelligent Networking Technology		6,500		2,900
Space Situational Awareness / Star Tracking System		2,900		1,600
Information Sciences Institute Microsatellite Serial Manufacturing Demonstration Program		1,000		1,000
Small Low-Cost Reconnaissance Spacecraft		2,500		1,100
Photovoltaic Module Development for Lighter Than Air Vehicles		1,000		1,000
Radially Segmented Launch Vehicle (RSLV) Risk Reduction		2,000		1,000
Micromachined Switches for Next-Generation Modular Satellites		2,000		1,000
Large Automated Production of Expendable Launch Structures		4,000		2,600
Microsatellite Serial Manufacturing		2,000	2,000	2,000
Systemic Hierarchical Approach to Radiation Hardened Electronics		1,000	5,000	2,800
COTS Technology for Situational Space Awareness			2,000	1,000

R-1		Budget Request	House	Senate	Conference
	Integrated Passive Microelectronic Components			1,500	1,000
	Integrated Spacecraft Engineering Tool			2,000	1,300
	Intelligent Free Space Optical Satellite Communications Node			3,000	1,400
	Massively Parallel Optical Interconnects			2,500	1,100
	Thin Film Amorphous Solar Arrays			16,000	10,400
27	**MAUI SPACE SURVEILLANCE SYSTEM (MSSS)**	**6,074**	**6,074**	**52,074**	**50,574**
	High Accuracy Network Determination System (HANDS)			8,000	8,000
	Maui Space Surveillance System (MSSS) Operations and Research			25,000	25,000
	PanSTARRS			13,000	11,500
29	**CONVENTIONAL WEAPONS TECHNOLOGY**	**19,658**	**45,958**	**19,658**	**40,058**
	Falcon Eye Seeker		3,000		2,000
	Air Force Special Ops Innovative Miniature Infrared Camera		1,800		1,400
	Clandestine Electric Reconnaissance Vehicle (CERV) for AFSOC		4,000		3,200
	Next Generation Fixed Wing S-3B Heavy Aerial Firefighting Tanker		4,000		3,200
	UAV Sensor Interface and Payloads for Targeting		1,800		1,400
	Weapons Data Link		1,800		1,400
	Ground Mobile Gateway System		1,800		1,400
	Under Vehicle Mobile Inspection		4,500		3,600
	Body Armor Underarm and Side Protection with Smart Materials		1,800		1,400
	Micro-Sized Air-Launched Atmospheric Visibility Sensor		1,800		1,400
30	**ADVANCED WEAPONS TECHNOLOGY**	**51,336**	**62,336**	**73,336**	**77,036**
	Laser Spark System Integration		3,000		2,000
	Near Earth Space Surveillance Initiative (NESSI)		2,500		1,600
	High Energy Laser - Directed Energy Weapon (HEL-DEW) Scaling Optimization		3,000		2,400
	Mobile Active Targeting Resource for Integrated Experiments		1,000		1,000
	Hyper/multispectral Data Reduction and Archiving (HyDRA) Project		1,500		1,000
	Advanced Weapons and Laser Diode Development			4,000	2,600
	Applications of LIDAR to Vehicles with Analysis (ALVA)			7,000	6,800
	Lightweight Multi-purpose Laser			6,000	5,000
	Mid-Infrared Semiconductor Laser Technology			3,000	1,700
	Real-time Optical Surveillance Applications			2,000	1,600
32	**C3I ADVANCED DEVELOPMENT**	**35,785**	**48,535**	**38,785**	**47,385**
	Advanced Course in Engineering		1,000		1,000
	Advanced Fusion for Urban Operations for Forensic Anticipation of Insurgent Activity (Note: Only to expand the recently demonstrated Intelligence Fusion System to provide dynamic situational awareness of insurgent activities as precursors to critical events.)		6,000		4,800
	Non-Traditional Intelligence Surveillance and Reconnaissance		1,500		1,000
	Semantic SOA for Dynamic Intelligence Fusion Program		2,250		1,800
	National Center for Multi-Source Information Fusion Research		2,000		1,000
	MPOI for Battlespace Information Exchange			3,000	2,000

R-1		Budget Request	House	Senate	Conference
40	**INTELLIGENCE ADVANCED DEVELOPMENT**	**4,776**	**6,776**	**4,776**	**5,776**
	TASS Advanced Communications Module		2,000		1,000
45	**SPACE CONTROL TECHNOLOGY**	**27,076**	**27,076**	**31,076**	**30,276**
	Multi-mission Deployable Optical System			4,000	3,200
49	**TRANSFORMATIONAL SATCOM (TSAT)**	**867,102**	**767,102**	**637,102**	**737,102**
	Program moderation, unexecutable growth		-100,000		-130,000
	Program moderation			-230,000	0
51	**INTERCONTINENTAL BALLISTIC MISSILE**	**45,538**	**65,038**	**45,538**	**61,138**
	Conventional Ballistic Missile Systems Engineering Studies		15,000		12,000
	InfraLynx Security Vehicle		4,500		3,600
53	**SPACE-BASED RADAR**	**266,401**	**200,000**	**166,401**	**186,401**
	Program moderation		-66,401		-80,000
	Program moderation			-100,000	0
54	**POLLUTION PREVENTION (DEM/VAL)**	**2,853**	**7,553**	**4,353**	**7,053**
	Assessment of Alternate Energy for Aircraft Ground Equipment		2,000		1,000
	Automating Department of Defense Processes to Fulfill Depot Transformation and Maintenance Needs		2,700		2,200
	O2 Diesel Particulate Emission Reduction Research Project			1,500	1,000
61	**OPERATIONALLY RESPONSIVE SPACE**	**35,625**	**23,601**	**35,625**	**35,625**
	ARES Transfer to Line 20, RDTE, AF		-12,024		0
64	**GLOBAL BROADCAST SERVICE (GBS)**	**23,599**	**25,599**	**23,599**	**24,899**
	Global Broadcast Service		2,000		1,300
70	**B-2 ADVANCED TECHNOLOGY BOMBER**	**224,177**	**240,177**	**231,177**	**242,577**
	SDB Integration		16,000		12,800
	Massive Ordnance Penetrator (MOP)			7,000	5,600
71	**PERSONNEL RECOVERY SYSTEMS**	**254,310**	**224,310**	**201,455**	**201,455**
	Contract Award Delays		-30,000	-52,855	-52,855
72	**ELECTRONIC WARFARE DEVELOPMENT**	**87,784**	**92,184**	**93,684**	**93,184**
	Air Force requested transfer from APAF Line 53		4,400	4,400	4,400
	Rapid Replacement of Mission Critical Logistics Electronics			1,500	1,000
75	**SMALL DIAMETER BOMB (SDB)**	**104,080**	**106,080**	**104,080**	**105,880**
	High Pressure Pure Air Generator		2,000		1,800
76	**COUNTERSPACE SYSTEMS**	**47,292**	**47,292**	**50,319**	**50,492**
	Rapid Identification Detection and Reporting System			-4,973	-2,000
	Space Control Test Capabilities			8,000	5,200
77	**SPACE SITUATION AWARENESS SYSTEMS**	**121,157**	**121,157**	**123,157**	**122,157**
	Joint Space Intelligent Decision Support			2,000	1,000
80	**ALTERNATIVE INFRARED SPACE SYSTEM (AIRSS)**	**102,962**	**67,962**	**102,962**	**67,962**
	Program moderation		-35,000		-35,000

R-1		Budget Request	House	Senate	Conference
84	**SUBMUNITIONS**	**5,759**	**5,759**	**9,759**	**8,359**
	Virtual Teleoperation for Unmanned Aerial Vehicles			4,000	2,600
87	**LIFE SUPPORT SYSTEMS**	**12,370**	**14,170**	**12,370**	**14,270**
	ACES II Ejection Seat Improvement		1,800		1,900
88	**COMBAT TRAINING RANGES**	**14,363**	**17,363**	**14,363**	**16,763**
	National Training Center Air Warrior Training Range		3,000		2,400
89	**INTEGRATED COMMAND & CONTROL APPLICATIONS**	**167**	**17,467**	**9,167**	**15,667**
	Airborne Web Services (AWS) Spiral 4		1,800		1,400
	MEDSTARS		3,500		2,300
	Integration of Force Protection Enterprise Systems		1,800		1,400
	Program Engineering Interoperability Framework		2,500		1,600
	Enterprise Services for Reach Back Capabilities		2,700		1,500
	Distributed Mission Interoperability Toolkit (DMIT)		5,000	2,000	2,300
	Asset eWing			5,000	4,000
	Global Awareness Presentation System			2,000	1,000
90	**INTELLIGENCE EQUIPMENT**	**1,426**	**3,426**	**5,426**	**4,926**
	Hard and Deeply Buried Targets		2,000		1,300
	Electronic Warfare Modeling & Simulation			4,000	2,200
91	**COMMON LOW OBSERVABLES VERIFICATION SYSTEM**	**0**	**4,500**	**4,500**	**4,500**
	Air Force requested transfer from APAF Line 70		4,500	4,500	4,500
92	**JOINT STRIKE FIGHTER (JSF)**	**1,999,068**	**2,200,568**	**2,137,374**	**2,138,374**
	Alternate Engine		200,000	170,000	170,000
	Second Source Tire Research		1,500		1,000
	Excess accumulation of withheld award fees			-31,694	-31,694
94	**EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)**	**18,513**	**20,513**	**18,513**	**19,813**
	Evolved Expendable Launch Vehicle Program		2,000		1,300
95	**RDT&E FOR AGING AIRCRAFT**	**25,490**	**26,490**	**27,490**	**26,590**
	Common Reconfigurable Advanced Thermal Management System (Transfer to Line 121)		1,000		0
	Aging Landing Gear Life Extension (ALGLE)			2,000	1,100
97	**LINK-16 SUPPORT AND SUSTAINMENT**	**172,625**	**174,625**	**172,625**	**174,225**
	Suitcase Pocket J for Continuity of Homeland Air Defense		2,000		1,600
101	**FULL COMBAT MISSION TRAINING**	**32,243**	**35,843**	**32,243**	**35,143**
	Distributed Mission Training		3,600		2,900
105	**MAJOR T&E INVESTMENT**	**58,506**	**63,506**	**58,506**	**61,906**
	Enterprise Test Data Management System (ETDMS) at Edwards AFB		3,000		1,400
	High Resolution Optical Sensor for Test and Evaluation		1,000		1,000
	Eglin Air Armament Center		1,000		1,000
106	**RAND PROJECT AIR FORCE**	**25,211**	**28,211**	**25,211**	**26,611**
	RAND Project Air Force		3,000		1,400

R-1		Budget Request	House	Senate	Conference
111	**ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)**	**14,704**	**29,704**	**14,704**	**26,104**
	Space Launch Advanced Technology Research Demonstration		2,000		1,000
	Ballistic Missile Range Safety Technology (BMRST) Program		13,000		10,400
113	**FACILITIES RESTORATION & MODERNIZATION - TEST & EVALUATION**	**54,683**	**55,683**	**54,683**	**55,683**
	Internal Base Facility Energy Independence - Wind/Turbine		1,000		1,000
114	**FACILITIES SUSTAINMENT - TEST AND EVALUATION SUPPORT**	**25,579**	**29,579**	**25,579**	**28,179**
	Base Facility Energy Independence		4,000		2,600
121	**B-52 SQUADRONS**	**71,379**	**77,379**	**71,379**	**76,279**
	B-52 1760 Acceleration		6,000		3,900
	Common Reconfigurable Advanced Thermal Management System (Transfer from Line 95)		1,000		1,000
124	**STRAT WAR PLANNING SYSTEM - USSTRATCOM**	**27,285**	**27,285**	**30,285**	**28,685**
	Global Command and Control Development			3,000	1,400
129	**A-10 SQUADRONS**	**80,771**	**16,771**	**31,971**	**31,971**
	Propulsion Upgrade Program Cancellation		-64,000	-48,800	-48,800
130	**F-16 SQUADRONS**	**148,373**	**152,373**	**151,273**	**152,573**
	AN/APG-68(V)10 Radar Development		4,000		2,600
	F-16 Helmet Mounted Cueing System			2,900	1,600
131	**F-15E SQUADRONS**	**125,062**	**138,062**	**125,062**	**138,062**
	AESA Development and Demonstration		13,000		13,000
133	**F-22 SQUADRONS**	**584,290**	**484,290**	**434,290**	**474,290**
	Program Growth		-100,000	-150,000	-110,000
140	**COMPASS CALL**	**4,469**	**15,969**	**4,469**	**9,969**
	EC-130H Compass Call		10,000		4,500
	Radar Situational Awareness and Targeting System		1,500		1,000
144	**AIR AND SPACE OPERATIONS CENTER (AOC)**	**87,483**	**77,483**	**77,483**	**77,483**
	Modernization and Integration program growth		-10,000	-10,000	-10,000
148	**ADVANCED COMMUNICATIONS SYSTEMS**	**53,093**	**53,093**	**43,093**	**43,093**
	Program moderation due to JTRS delays			-10,000	-10,000
149	**EVALUATION AND ANALYSIS PROGRAM**	**0**	**3,250**	**0**	**2,600**
	Critical Technologies Protection		3,250		2,600
153	**BOMBER TACTICAL DATA LINK**	**168,168**	**101,168**	**101,168**	**101,168**
	CoNECT Program Restructure		-67,000	-67,000	-67,000
156	**JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEM**	**152,696**	**152,696**	**160,696**	**156,296**
	Communications, Navigation, and Surveillance ATM			8,000	3,600

R-1	Budget Request	House	Senate	Conference
159 USAF MODELING AND SIMULATION	**23,470**	**28,970**	**6,470**	**23,770**
Synthetic Theater Operations Research Model		1,000		1,000
Civil Support Enhanced Responsiveness		2,500		2,000
Modeling and Simulation Collaborative Environment		2,000		1,300
Program under-execution			-17,000	-4,000
162 MISSION PLANNING SYSTEMS	**146,396**	**129,896**	**146,396**	**129,896**
Program Growth		-16,500		-16,500
171 INFORMATION SYSTEMS SECURITY PROGRAM	**183,523**	**185,523**	**183,523**	**185,523**
Cyber Security Defend and Attack Exercises		2,000		2,000
173 GLOBAL COMMAND AND CONTROL SYSTEM	**3,348**	**15,848**	**3,348**	**11,448**
Defense Energy Awareness and Management Center		2,500		1,600
Command and Control Service Level Management		10,000		6,500
182 SATELLITE CONTROL NETWORK (SPACE)	**19,907**	**19,907**	**19,907**	**21,787**
Transportable Transponder Landing System (From Senate Sec. 8127)				1,880
183 WEATHER SERVICE	**34,899**	**35,899**	**34,899**	**35,899**
Airborne Meteorological Data Reporting Modernization (Note: Only for Predator Meteorological Data Reporting)		1,000		1,000
184 AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM	**0**	**2,000**	**0**	**1,600**
Notice to Airman (NOTAMS) Program Upgrade		2,000		1,600
192 NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT)	**131,083**	**133,083**	**136,083**	**134,383**
Satellite Assets for Joint Navigation Warfare Center		2,000	5,000	3,300
197 SPACELIFT RANGE SYSTEM (SPACE)	**38,044**	**39,044**	**38,044**	**39,044**
California Space Infrastructure Program Continuity		1,000		1,000
201 MANNED RECONNAISSANCE SYSTEMS	**10,132**	**13,132**	**13,132**	**13,132**
Combat Sent Tactical ELINT System Modernization		3,000	3,000	3,000
202 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	**120,777**	**124,577**	**120,777**	**122,477**
Distributed Common Ground Station (DCGS) Formal Training Unit		3,800		1,700
203 PREDATOR UAV (JMIP)	**61,466**	**63,966**	**67,466**	**68,166**
Sense and Avoid for Predator		1,500		1,000
Selectively Targeted Skeet Munition		1,000		1,000
Center for Defense UAV Education			3,000	3,000
ScanEagle UAV Advanced Concepts Development			3,000	1,700
204 GLOBAL HAWK UAV	**247,665**	**248,665**	**247,665**	**248,665**
Night Hunter II Integration on RQ-4 Global Hawk		1,000		1,000
207 NCMC - TW/AA SYSTEM	**50,908**	**16,308**	**57,908**	**43,500**
CCIC2S		-34,600		-11,308
CCIC2S Single Integrated Space Picture			7,000	3,900

R-1	Budget Request	House	Senate	Conference
215 C-130 AIRLIFT SQUADRON	**248,283**	**213,783**	**250,283**	**233,183**
Avionics Modernization Program		-20,000		0
AMP Training Systems Development		-20,000		-20,000
STOL Herk I Continuation		2,500		1,600
C-130 Automated Inspection, Repair, Corrosion, and Aircraft Tracking		3,000		2,000
Electro-Magnetic In-Flight Propeller Balancing System			2,000	1,300
216 C-5 AIRLIFT SQUADRONS	**150,209**	**152,209**	**150,209**	**151,209**
Inductive Thermography Systems Inspections		2,000		1,000
218 C-130J PROGRAM	**40,542**	**44,542**	**40,542**	**40,542**
Aerial Multi-Axis Platform (Transfer to Line 229)		4,000		0
220 LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	**34,916**	**39,916**	**42,416**	**40,616**
Large Aircraft Infrared Countermeasures (LAIRCM) for Air Force Special Operations Forces (AFSOC) AC-130U		5,000		2,300
LAIRCM for AFSOC H/MC-130P			7,500	3,400
223 KC-135 TANKER REPLACEMENT	**203,932**	**203,932**	**0**	**70,000**
Delay in SDD contract award, early to need			-203,932	-133,932
224 AIR MOBILITY TACTICAL DATA LINK	**32,099**	**20,099**	**22,099**	**22,099**
Program scope		-12,000	-10,000	-10,000
225 SPECIAL TACTICS / COMBAT CONTROL	**1,024**	**3,024**	**1,024**	**2,024**
Biostatic Protective Clothing		2,000		1,000
229 INDUSTRIAL PREPAREDNESS	**36,673**	**54,473**	**69,073**	**66,373**
Technology Insertion Demonstration and Evaluation		3,000		3,000
Ceramic Ballistic Armor for Soldier and Vehicle Protection		2,000		1,000
Laser Peening Fatigue Life Extension Technology for Military Aircraft Landing Gear		3,000		1,400
Improving MANPADS Survivability Coatings		1,800		1,200
F-35 Joint Strike Fighter Composite Engine Case		4,000	4,000	4,000
WBI-RFID Rapid Adoption Initiative Phase 2		4,000	9,000	5,000
EFG Sapphire Sheets for Large Aperture EO/IR Windows			3,000	2,000
Nanomaterial Advanced Prototyping - NMAP			7,000	4,600
Rapid Manufacturing and Repair of Composite Components			2,000	1,300
Reactive Plastic CO2 Absorbent Production Capacity			4,400	2,000
Supply Chain Optimization Universal Tool Kit			3,000	2,000
Aerial Multi-Axis Platform (Transfer from line 218)		4,000		2,200
230 LOGISTICS SUPPORT ACTIVITIES	**0**	**2,000**	**0**	**1,300**
REMIS		2,000		1,300
231 LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	**166,338**	**136,338**	**106,338**	**121,338**
Expeditionary Combat Support System		-30,000	-60,000	-45,000
232 SUPPORT SYSTEMS DEVELOPMENT	**10,596**	**26,696**	**27,996**	**32,896**
Air Force Advanced Power and Energy Initiative		3,600		2,900
Production of Alternative Energy for Defense from Alaskan Raw Materials		1,000		1,000
Composite Occupational Health and Operational Risk Tracking System		1,000		3,000

R-1		Budget Request	House	Senate	Conference
	Air Force Medical Service Personal Health Record		2,500		1,100
	Fuel Cell Power - Non Tactical Vehicle		1,000		1,000
	WR-ALC C-5 Maintenance Transformation		4,000		2,600
	Heavy Duty Hybrid Electric Vehicle		3,000	3,000	3,000
	RFID Inventory Management and Patient ID			3,900	3,200
	Advanced Modular Lithium-Ion Energy Storage			2,000	1,100
	Defense Assured Fuels Initiative			2,500	2,000
	Distributed Generation of Liquid Fuels			3,000	0
	WR-ALC Aircraft Sustainment Wing Aircraft Availability			3,000	1,400
New Line	**LIGHT CARGO AIRCRAFT**	**0**	**15,783**	**15,783**	**15,783**
	Air Force requested transfer from APAF, Line 14		15,783	15,783	15,783

TANKER REPLACEMENT DEVELOPMENT PROGRAM

The conference agreement provides $70,000,000 for development of the KC–135 tanker replacement, as opposed to $203,932,000 as proposed by the House. The Senate provided no funding for this purpose. The amount provided in the conference agreement was identified in writing by the Department of Defense as the level needed to meet all fiscal year 2007 requirements.

B–52 STAND-OFF JAMMER

The conferees note that the Air Force has terminated the B–52 Stand-off Jammer program for airborne electronic attack and agree to rescind fiscal year 2006 funds appropriated for this purpose in a General Provision. However, there remains a future requirement for a persistent stand-off jamming platform, despite the longer than originally anticipated service life of the Navy's rewinged EA–6B fleet. The conferees expect that the Air Force will reevaluate the future persistent stand-off jammer requirement in fiscal year 2007 and encourage the Department to submit a reprogramming request should the Air Force determine that the B–52 is the proper platform to conduct this mission.

A–10 SQUADRONS

The budget request includes $64,000,000 for continued development of a propulsion upgrade program for the A–10 aircraft. However, since the budget submission, this program has been terminated by the Air Force. The House provided $16,771,000 for A–10 Squadrons, a reduction of $64,000,000, due to the cancellation of the program. The Senate included $31,971,000, a reduction of $48,800,000. The conferees agree to provide the Senate amount and expect that the remaining $15,200,000 identified for the cancelled propulsion upgrade program will be dedicated to the shortfall in the A–10 precision engagement development program.

HYBRID FUEL CELL POWER SYSTEMS

The conferees encourage continued development and testing of hybrid fuel cell power systems for SATCOM systems by the Air Force's Research Lab—Information Directorate in Rome, New York. The conferees encourage the Air Force to continue this important research as it pertains to current and future Air Force missions.

J–STARS COMMUNICATION, NAVIGATION, SURVEILLANCE AND AIR TRAFFIC MANAGEMENT (CNS/ATM)

A significant investment of over $50,000,000 to date has been made to accomplish the Communication, Navigation, Surveillance and Air Traffic Management (CNS/ATM) modification on the E–8C fleet. The fiscal year 2007 budget request includes $20,000,000 for this effort. The program is on budget, on schedule, and is meeting its program goals. The conferees believe CNS/ATM modification is crucial to the long term sustainment of the E–8C Joint STARS Weapon System to support current and future military operations and therefore provide an additional $3,600,000 for this effort. The conferees expect the Air Force to complete development activities and initiate a timely retrofit of the E–8C fleet.

COMBAT IDENTIFICATION

Multiple incidents in current and past conflicts and exercises have repeatedly demonstrated that positive hostile identification is crucial to using the full military capabilities and enabling joint interoperability of our technologically advanced weapon systems, such as the F–22, F/A–18, and MEADS. Furthermore, fratricide and strict combat Rules of Engagement can limit and restrict their combat employment, thereby losing U.S. technological advantage and putting our forces at risk. Since combat identification is only as good as the target signature databases, securing the continued development and sustainment of these databases and coordinating their joint applications must be a priority. Due to the critical nature of this joint military requirement and since databases continue to receive low priority, the conferees encourage the following: (1) Joint Theater and Missile Defense Organization and Joint Forces Command should coordinate and integrate combat ID signature database requirements, applications, and interoperability, in coordination with the National Signatures Program (NSP); (2) the Department of Defense should include funding for combat ID database development, support, and sustainment through the Future Years Defense Program; and (3) Aeronautical Systems Center (ASC) should be designated the Department of Defense executing agent for the long-term development, application, support, and sustainment of these databases and associated technologies and tools. Funding for these database efforts should be joint, with the respective services funding their specific production and support requirements.

TRANSFORMATIONAL SATELLITE COMMUNICATIONS SYSTEM (TSAT)

The conferees agree to provide $737,102,000 for the TSAT program, $130,000,000 below the budget request. This amount provides sufficient resources to support continued competition with two industry teams and to support continued development of the program's ground segment. Further, the conferees direct the Air Force to provide a quarterly program performance report on the program that: (1) includes Earned Value Management System information and a narrative summary that addresses technical milestones, program cost, schedule, performance, and any corrective action required for departure from the plan for the previous quarter, and (2) includes the program plan for the next quarter.

OPERATIONALLY RESPONSIVE SPACE

The conferees provide the budget request of $35,625,000 for Operationally Responsive Space, of which $19,524,000 is for the Affordable Responsive Space-lift (ARES) program, $16,000,000 is for the FALCON small launch vehicle program, and the remaining amount for the TACSAT program. The conferees are pleased that the Air Force initiated a program element for Operationally Responsive Space and strongly support the concept.

The conferees note that, among projects planned by the Air Force and the National Reconnaissance Office over the next few years, several missions will require small launch vehicles of similar capability. Therefore, the conferees encourage these organizations to consider opportunities to partner and use their combined purchasing power to leverage capability and cost through procuring small launch vehicles for future space missions.

The conferees support the concept of a reusable launch vehicle, but question the pursuit of the ARES program as it exists. Further, the conferees note the lack of a comprehensive strategy for space launch. Therefore, the conferees direct no funds appropriated in this bill may be used for the ARES program. Of the $19,524,000 budgeted for ARES, the conferees direct that $7,500,000 be used for the purposes described in the classified annex and the remaining $12,024,000 be used to complete the purchase of multiple small launch vehicles. Should any funds appropriated to this program element for the above specific purposes become available for any reason, the conferees urge the Air Force to supplement the funds provided for the purchase of multiple small launch vehicles.

COMBATANT COMMANDERS' INTEGRATED COMMAND AND CONTROL SYSTEM (CCIC2S)

The budget requests $50,908,000 for the CCIC2S. CCIC2S was planned to provide combatant commanders a command and control system for Integrated Tactical Warning and Attack Assessment (ITW/AA) that would incorporate air, missile defense, and space components. The conferees understand the Air Force Space Command and United States Strategic Command plan to remove the space mission from Cheyenne Mountain Operations Center (CMOC) and therefore from CCIC2S. However, the conferees believe that in order to accomplish the ITW/AA mission effectively a closer relationship should exist between the missile defense mission at CMOC and activity at the Joint National Integration Center.

As a result, the conferees recommend $43,500,000, a reduction of $7,408,000, in research and development funding for the CCIC2S program. These funds are provided to complete the missile defense activity and restart work on the Single Integrated Space Picture (SISP) as a part of the aforementioned plan. The conferees note the growing importance for the SISP as a national capability to provide situational awareness of space and support improvements in that mission area. No funds have been provided for the other space-related items as requested due to pending changes in Air Force Space Command. A similar reduction is made to ''Other Procurement, Air Force'' for the same purposes.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars) Budget	House	Senate	Conference
	RESEARCH, DEVELOPMENT, TEST & EVAL, DW				
	BASIC RESEARCH				
1	DTRA UNIVERSITY STRATEGIC PARTNERSHIP BASIC RESEARCH P	5,000	12,300	6,500	10,000
2	DEFENSE RESEARCH SCIENCES	150,690	173,190	139,715	145,790
3	GOVERNMENT/INDUSTRY COSPONSORSHIP OF UNIVERSITY RESEAR	---	2,700	---	9,200
4	DEFENSE EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE	9,532	9,532	9,532	9,532
5	NATIONAL DEFENSE EDUCATION PROGRAM	19,532	19,532	15,332	19,532
6	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	99,182	117,782	84,082	104,652
	TOTAL, BASIC RESEARCH	283,936	335,036	255,161	298,706
	APPLIED RESEARCH				
7	INSENSITIVE MUNITIONS--EXPLORATORY DEVELOPMENT	10,447	10,447	11,197	11,197
8	MEDICAL FREE ELECTRON LASER	10,255	10,255	18,955	15,905
9	HISTORICALLY BLACK COLLEGES & UNIV (HBCU) SCIENCE	14,423	17,923	17,423	19,073
10	LINCOLN LABORATORY RESEARCH PROGRAM	28,975	28,975	28,975	28,975
11	INFORMATION AND COMMUNICATIONS TECHNOLOGY	242,852	242,852	229,452	234,952
12	COGNITIVE COMPUTING SYSTEMS	220,085	222,085	149,274	180,685
13	BIOLOGICAL WARFARE DEFENSE	112,242	112,242	113,342	113,242
14	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	280,422	284,822	236,522	259,872
15	TACTICAL TECHNOLOGY	383,680	388,280	315,622	363,460
16	MATERIALS AND BIOLOGICAL TECHNOLOGY	297,277	297,277	296,277	299,277
17	WMD DEFEAT TECHNOLOGY	213,152	215,552	219,152	219,902
18	ELECTRONICS TECHNOLOGY	246,978	248,978	215,597	240,278
19	WMD DEFENSE TECHNOLOGIES	105,021	111,021	105,021	111,021
21	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	12,698	22,698	14,698	18,198
22	SOF MEDICAL TECHNOLOGY DEVELOPMENT	2,293	2,293	2,293	2,293
23	MEDICAL ADVANCED TECHNOLOGY	---	---	2,000	1,100
	TOTAL, APPLIED RESEARCH	2,180,800	2,215,700	1,975,800	2,119,430

		Budget	House	Senate	Conference
		(In thousands of dollars)			
	ADVANCED TECHNOLOGY DEVELOPMENT				
24	SO/LIC ADVANCED DEVELOPMENT	30,575	41,575	30,575	35,875
25	COMBATING TERRORISM TECHNOLOGY SUPPORT	65,768	121,018	73,268	115,388
26	COUNTERPROLIFERATION INITIATIVES--PROLIF PREV & DEFEAT	104,582	114,682	113,782	117,072
27	BALLISTIC MISSILE DEFENSE TECHNOLOGY	206,676	189,076	195,825	194,125
28	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	16,862	16,862	16,862	16,862
29	ADVANCED AEROSPACE SYSTEMS	115,829	115,829	46,200	80,779
30	SPACE PROGRAMS AND TECHNOLOGY	254,913	254,913	225,651	254,913
31	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - ADVANCED DEV	207,114	238,714	195,008	236,654
33	JOINT ELECTRONIC ADVANCED TECHNOLOGY	9,400	11,400	9,400	10,400
34	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	35,553	38,053	35,553	36,678
35	JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS	7,700	7,700	10,200	8,825
36	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	23,437	63,737	114,287	105,297
37	DISTRIBUTION PROCESS OWNER TECH. DEV. & IMPLEMENTATION	15,215	15,215	10,215	15,215
38	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	67,149	68,149	64,749	64,049
39	MICROELECTRONIC TECHNOLOGY DEVELOPMENT AND SUPPORT	---	46,600	21,200	46,900
40	JOINT WARFIGHTING PROGRAM	10,641	10,641	10,641	10,641
41	ADVANCED ELECTRONICS TECHNOLOGIES	248,627	250,627	231,627	244,652
42	ADVANCED CONCEPT TECHNOLOGY DEMONSTRATIONS	158,334	162,834	156,334	163,134
43	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	175,313	189,313	207,213	209,663
44	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	232,489	232,489	222,920	228,489
45	LAND WARFARE TECHNOLOGY	48,975	48,975	37,925	44,975
46	CLASSIFIED DARPA PROGRAMS	151,598	151,598	151,598	151,598
47	NETWORK-CENTRIC WARFARE TECHNOLOGY	174,276	174,276	151,042	164,376
48	SENSOR TECHNOLOGY	205,519	205,519	186,466	195,519
49	GUIDANCE TECHNOLOGY	157,367	157,367	133,867	143,367
50	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	14,918	18,518	14,918	17,818
51	SOFTWARE ENGINEERING INSTITUTE	26,594	26,594	29,594	28,544
53	QUICK REACTION SPECIAL PROJECTS	107,782	107,782	108,782	108,782
54	JOINT EXPERIMENTATION	115,684	115,684	108,284	104,084

		(In thousands of dollars) Budget	House	Senate	Conference
55	JOINT WARGAMING SIMULATION MANAGEMENT OFFICE	36,179	36,179	36,179	36,179
56	TEST & EVALUATION SCIENCE & TECHNOLOGY	39,939	39,939	44,939	39,939
57	TECHNOLOGY LINK	6,822	9,622	11,422	12,272
59	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	80,402	152,352	50,421	137,351
	TOTAL, ADVANCED TECHNOLOGY DEVELOPMENT	3,152,232	3,433,832	3,056,947	3,380,415
	DEMONSTRATION & VALIDATION				
60	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT R	33,890	36,890	37,890	39,090
61	PHYSICAL SECURITY EQUIPMENT	---	---	2,000	---
62	RETRACT LARCH	22,383	22,383	22,383	22,383
63	JOINT ROBOTICS PROGRAM	12,210	22,010	14,210	23,110
64	ADVANCED SENSOR APPLICATIONS PROGRAM	18,820	20,320	19,820	24,270
65	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	28,841	35,841	28,841	32,441
67	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	1,038,310	1,008,310	1,111,310	1,096,710
68	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	2,876,972	2,758,072	3,103,972	3,055,972
69	BALLISTIC MISSILE DEFENSE BOOST DEFENSE SEGMENT	631,616	631,616	631,616	631,616
70	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	73,111	87,111	76,111	80,711
71	BALLISTIC MISSILE DEFENSE SENSORS	514,510	460,010	518,510	516,310
72	BALLISTIC MISSILE DEFENSE SYSTEM INTERCEPTOR	405,508	405,508	205,508	357,508
73	BALLISTIC MISSILE DEFENSE TEST & TARGETS	591,911	591,911	597,911	596,711
74	BALLISTIC MISSILE DEFENSE PRODUCTS	506,840	---	500,840	---
	BALLISTIC MISSILE DEFENSE C2BMC	---	242,789	---	247,896
	BALLISTIC MISSILE DEFENSE HERCULES	---	52,264	---	49,884
	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	---	55,146	---	55,167
	BALLISTIC MISSILE DEFENSE JOINT NATIONAL INTERGRATION	---	102,809	---	111,099
	BALLISTIC MISSILE DEFENSE CONCURRENT TEST AND OPERATIO	---	23,257	---	23,257
75	BALLISTIC MISSILE DEFENSE SYSTEMS CORE	473,077	476,777	428,077	431,237
76	SPECIAL PROGRAMS - MDA	374,532	374,532	354,532	354,532
77	AEGIS BMD	1,031,874	1,056,874	1,140,074	1,127,434
78	SPACE TRACKING & SURVEILLANCE SYSTEM	390,585	323,585	315,585	323,585
79	MULTIPLE KILL VEHICLES	164,975	99,975	164,975	144,975

		Budget	House	Senate	Conference
		(In thousands of dollars)			
80	HUMANITARIAN DEMINING	14,489	14,489	14,489	14,489
81	COALITION WARFARE	5,878	5,878	5,878	5,878
82	DEPARTMENT OF DEFENSE CORROSION PROGRAM	4,966	7,666	4,966	7,166
84	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	3,047	3,047	3,047	3,047
85	JOINT SYSTEMS INTEGRATION COMMAND (JSIC)	20,755	20,755	20,755	20,755
86	JOINT FIRES INTEGRATION & INTEROPERABILITY TEAM	16,782	16,782	16,782	16,782
87	REDUCTION OF TOTAL OWNERSHIP COST	25,289	25,289	25,289	25,289
88	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	3,672	4,672	7,672	7,872
	TOTAL, DEMONSTRATION & VALIDATION	9,284,843	8,986,568	9,373,043	9,447,176
	ENGINEERING & MANUFACTURING DEVELOPMENT				
89	DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP)	29,500	29,500	29,500	29,500
90	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT R	9,277	9,277	12,777	12,077
91	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	212,072	219,072	210,374	213,174
93	JOINT ROBOTICS PROGRAM	6,004	11,004	6,004	10,004
94	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	9,392	9,392	9,392	9,392
95	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	8,177	8,177	8,177	8,177
96	INFORMATION TECHNOLOGY DEVELOPMENT	11,005	11,005	11,005	11,005
101	BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES	140,245	142,245	160,245	145,745
102	TRUSTED FOUNDRY	42,522	42,522	42,522	42,522
103	DEFENSE ACQUISITION EXECUTIVE (DAE) PILOT PROGRAM	6,015	6,015	1,000	6,015
104	DEFENSE MESSAGE SYSTEM	11,202	11,202	11,202	11,202
105	INFORMATION SYSTEMS SECURITY PROGRAM	---	---	2,000	---
106	GLOBAL COMBAT SUPPORT SYSTEM	18,556	18,556	18,556	18,556
107	JOINT COMMAND AND CONTROL PROGRAM (JC2)	47,031	50,031	24,031	35,031
	TOTAL, ENGINEERING & MANUFACTURING DEVELOPMENT	550,998	567,998	546,785	552,400
	RDT&E MANAGEMENT SUPPORT				
112	TRAINING TRANSFORMATION (T2)	72,897	78,197	72,897	71,232
115	DEFENSE READINESS REPORTING SYSTEM (DRRS)	10,322	13,922	10,322	13,222
116	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	9,390	9,390	9,390	9,390

	(In thousands of dollars) Budget	House	Senate	Conference
117 CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT....	130,290	132,290	138,290	138,440
118 THERMAL VICAR.....	7,492	7,492	7,492	7,492
119 JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC).....	10,600	10,600	10,600	10,600
120 TECHNICAL STUDIES, SUPPORT AND ANALYSIS.....	30,339	31,339	35,339	36,339
122 USD(A&T)--CRITICAL TECHNOLOGY SUPPORT.....	2,029	2,029	4,029	4,029
124 FOREIGN MATERIAL ACQUISITION AND EXPLOITATION.....	38,253	38,253	38,253	38,253
127 JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION....	52,486	52,486	52,486	52,486
128 CLASSIFIED PROGRAM USD(P).....	---	90,000	98,000	94,000
129 FOREIGN COMPARATIVE TESTING.....	31,995	31,995	31,995	31,995
130 NUCLEAR MATTERS - PHYSICAL SECURITY.....	4,285	4,285	4,285	4,285
131 SUPPORT TO NETWORKS AND INFORMATION INTEGRATION.....	10,990	10,990	16,990	16,740
132 GENERAL SUPPORT TO USD (INTELLIGENCE).....	5,637	5,637	5,637	5,637
133 CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM.....	80,134	82,834	84,134	82,834
138 SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE ADMINISTR	2,073	6,373	2,073	4,448
139 DEFENSE TECHNOLOGY ANALYSIS.....	5,577	5,577	8,577	7,977
140 FORCE TRANSFORMATION DIRECTORATE.....	20,404	50,404	23,904	49,229
141 DEFENSE TECHNICAL INFORMATION CENTER (DTIC).....	51,929	51,929	51,929	51,929
142 R&D IN SUPPORT OF DOD ENLISTMENT, TESTING & EVALUATION	9,348	9,348	9,348	9,348
143 DEVELOPMENT TEST AND EVALUATION.....	9,203	9,203	9,203	9,203
144 MANAGEMENT HEADQUARTERS (RESEARCH & DEVELOPMENT).....	50,951	50,951	45,951	48,951
147 INFORMATION TECHNOLOGY RAPID ACQUISITION.....	5,090	5,090	5,090	5,090
148 INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)...	14,128	14,128	14,128	14,128
150 PENTAGON RESERVATION.....	15,586	15,586	15,586	15,586
151 MANAGEMENT HEADQUARTERS - MDA.....	87,389	87,389	87,389	87,389
152 IT SOFTWARE DEV INITIATIVES.....	1,412	1,412	1,412	1,412
TOTAL, RDT&E MANAGEMENT SUPPORT.....	770,229	909,129	894,729	921,664
OPERATIONAL SYSTEMS DEVELOPMENT				
153 DEFENSE INFORMATION SYSTEM FOR SECURITY (DISS).....	35,439	35,439	35,439	35,439
154 PARTNERSHIP FOR PEACE (PFP) INFORMATION MANAGEMENT SYS	1,521	1,521	---	---
155 CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS D	7,035	7,035	7,035	7,035

	(In thousands of dollars) Budget	House	Senate	Conference
156 JOINT INTEGRATION AND INTEROPERABILITY	66,906	66,906	51,906	51,906
157 JOINT STAFF ANALYTICAL SUPPORT	7,686	7,686	7,686	7,686
158 ISLAND SUN	1,662	1,662	1,662	1,662
159 C4I INTEROPERABILITY	84,313	84,313	84,313	84,313
167 NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	721	721	721	721
168 DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATIO	34,007	34,007	34,007	34,007
169 LONG HAUL COMMUNICATIONS (DCS)	1,523	1,523	10,023	5,373
170 MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK	7,691	7,691	7,691	7,691
171 PUBLIC KEY INFRASTRUCTURE (PKI)	14,240	14,240	14,240	14,240
172 KEY MANAGEMENT INFRASTRUCTURE (KMI)	38,257	38,257	38,257	38,257
173 INFORMATION SYSTEMS SECURITY PROGRAM	14,856	18,456	14,856	17,756
174 INFORMATION SYSTEMS SECURITY PROGRAM	404,337	405,337	404,337	405,337
175 DISA MISSION SUPPORT OPERATIONS	1,224	1,224	1,224	1,224
176 C4I FOR THE WARRIOR	3,556	3,556	3,556	3,556
177 C4I FOR THE WARRIOR	6,551	6,551	6,551	6,551
178 GLOBAL COMMAND AND CONTROL SYSTEM	59,681	63,681	59,681	62,881
179 JOINT SPECTRUM CENTER	12,448	12,448	12,448	12,448
181 NET-CENTRIC ENTERPRISE SERVICES (NCES)	28,630	28,630	28,630	28,630
182 TELEPORT PROGRAM	14,424	14,424	14,424	14,424
183 SPECIAL APPLICATIONS FOR CONTINGENCIES	---	---	6,302	9,302
186 CRITICAL INFRASTRUCTURE PROTECTION (CIP)	12,422	14,422	12,422	13,722
188 DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	20,791	20,791	20,791	20,791
191 NET CENTRICITY	8,746	8,746	8,746	8,746
197 DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	7,451	7,451	7,451	7,451
207 INDUSTRIAL PREPAREDNESS	18,748	33,848	32,348	33,698
208 LOGISTICS SUPPORT ACTIVITIES	2,912	2,912	2,912	2,912
209 MANAGEMENT HEADQUARTERS (JCS)	3,090	3,090	3,090	3,090
210 NATO JOINT STARS	41,670	41,670	41,670	41,670
212 SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEV	83,704	83,704	73,704	78,704

	(In thousands of dollars) Budget	House	Senate	Conference
213 SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	45,241	88,241	51,713	84,313
214 SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	29,011	96,711	49,611	65,031
215 SOF OPERATIONAL ENHANCEMENTS	99,010	104,510	108,810	107,460
217 SPECIAL OPERATIONS AIRCRAFT DEFENSIVE SYSTEMS	7,850	7,850	4,850	4,850
218 OPS ADVANCED SEAL DELIVERY SYSTEM (ASDS) DEVELOPMENT	32,452	32,452	32,452	32,452
219 MISSION TRAINING AND PREPARATION SYSTEMS (MTPS)	1,782	1,782	1,782	1,782
220 UNMANNED VEHICLES (UV)	1,521	3,521	1,521	3,121
TOTAL, OPERATIONAL SYSTEMS DEVELOPMENT	1,263,109	1,407,009	1,298,862	1,360,232
999 CLASSIFIED PROGRAMS	3,323,792	3,382,992	3,142,066	3,211,033
JOINT FORCES COMMAND	---	-30,000	---	---
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVAL, DW	20,809,939	21,208,264	20,543,393	21,291,056

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

R-1		Budget Request	House	Senate	Conference
1	**DTRA UNIVERSITY STRATEGIC PARTNERSHIP BASIC RESEARCH PROGRAM**	**5,000**	**12,300**	**6,500**	**10,000**
	WMD Technologies for Defense		4,500		2,000
	Dual Use Technologies Project for Defense		1,500		1,000
	Biomedical Engineering Initiative for Defense Use (Note: for continuation only)		1,300		1,000
	University Strategic Partnership			1,500	1,000
2	**DEFENSE RESEARCH SCIENCES**	**150,690**	**173,190**	**139,715**	**145,790**
	Alternative Futures at the Range-Complex Level for the Southwest US		1,000	1,000	1,000
	Focus Center Defense Research Program (Transferred to RDTE,DW Line 3)		10,000		
	Institute of Comparative Genomics: Advanced Research to Further National Security Goals		3,000		1,650
	John H. Hopps Defense Research Scholars Program		2,000		1,000
	India/Industry Collaborative Effort for Defense Research		5,000		0
	Drug Discovery and Development Initiative for National Security		1,500		1,200
	Bio Interfaces			-3,500	-3,500
	Computer Science Study Group			-3,573	-2,000
	Carbon Nanotube RF Devices			-1,000	-1,000
	MEMS Science and Focus Centers			-2,452	0
	Nanoscale/Biomolecular and MetaMaterials			-3,450	-3,450
	Spin Dependent Materials and Devices			-3,000	-3,000
	Advanced Materials Research Institute			4,000	2,200
	Next Generation Protective Gear Research			1,000	1,000
3	**GOVERNMENT/INDUSTRY COSPONSORSHIP OF UNIVERSITY RESEARCH**	**0**	**2,700**	**0**	**9,200**
	Bio/Nano Electronic Defense Devices and Sensors		2,700		1,200
	Focus Center Defense Research Program (Transferred from RDTE,DW Line 2)				8,000
5	**NATIONAL DEFENSE EDUCATION PROGRAM**	**19,532**	**19,532**	**15,332**	**19,532**
	Unauthorized program expansion			-4,200	0
6	**CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM**	**99,182**	**117,782**	**84,082**	**104,652**
	CB Initiative Program		5,000		5,000
	Detection of Biological Agents in Water for National Security		1,500	1,500	1,500
	Anthrax Vaccine Research		500		500
	New York Structural Biology Center for Chem-Bio Defense (Note: only for Department of Defense military activities)		2,600		1,170
	High Speed, High Volume Laboratory Network for Infectious Disease (Note: only for Department of Defense military activities) (Includes High-Throughput Laboratory Initiative)		6,000	8,000	6,000
	Northeast Biodefense Center for National Security (Note: only for Department of Defense military activities)		1,000		1,000
	Mismatch Repair Derived Medicines to Treat Clostridium, Staphyloccus and Bacillus Bioweapons		2,000		2,000
	TMTI - unexecutable growth			-28,600	-15,000

R-1		Budget Request	House	Senate	Conference
	Fluorescence Activated Sensing Technology Integrated Threat Management System			1,000	1,000
	Next Generation Protective Gear Research			1,000	1,000
	Organic Light Emitting Receptor Based Nanosensors			2,000	1,300
7	**INSENSITIVE MUNITIONS--EXPLORATORY DEVELOPMENT**	**10,447**	**10,447**	**11,197**	**11,197**
	Non-lethal Stunning/Immobilizing Weapons			750	750
8	**MEDICAL FREE ELECTRON LASER**	**10,255**	**10,255**	**18,955**	**15,905**
	Additional funding			8,700	5,650
9	**HISTORICALLY BLACK COLLEGES & UNIVERSITY (HBCU) SCIENCES**	**14,423**	**17,923**	**17,423**	**19,073**
	Center for Human and Material Science Performance for National Security (Note: only for Department of Defense military activities)		1,000		1,000
	Nanoscience and Biotechnology Laboratory Research Program (Note: only for Department of Defense military activities)		1,500		1,000
	The Defense Leadership and Technology Initiative		1,000		1,000
	Instrumentation Program for Tribal Programs			3,000	1,650
11	**INFORMATION AND COMMUNICATIONS TECHNOLOGY**	**242,852**	**242,852**	**229,452**	**234,952**
	Responsive Computing Architectures			-3,900	-3,900
	Security-Aware Systems			-3,000	-1,000
	Automated Speech and Text Exploitation in Multiple Languages			-6,500	-3,000
12	**COGNITIVE COMPUTING SYSTEMS**	**220,085**	**222,085**	**149,274**	**180,685**
	SOSI -- Secure Open Systems Institute for Defense		2,000		1,100
	Integrated Cognitive Systems			-60,000	-30,000
	Learning Locomotion and Navigation			-3,811	-3,500
	Improved Warfighter Information Processing			-7,000	-7,000
13	**BIOLOGICAL WARFARE DEFENSE**	**112,242**	**112,242**	**113,342**	**113,242**
	Detecting Emerging Classes of Explosives			1,100	1,000
14	**CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM**	**280,422**	**284,822**	**236,522**	**259,872**
	TMTI - unexecutable growth		-30,000	-60,400	-55,000
	CB Initiative Program		10,000		10,000
	Asymmetrical Protocols for Biological Defense Enhancement		2,400		1,000
	Alternative Delivery Methods for Recombinant Protein Vaccines		1,500	3,500	1,900
	Chemical Warfare Agent Fate Model Verification and Validation Phase II		2,000		1,000
	Fault Protected Drives for Laser Diodes for Defense Use		1,000		1,000
	Low-cost Protective Chem-bio Shelter		4,000		2,600
	Multipurpose Biodefense Immunoarray		2,000		1,100
	National Center for Integrated Civilian-Military Medical Response and Homeland Defense (Note: only for Department of Defense military activities)		1,500		1,000
	ND Center for Environmental Networked Embedded Sensor Technology (CENEST) (Note: only for Department of Defense military activities)		3,000		2,450
	Theater-Level Modeling of Chemical and Biological Operational Effects		1,000		1,000

R-1		Budget Request	House	Senate	Conference
	Zumwalt National Program for Countermeasures to Biological and Chemical Threats		2,000		1,300
	Botulinum Neurotoxin Research		3,000		2,400
	Specific Gas Detector		1,000		1,000
	Chemical/Biological Infrared Detection System			2,500	1,100
	Escape Hood			4,000	1,800
	Mustard Gas Antidote Research Consortium (STIMAL)			1,000	1,000
	Nanowire Mesh Fabrics for Chemical and Biological Agent Defense			1,500	1,000
	Personal Protection Against Infectious Agents			4,000	1,800
15	**TACTICAL TECHNOLOGY**	**383,680**	**388,280**	**315,622**	**363,460**
	NASEC Representing Enriched Context (RECON) & Robust, Responsive, Reconfigurable Invisible (r3I) Antenna Systems		1,800		1,440
	Extreme Light Sources for Defense Applications		1,800		1,440
	Optinet Sensor System		1,000		1,000
	HyFly			-6,376	0
	HEDLight			-2,000	-1,000
	Super-Fast Submerged Transport			-1,500	-1,500
	MAHEM			-2,135	-2,000
	Sweeper			-2,000	-2,000
	Maneuver & Control on the Urban Battlefield			-2,000	-1,000
	HELLADS			-5,000	0
	Flare Aero Structures			-2,500	0
	Distributed Embedded Propulsion			-4,000	-2,000
	Laminar Flow Flight Demonstration			-2,200	-1,000
	Long Endurance Autonomous Powerfoil			-1,500	-500
	TETURAN			-2,000	-1,000
	Automated Battle Management			-7,400	-3,000
	Home Field			-3,200	-1,500
	Pre-Conflict Anticipation and Shaping			-6,247	-500
	TOPVU			-6,000	0
	Execution adjustment			-20,000	-15,700
	CEROS			7,000	5,600
	Research on a Molecular Approach to Hazardous Materials Decontamination			1,000	1,000
	Army Hypersonics Advanced Technology (Transferred from RDTE,A Line 47)				2,000
16	**MATERIALS AND BIOLOGICAL TECHNOLOGY**	**297,277**	**297,277**	**296,277**	**299,277**
	Neurotechnology for Intelligence Analysts			-5,000	-2,000
	Strategic Materials			4,000	4,000
17	**WMD DEFEAT TECHNOLOGY**	**213,152**	**215,552**	**219,152**	**219,902**
	Center for Nonproliferation Studies, Monterey Institute for International Affairs		2,000		1,000
	MMI Nanotechnology		400		400
	Project Ancile			6,000	3,900
	IED Electronic Signature Detection (Transferred from RDTE,A Line 41)				1,450
18	**ELECTRONICS TECHNOLOGY**	**246,978**	**248,978**	**215,597**	**240,278**
	Secure Advanced Electronics Fabrication "SAEF" (Note: only for Department of Defense military activities)		2,000		2,000
	Advanced Digital Receiver Technology			-2,000	-1,000
	AFPA			-5,039	-2,000
	Bio-Electronics and Photonics			-3,000	-2,000

R-1		Budget Request	House	Senate	Conference
	Clockless Logic			-2,500	-1,000
	Linear Photonic RF Front End Technology			-3,594	-2,000
	Metaphoric Computing			-3,000	-1,000
	Multiple Optical Non-Redundant Aperture Generalized Sensors			-2,248	-1,000
	TEAM			-3,000	-1,500
	Terahertz Imaging Focal-Plane Technology			-5,000	-2,000
	TFAST			-10,000	0
	3-D Technology for Advanced Sensor Systems			4,000	2,200
	Innovative Processing Instrumentation for Fabrication of Three-Dimensional Microdevices			4,000	2,600
19	**WMD DEFENSE TECHNOLOGIES**	**105,021**	**111,021**	**105,021**	**111,021**
	Comprehensive National Incident Characterization and Management Systems (Note: only for Department of Defense military activities)		4,000		4,000
	Center for Blast Mitigation and Protection		1,000		1,000
	Real-time Bio Detection System (RTBDS)		1,000		1,000
21	**SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT**	**12,698**	**22,698**	**14,698**	**18,198**
	Close-in Layered Shield		5,000		2,250
	Global Observer Hydrogen Fueled Unmanned Aircraft System		5,000		2,250
	Wearable Hyperspectral Imaging System			2,000	1,000
23	**MEDICAL ADVANCED TECHNOLOGY**			**2,000**	**1,100**
	Military Nutrition Research			2,000	1,100
24	**SO/LIC ADVANCED DEVELOPMENT**	**30,575**	**41,575**	**30,575**	**35,875**
	Day/Night Wide Area Surveillance Systems (DNWASS)		2,000		0
	Day/Night Wide Area Surveillance System		2,000		1,000
	Multiband BIGFOOT Tag		3,000		1,650
	Explosive Ordnance Disposal/Low Conflict (EOD/LIC) Advanced Robotic Vehicle Development		3,000		1,650
	Aerial Canopy Sensor Delivery System		1,000		1,000
25	**COMBATING TERRORISM TECHNOLOGY SUPPORT**	**65,768**	**121,018**	**73,268**	**115,388**
	Asymmetric Warfare		3,600		1,620
	Autonomous Re-Supply UAS		1,800		1,500
	Bioterrorism Operations Policy for Public Emergency Response (BOPPER) (Note: only for Department of Defense military activities)		2,000	2,000	2,000
	Civil Support Teams - Tactical Support Surveys for Alaska National Guard		1,000		1,000
	Comprehensive Port and Maritime Domain Awareness		7,300		7,300
	Counter Terrorism Quality Assurance Science (CT-QAS) Program		2,000		1,000
	Defense Against Explosive Effects Explosive Loading Laboratory		5,000	2,000	4,000
	Distributed Intrinsic Chemical Agent Sensing and Transmission		1,000		2,000
	DoD Portable Armor Wall System		1,800		1,500
	Early Responders Distance Learning Center (Note: only for Department of Defense military activities)		1,750		1,000
	Facility Security (Note: only for Department of Defense military activities)		10,000		8,000
	Language Learning Center (LLC) (Note: only for Department of Defense military activities)		700		700

R-1		Budget Request	House	Senate	Conference
	National Terrorism Preparedness Institute/WMD Military and Emergency Responder Training		4,000		4,000
	Port and Hull Security 3D, Real Time Sonar System - Echoscope		4,000		3,200
	Roll-On, Roll-Off Reconnaissance Pallet Improvements		3,600		2,900
	TSWG Information Sharing Pilot Project (Note: for continuation only)		2,700		2,700
	U.S. and Iraqi Force Protection Program		3,000		2,400
	Autonomous Border and Intrusion Surveillance Sensor Networks			2,000	1,300
	Asymmetric Warfare Initiative			500	500
	Unmanned Aerial Vehicle Avionics Upgrade (UAVAU)			1,000	1,000
26	**COUNTERPROLIFERATION INITIATIVES--PROLIFERATION PREVENTION & DEFEAT**	**104,582**	**114,682**	**113,782**	**117,072**
	Near Infrared Imaging Experiment		2,000		1,000
	Open Source Intelligence Center		3,000		1,350
	New Technology for Detecting Nuclear Weapons Materials		1,000		1,000
	National Nuclear Security Agency (NNSA) Metals Declassification for reuse by DoD in Armament		1,600		1,040
	Connectory Expansion for Rapid Identification of Technology Sources for DoD		500		500
	Continuation of Advanced Materials (Mercuric Iodide) research for Nuclear Detection, Counter-proliferation and Imaging for CBRNE Special Operations		2,000		1,600
	DETECTIVE (HPGe Based) Radiation Portal Monitors			2,000	1,300
	Guardian Glass Scintillation Fiber Radiation Detectors			7,200	4,700
27	**BALLISTIC MISSILE DEFENSE TECHNOLOGY**	**206,676**	**189,076**	**195,825**	**194,125**
	High Altitude Airship		-20,000	-25,000	-22,500
	Advanced Processing Architecture		2,400		1,080
	General Reduction			-15,651	-15,651
	Advanced RF Technology Development			1,000	1,000
	Center for Optical Logic Devices			1,000	1,000
	Conformal Embedded Antennas for Aerial Platforms			2,000	1,000
	MPOI for Micro Satellite Datacom Amplifier			2,800	2,320
	Multiple-Target-Tracking Optical Sensor-Array Technology			4,000	3,200
	NetCentric Airborne Defense Element			15,000	12,000
	Photoconductor on Active Pixel Sensor (POAP)			1,000	1,000
	SiC Thick Film Mirror Coatings			3,000	3,000
29	**ADVANCED AEROSPACE SYSTEMS**	**115,829**	**115,829**	**46,200**	**80,779**
	A160			-10,500	-3,500
	Advanced Aeronautics Demonstration			-5,000	-5,000
	Cormorant UAV			-14,600	-9,500
	Heavy Fuel Engine for A160			-10,729	-4,000
	Critical Munition Capability			-4,000	-2,000
	Global Range Transatmospheric Vehicle			-5,300	-5,300
	Dual Mode Small Gunship			-6,000	0
	Seaplane Unmanned Air Vehicle			-5,500	-2,750
	Heavy Lift			-3,000	-1,500
	CASTLE			-5,000	-2,500
	Heavy Fuel Engine Development (Transfer from Senate Section 8167)				1,000

R-1		Budget Request	House	Senate	Conference
30	**SPACE PROGRAMS AND TECHNOLOGY**	**254,913**	**254,913**	**225,651**	**254,913**
	Orbital Express			-10,000	0
	ISIS			-16,262	0
	Radiation Hardening by Design			-3,000	0
31	**CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM - ADVANCED DEVELOPMENT**	**207,114**	**238,714**	**195,008**	**236,654**
	TMTI - unexecutable growth		-20,000	-36,106	-20,000
	CB Initiative Program		10,000		10,000
	Anthrax and A. Baumanii Research		1,000		1,000
	Anthrax Monoclonal Antibody Therapeutic and Prophylaxis Program		2,000		1,000
	Antioxidant Micronutrient Therapeutic Countermeasures for Chemical Agents		3,000		1,350
	Bioterrorism Preparedness		2,600		1,170
	Carbon Nanotube Bio-Chem Detector		2,000		1,100
	Chem-bio Preparedness Center (Note: only for DoD military activities) (Includes transfers from RDTE,DW Line 31 Chemical and Biological Defense Initiative)		2,000		2,000
	Chemical/Biological Defense Program - Advanced Development		2,300		1,850
	Hand-Held Biosensor and Continuous Monitor for Biodetection		1,800		1,450
	Immunological Biological/Chemical Agent Detection System		1,000		1,000
	Liquid Crystal Sensor Technology Research and Development for Force Protection		1,000		1,000
	Modular Chemical and Biological Detection System		1,000		1,000
	Next Generation Threat Detection		2,600		1,170
	Novel Viral Biowarfare Agent ID and Treatment		4,000		3,000
	Portable Rapid Bacterial Warfare Detection Unit		1,500	1,500	1,500
	Protective Self-Decontaminating Surfaces		2,800		1,500
	Rapid Response Database Systems Initiative (Note: only for Department of Defense military activities)		2,000	1,000	1,100
	Rapid Response Sensor Networking for Multiple DoD Applications Phase 3		1,000		1,000
	Rapid Response Therapeutic Platform for Biodefense		2,000		1,100
	Removal of NBC Agents in Drinking Water		2,000		1,300
	Small Accelerators and Detection Systems for Defense Applications		2,000	2,000	2,000
	Unmanned Vehicle CBRNE Unitary Sensor Suite Development and Demonstration		2,000		1,600
	Chemical and Biological Defense Initiative (Transfer to RDTE,DW Line 31, Chem-bio Preparedness Center)			1,000	0
	Engineered Biological Detectors for Biological Warfare			1,000	1,000
	Low Cost Chemical Agent (CA) Detection System for Mission Critical Facilities			1,000	1,000
	NIDS Handheld Biological Agent Detectors			6,500	2,900
	Plant Vaccine Development			7,000	3,150
	Reactive Coatings Enhanced to Resist Chemical/Biological Contamination			1,000	1,000
	Self-Detoxifying Materials in CB Protective Clothing			2,000	1,300
33	**JOINT ELECTRONIC ADVANCED TECHNOLOGY**	**9,400**	**11,400**	**9,400**	**10,400**
	Counter-Man Portal Air Defense System (MANPADS) Airspace Protection (CMAPS)		2,000		1,000

R-1	Budget Request	House	Senate	Conference
34 JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	**35,553**	**38,053**	**35,553**	**36,678**
Computer Assisted Threat Exploitation System		2,500		1,125
35 JOINT ROBOTICS PROGRAM/AUTONOMOUS	**7,700**	**7,700**	**10,200**	**8,825**
Improved Robot Combat Integration			2,500	1,125
36 GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	**23,437**	**63,737**	**114,287**	**105,297**
Defense Technology Showcase Initiative		3,000		1,650
Distributed Inventory Management System (DIMS) (Note: only for Department of Defense military activities)		1,000		1,000
Emerging Critical Interconnection Technology Program - Embedded Passives Test Bed (Note: only for Department of Defense military activities)		4,300		1,935
Locust MAV Enhancement Program (LME) Extended Warfighter Capability (Transferred to Line 39)		2,000		0
Networked Micro-Sensors Technology Testbed at UTD (Note: only for Department of Defense military activities)		2,500		1,100
Secure Digital Coherent Optical Communication		3,000		2,400
Spintronics Memory Storage Technology		10,000		8,000
California Center for Nanoscience Innovations for Defense (CALCNID)		12,000		9,600
Florida Defense Manufacturing Initiative		2,500		2,000
Advanced Mobile Gas-to-Liquid Fueler			4,500	2,900
Chameleon Miniaturized Wireless System			12,000	9,000
Defense Fuel Cell Locomotive			3,000	1,950
DOD Vehicle Fuel Cell Program			7,000	4,550
High Energy Battery Development for Aerial Vehicles			7,500	3,375
Hydrogen Logistics Fuel Initiative			3,000	1,950
New England Manufacturing Supply Chain Initiative			3,000	1,950
Next Generation Manufacturing Technologies Initiative			6,000	2,700
Silicon-28 Deposition Methodology Project			1,000	1,000
Solid Hydrogen Storage and Fuel Cell Systems			4,000	2,200
Solid Hydrogen Storage Initiative			8,000	5,200
Spray Technique Analysis and Research for Defense			2,000	1,300
Ultra-Low Power Battlefield Sensor System			29,850	15,000
Emergency Power Source for National Guardsmen (Transferred from Line 39)				1,100
37 DISTRIBUTION PROCESS OWNER TECH. DEVELOPMENT & IMPLEMENTATION	**15,215**	**15,215**	**10,215**	**15,215**
Project 2 - lack of transition plan			-5,000	0
38 STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	**67,149**	**68,149**	**64,749**	**64,049**
CMU Research Corporation Dendrimer Enhanced Water Remediation		1,000	2,000	1,300
Funding ahead of need			-4,400	-4,400
39 MICROELECTRONIC TECHNOLOGY DEVELOPMENT AND SUPPORT	**0**	**46,600**	**21,200**	**46,900**
DoD Advanced Filter Program		1,000		1,000
Mode 5 / Mode S Identification Friend or Foe (IFF) System Technology		2,000		1,000
Regional Defense Command Integration Center at Forbes Field (ANG) (Note: only for Department of Defense military activities)		4,500		2,000
DoD Advanced Dynamic Technology Optics Program		1,000		1,000
SuperLattice Nanotechnology		4,000	2,000	2,000

R-1		Budget Request	House	Senate	Conference
	Ultra-High Energy Micro Fuel Cell		4,000		2,600
	University Materials Characterization and Metrology Center		1,000		1,000
	Semiconductor Photomask Technology Defense Initiative		4,500		3,600
	DMEA Core Research Funding		20,000		16,000
	DoD Advanced Beam Steering Program		1,000		1,000
	Foliage-Penetrating Acoustically Cued Imagery Sensor (FACIS)		3,600		3,600
	Advanced Surface Radar Technologies			8,500	5,550
	Emergency Power Source for National Guardsmen (Transferred to RDTE,DW Line 36)			1,700	
	Feature Size Migration at DMEA ARMS Foundry			7,000	4,550
	Locust MAV Enhancement Program (Includes transfer from RDTE,DW Line 36)			2,000	2,000
41	**ADVANCED ELECTRONICS TECHNOLOGIES**	**248,627**	**250,627**	**231,627**	**244,652**
	Center for Advanced Microelectronics Manufacturing		2,000		1,100
	Digital Control of Analog Circuits RF Front Ends			-5,000	-2,500
	Analog Spectral Processors			-2,500	-1,000
	ADNERF			-2,500	-1,000
	High Gain Optical Transceiver on a Chip			-2,000	-1,500
	Stand-off Detection and Identification			-3,000	0
	Deep Ultraviolet Avalanche Photon Detectors			-3,000	-1,500
	WIFI-EYEPOD			-6,000	-3,000
	Electronic Miniaturization			3,500	2,800
	Enabling Ubiquitous Computing through Nanoscale Ultra-Low Power Electronics			1,000	1,000
	Mil-Tech Extension Technology Transition			2,500	1,625
42	**ADVANCED CONCEPT TECHNOLOGY DEMONSTRATIONS**	**158,334**	**162,834**	**156,334**	**163,134**
	Processing Fuel Cell Components for Light Weight, Low Cost Transportation System using a 3+ Ring Extruder (Note: only for Department of Defense military activities)		3,000		3,000
	Special Operations Command Target Tracking and Knowledge Discovery System		1,500		1,000
	Reduction to new starts			-10,000	-5,000
	Crossed-Field Radiation Technology (CFRT)			4,000	3,200
	Masking Shunt			2,000	1,300
	Spartan Advanced Composite Technology			2,000	1,300
43	**HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM**	**175,313**	**189,313**	**207,213**	**209,663**
	Data Intensive, High Performance Computing, Phase 3		4,000		2,600
	High Performance Computational Design of Novel Materials (Note: only for Department of Defense military activities)		1,000	3,400	2,700
	High Performance Computer Prototype - Naval Research Lab		5,000		4,000
	High Performance Computing for Modeling and Simulation Research (Note: only for Department of Defense military activities)		2,000		1,000

R-1		Budget Request	House	Senate	Conference
	W-P HPC Modernization		2,000		1,300
	Arctic Regional Supercomputer			5,500	4,400
	MHPCC			5,000	5,000
	Next Generation Networking Electronic Medical Records Project			9,000	7,200
	Northern Tier Network			5,000	3,250
	Secure Skies Project			2,000	1,600
	Simulation Center HPC Upgrade			2,000	1,300
44	**COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS**	**232,489**	**232,489**	**222,920**	**228,489**
	PANDA			-5,000	-2,000
	XG			-2,869	-1,000
	WNaN			-1,700	-1,000
45	**LAND WARFARE TECHNOLOGY**	**48,975**	**48,975**	**37,925**	**44,975**
	HYFORM			-6,000	-2,000
	FCS Supporting Technologies			-5,050	-2,000
47	**NETWORK-CENTRIC WARFARE TECHNOLOGY**	**174,276**	**174,276**	**151,042**	**164,376**
	Network Command			-5,216	-2,000
	PUCS			-2,665	-2,500
	Confirmatory Hunter Killer System			-4,981	0
	Network Centric Logistics			-6,972	-2,000
	FOX			-3,400	-3,400
48	**SENSOR TECHNOLOGY**	**205,519**	**205,519**	**186,466**	**195,519**
	SEER			-3,000	-2,000
	Super-Resolution Vision System			-4,053	-1,000
	Augmented Aerial Sentry			-7,000	-3,000
	Bipedal Detection			-5,000	-4,000
49	**GUIDANCE TECHNOLOGY**	**157,367**	**157,367**	**133,867**	**143,367**
	Execution adjustment			-23,500	-14,000
50	**DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT**	**14,918**	**18,518**	**14,918**	**17,818**
	Immersive Learning Environments (ILES)		3,600		2,900
51	**SOFTWARE ENGINEERING INSTITUTE**	**26,594**	**26,594**	**29,594**	**28,544**
	Advanced Lithography - Thin Film Masks for Lithography			3,000	1,950
53	**QUICK REACTION SPECIAL PROJECTS**	**107,782**	**107,782**	**108,782**	**108,782**
	Unmanned Aerial Vehicles			1,000	1,000
54	**JOINT EXPERIMENTATION**	**115,684**	**115,684**	**108,284**	**104,084**
	Duplicative efforts			-15,400	-15,400
	Modeling and Simulation			8,000	3,800
56	**TEST & EVALUATION SCIENCE & TECHNOLOGY**	**39,939**	**39,939**	**44,939**	**39,939**
	National Unmanned Systems Experimentation Environment (Transferred to RDTE,DW Line 63)			5,000	0
57	**TECHNOLOGY LINK**	**6,822**	**9,622**	**11,422**	**12,272**
	Techlink Southeast		1,000		1,000
	IEE Technology Transfer Project		1,800		1,450
	P343 - non DOD mission			-3,400	-3,400
	DOD Springboard			8,000	6,400

R-1	Budget Request	House	Senate	Conference
59 SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	**80,402**	**152,352**	**50,421**	**137,351**
Advanced Multi-Purpose Microdisplay System		1,800		1,000
Fuel Cell Power Systems for SOCOM Applications		2,400	2,400	2,400
Field Experimentation Program for Special Operations		1,500		1,000
High Altitude Long Endurance Airship (note only for the development of a fully-automated synthesis device for producing electronically and optically active nanostructures)		1,500		1,000
Satellite Synthetic Aperture Radar (SATSAR) Phase II		4,500		3,600
Special Operations Portable Power Source		2,000	5,000	3,250
Transliteration and Genealogical Search Tools		1,500		1,000
USSOCOM Tele-training System (SOFTS) for Foreign Language Training		2,000		1,100
Partnership for Defense Innovations WI-FI Test Laboratory		2,400		1,080
Remote Video Weapons Sight		4,000		1,800
Field-Deployable Digital Holographic Imager (FDDHI)		3,000		2,000
Improved Materials for Fireproof Protective Clothing		1,800		1,500
Improved Special Operations Fast Rope (Soft Rope) Kit		1,800		1,500
Airborne Psychological Operations Modernization Program		1,800		1,500
Waterfront Perimeter Intrusion Detection		1,800		1,500
Short Wave Infrared Technologies		1,350		1,100
Autonomous Navigation Sensor Suites		1,800		1,500
Counter Sniper & Surveillance Detection System (CSS)		2,500		2,000
Life Cycle Support for Unmanned Systems		2,700		2,200
Army DRAMA/Composer Integration & Development		1,800		1,500
Target Location, Identification, and Engagement with Unmanned Systems		2,000		1,600
Improved Information Transfer for Special Forces		7,000		7,000
Multimode Radar with Low Probability of Intercept/ Low Probability of Detection Capability		3,000		2,400
A-160 UAV Program		8,000		6,400
Improvised Rapid Install Aircraft Self Defense EW Mounting System for USSOCOM/USMC		6,000		4,800
UAV Situational Awareness System		2,000		1,000
Advanced Tactical Laser			-40,000	0
PSYOP Mod - unjustified program			-5,981	-5,981
Mobile Electrical Power Utilizing Energy Harvesting			1,000	1,000
Shock Mitigating Suspended Seat for NSW 11m RIB			2,000	1,300
Snapshot Synthetic Aperture Radar			3,600	2,900
Tagging, Tracking, and Locating System for High Value Targets			2,000	1,000
60 NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT	**33,890**	**36,890**	**37,890**	**39,090**
Integrated High Activity Response System (INHARS)		2,000	4,000	2,600
Digital Network Centric Remotely Operated Weapons System		1,000		1,000
Intelligent Decision Exploration (Transferred from Line 61)				1,600

R-1	Budget Request	House	Senate	Conference
61 PHYSICAL SECURITY EQUIPMENT	**0**	**0**	**2,000**	**0**
Intelligent Decision Exploration (Transferred to Line 60)			2,000	
63 JOINT ROBOTICS PROGRAM	**12,210**	**22,010**	**14,210**	**23,110**
Joint Robotics Program		5,000		4,000
Autonomous Machine Vision for Mapping and Investigation		1,000		1,000
National Robotics Training Center of Excellence		2,000		1,100
Robotics Workforce Curriculum Partnership		1,800		1,450
Robotic Assisted Convoy Operations			2,000	1,100
National Unmanned Systems Experimentation Environment (Transferred from RDTE,DW Line 55)				2,250
64 ADVANCED SENSOR APPLICATIONS PROGRAM	**18,820**	**20,320**	**19,820**	**24,270**
Subterranean Defense Communications System		1,500		1,200
Total Force Education Initiative			1,000	1,000
Secure Airborne Freespace Optical Comm (Transfer from Line 70)				3,250
65 ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	**28,841**	**35,841**	**28,841**	**32,441**
Inland Empire Wellhead Treatment of Perchlorate Contaminated Wells		2,500		1,100
UXO Innovative Technology Transfer		2,500		1,500
Pilot project for integrated multi-sensor UXO detection and recovery system		2,000		1,000
67 BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	**1,038,310**	**1,008,310**	**1,111,310**	**1,096,710**
Unexecutable Test Program (1 test)		-30,000		0
Arrow Co-production			50,000	40,000
Arrow SRBMD			23,000	18,400
68 BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	**2,876,972**	**2,758,072**	**3,103,972**	**3,055,972**
Block 2010		-55,800		-23,000
Long Lead Interceptors 41-50		-63,100		0
Concurrent Test		{20,000}		0
Test Program Enhancement and Operations Support			225,000	200,000
Kauai Test Facility			[4,000]	[4,000]
Range Mission Tool			1,000	1,000
Sensor Data Fusion and Communications			1,000	1,000
70 CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	**73,111**	**87,111**	**76,111**	**80,711**
Naval Postgraduate School Coalition and Operating Area Surveillance and Targeting System (COASTS) Field Experimentation Program and Special Operations Advanced Technology Development		1,600		1,000
Photovoltaic Power Supply for Autonomous Sensors		2,000		1,000
Secure Airborne Freespace Optical Comm (Transfer to Line 64)		5,000		0
Chemical/Biological Defense (ACDandP) MR4		1,400		1,000

R-1	Budget Request	House	Senate	Conference
Radiation Countermeasure - Adult-derived Hematopoietic Progenitor Cells to Treat Acute Radiation Syndrome		1,000		1,000
Wide-Spectrum Bio-ID		3,000		2,000
CBNEWS execution delays			-2,000	-2,000
Next Generation M291			1,000	1,000
Oral Anthrax/Plague Vaccine			4,000	2,600
71 BALLISTIC MISSILE DEFENSE SENSORS	**514,510**	**460,010**	**518,510**	**516,310**
FBX-T #4		-54,500		0
Airborne Infrared Surveillance System (AIRS)			4,000	1,800
72 BALLISTIC MISSILE DEFENSE SYSTEM INTERCEPTOR	**405,508**	**405,508**	**205,508**	**357,508**
General Reduction				-48,000
KEI Interceptor Development			-120,000	
KEI Launcher Development			-7,000	
KEI System Integration and Test			-22,000	
KEI Support			-20,000	
KEI Engineering			-28,000	
Program Wide Support			-3,000	
73 BALLISTIC MISSILE DEFENSE TEST & TARGETS	**591,911**	**591,911**	**597,911**	**596,711**
Optical Sensors for PMRF (SHOTS)			4,000	3,200
Real-Time Multi Frame Blind Deconvolution			2,000	1,600
74 BALLISTIC MISSILE DEFENSE PRODUCTS	**506,840**	**0**	**500,840**	**0**
C2BMC (Transferred to RDTE,DW Line 70A)		-263,906		-263,906
Hercules (Transferred to RDTE,DW Line 70B)		-50,562		-50,562
Joint Warfighter Support (Transferred to RDTE,DW Line 70C		-53,350		-53,350
Joint National Integration Center (JNIC) (Transferred to RDTE,DW Line 70D)		-99,461		-99,461
Concurrent Test and Operations (Transferred to RDTE,DW Line 70AE		-22,500		-22,500
Program Wide Support (Transferred to RDTE,DW Line 70A thru 74E)		-17,061		-17,061
Hercules			-5,000	0
Ballistic Missile Defense C2BMC			-20,000	0
Ground Based Studies of Rocket Plume Chemistry (Transferred to RDTE,DW Line 74B)			4,000	0
High Fidelity Missile Defense Modeling and Simulation (JNIC) (Transferred to RDTE,DW Line 74D)			15,000	0
74A BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATIONS (C2BMC)		**242,789**	**0**	**247,896**
Program (Transferred to RDTE,DW Line 70)		263,906		263,906
Program Wide Support (Transferred to RDTE,DW Line 70)		8,883		8,990
Program Reduction		-30,000		-25,000
74B BALLISTIC MISSILE DEFENSE HERCULES		**52,264**	**0**	**49,884**
Program (Transferred to RDTE,DW Line 70)		50,562		50,562
Program Wide Support (Transferred to RDTE,DW Line 70)		1,702		1,722
Program Reduction				-5,000
Ground Based Studies of Rocket Plume Chemistry (Transferred from RDTE,DW Line 74)				2,600

R-1	Budget Request	House	Senate	Conference
74C BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT		**55,146**	**0**	**55,167**
Program (Transferred to RDTE,DW Line 70)		53,350		53,350
Program Wide Support (Transferred to RDTE,DW Line 70)		1,796		1,817
74D BALLISTIC MISSILE DEFENSE JOINT NATIONAL INTEGRATION CENTER (JNIC)		**102,809**	**0**	**111,099**
Program (Transferred to RDTE,DW Line 70)		99,461		99,461
Program Wide Support (Transferred to RDTE,DW Line 70)		3,348		3,388
High Fidelity Missile Defense Modeling and Simulation (JNIC) (Transferred from RDTE,DW Line 74)				8,250
74E BALLISTIC MISSILE DEFENSE CONCURRENT TEST AND OPERATIONS		**23,257**	**0**	**23,257**
Program (Transferred to RDTE,DW Line 70)		22,500		22,500
Program Wide Support (Transferred to RDTE,DW Line 70)		757		757
75 BALLISTIC MISSILE DEFENSE SYSTEMS CORE	**473,077**	**476,777**	**428,077**	**431,237**
Lean Applications through Distance Learning		1,000		1,000
Sensor Reliability		2,700		2,160
Program growth			-45,000	-45,000
76 SPECIAL PROGRAMS - MDA	**374,532**	**374,532**	**354,532**	**354,532**
Program growth			-20,000	-20,000
77 AEGIS BMD	**1,031,874**	**1,056,874**	**1,140,074**	**1,127,434**
Aegis BMD Spiral Processor and Migration of Aegis BMD into OA		20,000	20,000	20,000
Asymmetric Missile Defense		5,000		4,000
AEGIS Improvements			80,000	65,000
PMRF Upgrades			8,200	6,560
78 SPACE TRACKING & SURVEILLANCE SYSTEM	**390,585**	**323,585**	**315,585**	**323,585**
Block 2012		-67,000	-75,000	-67,000
79 MULTIPLE KILL VEHICLES	**164,975**	**99,975**	**164,975**	**144,975**
Excessive Program Growth		-65,000		-20,000
82 DEPARTMENT OF DEFENSE CORROSION PROGRAM	**4,966**	**7,666**	**4,966**	**7,166**
DoD Technology Demonstration for Prevention of Material Degradation (TDPMD)		2,700		2,200
88 JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	**3,672**	**4,672**	**7,672**	**7,872**
Wireless Power Platform RF Energy Harvesting Technology		1,000		1,000
Delta Mine Training Center (JET)			4,000	3,200
90 NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT R	**9,277**	**9,277**	**12,777**	**12,077**
Transportable Under Vehicle Inspection System (TUVIS)			3,500	2,800

R-1	Budget Request	House	Senate	Conference
91 CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	**212,072**	**219,072**	**210,374**	**213,174**
Joint Warning and Reporting Network (JWARN)		2,000		1,300
Countermeasures to Biological and Chemical Control, Rapid Response		5,000		4,000
JBAIDS Increment II deferral			-7,198	-7,198
ParallaVax Rapid Vaccine Testing Technology			2,500	1,650
Rapid Identification of Biological Warfare Agents			3,000	1,350
93 JOINT ROBOTICS PROGRAM	**6,004**	**11,004**	**6,004**	**10,004**
Joint Robotics Program		5,000		4,000
101 BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES	**140,245**	**142,245**	**160,245**	**145,745**
DIMHRS (Note: Realigned from OM,DW BTA)		52,000	30,000	30,000
Program Adjustment/Unjustified Request		-50,000		-30,000
DBSE AoA delays			-20,000	0
DIMHRS			10,000	5,500
103 DEFENSE ACQUISITION EXECUTIVE (DAE) PILOT PROGRAM	**6,015**	**6,015**	**1,000**	**6,015**
Duplicative efforts			-5,015	0
105 INFORMATION SECURITY SYSTEMS PROGRAM			**2,000**	**0**
Research on Secure Telecommunications Networks (Transfer to RDTE,DW Line 107)			2,000	
107 JOINT COMMAND AND CONTROL PROGRAM (JC2)	**47,031**	**50,031**	**24,031**	**35,031**
Research on Secure Telecommunication Networks (FAU) (Includes transfer from RDTE,DW Line 105)		2,000		1,000
Operations Security (OPSEC) Training Improvement Programs		1,000		1,000
MS B delays			-25,000	-15,000
Net-Centric Capabilities Pilot (NCCP) Program			2,000	1,000
112 TRAINING TRANSFORMATION (T2)	**72,897**	**78,197**	**72,897**	**71,232**
Agile Software Capability Interventions (ASCI)		2,000		1,600
JWARS: A Joint Simulation for Linking Campaign Analysis to Warfighter Mission Rehearsal		3,300		1,485
Unexecutable growth			-8,000	-8,000
Playas Command and Control Network			5,000	3,250
Training Transformation in the Pacific (Transfer to RDTE,N Line 19)			3,000	0
115 DEFENSE READINESS REPORTING SYSTEM (DRRS)	**10,322**	**13,922**	**10,322**	**13,222**
DRRS National Readiness Prototype		3,600		2,900
117 CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT	**130,290**	**132,290**	**138,290**	**138,440**
Joint Gulf Range Complex Upgrade		1,000		1,000
Range Tactical Data Link and Relay		1,000		1,000
Pacific Region Interoperability Test and Evaluation Capability			4,000	3,200
UAV Systems and Operations Validation Program			3,000	1,950
Unmanned Systems Testbed Project/Pathfinder Demo			1,000	1,000

R-1	Budget Request	House	Senate	Conference
120 TECHNICAL STUDIES, SUPPORT AND ANALYSIS	**30,339**	**31,339**	**35,339**	**36,339**
Capabilities Study for Improvised Explosive Devices Detection		1,000		1,000
Transfer to OSD/ATL from RDN, 0604327N only for GS Study			5,000	5,000
122 USD(A&T)--CRITICAL TECHNOLOGY SUPPORT	**2,029**	**2,029**	**4,029**	**4,029**
Military Critical Technologies Program - Transfer from OMDW, line 260			2,000	2,000
128 CLASSIFIED PROGRAM USD(P)	**0**	**90,000**	**98,000**	**94,000**
131 SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	**10,990**	**10,990**	**16,990**	**16,740**
Pacific Disaster Center			6,000	5,750
133 CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	**80,134**	**82,834**	**84,134**	**82,834**
Vacuum Sampling Pathogen Collection and Concentration		2,700	4,000	2,700
138 SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE ADMINISTRATION	**2,073**	**6,373**	**2,073**	**4,448**
Center for Pulsed Power and Power Electronics (Note: only for Department of Defense military activities)		1,800		1,000
Electro-Magnetic Flak Impulse Systems Technology		2,500		1,375
139 DEFENSE TECHNOLOGY ANALYSIS	**5,577**	**5,577**	**8,577**	**7,977**
Commodity Management Systems Consolidation Program			3,000	2,400
140 FORCE TRANSFORMATION DIRECTORATE	**20,404**	**50,404**	**23,904**	**49,229**
Operationally Responsive Satellite (Note: $5M for Modular Bus; $5M for Bus Technology Development; and $15M for completion of Phase 3 Common Bus Effort)		25,000		25,000
Project Sheriff/Full Spectrum Effects Platform		5,000		2,250
Reconnaissance Payloads for Operationally Responsive Spacecraft			3,500	1,575
144 MANAGEMENT HEADQUARTERS (RESEARCH & DEVELOPMENT)	**50,951**	**50,951**	**45,951**	**48,951**
Management Headquarters			-5,000	-2,000
154 PARTNERSHIP FOR PEACE (PFP) INFORMATION MANAGEMENT SYS	**1,521**	**1,521**	**0**	**0**
Execution delays			-1,521	-1,521
156 JOINT INTEGRATION AND INTEROPERABILITY	**66,906**	**66,906**	**51,906**	**51,906**
Unjustified growth			-15,000	-15,000
169 LONG HAUL COMMUNICATIONS (DCS)	**1,523**	**1,523**	**10,023**	**5,373**
DISN Core Enhancements at STRATCOM			8,500	3,850
173 INFORMATION SYSTEMS SECURITY PROGRAM	**14,856**	**18,456**	**14,856**	**17,756**
Code Assessment & Methodology Project (CAMP) (Note: only for Department of Defense military activities)		3,600		2,900
174 INFORMATION SYSTEMS SECURITY PROGRAM	**404,337**	**405,337**	**404,337**	**405,337**
B-Secure Multi Media Digital Terminals		1,000		1,000

R-1	Budget Request	House	Senate	Conference
178 GLOBAL COMMAND AND CONTROL SYSTEM	**59,681**	**63,681**	**59,681**	**62,881**
Global Command & Control System - Joint		4,000		3,200
183 SPECIAL APPLICATIONS FOR CONTINGENCIES	**0**	**0**	**6,302**	**9,302**
Execution Delays			-5,000	-2,000
186 CRITICAL INFRASTRUCTURE PROTECTION (CIP)	**12,422**	**14,422**	**12,422**	**13,722**
Cyber Threat Validation Center		2,000		1,300
207 INDUSTRIAL PREPAREDNESS	**18,748**	**33,848**	**32,348**	**33,698**
Copper Based Casting Technology		2,000	2,000	2,000
Advanced Microcircuit Emulation (AME) Program		3,000		1,350
Lithium Battery Systems for Asset Tracking		1,800	3,000	1,800
Next Generation Manufacturing Technology Initiative (Note: only for Department of Defense military activities)		1,000	6,000	3,900
Northwest Manufacturing Initiative (Note: only for Department of Defense military activities)		2,500	2,600	2,500
4 Ship Network Training Center (Note: only for Department of Defense military activities)		3,000		1,950
Joint Diminishing Manufacturing Sources and Material Shortages (DMSMS) Mitigation Capabilities (JDMC)		1,800		1,450
212 SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVELOPMENT	**83,704**	**83,704**	**73,704**	**78,704**
CAAP program restructure			-5,000	-5,000
Sof K-Band TF/TA Radar program delays			-5,000	0
213 SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	**45,241**	**88,241**	**51,713**	**84,313**
Artic Warfare Mountaineering Boot		1,000	1,000	1,000
Full Range Oxygen Gas System Closed-Circuit Oxygen Rebreather		2,000		1,000
Integrated Bridge System		1,000		1,000
Nickel Boron Metal Coating Technology for USSOCOM Weapons		2,000		1,000
Special Operations Forces Combat Assault Rifle (SCAR)		4,000	2,400	1,800
Warrior Reach Project		1,500		1,000
Covert WPM Waveform Modules		4,400	1,000	2,000
Development, Production and Testing of a Prototype Advanced Design of Mark V Craft		5,000		4,000
Advanced Comnbat Boot-Manufacturing Enhancements using Polyurethane Direct Injection		1,000		1,000
Gunfire Detection System for Special Operations Combatant Craft		1,500		1,200
U. S. Special Operations Command STAR-TEC Partnership Program		3,000		2,400
Command and Control Mission Manager (C2MM) Spiral 4		1,000		1,000
Integrated Warfighter Information System (IWIS) II		2,100	2,100	2,100
Next Generation Navigation Computer System		1,000		1,000
SOCOM Imagery Dissemination System (SIDS)		1,800		1,500
Strategic Communications Support Initiative		3,500		2,800
Tactical Communication Systems Testbed Initiative		1,800		1,500
Small Boat Family Integrated Combat System		2,700		2,200
MARSOC BRITE M22 Imagery Dissemination Systems		2,700		2,200
MBMMR program cancellation			-5,928	-5,928
Holographic Close Combat Optic			1,000	1,000

R-1	Budget Request	House	Senate	Conference
Over the Horizon Augmented Reconnaissance (ROAR)			2,000	1,300
Special Operations Tactical Boot Suite Development			1,500	1,000
Weapons Shot Counter			1,400	1,000
MBITR (Transfer from P,DW Line 50)				9,000
214 SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	**29,011**	**96,711**	**49,611**	**65,031**
Optimal Placement of Unattended Sensors		2,500		1,650
University Multi-Spectral Laboratory and Analytical Services Center		1,500	3,000	1,500
Tactical Miniature Software Definable Receiver		2,000		1,600
MEMS and Nanotechnology Defense Lab		2,300		2,300
SOF Nanotechnology Integration Team		2,400		1,920
SOCOM Power Sources Integration Team		2,500		2,000
SOF Long Endurance Demonstrator (SLED)		5,000		5,000
Special Ops Classified Activities Initiative		38,000		0
Payload Interface Master Module		1,000		1,000
SOF Tactical Interface (Note: only to continue development initiated on SBIR SOCOM 01-0006)		10,500		8,400
Advanced, Long Endurance Unattended Ground Sensor Technology			2,100	1,700
Biometric Signatures Research			3,000	2,000
Joint METOC-SOCM Airdropped Sensors			2,500	1,400
JTWS Variants for Network-Centric Advanced Platforms			5,000	2,250
Special Operations-Application Specific Integrated Circuit Development			5,000	3,300
215 SOF OPERATIONAL ENHANCEMENTS	**99,010**	**104,510**	**108,810**	**107,460**
Miniaturized Target Tracking and Locating Devices		3,000		1,350
STOL Herk I continuation (Transferred to RDTE,AF Line 215)		2,500		0
3-D Stabilized Facial Recognition Imaging Technology			2,000	1,300
Advanced Tactical Electronic Countermeasures			1,500	1,000
B-Band Covert Night Vision System LRIP			2,000	1,300
Operational Enhancements to Low Profile NVGs (AN/PVS-21 LP/NVG)			1,000	1,000
Special Operations Tactical Mobility Simulator			1,000	1,000
SOCOM Counterterrorism Operational Enhancements in C4ISR			2,300	1,500
217 SPECIAL OPERATIONS AIRCRAFT DEFENSIVE SYSTEMS	**7,850**	**7,850**	**4,850**	**4,850**
LBJ - funding excess to need			-3,000	-3,000
220 UNMANNED VEHICLES (UV)	**1,521**	**3,521**	**1,521**	**3,121**
Unmanned Logistics Support Vehicles for SOF Initiative		2,000		1,600
999 CLASSIFIED PROGRAMS	**3,323,792**	**3,382,992**	**3,142,066**	**3,211,033**
Classified Adjustment		59,200		-112,759
JOINT FORCES COMMAND EXPERIMENTATION AND T2 - Unjustifed Program		**-30,000**	**0**	**0**

CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM

The conference agreement provides an increase of $25,000,000 for the Chemical and Biological Defense Initiative. The Secretary of Defense is directed to allocate these funds among the programs that yield the greatest gain in our chem-bio defensive posture. The conferees further direct that such funds may not be obligated until 15 days after a report, including a description of projects to be funded, is provided to the congressional defense committees.

MDA—SPACE TRACKING AND SURVEILLANCE SYSTEM (STSS)

The budget request includes $390,585,000 for STSS, including $97,000,000 for the Block 2012 space system. The conference agreement includes $323,585,000, a reduction of $67,000,000 for Block 2012. The conferees note that two demonstration satellites will be launched in fiscal year 2007 and that exploitation of data from these satellites will allow the Missile Defense Agency to develop sensor requirements and a concept of operations that will drive the Block 2012 space system. As a result, the conferees believe it is premature to award a full Block 2012 space system acquisition contract and direct the Missile Defense Agency to use the appropriated STSS Block 2012 funds to initiate a contract to: (1) pursue sensor technology development and risk reduction; (2) complete the definition of the Block 2012 system through analysis and trades; and, (3) develop corresponding system requirements leveraging the demonstration satellites.

MDA—AVOIDANCE OF CONGRESSIONAL REDUCTIONS

The conferees remain concerned that the Missile Defense Agency is moving funds between various elements and programs and/or moving contract scope across elements and programs in order to avoid reductions made by the congressional defense committees. This practice is unacceptable and MDA is directed to use prior approval reprogramming procedures specified in the report accompanying the House version of the fiscal year 2007 Department of Defense Appropriations bill (H.R. 109–504) for any movement of funds or contract scope beyond the $10,000,000 threshold in research, development, test and evaluation. The MDA shall follow the limitation that prior approval reprogramming is set at either the specified dollar threshold or 20% of the line, whichever is less. The conferees agree that: Ballistic Missile Defense—AEGIS, PE 0603892C; Ballistic Missile Defense Terminal Defense Segment, PE 0603881C; Ballistic Missile Defense Midcourse Defense Segment, PE 0603882C; and Multiple Kill Vehicle, PE 0603894C are designated as congressional special interest items subject to prior approval reprogramming procedures.

MDA—OTHER TRANSACTION AUTHORITY (OTA)

The conferees are concerned with the continued use of OTA contracts by the Missile Defense Agency. These OTA contracts lack the customary safeguards found under FAR-based contracts for organizational conflict of interest, truth in negotiations and submission of cost and pricing data. The conferees strongly encourage the Missile Defense Agency to convert large development and procurement contracts using OTA to FAR-based contracts. Accordingly, the conferees direct the Missile Defense Agency to submit a report on the use of Other Transaction Authority contracts by the Missile Defense Agency. This report should include the number, value, and justification for the use of Other Transaction Authority. The report should be delivered to the congressional defense committees 90 days after the enactment of this Act.

MILTECH EXTENSION PROGRAM

The conferees support the ''MilTech Extension'' program and encourage the Department of Defense to fund this program in the fiscal year 2008 budget request. MilTech has been highly successful at helping to transition technologies from innovative small companies to Department of Defense operational use.

MDA—AEGIS IMPROVEMENTS

The conferees have provided $65,000,000 for AEGIS Improvements. Of that amount $15,000,000 is available for the Sea-Based Terminal Capability, and $50,000,000 is available for development and procurement of SM–3 Interceptors.

The conferees are aware that there is an additional requirement of $20,000,000 in fiscal year 2007 for Sea-Based Terminal Defense, and direct the Missile Defense Agency to submit a prior approval reprogramming to fully fund this requirement.

AIRBORNE LASER (ABL)

The conferees are encouraged by the recent technical progress that the Airborne Laser (ABL) program has made over the last two years with the accomplishment of the firing of the high energy laser and the flight testing of the associated beam control/fire control system. The conferees also note that these technical challenges were accomplished while the program stayed within the government determined schedule and budget.

As the acknowledged Primary Boost Phase Defense, the conferees are concerned by the recent decision of the Missile Defense Agency (MDA) to slip the planning for the development of an operational ABL by two years later than proposed in the fiscal year 2006 budget submittal. The conferees believe that if the ABL succeeds in the next two years of testing and accomplishes its main test objectives leading towards a lethal shoot down demonstration in late 2008, MDA should move the program into development of an operational ABL configuration at the earliest date.

Therefore, the conferees encourage MDA to re-evaluate funding in the Future Years Defense Plan to ensure that funding levels for ABL are consistent with its status as the Primary Boost Phase Defense. Further, the conferees recommend MDA develop a plan that would allow for the development of an advanced ABL configuration in the shortest time after a successful lethal shoot down demonstration. This plan should be delivered to the congressional defense committees 90 days after the enactment of this Act.

DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (DIMHRS)

The conferees direct the Secretary of Defense and the currently participating individual services to maintain DIMHRS application development and implementation and DIMHRS performance development and emergent requirement efforts at the Space and Naval Warfare (SPAWAR) Systems Center (SSC) in New Orleans.

DEFENSE ADVANCED RESEARCH PROJECTS AGENCY (DARPA)

The conferees provide $3,135,303,000 for DARPA, a reduction of $159,045,000 from the request. The conferees direct the Director of DARP A to submit to the congressional defense committees no later than sixty days after enactment of this Act a report in writing that details by program the application of undistributed reductions made in this Act.

The conferees commend DARPA for its responsiveness and assistance in delineating its sizeable programmatic and budgetary information. However, given the magnitude of DARPA's budget and the significant quantity of programs managed by DARPA, the conferees believe that future budget justification materials should provide more individual programmatic detail, to include budget information, programmatic achievements and goals by fiscal year, as well as transition plans.

OPERATIONAL TEST AND EVALUATION, DEFENSE

The conference agreement on items addressed by either the House or the Senate is as follows:

		(In thousands of dollars)			
		Budget	House	Senate	Conference
	OPERATIONAL TEST & EVAL, DEFENSE				
	RDT&E MANAGEMENT SUPPORT				
4	OPERATIONAL TEST AND EVALUATION	50,161	50,161	56,161	54,061
6	LIVE FIRE TESTING	11,245	11,245	11,245	11,245
8	OPERATIONAL TEST ACTIVITIES AND ANALYSES	120,114	120,114	120,114	120,114
	TOTAL, RDT&E MANAGEMENT SUPPORT	181,520	181,520	187,520	185,420
	TOTAL, OPERATIONAL TEST & EVAL, DEFENSE	181,520	181,520	187,520	185,420

EXPLANATION OF PROJECT LEVEL ADJUSTMENTS
[in thousands of dollars]

		Budget Request	House	Senate	Conference
3	OPERATIONAL TEST AND EVALUATION	0	0	0	0
4	OPERATIONAL TEST AND EVALUATION	50,161	50,161	56,161	54,061
	Holloman High Speed Test Track			6,000	3,900
5	LIVE FIRE TESTING	0	0	0	0
6	LIVE FIRE TESTING	11,245	11,245	11,245	11,245
7	DEVELOPMENT TEST AND EVALUATION	0	0	0	0
8	OPERATIONAL TEST ACTIVITIES AND ANALYSES	120,114	120,114	120,114	120,114

TITLE V— REVOLVING AND MANAGEMENT FUNDS

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars)			
	Budget	House	Senate	Conference
TITLE V				
REVOLVING AND MANAGEMENT FUNDS				
Defense Working Capital Funds	1,345,998	1,345,998	1,345,998	1,345,998
National Defense Sealift Fund: Ready Reserve Force	1,071,932	1,071,932	616,932	1,071,932
Pentagon Reservation Maintenance Revolving Fund	18,500	18,500	18,500	18,500
Total, title V, Revolving and Management Funds	2,436,430	2,436,430	1,981,430	2,436,430

DEFENSE WORKING CAPITAL FUNDS

The conference agreement provides $1,345,998,000, as proposed by both the House and the Senate, for the Defense Working Capital Funds.

NATIONAL DEFENSE SEALIFT FUND

The conference agreement provides a total of $1,071,932,000 for the National Defense Sealift Fund as proposed by the House instead of $616,932,000 as proposed by the Senate. The conference agreement restores the reduction of $455,000,000 for the T–AKE cargo/ammunition ship program proposed by the Senate.

PENTAGON RESERVATION MAINTENANCE REVOLVING FUND

The conference agreement provides $18,500,000, as proposed by both the House and the Senate, for the Pentagon Reservation Maintenance Revolving Fund.

TITLE VI—OTHER DEPARTMENT OF DEFENSE PROGRAMS

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars)			
	Budget	House	Senate	Conference
TITLE VI				
OTHER DEPARTMENT OF DEFENSE PROGRAMS				
Chemical Agents & Munitions Destruction, Army:				
Operation and maintenance	1,046,290	1,046,290	1,046,290	1,046,290
Research, development, test and evaluation	231,014	231,014	231,014	231,014
Total, Chemical Agents 1/	1,277,304	1,277,304	1,277,304	1,277,304
Drug Interdiction and Counter-Drug Activities, Defense	926,890	936,990	978,212	977,632
Office of the Inspector General	216,297	216,297	216,297	216,297
Total, title VI, Other Department of Defense Programs	2,420,491	2,430,591	2,471,813	2,471,233

1/ Included in Budget under Procurement title.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

The conference agreement provides $977,632,000 for ''Drug Interdiction and Counter-Drug Activities, Defense'' instead of $936,990,000 as proposed by the House and $978,212,000 as proposed by the Senate. Adjustments to the budget request are as follows:

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE
(In thousands of dollars)

	House	Senate	Conference
	936,990	978,212	977,632
Recommended Increases:			
Indiana National Guard Counter-Drug Activities	1000		1,000
Nevada National Guard Counter-Drug Program	3,750	3,750	3,750
Florida National Guard Counter-Drug Activities	3,000		2,400
Regional Counter-Drug Training Academy, Mississippi	2,000	2,600	2,080
Southwest Border	8,000		5,200
RINGGOLD Linguists fot the Washington State NG	350		350
Multi-Jurisdictional Counter Drug Task Force Training	3,500		3,500
Young Marines	2,500		2,000
Alaska National Guard Counter-Drug Program		3,000	2,400
Hawaii National Guard Counter-Drug Program		3,100	2,480
West Virginia Counter-Drug Program		3,000	2,400
Minnesota National Guard Counter-Drug Program		1,500	1,000
Counter-Drug Plus Up for the Kentucky National Guard		3,500	2,280
Midwest Counter-Drug Training Center		6,000	4,500
Marijuana Cannabis Eradication Decision Support System		700	700
Northeast Regional Counter-Drug		5,500	3,580
Appalachia High Intensity Drug Trafficking Area Tennessee		4,000	2,600
New Mexico National Guard Counter-Drug Program		3,000	1,350
National Guard Counter-Drug Support		25,000	20,000
Recommended Reductions:			
SOUTHCOM	-7,000		0
NORTHCOM	-2,000		0
PACOM	-1,000		0
CENTCOM	-2,000		-2,000
Intelligence and Technology	-2,000		0
PC 9201 Support for Bolivia		-500	-500
PC 9201 Program Execution		-10,000	-10,000
PC 9493 SOUTHCOM OPS Support		-2,500	0
PC 9494 Support for Bolivia		-328	-328

OFFICE OF THE INSPECTOR GENERAL

The conferees have agreed to provide a total amount of $216,297,000 for the Office of the Inspector General. Of this amount, $214,897,000 shall be for operation and maintenance, and $1,400,000 shall be for procurement.

TITLE VII—RELATED AGENCIES

The conference agreement on items addressed by either the House or the Senate is as follows:

	(In thousands of dollars)			
	Budget	House	Senate	Conference
TITLE VII				
RELATED AGENCIES				
Central Intelligence Agency Retirement and Disability System Fund	256,400	256,400	256,400	256,400
Intelligence Community Management Account	634,811	597,111	597,011	621,611
Transfer to Department of Justice	---	(39,000)	---	(39,000)
Total, title VII, Related agencies	891,211	853,511	853,411	878,011

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

The conference agreement provides $256,400,000 for payment to the Central Intelligence Agency Retirement and Disability System Fund, as proposed by both the House and the Senate.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

The conference agreement provides $621,611,000 for the Intelligence Community Management Account, instead of $597,111,000 as proposed by the House and $597,011,000 as proposed by the Senate.

The conference agreement provides for a transfer of $39,000,000 to the Department of Justice for the National Drug Intelligence Center to support the Department of Defense's counter-drug intelligence responsibilities, the same amount as proposed by the House.

IRAQ NATIONAL INTELLIGENCE ESTIMATE

The conferees did not include bill language requiring the Office of the Director of National Intelligence (ODNI) to provide a National Intelligence Estimate (NIE) for Iraq. The conferees understand that the ODNI is currently drafting such a document. The conferees urge the ODNI in creating the NIE to follow the parameters set out in the Senate bill in Title VII, under the heading ''Intelligence Community Management Account.''

TITLE VIII—GENERAL PROVISIONS

The conference agreement incorporated general provisions of the House and Senate versions of the bill which were not amended. Those general provisions that were amended in conference follow:

The conferees include a general provision (Section 8005) as proposed by the House and the Senate concerning transfer authority. The conferees also include language that requires a prior approval reprogramming before obligating funds pursuant to section 1206 of Public Law 109–163.

The conferees include a general provision (Section 8008) which amends language, as proposed by the House and the Senate, concerning multi-year procurement authority. The conference agreement provides multi-year procurement authority for C–17 Globemaster; F–22A; MH–60R Helicopters; MH–60R Helicopter mission equipment; and V–22 Osprey.

The conferees include a general provision (Section 8023) which amends language, as proposed by the House and Senate, with respect to Federally Funded Research and Development Centers.

Section 8024 in title VIII of this Act prohibits the use of government funds to purchase armor steel plate that was not melted and rolled in the United States or Canada. The conferees are concerned that the Department of Defense may alter or weaken the intent of Congress through changes to the implementing instructions. The conferees direct the Department to discuss any proposed changes with the relevant congressional committees and gain congressional approval before altering the current interpretation of this prohibition.

The conferees include a general provision (Section 8039) which amends language, as proposed by the House and Senate, to make funds available under ''Operation and Maintenance, Defense-Wide'' for the Office of Economic Adjustment to make grants.

The conferees include a general provision (Section 8040) which amends language, as proposed by the House and Senate, recommending rescissions. The rescissions agreed to are:

(RESCISSIONS)

2005 Appropriations:	
Shipbuilding and Conversion, Navy: CVN–21/PUAF	$11,245,000
Aircraft Procurement, Air Force: F–15E Procurement	108,000,000
2006 Appropriations:	
Other Procurement, Army:	
Warfighter Information Network WIN–T	100,200,000
Modifications of In-Service Equipment	20,000,000
Aircraft Procurement, Navy:	
MH–60S (MYP)	36,000,000
KC–130J AP (CY)	11,500,000
C–130 Series	29,200,000
Aircraft Procurement, Air Force:	
F–22A Advance Procurement	77,000,000
F–15E Procurement	64,100,000
Missile Procurement, Air Force:	
EELV	100,000,000
GPS (AP)	42,000,000
Research, Development, Test and Evaluation, Army: Aerial Common Sensor	21,600,000
Research, Development, Test and Evaluation, Navy:	
Materials, Electronics and Computer Technology	1,400,000
Mine Development	8,700,000
Aerial Common Sensor	25,698,000
Research, Development, Test and Evaluation, Air Force: B–52 Standoff Jammer	92,800,000
Research, Development, Test and Evaluation, Defense-Wide:	
DARPA	100,000,000
Joint Robotics Program—EMD, Gladiator Teleoperated Unmanned Vehicle	2,500,000
Classified Program—C3I	7,200,000
Classified Programs	11,000,000

The conferees include a general provision (Section 8077) which amends language, as proposed by the House and Senate, to reduce funds available in Operation and Maintenance accounts by $158,100,000 for excessive growth in other contracted services.

The conferees include a general provision (Section 8079) which amends language, as proposed by the House and Senate, concerning the Arrow missile defense program. The conference agreement provides a total of $137,894,000 for the Arrow program of which $53,000,000 is earmarked for missile component co-production, and $20,400,000 is earmarked only for the Short Range Ballistic Missile Defense initiative.

The conferees include a general provision (Section 8080) which amends language, as proposed by the House and Senate, to provide transfer authority for specified shipbuilding programs. The agreement provides total transfer authority of $512,849,000 instead of $436,449,000 as proposed by the House and $557,849,000 as proposed by the Senate. The agreement also distributes funds to specified shipbuilding programs.

The conferees include a general provision (Section 8088) which amends language, as proposed by the House, to provide $11,100,000 for grants to various organizations.

The conferees include a general provision (Section 8096) which amends language, as proposed by the House and Senate to provide special transfer authority for Navy shipbuilding programs. The agreement accepts provisions contained in the House bill, but accepts the Senate proposal regarding the availability of transferred funds. The agreement specifies that transferred funds are available for the time period of the original appropriation and are not extended by the transfer.

The conferees include a general provision (Section 8102) which amends language, as proposed by the Senate, to provide funds for the operations and development of training and technology for warfighting and first responder training at the Joint Interagency Training Center-East.

The conferees include a general provision (Section 8103) which amends language, as proposed by the Senate, to extend the authority of a Defense Advanced Research Project Agency program through September 30, 2008.

The conferees include a general provision (Section 8106) which amends language, as proposed by the House and Senate, to reduce funds available in this Act to reflect savings from revised economic assumptions.

The conferees include a general provision (Section 8110) which amends language, as proposed by the Senate, which requires the Secretary of the Air Force to submit a cost-benefit analysis of research and development activities.

The conferees include a general provision (Section 8111) which amends language, as proposed by the House, to prohibit the use of funds provided in this Act to waive or modify regulations concerning the National Security Personnel System.

The conferees include a general provision (Section 8112) that clarifies the definition of ''this Act''.

TITLE IX - ADDITIONAL APPROPRIATIONS

The following table provides details of the supplemental appropriations in this title.

[In thousands of dollars]

Account	Conference
Military Personnel:	
Military Personnel, Army	4,346,710
Military Personnel, Navy	143,296
Military Personnel, Marine Corps	145,576
Military Personnel, Air Force	351,788
Reserve Personnel, Army	87,756
Reserve Personnel, Marine Corps	15,420
National Guard Personnel, Army	295,959
Total Military Personnel	5,386,505
Operation and Maintenance:	
O&M, Army	28,364,102
O&M, Navy	1,615,288
O&M, Marine Corps	2,689,006
O&M, Air Force	2,688,189
O&M, Defense-Wide	2,774,963
O&M, Army Reserve	211,600
O&M, Navy Reserve	9,886
O&M, Marine Corps Reserve	48,000
O&M, Air Force Reserve	65,000
O&M, Army National Guard	424,000
O&M, Air National Guard	200,000
Iraq Freedom Fund	50,000
Afghanistan Security Forces Fund	1,500,000
Iraq Security Forces Fund	1,700,000
Joint Improvised Explosive Device Defeat Fund	1,920,700
Total Operation and Maintenance	44,260,734
Procurement:	
Aircraft Procurement, Army	1,461,300
Procurement of WTCV, Army	3,393,230
Procurement of Ammunition, Army	237,750
Other Procurement, Army	5,003,995
Aircraft Procurement, Navy	486,881
Weapons Procurement, Navy	109,400
Procurement of Ammunition, Navy & Marine Corps	127,880
Other Procurement, Navy	319,965
Procurement, Marine Corps	4,898,269
Aircraft Procurement, Air Force	2,291,300
Missile Procurement, Air Force	32,650
Other Procurement, Air Force	1,317,607
Procurement, Defense-Wide	145,555
Total Procurement	19,825,782

[In thousands of dollars]

Account	Conference
Research, Development, Test and Evaluation:	
RDT&E, Navy	231,106
RDT&E, Air Force	36,964
RDT&E, Defense-Wide	139,644
Total RDT&E	407,714
Other Department of Defense Programs:	
Drug Interdiction and Counterdrug Activities, Defense	100,000
Related Agencies:	
Intelligence Community Management Account	19,265
General Provisions	
Transfer Authority for GWOT Supplemental [Non add]	[3,000,000]
Grand Total	70,000,000

REPORTING REQUIREMENTS

The conferees direct the Secretary of Defense to provide a report to the congressional defense committees within 30 days of enactment of this legislation on the allocation of the funds within the accounts listed in this title. The Secretary shall submit updated reports 30 days after the end of each fiscal quarter until funds listed in this title are no longer available for obligation. The conferees direct that these reports shall include: a detailed accounting of obligations and expenditures of appropriations provided in this title by program and subactivity group for the continuation of the war in Iraq and Afghanistan; and a listing of equipment procured using funds provided in this title.

The conferees expect that in order to meet unanticipated requirements, the Department of Defense may need to transfer funds within these appropriation accounts for purposes other than those specified in this report. The conferees direct the Department of Defense to follow normal prior approval reprogramming procedures should it be necessary to transfer funding between different appropriations accounts in this title.

RESET

The high operating tempo resulting from training and subsequent deployment to Iraq and Afghanistan, combined with severe environmental conditions, results in an equipment wear out factor that is several times the peace time rate. Combat losses add to the overall deterioration in the readiness rating of entire categories of equipment ranging from night vision devices to communications equipment to combat and support vehicles. While units deploying to combat theaters and in the combat theaters are fully equipped with the most capable equipment, units at home station are often faced with equipment shortages or unready equipment. These shortages limit the capacity of units to conduct readiness training, and in the case of the National Guard, may limit the capacity of units to perform state emergency missions. Units returning from deployment go through the reset process in which equipment is repaired and battle losses are replaced in order to return the unit to full readiness posture.

The conferees are concerned that the reset effort has not kept up with the requirements generated by the ongoing Global War on Terror, especially in the Army and Marine Corps for which nearly continuous ground combat operations have been especially hard on equipment. The conferees understand that the necessary capacity is available at industry and government facilities to repair or replace the worn out equipment. The House and Senate each included funds for reset in their version of the Defense Appropriations Act for fiscal year 2007. The conferees have worked closely with the Army and Marine Corps to examine reset funding requirements and the services' capacity to execute those funds and accomplish the reset mission as quickly as possible to ensure military readiness. Within title IX, the conferees have provided $17.1 billion for additional fiscal year 2007 reset funding for the Army and $5.8 billion for the Marine Corps, amounts identified by these services as necessary to meet their fiscal year 2007 requirements. The conferees recommend this substantial funding increase in order to ensure the readiness of the armed forces. The conferees note that this critical funding has been provided without a formal request from the administration and urge the Department of Defense to include funding in future budget requests to address reset requirements and ensure that readiness goals are achieved.

MILITARY PERSONNEL

The following table provides details of the supplemental appropriations in this title.

[In thousands of dollars]

Account	Conference
Military Personnel, Army:	
Foreign Language Proficiency Pay	60,949
Pay and Allowances	4,035,061
Other Military Personnel Costs: SGLI Extra Hazard Payments and Traumatic Injury Protection	250,700
Total Military Personnel, Army	4,346,710
Military Personnel, Navy:	
Foreign Language Proficiency Pay	28,796
Other Military Personnel Costs: SGLI Extra Hazard Payments and Traumatic Injury Protection	114,500
Total Military Personnel, Navy	143,296
Military Personnel, Marine Corps:	
Foreign Language Proficiency Pay	3,256
Pay and Allowances	88,120
Other Military Personnel Costs: SGLI Extra Hazard Payments and Traumatic Injury Protection	54,200
Total Military Personnel, Marine Corps	145,576
Military Personnel, Air Force:	
Pay and Allowances	202,300
Foreign Language Proficiency Pay	20,488
Other Military Personnel Costs: SGLI Extra Hazard Payments and Traumatic Injury Protection	129,000
Total Military Personnel, Air Force	351,788
Reserve Personnel, Army:	
Other Training and Support: Special Training (Pre/Post Mobilization Training)	87,756
Total Reserve Personnel, Army	87,756
Reserve Personnel, Marine Corps:	
Unit and Individual Training	15,420
Total Reserve Personnel, Marine Corps	15,420
National Guard Personnel, Army:	
Authorized End Strength	251,000
Other Training and Support: School Training	44,959
Total National Guard Personnel, Army	295,959
Total Military Personnel	5,386,505

OPERATION AND MAINTENANCE

The following table provides details of the supplemental appropriations in this title.

[In thousands of dollars]

Account	Conference
Operation and Maintenance, Army:	
Operating Forces	8,308,000
LOGCAP	2,700,000
Theater Communications	620,000
Personnel Support	1,690,000
Airlift and Sealift	3,100,000
Rapid Fielding Initiative	500,000
Depot Maintenance	4,154,200
Reset (Unit and Intermediate Maintenance)	3,690,000
Army Pre-positioned Stocks	344,800
Recapitalization	695,000
Body Armor and Personal Force Protection	1,000,000
Servicewide Transportation	747,380
Classified Programs	305,722
Commander's Emergency Response Program	500,000
Hemostatic Agents (from Senate Sec. 9014)	9,000
Total Operation and Maintenance, Army	28,364,102
Operation and Maintenance, Navy:	
Operating Forces	304,490
Mission and Other Flight Operations	340,000
Combat Support Forces	297,000
Aviation Depot Maintenance (for Marine Corps)	380,000
Coast Guard Support	90,000
Ship Prepositioning and Surge	2,300
Training and Recruiting	4,900
Administration and Servicewide Activities	110,200
Classified Programs	41,598
Counter IED Collection and Exploitation	44,800
Total Operation and Maintenance, Navy	1,615,288
Operation and Maintenance, Marine Corps:	
Operating Forces	1,324,000
Reset/Personnel Combat Equipment	85,000
Depot Maintenance	471,000
Field Logistics	366,104
Prepositioning	18,897
Recruiting and Advertising	34,458
Training Support	87,023
Servicewide Transportation	191,558
Base Support	104,400
Hemostatic Agents (from Senate Sec. 9014)	2,000
Classified Programs	4,566
Total Operation and Maintenance, Marine Corps	2,689,006

[In thousands of dollars]

Account	Conference
Operation and Maintenance, Air Force:	
Operating Forces/Flying Hours	790,600
Combat Communications	200,000
Combat Forces Depot Maintenance	480,400
Airlift Operations	862,900
Training and Recruiting	26,500
Classified Programs	177,289
Administration and Servicewide Activities	107,400
U-2	43,100
Total Operation and Maintenance, Air Force	2,688,189
Operation and Maintenance, Defense-Wide:	
DISA	38,800
DLA	26,100
DLSA	11,000
DODEA Family Advocacy Program and Counseling Assistance for Military Families	50,000
DHRA	9,800
WHS	9,300
Joint Advertising, Market Research and Studies Program (from Senate Sec. 8120)	7,500
Classified Programs	802,463
Special Operations	900,000
DCSA Coalition Support	900,000
Sudan Peacekeeping	20,000
Total Operation and Maintenance, Defense-Wide	2,774,963
Operation and Maintenance, Army Reserve:	
Operating Forces Support	71,600
Pre-Deployment and Post-Deployment Training	140,000
Total Operation and Maintenance, Army Reserve	211,600
Operation and Maintenance, Navy Reserve:	
Operating Forces Support	8,036
Classified Programs	1,850
Total Operation and Maintenance, Navy Reserve	9,886
Operation and Maintenance, Marine Corps Reserve:	
Initial Issue/Personnel Protection Equipment	42,000
Pre-Deployment Training	6,000
Total Operation and Maintenance, Marine Corps Reserve	48,000

[In thousands of dollars]

Account	Conference
Operation and Maintenance, Air Force Reserve:	
Pre-Deployment and Post-Deployment Training	65,000
Total Operation and Maintenance Air Force Reserve	65,000
Operation and Maintenance, Army National Guard:	
Authorized End Strength	220,000
Operating Forces Support	104,000
Pre-Deployment and Post-Deployment Training	100,000
Total Operation and Maintenance, Army National Guard	424,000
Operation and Maintenance, Air National Guard:	
Pre-Deployment and Post-Deployment Training	200,000
Total Operation and Maintenance, Air National Guard	200,000
Iraq Freedom Fund:	
Joint Rapid Acquisition for Global War on Terror	50,000
Total Iraq Freedom Fund	50,000
Afghanistan Security Forces Fund	1,500,000
Iraq Security Forces Fund	1,700,000
Joint Improvised Explosive Device Defeat Fund	1,920,700
Total Operation and Maintenance	44,260,734

HOME STATION READINESS TRAINING, LOGISTICS, AND RESET

In this title the conferees recommend $44,260,734,000 in the operation and maintenance accounts. In addition to substantial funding required to support continuing combat and security operations in Afghanistan and Iraq, the conferees understand that significant amounts are required in support of a range of home station activities, including unit mobilizations, specialized pre-deployment training, transportation, reset, and post-deployment training. The funding provided in this title, particularly the substantial funding for repair of equipment, will ensure recovery to established readiness standards for full spectrum combat operations around the world. To the extent that training, maintenance and reset activities displace normal peacetime training events, the amounts provided in home station operation and maintenance lines in title II of this conference report have been reduced. The Department of Defense should allocate title IX operation and maintenance funding accordingly to ensure full support for pre-deployment and post-deployment operations, as well as for continuing combat and security operations in support of the Global War on Terror.

AFGHANISTAN AND IRAQ SECURITY FORCES FUNDS

The conferees provide $1,500,000,000 for the Afghanistan Security Forces Fund and $1,700,000,000 for the Iraq Security Forces Fund. These funds will continue the training of indigenous security forces and provide equipment and infrastructure essential to developing capable security forces in Afghanistan and Iraq. The conferees direct the Department to continue to provide comprehensive financial plans for the security forces funds as directed in the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234). The conferees further expect that up to $2,000,000 of the funds provided for the Afghanistan Security Forces Fund be available for infrastructure improvements for the Afghanistan military legal system, as proposed by the Senate.

COMMANDER'S EMERGENCY RESPONSE PROGRAM

The conferees recommend $500,000,000 to continue the Commander's Emergency Response Program (CERP). The conferees direct the Department to submit quarterly reports on CERP not later than 15 days after the end of each fiscal quarter to the congressional defense committees. The quarterly reports should include detailed information on the source of funds for the program, the allocation and use of funds during that quarter, the recipient of the funds, and the specific purposes for which the funds were used.

PROCUREMENT

The following table provides details of the supplemental appropriations in this title.

[In thousands of dollars]

Account	Conference
Aircraft Procurement, Army:	
CH-47 Replacement/Mods/Battle Losses (17 aircraft)	511,500
AH-64 Replacement (18 aircraft)	621,000
UH-60 Blackhawk - Battle Losses (15 aircraft)	225,000
UH-60 Blackhawk - Army National Guard (5 aircraft)	95,100
Aviation Ground Support Equipment	2,200
Air Traffic Control	6,500
Total Aircraft Procurement, Army	1,461,300
Procurement of Weapons and Tracked Combat Vehicles, Army:	
Bradley Base Sustainment	1,402,500
Abrams Integrated Management Program, incl. TUSK and IED prot.	574,700
Abrams SEP M1A2, incl. Combat losses	700,000
Stryker--Combat Losses	82,130
Stryker Slat Armor	25,000
Carrier Mods	132,200
FIST Vehicle Mods	130,000
Improved Recovery Vehicle	272,400
MK-19 Grenade Machine Gun (40mm)	10,050
M240 medium machine gun (7.62mm)	21,600
M4 carbine mods	15,450
M249 SAW machine gun (5.56mm)	22,200
M2 50 caliber machine gun mods	5,000
Total Procurement of WTCV, Army	3,393,230
Procurement of Ammunition, Army:	
CTG, 5.56MM, All Types	107,300
CTG, 7.62MM, All Types	56,800
CTG, .50 CAL, All Types	62,550
CTG, 20MM Phalanx	11,100
Total Procurement of Ammunition, Army	237,750
Other Procurement, Army:	
Tactical Trailer/Dolly Sets	56,800
Semitrailer FB/BB/Cont Trans 22 1/2 T	87,000
Semitrailer, Tankers	53,600
Up-Armor HMMWVs: M1114, M1151, M1152	1,074,900
Up-Armor HMMWV Fragmentation Kits and Gunner Protection Kits	214,000
Family of Medium Tactical Vehicles	794,700
Truck, Firefighting, Tactical	6,000
HMMWV Recap	455,000
HEMTT ESP	131,200
Family of Heavy Tactical Vehicles	647,600
Family of Heavy Tactical Vehicles Trailers	12,500
Armored Security Vehicles	83,000
Truck, Tractor, Line Haul	138,200
Items less than $5 million (tactical vehicles)	8,000
Towing Device - Fifth Wheel	174
SINCGARS Family	124,500

[In thousands of dollars]

Account	Conference
Radio Improved, HF Family	48,200
Combat Survivor Radios	8,270
Information System Security Program	1,100
Force XXI Battle Command BDE and Below (FBCB2)	80,000
Mortar Fire Control System	6,300
NAVSTAR Global Positioning System (Space)	12,700
Prophet Ground	48,250
Knight Family	50,000
TC AIMS II	124
Night Vision Devices	160,500
Fire Finder Radar	9,600
CBRN Soldier Protection	50,300
Tactical Unmanned Aerial System (TUAS) (MIP)	50,150
Ground Standoff Mine Detection System	26,400
GSTAMIDS Route Clearance Team Equipment	66,100
Laundries, Showers, and Latrines	12,300
Field Feeding Equipment	1,800
Items less than $5 million (engineering support)	800
Distribution Systems, Petroleum and Water	42,600
Water Purification System	800
Combat Support Medical	21,900
Shop Equipment Contact Maintenance Truck (MYP)	32,100
Welding Shop, Trailer MTD	2,100
Items less than $5 million (maintenance equipment)	25,700
Grader, MTZD, HVY	10,000
Loader, Scoop Type	5,000
Hydraulic Excavator	2,600
Cranes	4,200
High Mobility Engineer Excavator (HMEE)	1,400
Construction Equiipment ESP	17,500
Generators and Associated Equipment	21,600
Rough Terrain Container Handler	64,500
All Terrain Lifting Arm System	33,200
Integrated Family of Test Equipment	4,700
Physical Security Systems	1,000
Mod of In-Service Equipment (OPA 3)	4,600
Fire Support C2 Family	7,000
Tactical Bridge, Float Ribbon	70,900
Classified Programs	64,527
Single Army Logistics Enterprise (PBUSE)	36,000
HMMWV and Tactical Truck Crew/Convoy Training Simulator ($1,500,000 is available only for convoy training simulators for the National Guard)	10,000
Total Other Procurement, Army	5,003,995

[In thousands of dollars]

Account	Conference
Aircraft Procurement, Navy:	
War Consumables	34,916
P-3 Series Modifications	62,500
AV-8B Attrition Recovery	15,507
AV-8B Oil Tester/JETSCAN	1,400
AV-8B Litening on Station 4	4,200
TAV-8B 30KVA Generator	3,470
TAV-8B Depot Maintenance	10,700
CH-46E Aircraft Sustainment	11,850
CH-46E Engine Electrical Overspeed Protection	3,866
CH-46E M240D Machine Gun	750
CH-53E AMARC	5,620
CH-53E IMDS	8,900
CH-53 EAPS Seals	2,100
CH-53 T-64 Engine Reliability Improvement	5,100
CH-53D rate gyro	1,150
H-1 Y/Z Procurement	68,600
H-46 Crash Attenuating CC & AO Seats	2,752
KC-130-J procurement	71,800
Misc Aviation Sustainment Support Packages	35,800
MV-22 Aircraft Procurement	71,000
MV-22 Pre Block A to Block B Mods	54,600
MV-22 Spares	10,300
Total Aircraft Procurement, Navy	486,881
Weapons Procurement, Navy:	
Hellfire II -- Marine Corps	100,000
Pioneer UAV Sustainment	9,400
Total Weapons Procurement, Navy	109,400
Procurement of Ammunition, Navy and Marine Corps:	
5.56mm, All Types	16,437
7.62MM, All Types	10,675
.50 Caliber	4,947
Grenades, All Types	13,145
Artillery, All Types	11,956
Linear Chages, All Types	4,216
40mm, All Types	9,227
60mm, All Types	9,876
81mm, All Types	17,474
120mm, All Types	11,034
Ctg 25mm, All Types	1,322
9mm, All Types	471
Rockets, All Types	7,062
Demolition Munitions, All Types	7,668

[In thousands of dollars]

Account	Conference
Fuzes, All Types	1,136
Non Lethals	1,137
Item Less Than $5 Million	97
Total Procurement of Ammunition, Navy and Marine Corps	127,880
Other Procurement, Navy:	
Physical Security Equipment	28,865
Classified Programs	21,500
Construction & Maintenance Equipment	48,584
Items under $5 million	19,203
Material Handling Equipment	1,000
Tactical Vehicles	186,213
Littoral Battlespace Sensing	500
Al Asad Facility Transfer	14,100
Total Other Procurement, Navy	319,965
Procurement, Marine Corps:	
AAV7A1 PIP	39,448
Air Operations C2 Systems	35,279
Amphibious Support Equipment	28,257
Bridge Boat	22,717
Bulk Liquid Equipment	20,174
Comm Switching and Control Systems	218,671
Comm & Electrical Infrastructure Support	53,580
Command Post Systems	102,357
Common Computer Resources	40,162
Container Family	7,741
Environmental Control Equipment	30,998
EOD Systems	652,067
Expeditionary Air Defense System	2,924
Family of Construction Equipment	98,914
Family of Field Feeding Systems	2,598
Family of Internally Transportabe Vehicles (ITV)	10,845
Family of Tactical Trailers	92,807
Field Medical Equipment	6,902
Fire Support System	43,265
HIMARS	215,350
Intelligence Support Equipment	81,720
Items Less Than $5M (BLI 523000)	775
Items Less Than $5M (BLI 667000)	26,891
Items Less Than $5M (BLI 462000)	14,183
Javelin	46,500
LAV PIP	73,300

[In thousands of dollars]

Account	Conference
Logistics Vehicle Replacement	48
M1A1 Firepower Enhancements	1,154
Material Handling Equipment	68,818
Medium Tactical Vehicle Replacement	15,226
Mod Kits (BLI 206100)	78,266
Mod Kits (BLI 312300)	159,434
Mod Kits (BLI 465200)	43,185
Mod Kits (BLI 665400)	7
Modular Weapon System	51,590
Motor Transport Modifications	163,600
Night Vision Equipment	210,501
Power Equipment Assorted	12,569
Radar Systems	21,093
Radio Systems	854,719
Repair and Test Equipment	96,609
Tactical Fuel Systems	37,455
Training Devices	165,653
Unit Operations Center	267,200
Up Armored HMMWV: M1114, M1151, M1152	557,521
Weapons Enhancement Program	2,703
Weapons and Combat Vehicles under $5 million	122,493
Total Procurement, Marine Corps	4,898,269
Aircraft Procurement, Air Force:	
C-17 Procurement (10 Aircraft)	2,094,000
Predator UAV	131,900
Predator UAVs for SOCOM	65,400
Total Aircraft Procurement, Air Force	2,291,300
Missile Procurement, Air Force:	
Predator Hellfire Missiles	32,650
Total Missile Procurement, Air Force	32,650
Other Procurement, Air Force:	
HMMWV, Up-Armored	5,650
HMMWV Armored	4,200
Classified Programs	1,307,757
Total Other Procurement, Air Force	1,317,607

[In thousands of dollars]

Account	Conference
Procurement, Defense-Wide:	
MH-47 Service life extension program	4,100
Time delay firing device/Sympathetic detonation	6,000
Persistent Predator Operations and Intelligence (PPOI)	13,400
Payload Integration - Predator	6,000
Specialized Ballistic Protection	2,200
Counter-Ambush Weapons System	6,300
MH-47 Radio Frequency countermeasures	8,000
M134 DT Miny-Gun Replacement	12,400
Miniature Milti-Band Beacons	8,900
Small Arms-Laser Acquisition Marker	5,300
SU-232 / PAS Thermal Clip On Night Vision Device	6,100
Classified Programs	66,855
Total Procurement, Defense-Wide	145,555
Total Procurement	19,825,782

C–17 PROCUREMENT

The conference agreement provides an additional $2,094,000,000 for 10 C–17 aircraft in title IX to support airlift requirements in the Global War on Terror. The Air Force is encouraged to rapidly procure these additional aircraft in the most efficient method possible. Reprogramming of these funds for uses other than procurement of C–17s, and ancillary equipment, is expressly prohibited without prior approval of Congress.

The conferees are concerned that the Department of Defense study establishing the strategic airlift requirement may be flawed and may seriously understate the need for C–17 aircraft. The Government Accountability Office has raised questions about the study and has suggested that Congress exercise caution in using that study to make investment decisions. The conferees direct the Department of Defense to continue funding C–17 production in the fiscal year 2008 budget.

NATIONAL GUARD AND RESERVE EQUIPMENT

The Senate included a general provision which provided that $2,440,000,000 of the procurement funds in title IX shall be available for the National Guard and the Army Reserve for National Guard and Reserve equipment. The House provided $500,000,000 in National Guard and Reserve Equipment for the Army National Guard to continue an effort begun in fiscal year 2006 to meet the ''Essential 10 Equipment Requirements for the Global War on Terror'' as identified by the National Guard Bureau. The conferees direct that $2,940,000,000 of the procurement funds provided in title IX shall be available only for the Army National Guard and the Army Reserve, and that $500,000,000 of those funds shall be available for the purposes identified in House Report 109–504 under the heading ''National Guard and Reserve Equipment''. The conferees further direct the Chief of the National Guard Bureau to submit a report specifying the items to be procured with this funding and a fielding plan for this equipment not later than 60 days after the enactment of this Act.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

The following table provides details of the supplemental appropriations in this title.

[In thousands of dollars]

Account	Conference
RDT&E, Navy:	
Classified Programs	110,000
Situational awareness improvements at forward operating bases in Iraq	2,000
AV-8(B) litening on station 4	6,656
AV-8(B) low pressure compressor	1,200
EA-6(B) acceleration of advanced IRCM capability	80,900
EA-6(B) AAR-47(V)2 missile warning system (ASE)	20,000
AV-8(B) digital ITER 1760 (JDAM) precision weapons	10,350
Total RDT&E, Navy	231,106
RDT&E, Air Force:	
Classified Programs	36,964
Total RDT&E, Air Force	36,964
RDT&E, Defense-Wide:	
Classified Programs	139,644
Total RDT&E, Defense-Wide	139,644
Total RDT&E	407,714

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

The conferees are concerned with the increased level of poppy production in Afghanistan. Since fiscal year 2004, Congress has provided the Department of Defense nearly $500,000,000 to curtail poppy production and train and equip the Afghanistan special narcotics police units and border agents. The conferees have included an additional $100,000,000 to continue to expedite this effort in fiscal year 2007. The conferees direct the Department of Defense to provide the congressional defense committees with a detailed execution plan on the use of these funds. The Department may not obligate any of these funds until the committees have received this report. Further, these funds may not be used for the construction or modification of facilities. In addition, the Department is directed to provide to the Appropriations Committees an interagency report on the Administration's plan to address drug production, drug smuggling, and narco-terrorism financing in the Central Asian region no later than March 1, 2007.

GENERAL PROVISIONS—THIS TITLE

The conferees include a general provision (Section 9001) as proposed by the House and the Senate, which provides that appropriations made in this title are available for obligation until September 30, 2007, unless otherwise so provided in this title.

The conferees include a general provision (Section 9002) as proposed by the House and the Senate, which provides that funds made available in this title are in addition to amounts provided elsewhere in this Act.

The conferees include a general provision (Section 9003) which amends language, as proposed by the House and the Senate, which provides that the Secretary of Defense is permitted to transfer up to $3,000,000,000 of funds made available in this title subject to certain conditions and reporting requirements.

The conferees include a general provision (Section 9004) as proposed by the House and the Senate, which provides that funds appropriated in title IX of this Act for intelligence activities are deemed to be authorized for purposes of section 504 of the National Security Act of 1947.

The conferees include a general provision (Section 9005) as proposed by the House and the Senate, which prohibits the use of funds provided in title IX to finance programs or activities denied by Congress, or to initiate a new start program without prior notification to the congressional defense committees.

The conferees delete language as proposed by the House, which provided funds for support to the military and security forces of Iraq and Afghanistan. These matters are addressed in the relevant appropriations accounts.

The conferees include a general provision (Section 9006) as proposed by the House and the Senate, which provides up to $500,000,000 from funds available in this title for the Commander's Emergency Response Program, and requires quarterly reports regarding the use of these funds.

The conferees include a general provision (Section 9007) as proposed by the Senate, which provides that funds available in this title may be used by the Department of Defense to purchase armored vehicles for force protection, and requires quarterly reports.

The conferees include a general provision (Section 9008) as proposed by the House and Senate, which provides that funds available to the Department of Defense for operation and maintenance may be used to provide supplies, services and transportation to coalition forces in Afghanistan and Iraq.

The conferees include a general provision (Section 9009) as proposed by the House and Senate, which provides that for construction projects in Iraq and Afghanistan funded with operation and maintenance funds, supervisory and administrative costs may be obligated when the contract is awarded.

The conferees include a general provision (Section 9010) as proposed by the House and Senate, which requires the Secretary of Defense to provide quarterly reports to Congress on a comprehensive set of indicators and measures for progress toward military and political stability in Iraq. The conferees urge the Secretary to also address procedures and guidelines to protect U.S. military and civilian personnel in Iraq in the event of increased sectarian violence.

The conferees include a general provision (Section 9011) as proposed by the House, which contains a technical correction to clarify the designation of certain funds.

The conferees include a general provision (Section 9012) as proposed by the House and Senate, which prohibits funds in this Act for establishing permanent U.S. military installations in Iraq or exercising U.S. control over oil resources in Iraq.

The conferees include a general provision (Section 9013), which amends language, as proposed by the Senate, which designates amounts appropriated or otherwise made available in this title as making appropriations for contingency operations related to the global war on terrorism. The House included such designation in each appropriations account.

The conferees delete language as proposed by the Senate, which provided additional funds for the Army and Marine Corps to fund equipment reset requirements resulting from continuing combat operations. The conferees addressed this matter in the appropriations accounts within this title.

The conferees delete language as proposed by the Senate, which provided funds for a pilot program of the Army National Guard on the reintegration of the National Guard into civilian life after deployment. This matter is addressed in title II, under the account ''Operation and Maintenance, Defense-Wide''.

The conferees delete language as proposed by the Senate, which provided funds for the procurement of hemostatic agents. This matter is addressed in the appropriations accounts within this title.

The conferees delete language as proposed by the Senate, which provided funds for National Guard and Reserve equipment. This matter is addressed elsewhere within this title.

The conferees delete language as proposed by the Senate, which required a report regarding sectarian violence in Iraq. This matter is addressed elsewhere within this title.

The conferees modify a general provision (Section 9014) as proposed by the Senate, to provide funds for the purpose of assisting peacekeeping forces in Darfur.

The conferees delete language as proposed by the Senate, which provided funds for the procurement of Predators. This matter is addressed in this title under the account ''Aircraft Procurement, Air Force''.

The conferees include a general provision (Section 9015), as proposed by the House, which prohibits the use of funds provided in this Act to be used in contravention of laws or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

The conferees delete a general provision as proposed by the Senate, to provide $700,000,000 for ''Drug Interdiction and Counter-Drug Activities, Defense'', for counter-drug activities in Afghanistan. This matter is addressed in this title under the funding provided for this account.

The conferees include a general provision (Section 9016) as proposed by the House and the Senate, which provides that none of the funds appropriated or otherwise made available by this Act may be obligated or expended to provide award fees to any defense contractor for performance that does not meet the requirements of the contract.

The conferees include a general provision (Section 9017) as proposed by the Senate, which prohibits the use of funds to enter into an agreement with the Iraq government that would subject members of the Armed Forces to the jurisdiction of Iraq criminal courts or punishment under Iraq law.

The conferees include a general provision (Section 9018) which amends language, as proposed by the Senate, which allows the Secretary of the Army to reimburse a servicemember for expenses incurred as a result of preparation for, or execution of, military orders, when such expenses are not reimbursable under law.

TITLE X—FISCAL YEAR 2006 WILDLAND FIRE EMERGENCY APPROPRIATIONS

Title X of the conference agreement provides $100,000,000 for the Department of the Interior and $100,000,000 for the Forest Service in emergency firefighting funds. These funds are critically needed for wildfire suppression activities and to repay other appropriations accounts from which funds were transferred on an emergency basis to pay for firefighting costs. Fiscal year 2006 has been the worst wildfire year in decades. The funds are related to unanticipated needs and are for situations that are sudden, urgent, and unforeseen, consistent with the Congressional budget resolution's definition of emergency spending.

COMPLIANCE WITH HOUSE RESOLUTION 1000

The conference agreement contains no appropriations as defined in House Resolution 1000 that were not otherwise addressed in the House or Senate bills or reports.

CONFERENCE TOTAL--WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2007 recommended by the Committee of Conference, with comparisons to the fiscal year 2006 amount, the 2007 budget estimates, and the House and Senate bills for 2007 follow:

(In thousands of dollars)

New budget (obligational) authority, fiscal year 2006	$ 466,438,633
Budget estimates of new (obligational) authority, fiscal year 2007	420,413,166
House bill, fiscal year 2007	416,340,489
Senate bill, fiscal year 2007 1/	427,329,190
Conference agreement, fiscal year 2007	436,540,771
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2006	-29,897,862
Budget estimates of new (obligational) authority, fiscal year 2007	+16,127,605
House bill, fiscal year 2007	+20,200,282
Senate bill, fiscal year 2007	+9,211,581

1/ Excludes $42,343,850 that will be considered under Military Quality of Life and VA Appropriations.

DIVISION B—CONTINUING RESOLUTION, 2007

The conference agreement includes division B making continuing appropriations for fiscal year 2007 for those departments and agencies for which appropriations will not be enacted into law before October 1, 2006.

BILL YOUNG,
DAVE HOBSON,
HENRY BONILLA,
R.P. FRELINGHUYSEN,
TODD TIAHRT,
ROGER F. WICKER,
JACK KINGSTON,
KAY GRANGER,
RAY LAHOOD,
JERRY LEWIS,
J.P. MURTHA,
NORMAN D. DICKS,
MARTIN OLAV SABO,
PETER J. VISCLOSKY,
JAMES P. MORAN,
MARCY KAPTUR,
DAVID OBEY,
Managers on the Part of the House.

TED STEVENS,
THAD COCHRAN,
ARLEN SPECTER,
PETER V. DOMENICI,
CHRISTOPHER BOND,
MITCH MCCONNELL,
RICHARD C. SHELBY,
JUDD GREGG,
KAY BAILEY HUTCHISON,
CONRAD BURNS,
DANIEL K. INOUYE,
ROBERT C. BYRD,
PATRICK LEAHY,
TOM HARKIN,
BYRON L. DORGAN,
DICK DURBIN,
HARRY REID,
DIANNE FEINSTEIN,
BARBARA A. MIKULSKI
Managers on the Part of the Senate.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DENT). 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 tomorrow.

CALLING ON THE PRESIDENT TO TAKE IMMEDIATE STEPS TO HELP IMPROVE THE SECURITY SITUATION IN DARFUR, SUDAN

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 723) calling on the President to take immediate steps to help improve the security situation in Darfur, Sudan, with a specific emphasis on civilian protection, as amended.

The Clerk read as follows:

H. RES. 723

Whereas the United States Congress and the President are on record as declaring that the atrocities being committed in Darfur, Sudan are genocide;

Whereas the United States has demonstrated leadership on the Sudan issue for years, including by mediating Sudan's North-South Peace Agreement, by declaring genocide in Darfur, by providing nearly $1 billion in humanitarian assistance over time, and by having United States Permanent Representative to the United Nations John Bolton, in his first action as President of the United Nations Security Council, request in February 2006 that United Nations Secretary-General Kofi Annan initiate contingency planning for a transition from the African Union Mission in Sudan (AMIS) to a United Nations peacekeeping force;

Whereas the African Union deployed AMIS to Darfur to monitor the violence and, in spite of attacks on AMIS observers and the fact that the recently improved AMIS mandate still does not provide sufficiently for proactive protection of civilians, AMIS has been successful in creating pockets of security for displaced persons simply through its presence;

Whereas the N'Djamena Ceasefire Agreement of April 8, 2004, the Abuja Protocols of November 9, 2004, and the Darfur Peace Agreement of May 5, 2006, have not resulted in a cessation of hostilities in Darfur;

Whereas the Government of Sudan and its armed militia groups continue to commit crimes against humanity and engage in genocidal acts in Darfur, in spite of the presence of AMIS forces, and, in early September 2006, launched a major offensive in Darfur, in direct violation of the Darfur Peace Agreement;

Whereas United Nations Secretary-General Annan has indicated that, ''People in many parts of Darfur continue to be killed, raped, and driven from their homes by the thousands.'';

Whereas it has been reported that an estimated 300,000 to 400,000 people have died in the conflict-affected area of Darfur and eastern Chad, and due to the number of areas that cannot be accounted for, the total number of deaths may be higher;

Whereas the ongoing assault against civilians by Sudanese Government forces, Janjaweed militias, and rebels necessitates the deployment of a larger, more capable international peacekeeping force with a strong mandate to protect civilians in Darfur;

Whereas, although the United Nations Security Council approved Security Council Resolution 1706 (August 31, 2006) which provides for the deployment of a United Nations peacekeeping mission in Darfur to include up to 22,500 personnel, the Government of Sudan has rejected the terms of such Resolution and alternatively issued an ultimatum to AMIS to extend its current mission beyond September 2006 without transitioning to a United Nations peacekeeping force; and

Whereas on the same day on which the Government of Sudan issued its ultimatum, the African Union stated that it would quit the war-ravaged Darfur region if the Government of Sudan did not allow a United Nations peacekeeping force to take over AMIS: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the African Union Mission in Sudan (AMIS) for its actions in monitoring the N'Djamena Ceasefire Agreement in Darfur and its role in diminishing some acts of violence;

(2) strongly condemns the continued genocide and violence directed against civilians in Darfur by the Government of Sudan and government-sponsored militias, as well as attacks perpetrated against civilians by rebels in Darfur;

(3) calls upon all parties to the N'Djamena Ceasefire Agreement—

(A) to abide by the terms of the N'Djamena Ceasefire Agreement and the Darfur Peace Agreement; and

(B) to engage in good-faith negotiations to end the conflict in Darfur;

(4) calls upon the Government of Sudan immediately—

(A) to comply with United Nations Security Council Resolution 1706 (August 31, 2006), support the transition of AMIS to a United Nations peacekeeping mission, and facilitate the deployment of United Nations peacekeepers throughout Sudan toward that end;

(B) to withdraw all offensive military aircraft and personnel from the region;

(C) to cease all support for Janjaweed militias and rebels from Chad; and

(D) to disarm all Janjaweed militias;

(5) calls upon the international community to provide sufficient funding to support the AMIS mission as it transitions to a United Nations peacekeeping mission;

(6) calls on the African Union to work closely with the United Nations and the North Atlantic Treaty Organization (NATO) to strengthen its capacity to deter violence and instability until a United Nations peacekeeping force is fully deployed in Darfur;

(7) calls on NATO to extend its current mission of advisors to the African Union, as requested by the leadership of the African Union;

(8) urges the President to take steps immediately to help improve the security situation in Darfur, including by proposing that NATO support an interim civilian protection force with sufficient ground and air assets under centralized planning, direction, and control, to protect civilians and facilitate the deployment of United Nations peacekeepers in Darfur;

(9) calls upon NATO allies to support such a NATO mission;

(10) calls upon NATO headquarters staff to begin prudent planning in advance of such a NATO mission; and

(11) urges the President to take immediate steps to work through diplomatic channels to obtain the support of the People's Republic of China, the Russian Federation, and United States allies in the Arab League to secure the compliance of the Government of Sudan with United Nations Security Council Resolution 1706 and support full funding for the United Nations peacekeeping force in Sudan.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as may consume.

Mr. Speaker, 14 months ago, Greg Simpkins on our International Relations staff and I visited Darfur and met some of the heroic survivors of genocide at two camps, Mukjar and Kalma. When the helicopter landed at the remote Mukjar camp, thousands of women and children danced, clapped and sang beautiful traditional African

songs. The people of Darfur have a remarkable generosity and spirit, and it was awe-inspiring.

At first glance, most of the people had a superficial glow of physical wellness, thanks in large part to the brave NGO workers bearing food, clothing and medicine. However, now even those necessities are disappearing due to the insecurity in the camps, further exacerbating the genocide with even more starvation and more disease.

In addition to the horrific loss of life in Darfur, estimated to be at upwards of 400,000 dead and 2 million displaced, I was struck by the appalling fear and trepidation that is ever present, just below the surface, just below the smiles that greet any visitor. Among the refugees and IDPs, emotional woundedness and brokenness is everywhere.

Like you and me, Mr. Speaker, all that the wonderful people of Darfur want is to love God and their families and friends and earn a living and to live in peace. Yet they have had atrocities imposed upon them that no human being should ever have to bear. Just about everyone that we spoke with, especially the women, told us personal stories of rape, senseless beatings and massacres by the Janjaweed and by Sudanese militias.

On that same trip, Mr. Speaker, I also met with Sudanese President Omar Hassan El-Bashir at his presidential suite in Khartoum. Perhaps like some others before me and after me, I pushed hard for the end of genocide. I argued, if peace and a fledgling reconciliation was achievable in southern Sudan, the other genocide that killed 2 million people and displaced 4 million, why not peace in Darfur?

The exchange was not encouraging. All Bashir wanted was to talk about ending U.S. trade sanctions, not the horrific loss of life.

Mr. Speaker, the very important resolution before us today, authored by my good friend and colleague, Mr. LANTOS, H. Res. 723, reflects congressional concern about the recent escalation of violence in Darfur and the government of Sudan's continued refusal to create a permissive environment for the deployment of United Nations peacekeepers. It also speaks to the fear that a security vacuum could be left in Darfur if the African Mission in Sudan, AMIS, is not immediately reinforced and transitioned to a larger, more capable UN peacekeeping mission.

On August 31, Mr. Speaker, the administration's skillful and resolute efforts to build international consensus on the need for action in Darfur resulted in the passage of Resolution 1706 by the United Nations Security Council. This urgently needed resolution approved a robust peacekeeping force for Darfur of up to 22,000 soldiers and police officers to relieve a severely undermanned and overfatigued African Union mission which has valiantly struggled against acute disadvantages to maintain some level of protection for innocent civilians.

Still, every day it becomes clear that the government of Sudan is more interested in imposing its own solution in Darfur than in pursuing a swift and lasting resolution to the conflict. Even as the UN Security Council's Resolution 1706 was being debated, the Sudanese government was preparing a major military offensive in Darfur, in direct violation of a peace agreement that it signed on May 5. And despite the government's agreement to accept the deployment of UN peacekeepers in Darfur upon conclusion of the Darfur Peace Agreement, the government then turned around and categorically rejected the passage of Security Council Resolution 1706, renouncing the UN mission as a ''western invasion of Sudan'' and threatening attacks against peacekeepers.

H. Res. 723, Mr. Speaker, calls upon the Sudanese government to comply immediately with UN Security Council Resolution 1706, to support the transition of AMIS to a U.S. peacekeeping mission and to facilitate the deployment of UN peacekeepers. It also demands that the Sudanese government immediately withdraw all offensive military aircraft and personnel from the region, cease all support for the Janjaweed militias and rebels from Chad and disarm the Janjaweed militias themselves.

H. Res. 723 makes clear that the deployment of a capable UN force is our paramount objective, but also calls on the African Union to work closely with UN and NATO to strengthen its capacity to deter violence in the Darfur region during the interim. And while the resolution does not suggest the introduction of U.S. Armed Forces, it does call upon the President to continue urging NATO to extend and expand upon the support it currently is providing to AMIS.

Mr. Speaker, this is a good bipartisan resolution, and I urge its passage.

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

Mr. LANTOS. Mr. Speaker, I am delighted to yield such time as he might consume to the gentleman from Maryland (Mr. HOYER), the distinguished Democratic whip and a strong voice on all human rights issues.

Mr. HOYER. I thank my friend Mr. LANTOS, and I want to thank my friend Mr. SMITH as well. Mr. SMITH and I had the honor of co-chairing, he was in the minority at that point in time and I was chairing the Helsinki Commission, but there was no distinction in terms of party. Mr. SMITH has been a strong and compelling voice on human rights.

Mr. LANTOS, my friend of over a quarter of a century, has been a giant on behalf of peace and security and human rights, and I am honored to support his resolution.

Mr. Speaker, I strongly support the bill before us offered by my good friend, the ranking Democrat on the International Relations Committee. It calls on the President to take immediate steps to improve the security situation in Darfur, Sudan.

Mr. Speaker, for 3 years the world has turned effectively a blind eye to the genocide in Darfur, the vast region in Western Sudan; a blind eye not because we did not hear and not because we did not see, but because we have not acted.

Already more than 200,000 civilians have died and more than 2.5 million have been driven from their homes as a result of violent warfare between the government-sanctioned Janjaweed and the disparate rebel groups. Frighteningly, Mr. Speaker, a report in the Washington Post just 2 weeks ago suggested these numbers could indeed be higher, maybe even double the figures I have just cited.

Did we not learn anything from the lessons of Bosnia, Kosovo, Rwanda and other places in Africa? Did we not learn the consequences of our negligence in the 1930s? We watched in horror as troops in blue helmets in Bosnia stood by and witnessed the rape, murder and displacement of thousands.

I don't know how many people, Mr. Speaker, saw Hotel Rwanda. Nick Nolte played the colonel. As Rwanda was imploding and thousands were being murdered, the manager of the Hotel appealed to Nick Nolte, the colonel, in charge of the UN troops, ''Do something.'' And his sad response was, ''My duty is to watch and report. I neither have the troops nor the power to intervene.''

Clearly, Mr. Speaker, the situation in Darfur is the world's worst current human rights crisis. There are others, of course, of significant magnitude, but this clearly is currently the worst.

We must do more to stem the violence. The measure offered by Mr. LANTOS as well as those offered by Chairman HYDE and Congressman WOLF are a good start. Mr. SMITH's leadership on these three bills is appreciated by all.

Chairman HYDE's bill is the long-awaited Darfur Peace and Accountability Act, which already passed this Chamber once with my support; and I am pleased to support it again. The bill includes key sanctions, provisions and authorizes the support for an expanded African Union mission in Sudan.

A year-and-a-half ago, maybe 2 years ago now, I had a discussion with Secretary Powell about supporting the contingent from the African Union. In fact, we have done that. Moneys have been made available, as has equipment.

H.R. 723, introduced by Congressman LANTOS, goes even further, insisting that the President do more to improve the security situation in Darfur by calling for an interim NATO civilian protection force. That was similar to what we did in Bosnia.

Finally, we are considering here H. Res. 992, calling on the President to appoint a special envoy for Sudan. Recognizing that the President appointed former USAID Administrator Andrew Natsios to the job last week, I nevertheless intend to support the resolution. By doing so, I believe we send a

strong message to the President that he should have long ago designated such an envoy, and I applaud him for doing so now. It is never too late to do the right thing.

July, 2004, this Chamber voted unanimously to declare the crisis in Darfur a genocide. July, 2004. July, 2004. Twenty-seven months later, thousands of souls murdered, hundreds of thousands ripped from their home and their security.

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And we continue to talk. For more than 2 years we have stood by as the situation deteriorated and ignored the mounting casualty and dislocation rates.

Sadly, Mr. Speaker, the case of Darfur is yet another demonstration of the international community's collective lack of will to confront those who would commit such horrific acts of cowardice.

Mr. Speaker, I believe that the world needs the United Nations. I believe that we need a collective organ for international security and stability. But if that organ cannot act either because the Security Council permanent members veto such action or because of the lack of will of that body, then others must act. If morality plays any part in the consideration of the policies of this country and the civilized countries of this world, there is no course but to act.

I congratulate my friend and a great leader of this House, the gentleman from California, Mr. LANTOS, for his leadership on this critically important issue.

Mr. LANTOS. Mr. Speaker, I rise in strong support of this resolution and yield myself such time as I might consume.

First, I would like to thank my chief cosponsor, Congressman JOSEPH PITTS, and the other 116 cosponsors of this resolution who, along with me, continue to demand action to protect civilians and stop the genocide in Darfur.

Mr. Speaker, as we meet here today, the Sudanese Government has launched a new brutal campaign against innocent civilians in Darfur. The only troops standing in their way are the understaffed and underfunded African Union Monitoring Force. But even the days of the African Union forces are numbered. Their mission is scheduled to end in 3 short months, leaving the people of Darfur completely unprotected. I fear, Mr. Speaker, that a full-scale onslaught mass murder against the civilians is imminent.

The signing of the Darfur Peace Agreement on May 5 of this year seemed to offer a ray of hope that the darkest days were behind the innocent men, women, and children of Darfur. But immediately after the negotiators left Abuja with the peace agreement signed and sealed, the security situation in Darfur began to deteriorate. In characteristic fashion, the Sudanese Government launched a massive and indiscriminate assault on civilians, humanitarian efforts, and the rebel forces.

Nearly 1 month ago, the United Nations Security Council authorized the deployment of 22,500 military and police into the Darfur region. To no one's surprise, Khartoum rejected the proposed deployment, and instead launched into unspeakable vitriol against the world community, threatening a terrorist war against the peacekeepers and, in a sickening anti-Semitic rant, invoked a Jewish conspiracy behind the international humanitarian movement to save Darfur. To counter the deployment of U.N. peacekeepers, Khartoum said it would send 30,000 of its own troops to Darfur to protect civilians.

Mr. Speaker, as a Holocaust survivor, I cannot think of more despicable cruelty than to have Khartoum send its armed forces who have raped, tortured, and slaughtered thousands and displaced 2 million to protect civilians in Darfur.

In the past few weeks, the government has escalated its campaign of death in Darfur. Bombers, attack helicopters, and Arab militias have been deployed in a new campaign of terror.

Just recently, the government unleashed its forces on Tawilla Town and seven nearby villages, forcing thousands of residents to flee. The barbed wire fence surrounding the nearby African Union peacekeeping base provided scant protection for terrified civilians fearing for their lives.

Mr. Speaker, it is time for the international community to put words into action whether or not Khartoum agrees to a U.N. peacekeeping force. The international community knows full well that Khartoum should not be given a choice whether to stop the genocide. If necessary, an enforced civilian protection regime must be put in place.

I concluded 2 years ago when I first called for NATO's support to the African Union to protect civilians in Darfur that diplomacy does not move the leaders in Khartoum. The Sudanese Government must be made to understand that there will be severe consequences for further genocidal assaults on the people of Darfur.

Mr. Speaker, H. Res. 723 calls on the world to put actions behind words and to undertake civilian protection once and for all by supporting the transition of the African Union mission to the United Nations and for NATO to broaden its support. The genocide in Darfur is not just an African crisis; it is a crisis of all humanity and obligates all of us to act with urgency.

I urge my colleagues to support this resolution.

Mr. Speaker, I am pleased to yield 2¼ minutes to our colleague from Massachusetts (Mr. OLVER), a bold fighter for human rights.

Mr. OLVER. Mr. Speaker, I thank the gentleman from California for yielding time.

Mr. Speaker, I rise in strong support of both H.R. 3127, the Darfur Peace Accountability Act of 2006, which was debated earlier, and of H. Res. 723, the bill presently before us. But even stronger steps must be taken if we hope to save the people of Darfur.

Lack of decisive action and follow-through by the international community has made it possible for the genocide in Darfur to continue unabated. The government-backed Janjaweed militia continues to terrorize the Darfurees on the ground while the Sudanese Government itself wages an aerial assault on the region. Officials in Khartoum have been allowed to deflect the clear urgent need for U.N. peacekeepers in Darfur by raising sovereignty claims.

We should commend the African Union for extending its mission in Darfur through the end of the year and for announcing plans to increase the number of troops in Darfur. However, without international support, the African Union will remain powerless to stop the slaughter.

For months, the poorly trained and underequipped African Union force has operated without mandate or means to protect the civilians in Darfur from the ongoing slaughter. Because of its ineffectiveness up to now, the Sudanese Government clearly wants the African Union to remain in place, but, equally clearly, not if they have the mandate or the means to be effective.

President Bush, working with our allies, must take the lead in holding the Sudanese accountable for their actions and send a clear message to the Sudanese Government that it will not be allowed to systematically and indiscriminately kill its own citizens using tactics of terror.

If the Sudanese Government does not withdraw all military aircraft from the region, as this resolution requires, then NATO should immediately coordinate and enforce a no-fly zone over Darfur. Ultimately, the Sudanese Government must agree as U.N. peacekeepers as authorized by the Security Council, or have them imposed. Appeasing the officials has not worked and will not work. It is time for a stronger approach in Darfur, an approach with resolve and the means to finally stop the killing.

Mr. LANTOS. Mr. Speaker, I am pleased to yield 3 minutes to my friend from Texas, Congresswoman SHEILA JACKSON-LEE, an eloquent voice for human rights.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Despite the hour, Mr. Speaker, I believe that these initiatives offered by Mr. LANTOS, Mr. PAYNE, and others are probably the most important work that we will do this week. It is that way because we are talking about absolute slaughter. And I thank the gentleman for his leadership in recognizing the horror of the Khartoum government.

And let me just recite for my colleagues the sheer arrogance of the leadership in Khartoum that after the comprehensive peace agreement between the Government of Sudan and others, the Government of Sudan refused a proposal from the Sudanese Peoples Liberation movement to send joint troops to protect civilians and disarm the government-supported militia.

Now, who can understand that? You have a peace agreement, and you only ask the government to adhere to the peace agreement and they refuse to adhere to the peace agreement by providing protection to the civilians. And so this particular legislation is crucial because it provides for NATO support and it provides for the African Union troops to be able to provide security for the area.

It is unbelievable that the President of Sudan would reject U.N. peacekeepers. U.N. peacekeepers come to keep the peace; they do not provoke the government.

And I simply want to share with you the sheer crime of what is going on. Take, for example, the Hashaba camp near the small village of Mersheng in southern Darfur. Each shelter contains a family that has fled the home after terrifying attacks by militia groups. An estimated 1.2 million people in Darfur have been forced from their homes by the fighting and attacks. They are urgently in need of outside help.

Their housing is made of sticks and rags. These are shelters in name only. Against the rains that are beginning to sweep Darfur, they offer no protection. Until recently, no help was available in the camps. The conflict made the region too dangerous for aid agencies to access it. And we know that we have lost humanitarian aid workers in the last couple of weeks.

This is what we are facing in Sudan. Now aid is obviously beginning to trickle in, but Mr. LANTOS is right, until we secure the region, no amount of agreements and treaties are going to work. The slaughter will continue.

And so I want to support H. Res. 723 that calls on the African Union to work closely with the United Nations and the North Atlantic Treaty Organization to strengthen its capacity to deter violence and instability until the United Nations peacekeeping force is fully deployed in Darfur. Minimally, minimally the government of Khartoum has to have a sense of mercy for people who are living in the devastating conditions and violence that these refugees are now living in. I ask my colleagues to view this legislation as crucial not in passage but also in its implementation.

Mr. Speaker, I rise today in strong support of H. Res. 723, which calls on the President to take immediate steps to help improve the security situation in Darfur, Sudan, with a specific emphasis on civilian protection.

The genocidal regime in Sudan has left 2.5 million people displaced and at least 400,000 people dead in Darfur. Due to increasing violence, 15,000 innocent civilians continue to die each month. Genocide cannot continue on our watch; the United States must move towards effective action against this most terrible crime. The United Nations Secretary General has described the situation in Darfur as "little short of hell on earth." Expert John Prendergast calls it "Rwanda in slow motion." The United States Congress and Administration are on record as declaring that the atrocities being committed in Darfur, Sudan are genocide.

Until the security situation vastly improves, the people of Sudan will experience increasingly long-term adversity. Civilians can't plan on stability in the future. They can't grow crops, or raise livestock, if there is a likelihood—not a chance, a likelihood—that roving government-sponsored militias will beat, rape, or kill them if they wander outside the protection of makeshift camps. And these government-sponsored criminals burn fields the people have managed to grow, and steal or slaughter the livestock the people have managed to keep.

Over 400,000 people have died in the Darfur conflict since 2003, with 3.5 million people driven into hunger, and another 2.5 million displaced due to violence. Imagine if the entire city of Las Vegas had perished at the hands of government-sponsored bandits, the population of Los Angeles was starving, and both the cities of Houston and Atlanta had all relocated due to conflict. The upheaval of the South after Hurricane Katrina is our closest reference to understanding the devastation Sudan is experiencing, and yet the scale in Sudan is overwhelming. We should all be quaking with anger.

Human rights are not for any government to give and take—they are inherent, self-evident, and vital, as our founding fathers understood so well. We should not be complacent when such rights are violated or refused—we must use what power we have to ensure that people are free to live and thrive safely.

The United States has demonstrated leadership on the Sudan issue for years by: mediating Sudan's North-South Peace Agreement, declaring genocide in Darfur, providing nearly $1 billion in humanitarian assistance over time, and having United States Permanent Representative to the United Nations John Bolton, in his first action as President of the United Nations Security Council, request in February 2006 that Secretary-General Annan initiate contingency planning for a transition from AMIS to a United Nations peacekeeping operation.

Our role is clear, and we must do what we can to alleviate the desperation of the civilians caught in the mayhem in Sudan. I urge my colleagues to support this measure.

Mr. LANTOS. Mr. Speaker, I am very pleased to yield the balance of my time to the ranking member of the African Subcommittee, my good friend from New Jersey, Congressman PAYNE.

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Mr. PAYNE. Mr. Speaker, let me once again thank Mr. LANTOS for House Resolution 723, calling on the President to take immediate steps to help improve the security situation in Darfur.

Let me just say that things are getting worse. Increased rapes, 500 rapes over the summer in one camp alone; renewed attacks; 12 humanitarian workers killed, including two of the last 6 weeks; 26,000 Sudan armed forces headed to the Darfur region for major offensive; renewed aerial bombings; the Darfur Peace Agreement not being held to by the government of Sudan; continued integration of the Janjaweed into the Sudan armed forces.

United Nations Security Resolution 1706 says that 17,300 U.N. troops and 3,300 policemen should go into Darfur. I think we should urge the U.N. to fulfill this mandate.

President Bush did not ask Aideed to go into Somalia. President Clinton did not ask Milosevic to go into Bosnia. We should not wait for a murderous leader like Bashir to invite us in.

We should even create no-fly zones where we would do as we did in Iraq. A no-fly zone means you don't go in and you don't go out. We were able to protect the Kurds in southern Iraq through all those years of the dictatorship of Saddam Hussein.

We can do the same kind of no-fly zone. You don't use one single human being in a no-fly zone when you use drones and other kinds of sophisticated weaponry. We have to take out some antonovs, destroy some helicopters, and let Bashir know we are not playing.

I think if we sent that message there, you would see that this opposition to the United Nations would simply disappear. They are only bold when they are with unarmed civilians, weak women, small children, elderly men. That is when they show how strong and powerful they are. I think that we should go in.

The United Nations already has U.N. troops in the Sudan. It is simply expanding the mandate that is already there. I commend the President for appointing Andrew Natsios as the Presidential Special Envoy, and I think that is even more significant than the special envoy in the past. I urge passage of this resolution.

Mr. LANTOS. Mr. Speaker, I want to thank members of my staff who worked so hard on this resolution, and I yield back the balance of my time.

Ms. WATERS. Mr. Speaker, I rise to support H. Res. 723, which urges the President to take steps to improve the security situation in Darfur, Sudan. This resolution urges the President to propose that NATO implement an interim civilian protection force in Darfur and request supplemental funding to support the African Union Mission in Sudan and a NATO mission in Darfur.

Members of Congress already have done everything we can possibly do to stop the genocide in Darfur.

Members of Congress have written numerous letters to the Bush Administration and the United Nations urging action to end this genocide.

We have visited the United Nations and met with Secretary General Kofi Annan.

I wrote to the President back in 2004 and implored that he take action.

In July of 2004, I sent letters to the other members of the United Nations Security Council urging that the United Nations take action

to end the slaughter in Sudan; this letter was signed by 41 Members of Congress, including my good friend from across the aisle, Congressman SPENCER BACHUS.

On April 28 and again on May 16, several of my colleagues where arrested in front of the Embassy of Sudan, protesting this genocide.

Last April, Members of Congress sent a letter to Secretary of State Condoleezza Rice expressing our support for the appointment of a Special Envoy for Sudan. Last week, President Bush finally appointed a Special Envoy for Sudan. This is a good first step, and we appreciate it, but a single administrative appointment will not put an end to a genocide.

Early this year, I traveled to Sudan as part of a bipartisan congressional delegation led by my good friend from California, Minority Leader NANCY PELOSI. We visited the refugee camps. As far as the eyes could see, there were crowds of displaced people who had been driven from their homes, living literally on the ground with little tarps just covering them. It is unconscionable that this should continue.

Also last April, the House of Representatives passed HR 3127, the Darfur Peace and Accountability Act, by an overwhelming vote of 416 to 3. This bill would impose sanctions on the government of Sudan and block the assets and restrict travel for individuals who are responsible for acts of genocide, war crimes or crimes against humanity in Darfur. Last Thursday, the Senate passed this bill, and the House is acting on the final version today. Hopefully, the President will sign it into law.

More than 450,000 people have died since 2003 as a result of the genocide in Darfur. There are 2.5 million displaced people in camps in Darfur and another 350,000 in refugee camps in neighboring Chad. Almost 7,000 people are dying every month in Darfur. There can be no doubt that what is taking place in Darfur is genocide and the Government of Sudan is responsible.

The world stood by and watched the genocide that occurred in Rwanda. The world has noted over and over again the atrocities of the Holocaust. Yet we cannot seem to get the President and the international community to move fast enough to stop the genocide that is taking place in Darfur.

I urge my colleagues to support this resolution and I urge the Bush Administration and the United Nations to put an end to these crimes before millions more men, women and children are allowed to die.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 723, 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. LANTOS. 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.

REPORT ON RESOLUTION WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 5631, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2007

Mr. GINGREY (during consideration of H.R. 3127) from the Committee on Rules, submitted a privileged report (Rept. No. 109–677) on the resolution (H. Res. 1037) waiving points of order against the conference report to accompany 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 referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2679, VETERANS' MEMORIALS, BOY SCOUTS, PUBLIC SEALS, AND OTHER PUBLIC EXPRESSIONS OF RELIGION PROTECTION ACT OF 2006

Mr. GINGREY (during consideration of H.R. 3127), from the Committee on Rules, submitted a privileged report (Rept. No. 109–678) on the resolution (H. Res. 1038) providing for consideration of the bill (H.R. 2679) to amend the Revised Statutes of the United States to eliminate the chilling effect on the constitutionally protected expression of religion by State and local officials that results from the threat that potential litigants may seek damages and attorney's fees, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF S. 403, CHILD CUSTODY PROTECTION ACT

Mr. GINGREY (during consideration of H.R. 3127), from the Committee on Rules, submitted a privileged report (Rept. No. 109–679) on the resolution (H. Res. 1039) providing for consideration of the Senate bill (S. 403) to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions, which was referred to the House Calendar and ordered to be printed.

DARFUR PEACE AND ACCOUNTABILITY ACT OF 2006

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 3127) to impose sanctions against individuals responsible for genocide, war crimes, and crimes again humanity, to support measures for the protection of civilians and humanitarian operations, and to support peace efforts in the Darfur region of Sudan, and for other purposes.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Darfur Peace and Accountability Act of 2006''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.
Sec. 3. Findings.
Sec. 4. Sense of Congress.
Sec. 5. Sanctions in support of peace in Darfur.
Sec. 6. Additional authorities to deter and suppress genocide in Darfur.
Sec. 7. Continuation of restrictions.
Sec. 8. Assistance efforts in Sudan.
Sec. 9. Reporting requirements.

SEC. 2. DEFINITIONS.

In this Act:

(1) AMIS.—The term ''AMIS'' means the African Union Mission in Sudan.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(3) COMPREHENSIVE PEACE AGREEMENT FOR SUDAN.—The term ''Comprehensive Peace Agreement for Sudan'' means the peace agreement signed by the Government of Sudan and the SPLM/A in Nairobi, Kenya, on January 9, 2005.

(4) DARFUR PEACE AGREEMENT.—The term ''Darfur Peace Agreement'' means the peace agreement signed by the Government of Sudan and by Minni Minnawi, leader of the Sudan Liberation Movement/Army Faction, in Abuja, Nigeria, on May 5, 2006.

(5) GOVERNMENT OF SUDAN.—The term ''Government of Sudan''—

(A) means—

(i) the government in Khartoum, Sudan, which is led by the National Congress Party (formerly known as the National Islamic Front); or

(ii) any successor government formed on or after the date of the enactment of this Act (including the coalition National Unity Government agreed upon in the Comprehensive Peace Agreement for Sudan); and

(B) does not include the regional government of Southern Sudan.

(6) OFFICIALS OF THE GOVERNMENT OF SUDAN.—The term ''official of the Government of Sudan'' does not include any individual—

(A) who was not a member of such government before July 1, 2005; or

(B) who is a member of the regional government of Southern Sudan.

(7) SPLM/A.—The term ''SPLM/A'' means the Sudan People's Liberation Movement/Army.

SEC. 3. FINDINGS.

Congress makes the following findings:

(1) On July 23, 2004, Congress declared, ''the atrocities unfolding in Darfur, Sudan, are genocide''.

(2) On September 9, 2004, Secretary of State Colin L. Powell stated before the Committee on Foreign Relations of the Senate, ''genocide has occurred and may still be occurring in Darfur'', and ''the Government of Sudan and the Janjaweed bear responsibility''.

(3) On September 21, 2004, in an address before the United Nations General Assembly, President George W. Bush affirmed the Secretary of State's finding and stated,''[a]t this hour, the world is witnessing terrible suffering and horrible crimes in the Darfur region of Sudan, crimes my government has concluded are genocide''.

(4) On July 30, 2004, the United Nations Security Council passed Security Council Resolution 1556 (2004), calling upon the Government of Sudan to disarm the Janjaweed militias and to apprehend and bring to justice Janjaweed leaders and their associates who have incited and carried out violations of human rights and international humanitarian law, and establishing a ban on the sale or supply of arms and

related materiel of all types, including the provision of related technical training or assistance, to all nongovernmental entities and individuals, including the Janjaweed.

(5) On September 18, 2004, the United Nations Security Council passed Security Council Resolution 1564 (2004), determining that the Government of Sudan had failed to meet its obligations under Security Council Resolution 1556 (2004), calling for a military flight ban in and over the Darfur region, demanding the names of Janjaweed militiamen disarmed and arrested for verification, establishing an International Commission of Inquiry on Darfur to investigate violations of international humanitarian and human rights laws, and threatening sanctions should the Government of Sudan fail to fully comply with Security Council Resolutions 1556 (2004) and 1564 (2004), including such actions as to affect Sudan's petroleum sector or individual members of the Government of Sudan.

(6) The Report of the International Commission of Inquiry on Darfur, submitted to the United Nations Secretary-General on January 25, 2005, established that the ''Government of the Sudan and the Janjaweed are responsible for serious violations of international human rights and humanitarian law amounting to crimes under international law,'' that ''these acts were conducted on a widespread and systematic basis, and therefore may amount to crimes against humanity,'' and that officials of the Government of Sudan and other individuals may have acted with ''genocidal intent''.

(7) On March 24, 2005, the United Nations Security Council passed Security Council Resolution 1590 (2005), establishing the United Nations Mission in Sudan (referred to in this section as the ''UNMIS''), consisting of up to 10,000 military personnel and 715 civilian police tasked with supporting the implementation of the Comprehensive Peace Agreement for Sudan and to ''closely and continuously liaise and coordinate at all levels with the African Union Mission in Sudan (AMIS)'', which had been established by the African Union on May 24, 2004, to monitor the implementation of the N'Djamena Humanitarian Ceasefire Agreement, signed on April 8, 2004, ''with a view towards expeditiously reinforcing the effort to foster peace in Darfur''.

(8) On March 29, 2005, the United Nations Security Council passed Security Council Resolution 1591 (2005), extending the military embargo established by Security Council Resolution 1556 (2004) to all the parties to the N'Djamena Ceasefire Agreement of April 8, 2004, and any other belligerents in the states of North Darfur, South Darfur, and West Darfur, calling for an asset freeze and travel ban against those individuals who impede the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or human rights law or other atrocities, are responsible for offensive military overflights, or violate the military embargo, and establishing a Committee of the Security Council and a panel of experts to assist in monitoring compliance with Security Council Resolutions 1556 (2004) and 1591 (2005).

(9) On March 31, 2005, the United Nations Security Council passed Security Council Resolution 1593 (2005), referring the situation in Darfur since July 1, 2002, to the prosecutor of the International Criminal Court and calling on the Government of Sudan and all parties to the conflict to cooperate fully with the Court.

(10) On July 30, 2005, Dr. John Garang de Mabior, the newly appointed Vice President of Sudan and the leader of the SPLM/A for the past 21 years, was killed in a tragic helicopter crash in Southern Sudan, sparking riots in Khartoum and challenging the commitment of all Sudanese to the Comprehensive Peace Agreement for Sudan.

(11) On January 12, 2006, the African Union Peace and Security Council issued a communique endorsing, in principle, a transition from AMIS to a United Nations peacekeeping operation and requested the Chairperson of the Council to initiate consultations with the United Nations and other stakeholders toward this end.

(12) On February 3, 2006, the United Nations Security Council issued a Presidential Statement authorizing the initiation of contingency planning for a transition from AMIS to a United Nations peacekeeping operation.

(13) On March 10, 2006, the African Union Peace and Security Council extended the mandate of AMIS, which had reached a force size of 7,000, to September 30, 2006, while simultaneously endorsing the transition of AMIS to a United Nations peacekeeping operation and setting April 30, 2006 as the deadline for reaching an agreement to resolve the crisis in Darfur.

(14) On March 24, 2006, the United Nations Security Council passed Security Council Resolution 1663 (2006), which—

(A) welcomes the African Peace and Security Council's March 10, 2006 communique; and

(B) requests that the United Nations Secretary-General, jointly with the African Union and in consultation with the parties to the Abuja Peace Talks, expedite planning for the transition of AMIS to a United Nations peacekeeping operation.

(15) On March 29, 2006, during a speech at Freedom House, President Bush called for a transition to a United Nations peacekeeping operation and ''additional forces with a NATO overlay . . . to provide logistical and command-and-control and airlift capacity, but also to send a clear signal to parties involved that the west is determined to help effect a settlement.''.

(16) On April 25, 2006, the United Nations Security Council passed Security Council Resolution 1672 (2006), unanimously imposing targeted financial sanctions and travel restrictions on 4 individuals who had been identified as those who, among other acts, ''impede the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or human rights law or other atrocities'', including the Commander of the Western Military Region for the armed forces of Sudan, the Paramount Chief of the Jalul Tribe in North Darfur, the Commander of the Sudan Liberation Army, and the Field Commander of the National Movement for Reform and Development.

(17) On May 5, 2006, under the auspices of African Union mediation and the direct engagement of the international community, including the United States, the Government of Sudan and the largest rebel faction in Darfur, the Sudan Liberation Movement, led by Minni Minnawi, signed the Darfur Peace Agreement, which addresses security, power sharing, and wealth sharing issues between the parties.

(18) In August 2006, the Sudanese government began to amass military forces and equipment in the Darfur region in contravention of the Darfur Peace Agreement to which they are signatories in what appears to be preliminary to full scale war.

(19) On August 30, 2006, the United Nations Security Council passed Security Council Resolution 1706 (2006), without dissent and with abstentions by China, Russian Federation, and Qatar, thereby asserting that the existing United Nations Mission in Sudan ''shall take over from AMIS responsibility for supporting the implementation of the Darfur Peace Agreement upon the expiration of AMIS' mandate but in any event no later than 31 December 2006'', and that UNMIS ''shall be strengthened by up to 17,300 military personnel . . . 3,300 civilian police personnel and up to 16 Formed Police Units'', which ''shall begin to be deployed [to Darfur] no later than 1 October 2006''.

(20) Between August 30 and September 3, 2006, President Bashir and other senior members of his administration have publicly rejected United Nations Security Council Resolution 1706 (2006), calling it illegal and a western invasion of his country, despite the current presence of 10,000 United Nations peacekeepers under the UNMIS peacekeeping force.

(21) Since 1993, the Secretary of State has determined, pursuant to section 6(j) of the Export Administration Act of 1979 (50 App. U.S.C. 2405(j)), that Sudan is a country, the government of which has repeatedly provided support for acts of international terrorism, thereby restricting United States assistance, defense exports and sales, and financial and other transactions with the Government of Sudan.

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the genocide unfolding in the Darfur region of Sudan is characterized by acts of terrorism and atrocities directed against civilians, including mass murder, rape, and sexual violence committed by the Janjaweed and associated militias with the complicity and support of the National Congress Party-led faction of the Government of Sudan;

(2) all parties to the conflict in the Darfur region have continued to violate the N'Djamena Ceasefire Agreement of April 8, 2004, and the Abuja Protocols of November 9, 2004, and violence against civilians, humanitarian aid workers, and personnel of AMIS is increasing;

(3) the African Union should immediately make all necessary preparations for an orderly transition to a United Nations peacekeeping operation, which will maintain an appropriate level of African participation, with a mandate to protect civilians and humanitarian operations, assist in the implementation of the Darfur Peace Agreement, and deter violence in the Darfur region;

(4) the international community, including the United States and the European Union, should immediately act to mobilize sufficient political, military, and financial resources through the United Nations and the North Atlantic Treaty Organization, to support the transition of AMIS to a United Nations peacekeeping operation with the size, strength, and capacity necessary to protect civilians and humanitarian operations, to assist with the implementation of the Darfur Peace Agreement, and to end the continued violence in the Darfur region;

(5) if an expanded and reinforced AMIS or subsequent United Nations peacekeeping operation fails to stop genocide in the Darfur region, the international community should take additional measures to prevent and suppress acts of genocide in the Darfur region;

(6) acting under article 5 of the Charter of the United Nations, the United Nations Security Council should call for suspension of the Government of Sudan's rights and privileges of membership by the General Assembly until such time as the Government of Sudan has honored pledges to cease attacks upon civilians, demobilize and demilitarize the Janjaweed and associated militias, and grant free and unfettered access for deliveries of humanitarian assistance in the Darfur region;

(7) the President should use all necessary and appropriate diplomatic means to ensure the full discharge of the responsibilities of the Committee of the United Nations Security Council and the panel of experts established pursuant to section 3(a) of Security Council Resolution 1591 (2005);

(8) the President should direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States to urge the adoption of a resolution by the United Nations Security Council that—

(A) extends the military embargo established by United Nations Security Resolutions 1556 (2004) and 1591 (2005) to include a total ban on the sale or supply of offensive military equipment to the Government of Sudan, except for use in an internationally recognized demobilization program or for nonlethal assistance necessary to carry out elements of the Comprehensive Peace Agreement for Sudan or the Darfur Peace Agreement; and

(B) calls upon those member states of the United Nations that continue to undermine efforts to foster peace in Sudan by providing military assistance to the Government of Sudan, government supported militias, or any rebel group operating in Darfur in violation of the embargo on such assistance and equipment, as called for in United Nations Security Council Resolutions 1556 (2004) and 1591 (2005), to immediately cease and desist.

(9) the United States should not provide assistance to the Government of Sudan, other than assistance necessary for the implementation of the Comprehensive Peace Agreement for Sudan and the Darfur Peace Agreement, the support of the regional Government of Southern Sudan, the Transitional Darfur Regional Authority, and marginalized areas in Northern Sudan (including the Nuba Mountains, Southern Blue Nile, Abyei, Eastern Sudan (Beja), Darfur, and Nubia), or for humanitarian purposes in Sudan, until the Government of Sudan has honored pledges to cease attacks upon civilians, demobilize and demilitarize the Janjaweed and associated militias, grant free and unfettered access for deliveries of humanitarian assistance in the Darfur region, and allow for the safe and voluntary return of refugees and internally displaced persons;

(10) the President should seek to assist members of the Sudanese diaspora in the United States by establishing a student loan forgiveness program for those individuals who commit to return to Southern Sudan for a period of not less than 5 years for the purpose of contributing professional skills needed for the reconstruction of Southern Sudan;

(11) the Presidential Special Envoy for Sudan should be provided with appropriate resources and a clear mandate to—

(A) provide stewardship of efforts to implement the Comprehensive Peace Agreement for Sudan and the Darfur Peace Agreement;

(B) seek ways to bring stability and peace to the Darfur region;

(C) address instability elsewhere in Sudan, Chad, and northern Uganda; and

(D) pursue a truly comprehensive peace throughout the region;

(12) the international community should strongly condemn attacks against humanitarian workers and African Union personnel, and the forcible recruitment of refugees and internally displaced persons from camps in Chad and Sudan, and demand that all armed groups in the region, including the forces of the Government of Sudan, the Janjaweed, associated militias, the Sudan Liberation Movement/Army, the Justice and Equality Movement, the National Movement for Reform and Development (NMRD), and all other armed groups refrain from such activities;

(13) the United States should fully support the Comprehensive Peace Agreement for Sudan and the Darfur Peace Agreement and urge rapid implementation of their terms;

(14) the May 5, 2006 signing of the Darfur Peace Agreement between the Government of Sudan and the Sudan Liberation Movement was a positive development in a situation that has seen little political progress in 2 years and should be seized upon by all sides to begin the arduous process of post-conflict reconstruction, restitution, justice, and reconciliation; and

(15) the new leadership of the Sudan People's Liberation Movement (referred to in this paragraph as ''SPLM'') should—

(A) seek to transform SPLM into an inclusive, transparent, and democratic body;

(B) reaffirm the commitment of SPLM to—

(i) bring peace to Southern Sudan, the Darfur region, and Eastern Sudan; and

(ii) eliminate safe haven for regional rebel movements, such as the Lord's Resistance Army; and

(C) remain united in the face of efforts to undermine SPLM.

SEC. 5. SANCTIONS IN SUPPORT OF PEACE IN DARFUR.

(a) BLOCKING OF ASSETS AND RESTRICTION ON VISAS.—Section 6 of the Comprehensive Peace in Sudan Act of 2004 (Public Law 108–497; 50 U.S.C. 1701 note) is amended—

(1) in the heading of subsection (b), by inserting ''OF APPROPRIATE SENIOR OFFICIALS OF THE GOVERNMENT OF SUDAN'' after ''ASSETS'';

(2) by redesignating subsections (c) through (e) as subsections (d) through (f), respectively; and

(3) by inserting after subsection (b) the following:

''(c) BLOCKING OF ASSETS AND RESTRICTION ON VISAS OF CERTAIN INDIVIDUALS IDENTIFIED BY THE PRESIDENT.—

''(1) BLOCKING OF ASSETS.—Beginning on the date that is 30 days after the date of the enactment of the Darfur Peace and Accountability Act of 2006, and in the interest of contributing to peace in Sudan, the President shall, consistent with the authorities granted under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), block the assets of any individual who the President determines is complicit in, or responsible for, acts of genocide, war crimes, or crimes against humanity in Darfur, including the family members or any associates of such individual to whom assets or property of such individual was transferred on or after July 1, 2002.

''(2) RESTRICTION ON VISAS.—Beginning on the date that is 30 days after the date of the enactment of the Darfur Peace and Accountability Act of 2006, and in the interest of contributing to peace in Sudan, the President shall deny a visa and entry to any individual who the President determines to be complicit in, or responsible for, acts of genocide, war crimes, or crimes against humanity in Darfur, including the family members or any associates of such individual to whom assets or property of such individual was transferred on or after July 1, 2002.''.

(b) WAIVER.—Section 6(d) of the Comprehensive Peace in Sudan Act of 2004, as redesignated by subsection (a), is amended by adding at the end the following: ''The President may waive the application of paragraph (1) or (2) of subsection (c) with respect to any individual if the President determines that such a waiver is in the national interests of the United States and, before exercising the waiver, notifies the appropriate congressional committees of the name of the individual and the reasons for the waiver.''.

(c) SANCTIONS AGAINST JANJAWEED COMMANDERS AND COORDINATORS OR OTHER INDIVIDUALS.—It is the sense of Congress, that the President should immediately impose the sanctions described in section 6(c) of the Comprehensive Peace in Sudan Act of 2004, as added by subsection (a), against any individual, including the Janjaweed commanders and coordinators, identified as those who, among other acts, ''impede the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or human rights law or other atrocities''.

SEC. 6. ADDITIONAL AUTHORITIES TO DETER AND SUPPRESS GENOCIDE IN DARFUR.

(a) PRESIDENTIAL ASSISTANCE TO SUPPORT AMIS.—Subject to subsection (b) and notwithstanding any other provision of law, the President is authorized to provide AMIS with—

(1) assistance for any expansion of the mandate, size, strength, and capacity to protect civilians and humanitarian operations in order to help stabilize the Darfur region of Sudan and dissuade and deter air attacks directed against civilians and humanitarian workers; and

(2) assistance in the areas of logistics, transport, communications, material support, technical assistance, training, command and control, aerial surveillance, and intelligence.

(b) CONDITIONS.—

(1) IN GENERAL.—Assistance provided under subsection (a)—

(A) shall be used only in the Darfur region; and

(B) shall not be provided until AMIS has agreed not to transfer title to, or possession of, any such assistance to anyone not an officer, employee or agent of AMIS (or subsequent United Nations peacekeeping operation), and not to use or to permit the use of such assistance for any purposes other than those for which such assistance was furnished, unless the consent of the President has first been obtained, and written assurances reflecting all of the forgoing have been obtained from AMIS by the President.

(2) CONSENT.—If the President consents to the transfer of such assistance to anyone not an officer, employee, or agent of AMIS (or subsequent United Nations peacekeeping operation), or agrees to permit the use of such assistance for any purposes other than those for which such assistance was furnished, the President shall immediately notify the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives in accordance with the procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1).

(c) NATO ASSISTANCE TO SUPPORT AMIS.—It is the sense of Congress that the President should continue to instruct the United States Permanent Representative to the North Atlantic Treaty Organization (referred to in this section as ''NATO'') to use the voice, vote, and influence of the United States at NATO to—

(1) advocate NATO reinforcement of the AMIS and its orderly transition to a United Nations peacekeeping operation, as appropriate;

(2) provide assets to help dissuade and deter air strikes directed against civilians and humanitarian workers in the Darfur region of Sudan; and

(3) provide other logistical, transportation, communications, training, technical assistance, command and control, aerial surveillance, and intelligence support.

(d) RULE OF CONSTRUCTION.—Nothing in this Act, or any amendment made by this Act, shall be construed as a provision described in section 5(b)(1) or 8(a)(1) of the War Powers Resolution (Public Law 93–148; 50 U.S.C. 1544(b), 1546(a)(1)).

(e) DENIAL OF ENTRY AT UNITED STATES PORTS TO CERTAIN CARGO SHIPS OR OIL TANKERS.—

(1) IN GENERAL.—The President should take all necessary and appropriate steps to deny the Government of Sudan access to oil revenues, including by prohibiting entry at United States ports to cargo ships or oil tankers engaged in business or trade activities in the oil sector of Sudan or involved in the shipment of goods for use by the armed forces of Sudan until such time as the Government of Sudan has honored its commitments to cease attacks on civilians, demobilize and demilitarize the Janjaweed and associated militias, grant free and unfettered access for deliveries of humanitarian assistance, and allow for the safe and voluntary return of refugees and internally displaced persons.

(2) EXCEPTION.—Paragraph (1) shall not apply with respect to cargo ships or oil tankers involved in—

(A) an internationally-recognized demobilization program;

(B) the shipment of non-lethal assistance necessary to carry out elements of the Comprehensive Peace Agreement for Sudan or the Darfur Peace Agreement; or

(C) the shipment of military assistance necessary to carry out elements of an agreement referred to in subparagraph (B) if the President has made the determination set forth in section 8(c)(2).

(f) PROHIBITION ON ASSISTANCE TO COUNTRIES IN VIOLATION OF UNITED NATIONS SECURITY COUNCIL RESOLUTIONS 1556 AND 1591.—

(1) PROHIBITION.—Amounts made available to carry out the Foreign Assistance Act of 1961 (22

U.S.C. 2151 et seq.) may not be used to provide assistance (other than humanitarian assistance) to the government of a country that is in violation of the embargo on military assistance with respect to Sudan imposed pursuant to United Nations Security Council Resolutions 1556 (2004) and 1591 (2005).

(2) WAIVER.—The President may waive the application of paragraph (1) if the President determines, and certifies to the appropriate congressional committees, that such waiver is in the national interests of the United States.

SEC. 7. CONTINUATION OF RESTRICTIONS.

(a) IN GENERAL.—Restrictions against the Government of Sudan that were imposed pursuant to Executive Order 13067 of November 3, 1997 (62 Federal Register 59989), title III and sections 508, 512, 527, and 569 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2006 (Public Law 109–102), or any other similar provision of law, shall remain in effect, and shall not be lifted pursuant to such provisions of law, until the President certifies to the appropriate congressional committees that the Government of Sudan is acting in good faith to—

(1) implement the Darfur Peace Agreement;

(2) disarm, demobilize, and demilitarize the Janjaweed and all militias allied with the Government of Sudan;

(3) adhere to all associated United Nations Security Council Resolutions, including Security Council Resolutions 1556 (2004), 1564 (2004), 1591 (2005), 1593 (2005), 1663 (2006), 1665 (2006), and 1706 (2006);

(4) negotiate a peaceful resolution to the crisis in eastern Sudan;

(5) fully cooperate with efforts to disarm, demobilize, and deny safe haven to members of the Lord's Resistance Army in Sudan; and

(6) fully implement the Comprehensive Peace Agreement for Sudan without manipulation or delay, by—

(A) implementing the recommendations of the Abyei Boundaries Commission Report;

(B) establishing other appropriate commissions and implementing and adhering to the recommendations of such commissions consistent with the terms of the Comprehensive Peace Agreement for Sudan;

(C) adhering to the terms of the Wealth Sharing Agreement; and

(D) withdrawing government forces from Southern Sudan consistent with the terms of the Comprehensive Peace Agreement for Sudan.

(b) WAIVER.—The President may waive the application of subsection (a) if the President determines, and certifies to the appropriate congressional committees, that such waiver is in the national interests of the United States.

SEC. 8. ASSISTANCE EFFORTS IN SUDAN.

(a) ASSISTANCE FOR INTERNATIONAL MALARIA CONTROL ACT.—Section 501 of the Assistance for International Malaria Control Act (Public Law 106–570; 50 U.S.C. 1701 note) is repealed.

(b) COMPREHENSIVE PEACE IN SUDAN ACT.—Section 7 of the Comprehensive Peace in Sudan Act of 2004 (Public Law 108–497; 50 U.S.C. 1701 note) is repealed.

(c) ECONOMIC ASSISTANCE.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the President is authorized to provide economic assistance for Southern Sudan, Southern Kordofan/Nuba Mountains State, Blue Nile State, Abyei, Darfur, and marginalized areas in and around Khartoum, in an effort to provide emergency relief, to promote economic self-sufficiency, to build civil authority, to provide education, to enhance rule of law and the development of judicial and legal frameworks, to support people to people reconciliation efforts, and to implement any nonmilitary program in support of any viable peace agreement in Sudan, including the Comprehensive Peace Agreement for Sudan and the Darfur Peace Agreement.

(2) CONGRESSIONAL NOTIFICATION.—Assistance may not be obligated under this subsection until 15 days after the date on which the Secretary of State notifies the congressional committees specified in section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1) of such obligation in accordance with the procedures applicable to reprogramming notifications under such section.

(d) AUTHORIZED MILITARY ASSISTANCE.—

(1) IN GENERAL.—If the President has not made a certification under section 12(a)(3) of the Sudan Peace Act (50 U.S.C. 1701 note) regarding the noncompliance of the SPLM/A or the Government of Southern Sudan with the Comprehensive Peace Agreement for Sudan, the President, notwithstanding any other provision of law, may authorize, for each of fiscal years 2006, 2007, and 2008, the provision of the following assistance to the Government of Southern Sudan for the purpose of constituting a professional military force—

(A) non-lethal military equipment and related defense services, including training, controlled under the International Traffic in Arms Regulations (22 C.F.R. 120.1 et seq.) if the President—

(i) determines that the provision of such items is in the national security interest of the United States; and

(ii) not later than 15 days before the provision of any such items, notifies the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives of such determination; and

(B) small arms and ammunition under categories I and III of the United States Munitions List (22 C.F.R. 121.1 et seq.) if the President—

(i) determines that the provision of such equipment is essential to the national security interests of the United States; and

(ii) consistent with the procedures set forth in section 614(a)(3) of the Foreign Assistance Act of 1961 (22 U.S.C. 2364(a)(3)), notifies the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives of such determination.

(2) END USE ASSURANCES.—For each item exported pursuant to this subsection or subsection (c), the President shall include with the notification to Congress under subparagraphs (A)(ii) and (B)(ii) of paragraph (1)—

(A) an identification of the end users to which the provision of assistance is being made;

(B) the dollar value of the items being provided;

(C) a description of the items being provided; and

(D) a description of the end use verification procedures that will be applied to such items, including—

(i) any special assurances obtained from the Government of Southern Sudan or other authorized end users regarding such equipment; and

(ii) the end use or retransfer controls that will be applied to any items provided under this subsection.

(3) WAIVER AUTHORITY.—Section 40 of the Arms Export Control Act (22 U.S.C. 2780) shall not apply to assistance provided under paragraph (1).

(e) EXCEPTION TO PROHIBITIONS IN EXECUTIVE ORDER NUMBER 13067.—Notwithstanding any other provision of law, the prohibitions set forth with respect to Sudan in Executive Order No. 13067 (62 Fed. Reg. 59989) shall not apply to activities or related transactions with respect to Southern Sudan, Southern Kordofan/Nuba Mountains State, Blue Nile State, Abyei, Darfur, or marginalized areas in and around Khartoum.

SEC. 9. REPORTING REQUIREMENTS.

Section 8 of the Sudan Peace Act (Public Law 107–245; 50 U.S.C. 1701 note) is amended—

(1) by redesignating subsection (c) as subsection (g); and

(2) by inserting after subsection (b) the following:

''(c) REPORT ON AFRICAN UNION MISSION IN SUDAN.—Until such time as AMIS concludes its mission in Darfur, in conjunction with the other reports required under this section, the Secretary of State, in consultation with all relevant Federal departments and agencies, shall prepare and submit a report, to the appropriate congressional committees, regarding—

''(1) a detailed description of all United States assistance provided to the African Union Mission in Sudan (referred to in this subsection as 'AMIS') since the establishment of AMIS, reported by fiscal year and the type and purpose of such assistance; and

''(2) the level of other international assistance provided to AMIS, including assistance from countries, regional and international organizations, such as the North Atlantic Treaty Organization, the European Union, the Arab League, and the United Nations, reported by fiscal year and the type and purpose of such assistance, to the extent possible.

''(d) REPORT ON SANCTIONS IN SUPPORT OF PEACE IN DARFUR.—In conjunction with the other reports required under this section, the Secretary of State shall submit a report to the appropriate congressional committees regarding sanctions imposed under section 6 of the Comprehensive Peace in Sudan Act of 2004, including—

''(1) a description of each sanction imposed under such provision of law;

''(2) the name of the individual or entity subject to the sanction, if applicable; and

''(3) whether or not such individual has been identified by the United Nations panel of experts.

''(e) REPORT ON UNITED STATES MILITARY ASSISTANCE.—In conjunction with the other reports required under this section, the Secretary of State shall submit a report to the appropriate congressional committees describing the effectiveness of any assistance provided under section 8 of the Darfur Peace and Accountability Act of 2006, including—

''(1) a detailed annex on any military assistance provided in the period covered by this report;

''(2) the results of any review or other monitoring conducted by the Federal Government with respect to assistance provided under that Act; and

''(3) any unauthorized retransfer or use of military assistance furnished by the United States.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

For as long as I can remember, we have received conflicting messages about the situation in Sudan. My staff and I, like many people in this body, have met with Sudanese government officials. We have met with African Union officials and Darfur rebel leaders in Khartoum, Darfur, Addis Ababa, Abuja, and in Washington; and we have gotten varying accounts and assurances between the northern and southern officials in the Sudan government,

between the African Union military and political departments, and between the SLM factions and the JEM.

Unfortunately, the past few months have brought more of the same. On May 5, 2006, we welcomed the news that the government of Sudan had signed a peace agreement with the largest rebel group in Darfur, the Minni Minnawi-led faction of the Sudan Liberation Movement Army. Modeled after the peace agreement which ostensibly ended over 20 years of war in southern Sudan, the Darfur Peace Agreement was hailed as a breakthrough in the peace process that had seen little progress in 2 years.

Our hopes for peace in Darfur were further raised on August 30 as the United Nations Security Council finally approved Resolution 1706, authorizing the transition of the well-meaning but severely constrained African Union Mission in Sudan, AMIS, to a larger, more capable U.N. peacekeeping mission with a robust mandate providing for civilian protection.

Before the microphones were silenced and the ink had dried, however, it became clear that eloquent speeches and agreements on paper would do little, if anything, to protect human life in Darfur.

Given its conduct of the war in the south, it should have been come as no surprise to learn that the government of Sudan had launched a new major military offensive in north Darfur in late August, in direct violation of the peace agreement it had signed just 3 months earlier.

Rather than serving as a harbinger of peace, it appears that the Darfur Peace Agreement has emboldened the Sudanese government, the Janjaweed militias, and rebel groups in Darfur to act with even greater impunity in killing, abusing and displacing civilians as they seek to consolidate their positions before international peacekeepers are deployed.

And despite assurances that a U.N. peacekeeping mission would be accepted upon conclusion of a peace agreement, Security Council Resolution 1706 was greeted by the Sudanese government with unmitigated hostility.

Regardless of the fact that a U.N. peacekeeping mission already exists in southern Sudan, the Sudanese government now seeks to portray the proposed expansion to Darfur as a ''western invasion'' and has called upon jihadists to attack any U.N. peacekeepers who dare to deploy in Darfur.

While it is not require under U.N. Security Council Resolution 1706, the Sudanese government's intransigence and inflammatory remarks have all but guaranteed that the long-awaited transition of AMIS will not take place before the end of this year.

It is these sharp contrasts between word and deed in Sudan which underlie the importance of today's consideration of H.R. 3127, the Darfur Peace and Accountability Act.

H.R. 3127, which was authored by Chairman HYDE and cosponsored by Mr. LANTOS, Mr. PAYNE and me and 160 other Members, passed the House in April and was amended by the Senate just last week. It offers the President the tools he needs both to support the immediate expansion of AMIS and to facilitate its transition to a U.N. peacekeeping mission as soon as possible. It also provides the President with the authority to provide emergency economic and development assistance to marginalized areas in Sudan, including southern Sudan and Darfur.

H.R. 3127 also carries punitive measures intended to promote accountability in Sudan and act as a deterrent against further atrocities. It imposes targeted sanctions against individuals determined to be complicit in or responsible for acts of genocide, war crimes or crimes against humanity in Darfur. It calls upon the President to take all necessary actions to deny the government of Sudan access to oil revenues, which have been used to fund its genocidal campaign in Darfur. H.R. 3127 also calls for the suspension of the government of Sudan's rights and privileges at the U.N. until it has honored its commitments before that body.

The Senate amendment updates the bill to reflect events that have taken place following House passage last April and expresses the conviction of this Congress that AMIS must be transitioned to a larger, more capable U.N. mission. It also allows the President to provide limited military assistance to the government of southern Sudan, thereby fulfilling commitments to facilitate the transformation of the Sudan People's Liberation Army from a rebel group to a professional military force.

I note with considerable regret that the Senate amendment also strikes an important provision to make clear that nothing in this bill shall preempt State laws on divestment.

I am very proud of the fact that New Jersey has divested its pension fund investments from companies that do business with Khartoum. I would note that some States like Illinois are in court, in litigation, because they have done likewise. This provision would have made clear that nothing in the bill would preempt State laws on disinvestment. That is a loss, but there are many other things in this bill that I think warrant its passage.

Mr. Speaker, in their addresses to the U.N. Assembly last week, both President Bush and Secretary General Kofi Annan recognized the transcendent importance of a show of resolve on Darfur. While it is true that the bill before us as amended by the Senate requires Members to make difficult compromises, it is nevertheless a solid bill. It is a serious bill. It is an urgent bill. Far too much time has lapsed. Far too many graves have been filled since we first began debating this resolution. The time to show Congress's resolve is now.

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

Mr. LANTOS. Mr. Speaker, I rise in strong support of this bill, and I yield myself such time as I may consume.

Mr. Speaker, I want to thank the gentleman from Illinois, Chairman HYDE, and our ranking subcommittee member, Mr. PAYNE, for the extraordinary hard work that went into writing this potentially life-saving legislation, the Darfur Peace and Accountability Act.

This bill, Mr. Speaker, has a simple goal: to increase steadily the pressure on the politicians in Khartoum so they finally will end the genocide there.

Congress has acted before to pressure the Sudanese government, and perhaps we will have to do so again in the future. But we must continue to press until the genocide is ended, the displaced can return to their home, and justice will have been served.

This important and comprehensive piece of legislation does many things. It imposes sanctions on political and military leaders in Sudan who are responsible for the Darfur genocide. It authorizes the President to provide additional assistance to the currently over-matched African Union military mission. It prohibits assistance to countries in violation of the United Nations Security Council resolutions which impose sanctions on Sudan. It maintains existing United States sanctions on the government of Sudan to keep on the pressure.

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And it makes special provisions to aid the Government of southern Sudan by exempting it from sanctions.

Madam Speaker, the measures in this bill are ''smart sanctions'' on individuals. They target specific measures against political and military leaders who have directed the scorched Earth policy against men, women, and children in Darfur.

Consider the scope of this tragedy: over 200,000 have died. More than 2 million innocent civilians have been displaced from their homes. Rape is a weapon of choice against women and girls. And even those who find shelter in refugee camps beyond the country's borders are not safe from attack.

The perpetrators of genocide in Darfur have lied about their actions. They defied international rebuke. And they attempted to hide their duplicitous nature by participating in peace negotiations while keeping up the aggression against the people of Darfur.

Madam Speaker, the murderers in Khartoum do not respond to the fine points of diplomacy without blunt pressure that hampers their ability to do business as usual. Khartoum responds only to hardball tactics and then only reluctantly.

Madam Speaker, genocide is not perpetrated by anonymous unidentifiable individuals and groups. Genocide is conceived, planned, and carried out by

malicious immoral people with names and faces. Our legislation focuses specifically on those individuals who have been identified by the President as complicit in or responsible for acts of genocide, war crimes, or crimes against humanity in Darfur. The list of individuals includes their family members and people to whom assets have been transferred since the genocide began.

Madam Speaker, we know who these perpetrators of evil are, and I am pleased beyond words that the House and the Senate are prepared to act against them. But our bill goes beyond sanctions against the evil-doers in Khartoum. It also ensures that sanctions on Sudanese Government officials remain in place until they have stopped the genocide and implanted the Darfur Peace Agreement, disarmed the murderous Arab militia, adhered to all U.N. Security Council resolutions, and negotiated a peaceful settlement to the crisis in eastern Sudan.

Madam Speaker, the legislation before us today does not contain divestment provisions of the type that were so instrumental in bringing down the Apartheid government in South Africa. I strongly support such provisions, and the other body's refusal to include them in the comprehensive bill represents a missed opportunity. But this bill remains a very strong piece of legislation that will undoubtedly increase pressure on the Government of Sudan to end the genocide.

With its passage, Congress is signaling that we will not be passive observers to mass murder. We will act and act decisively.

I urge all of my colleagues to support this important bill.

Madam Speaker, I am delighted to yield 2 minutes to a distinguished member of the International Relations Committee, my good friend from Minnesota, a strong voice for human rights, Congresswoman BETTY MCCOLLUM.

Ms. MCCOLLUM of Minnesota. Madam Speaker, I am here to support H.R. 3127, but I have serious concerns that this legislation is too little too late for hundreds of thousands of innocent people who have died and continue to be in danger.

Secretary of State Colin Powell declared the murder in Sudan a genocide in September, 2004, 2 years ago. I voted on this legislation in subcommittee 15 months ago. And every day since then, the violence and the humanitarian crisis in Darfur have gotten worse. Passing this legislation today may make us all feel good, but it will not end the genocide or even slow down the killing.

Sudan is a rogue nation. Sudan is a state sponsor of terrorism. In the Darfur region, the Sudanese regime terrorizes its citizens; it trains, it funds, and it arms the Janjaweed militia that commits acts of terrorism and mass murder and the systematic rape of girls and women. More than 2,000 villages have been destroyed in Darfur. More than 2 million people have been driven from their homes, and thousands of lives are at risk of disease and ongoing terrorist attacks by the Khartoum regime and the Janjaweed militia. This is an evil regime perpetrating genocide.

Genocide is not a number of random incidents of violence. Genocide is the sum, the horrible outcome, of acts of terrorism perpetrated in a systematic manner against civilians; 400,000 innocent people have died.

When H.R. 3127 passed this House, it included language calling upon the Secretary of State to declare the Janjaweed militia a foreign terrorist organization. I thank Mr. HYDE, Mr. SMITH, and Mr. LANTOS for supporting it. This language, unfortunately, has been stripped from the bill. But let us today call upon Secretary of State Rice to immediately designate the Janjaweed militia a foreign terrorist organization. Those who murder Africans are terrorists. Those who murder Muslim Africans are terrorists, and they should be given the same terrorist designation as those who attack Americans and Israelis. The Janjaweed militia are terrorists, and they must be held accountable for their crimes against humanity.

Mr. LANTOS. Madam Speaker, I am pleased to yield 3 minutes to my friend from Texas, Congresswoman SHEILA JACKSON-LEE.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, I am here because I indicated that I believe that this debate or these debates that we have had over these last couple of hours may be some of the most important lifesaving efforts that this Congress can spend its time on this week.

We have heard our colleagues over and over again talk about the devastation and the outrage of what is going on in Sudan. Let me thank Mr. LANTOS and Mr. HYDE and Mr. PAYNE because I am reminded that, as my good friend and colleague who just recently debated this question on the floor reminded us, we have been here before. And when we came here before, we should have moved this legislation, not contending to give deference to the leader of Sudan anymore because he has obviously shown us that it is not his intention to do what is right for the suffering people.

I have mentioned the fact that there are so many who have fled and who have been devastated out of the camps. So many women, so many poor conditions, so many harsh conditions, lack of water, lack of clothing, lack of housing and shelter, if you will, and certainly the inability to protect oneself.

This legislation provides the sanctions against those who will perpetrate this horrible violence, but it also is the kind of strong legislation that is needed. And as my good friend from California, Ranking Member Mr. LANTOS, has said, it could do more. We could support divestiture. And, frankly, that is why I am supporting the legislation of Congresswoman BARBARA LEE to call for the divestiture all over the Nation of any investment in Sudan.

But allow me to share with you why this is such an important initiative. We have just heard from the President of Sudan, who has now begun new military offenses in Darfur and who has gone from country to country, Morocco, Egypt, and argued his case that he does not want U.N. peacekeepers in Sudan. Who is he to reject U.N. peacekeepers when he is perpetrating violence on his own constituents, his own people?

Now, we have stood on this floor and we have affirmed some of the positive steps that our good friends in the Arab world are making, and I do not step away from that. But this is a time, with the passage of this legislation, for Algeria and Morocco and Egypt to reject the pleas of the Khartoum government and allow U.N. peacekeepers into the Sudan. This is a time for this legislation, which was passed some months back, to be able to immediately go to the President's desk so that sanctions can go against the individuals that are perpetrating this violence. And if we could, we need to move forward on legislation that causes the divestiture, and the reason is it seems impossible for the President of Sudan, for the Khartoum government to understand the urgency and the necessity of coming to grips with an existing peace agreement that has not been implemented or enforced. People are dying. Surrounding countries are bending under the pressure, and I would simply argue vigorously that this legislation needs to be passed and moved on to the President's desk. I ask my colleagues to support it.

Madam Speaker, I rise today in strong support of H.R. 3127, which imposes sanctions against individuals responsible for genocide, war crimes, and crimes against humanity, supports measures for the protection of civilians and humanitarian operations, and supports peace efforts in the Darfur region of Sudan.

The Darfur Peace and Accountability Act of 2005, H.R. 3127, is a bipartisan effort to impose sanctions on the Government of Sudan, its officials, and the Janjaweed militia who have engaged in genocidal acts in the Darfur region of Sudan over the past 2 years.

The genocidal regime in Sudan has left 2.5 million people displaced and at least 400,000 people dead in Darfur. Due to increasing violence, 15,000 innocent civilians continue to die each month. Genocide cannot continue on our watch; the United States must move towards effective action against this most terrible crime. The United Nations Secretary General has described the situation in Darfur as "little short of hell on earth." Expert John Prendergast calls it "Rwanda in slow motion." The United States Congress and administration are on record as declaring that the atrocities being committed in Darfur, Sudan are genocide.

Until the security situation vastly improves, the people of Sudan will experience increasingly long-term adversity. Civilians can't plan

on stability in the future. They can't grow crops, or raise livestock, if there is a likelihood-not a chance, a likelihood—that roving government-sponsored militias will beat, rape, or kill them if they wander outside the protection of makeshift camps. And these government-sponsored criminals burn fields the people have managed to grow, and steal or slaughter the livestock the people have managed to keep.

Over 400,000 people have died in the Darfur conflict since 2003, with 3.5 million people driven into hunger, and another 2.5 million displaced due to violence. Imagine if the entire city of Las Vegas had perished at the hands of government-sponsored bandits, the population of Los Angeles was starving, and both the cities of Houston and Atlanta had all relocated due to conflict. The upheaval of the South after Hurricane Katrina is our closest reference to understanding the devastation Sudan is experiencing, and yet the scale in Sudan is overwhelming. We should all be quaking with anger.

Human rights are not for any government to give and take—they are inherent, self-evident, and vital, as our founding fathers understood so well. We should not be complacent when such rights are violated or refused—we must use what power we have to ensure that people are free to live and thrive safely.

We must work to deter any escalation of violence, and provide unwavering assistance to diffuse the current strife. I commend the tireless efforts of United States officials who have helped secure the Comprehensive Peace Agreement and the Darfur Peace Agreement. And yet there is much to be done, the welfare of a nation lies within our hands.

Our role is clear, and we must do what we can to alleviate the desperation of the civilians caught in the mayhem in Sudan. I urge my colleagues to support this measure.

Mr. LANTOS. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. SMITH of New Jersey. Madam Speaker, I yield myself the balance of my time.

I would like to just at this point thank the following congressional staff for their extraordinary work and persistence in shaping this bill. As my colleague from Minnesota pointed out earlier, we did mark this bill up 15 months ago in my subcommittee, and it has been a long, arduous journey to this night on this Hyde-Lantos legislation. So I want to thank Joan Collins, Gregory Simpkins, Pearl Alice Marsh, Noelle LuSane, Ian Campbell, Hannah Royal, Aysha House-Moshi, Greg Adams, Samantha Stockman, Walker Roberts, Jock Scharfen, David Abramowitz, Will Lowell.

And I hope I didn't leave anybody out because there was an extraordinary amount of give and take on this legislation. Again, some of its aspects that we would have liked to have seen dealing with disinvestment was dropped by the Senate. I think that was a setback. But it is still a very solid piece of legislation and deserves the full support of this body to advance our efforts to mitigate and hopefully end the genocide in Darfur.

This now goes to the President, as I have just been reminded, and I think he will sign it very quickly. I urge its passage.

Ms. WATERS. Madam Speaker, I rise to support H.R. 3127, the Darfur Peace and Accountability Act. This bill imposes sanctions on the government of Sudan and blocks the assets and restricts travel for individuals who are responsible for acts of genocide, war crimes or crimes against humanity in the Darfur region of Sudan.

More than 450,000 people have died since 2003 as a result of the genocide in Darfur. There are two-and-a-half million displaced people in camps in Darfur and another 350,000 in refugee camps in neighboring Chad. Almost 7,000 people are dying every month in Darfur. There can be no doubt that what is taking place in Darfur is genocide, and the government of Sudan is responsible.

Crimes against humanity in Darfur have escalated in recent months. Over 500 women were raped over the summer in one camp alone. There have been renewed attacks and aerial bombardment, and twelve humanitarian workers were killed, two of them in the last 4 weeks. If the United Nations does not intervene in Darfur now, the death toll could rise dramatically in the next few months.

Earlier this year, I visited the Darfur region with my good friend from California, Congresswoman NANCY PELOSI, and I was deeply disturbed by what I saw. As far as the eyes could see, there were crowds of displaced people who had been driven from their homes, living literally on the ground with little tarps just covering them. It is unconscionable that this should continue.

I urge my colleagues to vote in favor of this bill and take a firm stand against the crime of genocide in Darfur.

The world stood by and watched the genocide that occurred in Rwanda. The world has noted over and over again the atrocities of the Holocaust. We must take action now to prevent a repeat of these horrific chapters in human history.

Mr. LARSON of Connecticut. Madam Speaker, I once again rise in strong support of H.R. 3127, the Darfur Peace and Accountability Act. I am proud to be a cosponsor of this important legislation, and look forward to it being signed into law.

The scope of the Darfur tragedy is nothing less than horrific. As far as we know, an estimated 400,000 people are now dead and over two million have been displaced as a result of the violence. Thousands continue to die each month as a result of starvation, neglect and sickness. Unfortunately, little has changed since the House first passed H.R. 3127 in April: the Sudanese government has continued to ignore United Nations Security Council resolutions calling for the end of the conflict, the May 2006 peace agreement has largely been ignored and the violence against the people of Darfur has raged on.

As United Nations Undersecretary General for Humanitarian Affairs Jan Egeland noted in August, the situation has only gone "from real bad to catastrophic." It is therefore more important than ever that the United States provide the strong moral leadership necessary to spur the world community to act to stop the killings, kidnappings and rapes in Darfur. As our nation continues to work within the United Nations for strong international action on Darfur, passage of this bill, and its enactment into law, will send a clear message to the government of Sudan that the United States will not simply stand by as these atrocities continue.

Two years ago, this Congress and the administration declared the atrocities in Darfur to be genocide and vowed to end the ongoing campaign of violence. It is in that spirit that we must continue to work to ensure that these strong words are not empty ones, that peace can be found in Sudan, and that the people of Darfur are one day free of the threat of genocide. This bill, and the other Darfur measures that we will pass today, are small but important steps towards reaching these goals.

Mr. SMITH of New Jersey. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. DRAKE). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 3127.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

COMMENDING THE MONTENEGRIN PEOPLE ON THE REFERENDUM ON INDEPENDENCE

Mr. POE. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 965) commending the people of Montenegro on the conduct of the referendum on independence, welcoming United States recognition of the sovereignty and independence of the Republic of Montenegro, and welcoming Montenegrin membership in the United Nations and other international organizations.

The Clerk read as follows:

H. RES. 965

Whereas the Constitutional Charter of the State Union of Serbia and Montenegro established provisions and procedures for withdrawal of a member state from the State Union, providing that a decision to withdraw "shall be made after a referendum has been held";

Whereas, in accordance with Article 60 of the Constitutional Charter of the State Union of Serbia and Montenegro, the Parliament of Montenegro unanimously adopted in March 2006 the Law on the Referendum on the State Legal Status of the Republic of Montenegro, which established the conditions for the conduct of the referendum on state independence, including establishing the standard that 55 percent of voters must support independence to achieve a valid mandate;

Whereas the people of Montenegro in a popular referendum on May 21, 2006, voted to support the sovereign independence of the Republic of Montenegro from the State Union of Serbia and Montenegro by a margin of 55.5 percent in favor of independence with over 86 percent of eligible voters participating in the referendum;

Whereas, in accordance with the expressed will of a majority of the people of Montenegro, on June 3, 2006, the Parliament of Montenegro declared the independence of Montenegro, declaring that the Republic is a "multiethnic, multicultural and multireligious society . . . based on the rule of law and market economy";

Whereas countries and international organizations throughout the world, including the United States and the European Union, have formally recognized Montenegro as an independent state and are establishing diplomatic relations with Montenegro;

Whereas Secretary of State Condoleezza Rice said as she announced that the United States formally recognized the sovereignty and independence of the Republic of Montenegro that ''the honor of being counted among the free and independent states of the world brings with it the challenge of protecting and advancing the freedom, rights, and prosperity of all the people of Montenegro, and the responsibility to make a positive contribution to the community of nations'';

Whereas on June 28, 2006, Montenegro was welcomed as the 192nd member of the United Nations, on which occasion, United Nations Secretary-General Kofi Annan said: ''In achieving its independence through a nonviolent and democratic process, conducted in a fair and open way, Montenegro showed the entire world not only its patience, but its political maturity.''; and

Whereas the Republic of Serbia and the Republic of Montenegro have acted responsibly in their bilateral relationship following the decision of the Montenegrin people to withdraw from the State Union of Serbia and Montenegro: on June 15, 2006, Serbia recognized the independence of Montenegro, the two countries have established formal diplomatic relations, and the President of Serbia was the first foreign head of state to pay an official visit to Montenegro: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the people and the Government of the Republic of Montenegro for the free, fair, and responsible way in which the referendum on independence was conducted and acknowledges the broad participation of the citizens of Montenegro in that important vote;

(2) congratulates the people of Montenegro on their decision to establish an independent and sovereign state and welcomes them to the community of nations, to membership in the United Nations, to full participation in the Organization for Security and Cooperation in Europe (OSCE), and to membership in other international organizations;

(3) welcomes the decision of the United States to recognize the sovereignty and independence of the Republic of Montenegro and urges the expeditious establishment of diplomatic relations between our two countries; and

(4) urges the people and Government of Montenegro to continue to embrace the principles of democratic government and to take actions that will encourage respect for human rights, for a free market economy, and for a free, open and democratic society with full respect for all people of Montenegro.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. POE) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. POE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

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

Madam Speaker, I rise in support of H. Res. 965. This resolution was introduced by the distinguished gentleman from California (Mr. LANTOS). H. Res. 965 commends the people of Montenegro for conducting their referendum on independence and welcomes the sovereignty and independence of the Republic of Montenegro.

Madam Speaker, the former Federal Republic of Yugoslavia formally ceased to exist in February of 2003, when the Serbian and Montenegro Parliaments and the Yugoslav Federal Parliament adopted a constitutional charter creating the state union of Serbia and Montenegro. This constitutional charter of the State Union of Serbia and Montenegro established provisions and procedures for the withdrawal of a member state from the State Union, including that a decision to withdraw from the State Union of Serbia and Montenegro shall be made after a referendum has been held.

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In accordance with this constitutional charter, the parliament of Montenegro unanimously adopted, in March of 2006, the law on the referendum on the state legal status of the Republic of Montenegro which established the conditions for conducting the referendum on this state independence.

On May 21, 2006, the people of Montenegro conducted the referendum on independence and voted in favor of independence by a margin of 55½ percent, with over 86 percent of all eligible voters participating in the referendum.

And then on May 23rd, 2006, the U.N. Ambassador to Serbia Montenegro congratulated the people of Montenegro for the peaceful, democratic and transparent manner in which the referendum was carried out and stated that the United States fully supports the Organization For Security and Cooperation in Europe, referred to OSCE, and the assessment of the election which determined that the referendum was conducted in line with the OSCE and the Council of Europe commitments and other international standards for a democratic electoral process.

On June 13, 2006, Secretary of State Condoleezza Rice announced that the United States has formally recognized the Republic of Montenegro as a sovereign and independent state, following the request of its government and consistent with the provisions of the constitutional charter which establishes the state union of Serbia and Montenegro.

It is important to state for the record that the government of the Republic of Serbia has acted responsibly in accordance with the commitments following the referendum of the Montenegrin people.

On June 5, 2006, the Serbian parliament accepted the independence of Montenegro.

On June 15, 2006, the Serbian Government officially recognized the independence of the Republic of Montenegro.

Over the course of the summer, Montenegro has become a member of the United Nations and numerous international organizations and established formal diplomatic relations with countries throughout this world.

Today, it is important that the United States House of Representatives consider this resolution and recognize Montenegro's historic achievement. Madam Speaker, this resolution congratulates the people and government of Montenegro for conducting their free, fair and responsible independence referendum, welcomes Montenegro as an independent and sovereign state, and urges the people and government of Montenegro to continue to embrace the principles of democratic government, human rights and freedom.

I urge the adoption of this resolution.

Madam Speaker, I reserve the balance of my time.

Mr. LANTOS. Madam Speaker, I rise in strong support of this resolution and yield myself such time as I might consume.

Madam Speaker, Montenegro is a place of great beauty, of rugged mountains and a spectacular coast on the Adriatic Sea. Its people are warm and friendly, and they have a fascinating history and culture. I had the pleasure of visiting Montenegro on many occasions, and I find it a truly delightful place.

The people of Montenegro are fiercely independent. During the five centuries of Turkish dominance of the Balkans, from the late 1300s to the late 1800s, Montenegro was never under Turkish rule, despite repeated attempts of the Sultan to conquer the area.

At the end of World War I, an assembly of Montenegrin representatives voted to unite Montenegro with Serbia. Shortly thereafter, it became part of the Kingdom of Serbs, Croats and Slovenes, which later became known as Yugoslavia.

When Marshal Tito established the Federation of Yugoslavia in 1945, Montenegro was recognized as one of its constituent republics. In 1991, the Yugoslav Federation began to disintegrate as its republics chose independence.

For over a decade, Montenegro and Serbia continued as the Yugoslav Federation. On May 21 of this year, the government of Montenegro held a free, fair, and open referendum on the question of separating the Republic of Montenegro from Serbia.

Madam Speaker, you will be pleased to note that some 86 percent of the people of Montenegro participated in the referendum, and well over half voted in favor of independence. On June 3, the Montenegrin parliament declared the country's independence.

The United States recognized this status in June. The United Nations General Assembly unanimously accepted Montenegro as the UN's 192nd member at the end of June; and, on August 15, we established diplomatic relations with Montenegro pursuant to an exchange of letters between the Presidents of the United States and Montenegro.

Just 3 weeks ago, Montenegrins voted in their first general election since gaining their independence. A coalition headed by Milo Djukanovic took 40 seats, and it will lead the country's government.

Prime Minister Djukanovic has been the leading political figure in the country over the past decade and a half. The vote that I just referred to is important because the new parliament will draft the constitution defining the newly independent country's goals and its governmental structure.

Madam Speaker, this peaceful separation of Montenegro from Serbia is truly historic. Montenegro has demonstrated its readiness to assume the responsibilities of independence. As UN Secretary General Kofi Annan said, ''In achieving its independence through a nonviolent and democratic process conducted in a fair and open way, Montenegro showed the entire world not only its patience but also its political maturity.''

The government of Serbia also acted responsibly and maturely with regard to the independence of Montenegro. Shortly after the parliament of Montenegro declared its independence, the government of Serbia formally recognized the country, established diplomatic relations with Montenegro, and the President of Serbia, Boris Tadic, was the first head of state to pay an official visit to Montenegro.

President Tadic was our guest here in Washington just this past week, and I want to commend him for his very positive role in this singularly civilized and peaceful evolution in the Balkans.

Throughout the history of the world, Madam Speaker, we have seen much bloodshed and violence over similar situations. The peaceful, amicable separation of Montenegro and Serbia, as the earlier peaceful separation of Slovakia and the Czech Republic, have been exemplary, and all of those countries deserve our recognition and praise.

The European Commission has announced that it will open talks on closer ties between the European Union and Montenegro this month. We look forward to welcoming Montenegro into full membership into the European Union and into other international organizations. We also express the hope that the government of Montenegro and its people will continue to embrace the principles of democracy and particularly will encourage a free and open and democratic society with full respect for the human rights of all of its citizens.

Ethnic Albanians in Montenegro, with whom I have visited at length, have faced many challenges in the past. But I look forward to this newly independent state of Montenegro; and I hope it will remember its tradition as a multiethnic, multicultural and multireligious society based on the rule of law. It has the responsibility of protecting the freedom and human rights of all of its citizens.

Our resolution commends the people of Montenegro on the referendum on independence, welcomes them to the community of nations and to membership in the United Nations and welcomes the establishment of diplomatic relations between the United States and Montenegro.

I strongly support this resolution, Madam Speaker, and I urge all of my colleagues to do as well.

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

Mr. POE. Madam Speaker, I want to thank my colleague from California (Mr. LANTOS) for his leadership in this resolution; and I ask for adoption of the resolution.

Mr. SMITH of New Jersey. Madam Speaker, as one of the cosponsors, I am pleased to rise in support of House Resolution 965. The people of Montenegro deserve this commendation for the fair and orderly manner in which they achieved independence. They also deserve commendation for their patience. Many Montenegrin citizens wanted independence much earlier, but they and their political leaders understood that following a process marked by democratic norms and mutual agreement would only add credibility to the result.

A significant number of Montenegrin citizens, I should add, did not see a reason to break its ties in a state union with Serbia and voted against independence in the May referendum. To their credit, they have nevertheless accepted the result. Just last week, Montenegro held new parliamentary elections which were favorably assessed by the OSCE, indicating that the republic remains committed to democratic norms where differences of opinion will be respected.

As noted in the text of the resolution, Serbian authorities and the people of Serbia deserve some credit here as well. While many in Serbia failed to understand why Montenegro felt a need to break with Serbia, there was a willingness to work out differences and, since the May referendum, to respect the results.

Things were not always so easy. As Chairman of the Helsinki Commission, I recall holding hearings on Montenegro. At the time, this republic posed the only genuine and effective internal opposition to the regime of Slobodan Milosevic, and became his threatened next target as a result. Montenegro became a haven for those displaced by the Bosnian and Kosovo conflicts, which was very challenging given its own, small yet ethnically diverse population. For some, it continues in that role. Montenegro needed to assess its own role in the violent disintegration of the former Yugoslavia, and to rebuild good relations with its neighbors. It has done just that. The Commission has maintained a dialogue with Montenegrin political leaders over the years, held hearings on the situation in Montenegro, observed elections there and most recently observed the referendum itself. Whatever concerns have been expressed in this ongoing dialogue, we have had a serious back and forth.

It is my hope that Montenegro, as the 56th participating State in the OSCE, will remain committed to the path it has chosen, and remain engaged with the Helsinki Commission on issues of common concern. Among those issues, few are as important as trafficking in persons. This criminal activity remains a widespread problem throughout southeastern Europe, and Montenegro must endeavor to stop it. I also want to encourage Montenegro to undertake the reforms necessary, especially regarding the judicial system and other aspects of the rule of law, in order to realize its aspirations for European and Euro-Atlantic integration. The people of Montenegro can count on my support.

In closing, Madam Speaker, I think it important to note that Montenegro's independent statehood has implications not only for Montenegro but for the region as a whole. With Montenegro's independent statehood accepted and recognized, another outstanding issue has been resolved, and this time, thankfully, in a peaceful and democratic manner.

Other issues still remain, including of course the question of Kosovo's status. Some would assert that Montenegro's achievement of independent statehood is a precedent that can be easily applied to Kosovo or elsewhere. I would argue, however, that it is not the result of the process Montenegro followed but the process itself, with its commitment to democracy and respect for human rights as well as to finding the most widely acceptable arrangements through compromise, that is the true precedent here that others should follow.

Mr. POE. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. POE) that the House suspend the rules and agree to the resolution, H. Res. 965.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill and a concurrent resolution of the House of the following title:

H.R. 5074. An act to amend the Railroad Retirement Act of 1974 to provide for continued payment of railroad retirement annuities by the Department of the Treasury, and for other purposes.

H. Con. Res. 235. Concurrent resolution expressing the sense of the Congress that States should require candidates for driver's licenses to demonstrate an ability to exercise greatly increased caution when driving in the proximity of a potentially visually impaired individual.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 3679. An act to authorize appropriations for the National Transportation Safety Board, and for other purposes.

RECOGNIZING THE 185TH ANNIVERSARY OF THE INDEPENDENCE OF PERU

Mr. POE. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 940) recognizing the 185th anniversary of the independence of Peru on July 28, 2006, as amended.

The Clerk read as follows:

H. RES. 940

Whereas Peru gained independence from Spain on July 28, 1821, when the Republic of Peru was established as a sovereign and independent country;

Whereas the people of Peru have established, after a series of military and authoritarian regimes, a unique, pluralistic democracy which includes the freedoms cherished by the people of the United States, including freedom of speech, freedom of religion, freedom of association, freedom of the press, and government by the consent of the governed;

Whereas Peru regularly holds free and fair elections and promotes free exchange of ideas;

Whereas the interests of Peru and the United States are closely aligned;

Whereas the people of the United States share affinity with the people of Peru and view Peru as a strong ally;

Whereas the United States has joined Peru to promote political and economic freedoms, combat poverty, crime, disease, and drugs, and promote security, stability, and prosperity within Peru;

Whereas the bonds of association and friendship between the peoples of the two countries have been strengthened by the large number of Peruvians who have migrated to the United states where they make significant contributions to both the United States and Peru;

Whereas Peru is an integral member of the Latin American region and has been a constructive partner of the United States in fulfilling the agenda of the Western Hemisphere; and

Whereas the Peruvians and Peruvian-Americans residing in the United States have enriched and added to the United States way of life in the social, economic, and political arenas, and Peru's rich identity and heritage have become an integral part of the cultural tapestry of the United States: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the 185th anniversary of the independence of Peru;

(2) extends warm congratulations and best wishes to Peru for peace and further progress, development, and prosperity; and

(3) extends best wishes to Peruvians and Peruvian-Americans residing in the United States as they celebrate the 185th anniversary of Peru's independence.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. POE) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. POE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

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

Madam Speaker, today, I am here to recognize the government and the people of Peru as we extend our warmest congratulations to them as they celebrate their 185th year as an independent nation.

Since independence, the people of Peru have faced many problems, including economic despair, an authoritarian regime, and a violent insurgency. During the 1980s, notorious terrorist groups such as Shining Path and MRTA destabilized Peru and the entire region and spread fear among the people.

Financed in part by elicit narcotics, these terrorist groups reduced Peru to the position of the world's second largest producer of cocoa, dimming Peru's prosperous future. However, despite years of political turmoil and violent internal conflict and through the perseverance of its people, Peru was able to escape the stranglehold on its democracy and has recently blossomed into a vibrant free state. This is evidenced by the success of the recent elections in 2001 and 2006 and a growing economy.

Today, Peru shares our Nation's most treasured ideals and standards, a success story that demonstrates the power of a democracy. Peru has played a key role as a force for stabilization and peace throughout the Western Hemisphere, as well as the rest of the world.

Along with providing over 200 troops to the United Nations mission in Haiti, Peru has been a staunch supporter in the global war on terror and the fight against drug trafficking and production.

Today, farmers from Peru are beginning to cast off the specter of a narco-economy by cooperation with the United States on alternative development crops, such as Peruvian oranges and bananas.

Peru has proven to be an invaluable ally and a role model for freedom in South America as well as the rest of the world. The United States stands with them on the continued progress and development of both democracy and as a nation.

With my best wishes to the people of Peru and most sincere congratulations on the 185th anniversary of their nation's independence, I fully support H. Res. 940. I urge all colleagues to join me in recognizing the shining model of democracy, a dedicated ally on the global war on terror, and one of the United States closest friends.

Madam Speaker, I reserve the balance of my time.

□ 2030

Mr. LANTOS. Madam Speaker, I yield myself such time as I may consume, and I rise in strong support of this resolution.

I would first like to commend the efforts of my good friend and our esteemed colleague from New York (Mr. CROWLEY) for offering this timely measure. His work on Latin American issues in the International Relations Committee is greatly appreciated.

Madam Speaker, Peru has a long history as the center of cultural, political and economic life in the Andes. Before the country declared its independence from Spain in 1821, Peru served for centuries as the principal location of Spanish colonial power and wealth.

Peru's pre-colonial heritage is equally grand. The Incas built their impressive empire from Cuzco, their capital city. This empire stretched from what would become Ecuador's northern border to central Chile.

After its independence from Spain, Peru oscillated between authoritarian and democratic forms of government. Finally, in 2001, Alejandro Toledo was sworn in as President of Peru and consolidated the country's return to democracy.

The Peruvian economy grew on average by 5 percent a year since then, one of the most robust rates in all of Latin America, and foreign exchange reserves reached a record $14 billion by the end of last year.

The Toledo government is respectful of human and political rights. Nevertheless, grinding poverty still hamstrings over half of Peruvians, and the societal divide between indigenous people and those of European and mixed descent has widened.

Peru's new President, Alan Garcia, has promised to address these inequities and social cleavages. He has also embarked on a rapprochement with Chile as part of a larger effort to solidify cooperation between the like-minded nations of South America which are friendly to the United States.

Madam Speaker, I am confident that, by the time of Peru's bicentennial celebration, we and our Peruvian neighbors will enjoy one of the strongest alliances in this hemisphere, an alliance which will continue to build upon the policies of Peru's democratically elected government and the contributions of the vibrant Peruvian American community in our own country.

I strongly support this resolution and urge all of my colleagues to do so.

Madam Speaker, I have no further requests for time, and we yield back the balance of our time.

Mr. POE. Madam Speaker, I ask for adoption of the resolution. I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. POE) that the House suspend the rules and agree to the resolution, H. Res. 940, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

RECOGNIZING ACCOMPLISHMENTS OF THE AMERICAN COUNCIL OF YOUNG POLITICAL LEADERS

Mr. POE. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 430) recognizing the accomplishments of the American Council of Young Political Leaders for providing 40 years of international exchange programs, increasing international dialogue, and enhancing global understanding, and commemorating its 40th anniversary.

The Clerk read as follows:

H. CON. RES. 430

Whereas citizen-to-citizen exchanges offer unique opportunities for learning from one another about commonly-shared solutions to problems, as well as different perspectives on forms of government and the aspirations other nations have for their citizens;

Whereas the American Council of Young Political Leaders (hereinafter referred to as the ''ACYPL'') was incorporated on September 1, 1966, by young leaders to open lines of communication and increase cross cultural understanding among future generations of political leadership;

Whereas ACYPL prepares in-depth study tours for young leaders, aged between 25 and 40 years old, to give them much-needed international exposure early in their political careers;

Whereas ACYPL targets young politicians likely to assume future positions of responsibility and leadership as Federal and State legislators, mayors, city council members and other State and local elected officials, many of whom may not have previously traveled outside the United States;

Whereas ACYPL programs are strictly bipartisan: American delegates are drawn equally from both major political parties and from all 50 States; ACYPL's overseas delegations are chosen to represent the political and cultural diversity of their home countries;

Whereas every dollar ACYPL receives in Federal funding becomes about another dollar and fifty cents through cost-share, in-kind contributions and outside fundraising, making this program one of the most cost effective public diplomacy programs supported by the United States Department of State;

Whereas the ACYPL's operations have evolved from its initial focus on Western Europe where there was limited interaction between the emerging leadership in the post-World War II nations and the United States to meet the challenges and to embrace public diplomacy opportunities in a changing world;

Whereas in the ensuing decades, the ACYPL's programs have extended to 90 nations in all regions of the world, including the Middle East, sub-Sahara Africa, the Western Hemisphere, East Asia, and the Pacific Rim;

Whereas ACYPL became one of the very few organizations with which the Soviet Union agreed to conduct political exchanges during the height of the Cold War, and ACYPL launched an exchange relationship between young political leaders in the United States and China following normalization of relations in 1979;

Whereas ACYPL exchange programs have endured during times of government-to-government strain, such as with China during the hostilities in Tiananmen Square and the Hainan Island incident, with the Soviets during their war in Afghanistan, and with Venezuela today;

Whereas ACYPL maintains its legacy of exchanging with recent post-conflict nations and assembling young leaders from places that have experienced bitter conflict, including Vietnam, Northern Ireland, Pakistan and India, Israel and the West Bank, and Greece and Turkey;

Whereas since 1966, the ACYPL has produced a global network of more than six thousand alumni, a large number of whom have risen to positions of great influence in the United States and in nations around the world;

Whereas prominent American ACYPL alumni include members of the United States Congress, cabinet members, governors, United States ambassadors, and many senior level national, State, and local executive and legislative branch officials;

Whereas distinguished international ACYPL alumni include prime ministers, cabinet members, ambassadors and parliamentarians; and

Whereas ACYPL looks to the future in an increasingly uncertain world, and remains steadfast in its mission to promote understanding and cultivate lasting political, economic and cultural relationships among young political leaders and policy-makers worldwide through the regular exchange of delegations, educational forums, leadership training and ongoing dialogue: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That—

(1) Congress commends the American Council of Young Political Leaders for working for forty years to prepare young political leaders to play a leadership role in international relations and world affairs;

(2) Congress congratulates the American Council of Young Political Leaders for exemplifying a stellar example of public diplomacy that works; and

(3) Congress salutes the American Council of Young Political Leaders for being a preeminent catalyst for introducing rising political leaders and policy makers to international affairs and to each other.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. POE) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. POE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

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

Madam Speaker, H. Con. Res. 430, which was introduced by the gentleman from California (Mr. THOMAS), recognizes the 40th anniversary of the American Council of Young Political Leaders and commends it for 40 years of working to prepare young political leaders to play a leadership role in international relations and world affairs.

This council is a not-for-profit organization based in Washington, D.C., which was incorporated on September 1, 1966. Since then, it has worked to promote understanding and cultivate lasting political, economic, and cultural relationships among young political leaders and policymakers throughout the world through the regular exchange of bipartisan delegations, educational forums, leadership training and ongoing dialogue.

When this Young Political Leaders group was founded during the Cold War, its efforts initially focused on Western Europe. Over the past 4 decades, its programs have expanded to include over 90 nations throughout the world, including the Middle East, sub-Saharan Africa, the Western Hemisphere, East Asia, and the Pacific Rim.

The organization has also worked to better prepare young political leaders between the ages of 25 and 40 years old for future positions of responsibility in local, State, and Federal governments. It offers young leaders, some who may have never traveled outside the United States, the opportunity to enhance their awareness and understanding of other cultures through in-depth study tours, which are strictly bipartisan and carefully selected to represent geographical and cultural diversity.

It is important to note that every Member of Congress and all 50 Governors may nominate young political leaders as possible candidates to participate in the organization's in-depth study tours.

It has more than 6,000 alumni throughout the world, many of whom have risen to positions of great responsibility. In the United States, alumni include Members of Congress, the Cabinet, ambassadors and many senior level officials who serve in local, State and national government. Internationally, past participants of its program now serve as Cabinet members, ambassadors, parliamentarians and as other senior level policymakers.

The council's work to establish early relationships among such future leaders helps facilitate international dialogue and strengthen and promote U.S. policies and objectives. Accordingly, Congress congratulates the American Council of Young Political Leaders upon its 40th anniversary and wishes it continued success in its efforts.

Madam Speaker, I reserve the balance of my time.

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

I first would like to commend my friend, fellow Californian, chairman of the Ways and Means Committee, Congressman BILL THOMAS, for introducing this measure. I have worked with him on many different issues over the many years we have both served here, from Africa to Southeast Asia, and I am sure all of us will miss him when Congress reconvenes next January.

The resolution before the House recognizes the achievements of the American Council of Young Political Leaders, which is celebrating its 40th anniversary. BILL THOMAS has served on the board of directors of this fine organization, and we commend his leadership on behalf of ACYPL.

Madam Speaker, as the midterm election approaches, partisanship is at the extreme. But on the subject of the importance of ensuring the next generation of American political leaders, we understand that the global environment calls for us to have bipartisan support for this measure.

For 40 years, this organization has selected young political leaders in the United States, carefully balanced between Republicans and Democrats, to travel to many other nations to meet their foreign counterparts. These missions have helped young American political leaders in their understanding of the complexities of the economic, cultural and political climate of many countries and provide a global perspective for policymaking at the local, State and Federal levels.

Many of these young foreign leaders ultimately became major political figures in their home countries. The Foreign Minister of Australia is an alumnus, as are dozens of members of parliaments in many nations around the world.

I am pleased that the distinguished Ambassador of Hungary to the United States today, Ambassador Andras Simonyi, is another alumnus.

This organization is a cost-effective public diplomacy program that is sorely needed in this troubled international environment. I strongly support this resolution.

Mr. THOMAS. Madam Speaker, I rise in strong support of H. Con. Res. 430, which recognizes the 40th anniversary of the American Council of Young Political Leaders (ACYPL) and commends it for the work it has done over the past 40 years to prepare young political leaders for leadership roles in international relations and world affairs. As an alumnus of an ACYPL program and the sponsor of H. Con. Res. 430, I appreciate the House's consideration of this resolution as well as Chairman HYDE's efforts to bring it to the floor today.

When ACYPL began during the Cold War, it initially focused its efforts on improving young leaders' understanding of Western Europe. In fact, when I participated in an ACYPL program in the 1970s, I traveled to the former Soviet Union. However, as geopolitical conditions have changed over the past 40 years, ACYPL has expanded its bipartisan programs to include over 90 nations throughout the world, including the Middle East, sub-Saharan Africa, the Western Hemisphere, East Asia, and the Pacific Rim.

As technology and trade continue to advance, the world will likely become even more interconnected. Thus, the need for our young leaders to better understand foreign governments and cultures will continue to be important, along with the bipartisan international exchange programs, educational forums, and leadership training ACYPL provides to prepare young political leaders for future positions of responsibility in local, state, and federal government. Accordingly, I congratulate ACYPL on its 40th anniversary, commend it for its important work, and wish it continued success.

Mr. LANTOS. Madam Speaker, I yield back the balance of our time.

Mr. POE. Madam Speaker, I urge adoption of this House concurrent resolution, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. POE) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 430.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

COMMENDING UNITED KINGDOM FOR ITS EFFORTS IN THE WAR ON TERROR

Mr. POE. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 989) commending the United Kingdom for its efforts in the War on Terror, and for other purposes, as amended.

The Clerk read as follows:

H. RES. 989

Whereas on August 10, 2006, British police arrested 24 people for plotting to commit acts of terror on trans-Atlantic flights;

Whereas as of August 31, 2006, 12 citizens have been charged for their roles in the terror plot, including eight citizens charged with conspiracy to murder;

Whereas United Kingdom authorities acted swiftly and decisively to prevent a horrific attack on scores of innocent people;

Whereas the United Kingdom and the United States have been close allies in not only two World Wars and Operation Desert Storm, but also the Global War on Terror;

Whereas the intelligence and military communities of the United Kingdom and the United States continue to work together to win the Global War on Terror;

Whereas the threat of terrorism is a grave concern for all nations, regardless of geographical or other boundaries;

Whereas acts of terror have profoundly affected citizens across the globe, including those in Egypt, India, Indonesia, Jordan, Spain, Turkey, the United Kingdom, and the United States; and

Whereas victory in the Global War on Terror is a necessity to ensure the liberty and safety of all people: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the law enforcement authorities of the United Kingdom on their action to prevent a terrible attack from occurring;

(2) commends the intelligence community of the United Kingdom for its outstanding work in identifying the citizens seeking to carry out this plot;

(3) condemns those that would use acts of violence against innocent civilians to spread a message of hate and intolerance; and

(4) urges the allies of the United States in the Global War on Terror to remain steadfast in the execution of this important mission.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. POE) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. POE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

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

Madam Speaker, I rise in support of H. Res. 989, a resolution that I introduced that commends the United Kingdom for its efforts in the war on terror and for their work in stopping a terrorist plot in July that could have resulted in the deaths of thousands of innocent civilians.

Madam Speaker, since the attack on the United States on 9/11, the United Kingdom has been our closest ally in the war on terrorism. In this effort, there has been extremely close cooperation between American and British police and intelligence agencies.

In addition, Britain has stood side by side with us both in Iraq and in Afghanistan. The British still have more than 7,000 troops in Iraq, and 118 British soldiers have lost their lives in that war. In Afghanistan, 40 soldiers from the United Kingdom have been killed fighting the Taliban and those warlords. Currently, Britain heads the NATO-led international security assistance force in Afghanistan, and British troops have been involved in particularly heavy fighting in the southern part of Afghanistan.

In both of these countries, Iraq and Afghanistan, Britain is the largest contributor of troops of any country after the United States. The American people will not soon forget the sacrifice of our British allies in those wars.

Madam Speaker, H. Res. 989 focuses on the outstanding work of law enforcement authorities in the United Kingdom in preventing the planned terrorist attack that would have blown up in midair multiple transatlantic flights from London to the United States. This plot was thwarted by British police and intelligence officials on August 10, 2006, with the arrest of 24 people.

In addition, the resolution cites terrorism as a grave concern for all nations, regardless of boundaries, as terrorist attacks have killed innocent people in countries such as Egypt, India, Indonesia, Jordan, Spain, Turkey and, of course, the United Kingdom and here in the United States.

Britain has been a close, long-time friend of the United States, and now they are standing with us in the war against terrorism. It is entirely appropriate for the House of Representatives to recognize their friendship and contribution in this war.

This resolution was approved unanimously by the Subcommittee on Europe and Emerging Threats of the House International Relations Committee on September 20. I would like to thank the subcommittee chairman, Chairman GALLEGLY, and the International Relations Committee chairman, Chairman HYDE, for moving this

resolution very quickly through the committee, and I urge its passage by the full House.

Madam Speaker, I reserve the balance of my time.

□ 2045

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

Madam Speaker, I want to commend my good friend from Texas, a distinguished member of the International Relations Committee, for presenting this resolution, and I want to echo his words.

The United States and the United Kingdom are the closest of allies for a reason: We share an unshakeable commitment to freedom and democracy. As the successful British action against the recent terrorist plot demonstrates, we also share a deep conviction that we must remain constantly vigilant against those who seek to destroy our way of life through violence and terrorism.

I urge all of my colleagues to support this resolution.

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

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

Madam Speaker, I appreciate the support of my good friend from California (Mr. LANTOS).

Madam Speaker, Winston Churchill once said that the United Kingdom and the United States are two people separated by a common language. As that may be true, we are not separated but united in our determination and we speak in concert in our mission, to win this war on international terrorism.

To the people of the United Kingdom, we, as Americans, are very grateful for their support.

Madam Speaker, I urge passage of this resolution.

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise today in support of H. Res. 989, commending the United Kingdom for its efforts in the War on Terror, and for other purposes.

United Kingdom and the United States have been close allies in not only two World Wars and Operation Desert Storm, but also the Global War on Terror. We are cousins and we are friends, with a common history and common cause.

On September 11, 2001, the United Kingdom reached out to us in sympathy and friendship, and joined us in facing the emerging threat of religious fundamental extremism.

Sadly, on July 7, 2005, we reached out in turn as Britain suffered a terrorist attack on its London Underground and a bus, killing 56 people including four suicide bombers. As they suffered, so did we suffer, remembering the pain and confusion, the shock and the remorse.

We have struggled to find sound policy to protect our homelands, and have stood shoulder to shoulder to develop effective strategies. Though we earn the criticism of many nations, including that of the United Kingdom, the conversation remains honest and open.

The averted threat this past summer in fact illustrates the necessity of a global strategy, as well as the partnership of the United States and the United Kingdom.

On August 10, 2006, British police arrested 24 people for plotting to commit acts of terror on trans-Atlantic flights with the help of the Pakistan Government. As of August 31, 2006, 12 citizens have been charged for their roles in the terror plot, including eight citizens charged with conspiracy to murder. This is only the latest demonstration that terrorism is not restrained by borders. Our gratitude for this heroic and brave effort can only be expressed in our ongoing perseverance and commitment to eradicating threats such as these.

We are brothers in arms, united by history and by creed. I wish the same blessings for the United Kingdom as I do for our own nation—safety, security, prosperity, and wisdom to make decisions that are forward thinking, democratic, and just.

I urge my colleagues to support this resolution, and honor the accomplishments of the United Kingdom in the War on Terror.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. POE) that the House suspend the rules and agree to the resolution, H. Res 989, 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. POE. Madam 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.

AFFIRMING SUPPORT FOR THE SOVEREIGNTY AND SECURITY OF LEBANON AND THE LEBANESE PEOPLE

Mr. ISSA. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1017) affirming support for the sovereignty and security of Lebanon and the Lebanese people, as amended.

The Clerk read as follows:

H. RES. 1017

Whereas Lebanon's remarkable Cedar Revolution led to the withdrawal of Syrian occupation troops in April 2005, the most significant step toward true Lebanese independence and sovereignty since the outbreak of civil war in 1975;

Whereas the Cedar Revolution reached a dramatic crescendo on March 14, 2005, when one million Lebanese demonstrated in Beirut's Martyrs Square demanding freedom and independence and an end to the Syrian occupation;

Whereas true Lebanese independence and sovereignty was not fully achieved even after the Syrian troop withdrawal for many reasons, including especially the apparent ongoing presence of Syrian security personnel in Lebanon, an ongoing assassination campaign against Lebanese public figures who oppose appeasement of Syria, and Hizballah's control and militarization of southern Lebanon;

Whereas, on August 12, 2006, during the fighting between Israel and Hizballah, the Government of Lebanon for the first time in decades called for the deployment of the Lebanese armed forces throughout Lebanese territory ''such that there will be no weapons or authority other than that of the Lebanese state'';

Whereas United Nations Security Council Resolution 1701, which ended the fighting, authorizes an enhanced United Nations Interim Force in Lebanon (UNIFIL) to ''accompany and support the Lebanese armed forces as they deploy throughout the (Lebanese) South'', a process which is currently underway;

Whereas UNSCR 1701 also calls for the enhanced UNIFIL force, at the ''request'' of the Government of Lebanon, to assist the Government of Lebanon ''to secure its borders and other entry points to prevent the entry in Lebanon without its consent of arms or related materiel'';

Whereas the Lebanese armed forces are inadequate to the task of interdicting arms-smuggling along the Syrian border without the assistance of an international force;

Whereas the Government of Lebanon has not yet requested the assistance of the enhanced UNIFIL force on the Syrian border;

Whereas Syria is trying to intimidate Lebanon from requesting UNIFIL assistance on the border, with threatening statements such as the Syrian leader's warning that such deployment would be deemed ''hostile''; and

Whereas it is manifestly in the interests of the international community, which seeks peace and stability in the Middle East, to support the full sovereignty and security of Lebanon: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the many Lebanese who continue to adhere steadfastly to the principles of the Cedar Revolution;

(2) commends the democratically-elected Government of Lebanon for its critical and courageous decision to deploy the Lebanese armed forces, for the first time in decades, to Lebanon's border with Israel;

(3) affirms that the clear intention of the international community, as expressed in United Nations Security Council Resolution 1701, is that the flow of weapons to Hizballah should cease and that Hizballah should be disarmed;

(4) calls on all countries, and particularly countries through which Iranian-supplied materiel passes en route from Iran to Hizballah, to take every possible measure to prevent the transfer of arms to Hizballah, so as to contribute to the stability of Lebanon and of the region and to the enforcement of the sovereignty of the Government of Lebanon over its own territory, as required by UNSCR 1701;

(5) calls on the international community to monitor the compliance of Iran and Syria with the arms embargo on Hizballah, as these two countries are the principal suppliers of weaponry to Hizballah;

(6) calls on Iran and Syria to cease supporting Hizballah with funds and arms;

(7) condemns Syria's ongoing overt and covert campaign of intimidation against Lebanon;

(8) condemns the Syrian leader's outrageous claim that the deployment of international peace-keeping forces on the Lebanese-Syrian border would be ''hostile'' against Syria;

(9) urges the Government of Lebanon to request without delay international assistance including, but not limited to, military forces, as needed, on the Lebanese border with Syria so as to prevent the re-supply of weapons to Hizballah and to ensure the full

implementation of all aspects of UNSCR 1701 in spirit and intent, as well as in letter;

(10) urges that such international assistance not impede commercial, non-military trade between civilians on both sides of the border;

(11) believes that without such international assistance on the Lebanese border with Syria another Hizballah-provoked war will break out with horrendous consequences for the people of Lebanon, Israel and the entire region;

(12) pledges support for the democratically-elected Government of Lebanon and the Lebanese people against Syria's campaign of intimidation; and

(13) re-affirms its strong support for Lebanon's independence and for the full sovereignty of the Government of Lebanon over Lebanese territory, through the instrument of the Lebanese armed forces.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ISSA) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ISSA. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on the resolution under consideration.

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

There was no objection.

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

Madam Speaker, I rise in strong support of the amended version of House Resolution 1017, introduced by my colleague and friend, Mr. LANTOS, which affirms support for the sovereignty and security of Lebanon and the Lebanese people.

Madam Speaker, what this resolution now does is urge the government of Lebanon to request assistance from the international community for military and other forms of support in securing their border with Syria in order to end the flow of weapons to Hezbollah.

I want to thank Chairman HYDE for playing an instrumental role in negotiating language that addresses these concerns and enables the government of Lebanon to engage with and work closely with the international community so as to prevent another crisis in the region.

The resolution recognizes the courageous efforts made by many Lebanese in their independent uprising on March 14, 2005, and commends the democratically elected government of Lebanon for their ongoing efforts to restore sovereignty and security throughout its territory.

Despite the remarkable achievements of the Cedar Revolution, the government of Lebanon continues to experience challenges to its rule and sovereignty. Targeted killings of public figures and the recent conflict between Hezbollah and Israel illustrate the dangers of Lebanon's inability to control its borders and to provide sovereign support for all of its people. The war between Israel and Hezbollah was not a war between Lebanon and Israel, but it was a war all the same that Lebanon felt.

Tonight, with this resolution, we are providing the encouragement and support to ensure that Lebanon is able to assert its sovereignty and, as such, assert its ability to live in peace with its neighbors.

Madam Speaker, there is no greater role this Congress can play than to send a message, as we are here tonight on a bipartisan basis, to the people of Lebanon that their democracy, founded in 1943 and reestablished less than a year and a half ago, is a priority of this Congress and that we will stand in support of the Lebanese people and a democracy.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, this legislation would not be before the House today without the strong support of the chairman of the International Relations Committee, my good friend HENRY HYDE. I also appreciate the support of our colleagues, ILEANA ROS-LEHTINEN and GARY ACKERMAN, the Chair and ranking member of the Middle East Subcommittee; and I want to express special appreciation to my friend Congressman DARRELL ISSA, whose work on this resolution has been so important and so valuable.

Madam Speaker, just a few short weeks ago, upon the announcement of the cease-fire, I stepped off an American military helicopter that took me directly from the island of Cyprus onto the grounds of the U.S. embassy in Beirut. Coincidentally, this was the 50th anniversary of my first visit to Lebanon, during which I had the pleasure of attending a Shakespeare festival at the ruins of Baalbak. Our ambassador took me to see the top leaders of Lebanon to discuss the path forward on reconstructing that war-torn land and freeing it from the stranglehold in which Hezbollah has held it for far too many years.

Madam Speaker, I was shaken by what I discovered. In my view, the Lebanese government fully understands that the flow of weapons from Syria and Iran to Hezbollah must end or they will once again find their nation at war not of their own making. But at the same time, without a word being said, I was left with the distinct impression that the Lebanese leaders are petrified of what may happen if they finally confront Syria's dictator in Damascus. A bold decision to ask for international troops to put a full stop to the deadly arms flow to Hezbollah could launch yet another round of Syrian-sponsored political assassinations and other bloody attempts to destabilize Lebanon.

Madam Speaker, with the passage of this singularly important resolution, Congress is asking Lebanon's leaders to make a brave and courageous decision to ask the international community to deploy a robust international force to the Lebanon-Syria border to stop the flow of weapons to Hezbollah. We are being equally as clear that the United States is ready to pledge its wholehearted support for the Lebanese people against Syria's campaign of appalling intimidation.

It is not in Lebanon's interest nor that of civilization as a whole to accept a world in which terrorist bands can trigger cross-border conflicts in violation of international law, and there will never be real democracy or sovereignty in Lebanon as long as Hezbollah is armed.

Let's review for a minute how this whole conflict got started. Hezbollah terrorists, probably acting at Iranian behest, killed three Israeli soldiers and kidnapped two others. As we meet here tonight, the hostages remain in captivity. No representatives of the Red Cross have been allowed to visit them. And nobody even knows where they are, except the thugs who snatched them from their country's sovereign soil.

The U.N. Security Council resolution ending the conflict is intended to prevent such aggression in the future, and the full deployment of the Lebanese armed forces to their country's southern border for the first time in decades is a long overdue and welcome development. A 15,000 troop international force to assist in patrolling that border is a positive step forward.

But the new security regime is far from perfect. It leaves far too much to the discretion of a weak Lebanese government and the too easily intimidated Lebanese military. For example, the international force will take no action against Hezbollah unless it is requested to do so by the Lebanese military. It is self-evident, Madam Speaker, that these rules of engagement will have to be reexamined and strengthened.

But the most obvious flaw in the U.N. mandate is that it doesn't require an international force on Lebanon's border with Syria. It is left up to the Lebanese government to request such a force, something that causes Beirut to quake in its boots because of Syrian threats.

Madam Speaker, Hezbollah's missiles and other major weapons come from Syria and Iran; and virtually all of them are smuggled in via Syria. To keep those weapons out of its house and out of Hezbollah's hands, Lebanon must hermetically seal its border to military trade. Until that time, we will face the resupply of weapons to Hezbollah and the near certain renewal of hostilities. Let me be clear, Madam Speaker. Unless international troops are on the Syrian border, the conflict between Hezbollah and Israel will flare again.

Iran, Syria and their Hezbollah surrogates don't miss a minute of sleep caring about peace in the region or

Lebanese sovereignty. They care only about increasing their own power, creating instability and destroying the State of Israel. Syrian President Bashar al-Assad, whose primary instrument of diplomacy toward Lebanon is assassination, has said that he would consider an international force deployment on the Lebanese-Syrian border a ''hostile'' act.

To buck up the Lebanese government against Syria's threats, our resolution pledges U.S. support for Lebanon against Syria's campaign of intimidation. Our resolution also commends the Lebanese government for its courageous decision to deploy Lebanese armed forces, along with UNIFIL, on its border with Israel, the first such Lebanese deployment in decades.

Madam Speaker, this can be a watershed moment for the Middle East. The Lebanese and their government can achieve true independence and sovereignty. If they bring in an international force that can help seal the Syrian border, they will not only achieve those goals, they will usher in a new era of stability with their neighbors, and all of us then will have taken a giant stride toward Middle East peace.

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It is up to the leaders in Beirut to display the necessary courage, and it is up to us to support them when they do so. I urge all of my colleagues to endorse both of these critical forces of action by supporting this resolution.

I yield back the balance of my time.

Mr. ISSA. I will close by noting that this is a very special evening tonight in this resolution. There are only four Arab American Members of Congress, CHARLES BOUSTANY, RAY LAHOOD, NICK RAHALL, and myself. It is uncommon for the kind of bipartisan support between all of us to come together on something. But the importance of Lebanese sovereignty and of a stable Lebanese democracy bring us together, and they are all cosponsors of the bill along with the gentleman, Mr. LANTOS.

In listening to Mr. LANTOS, I have to say that never before have the two of us agreed so much on what must be done. The only thing that I noted when he was talking about the borders between Lebanon and Syria was that even today there are borders between Lebanon and Syria that have never been identified under an international law, and that is something, too, that a sovereign, stable, and able to enforce its own borders Lebanon would quickly be able to go to the United Nations and assert its fair international border; and I look forward to that.

Last, in closing, I share with the gentleman from California and all the Members of Congress the call that he made for the return of the hostages taken from Israeli sovereign territory that in fact began the conflict that we are today trying to end forever by establishing a sovereign Lebanon, and part of that sovereignty will be to ensure that those Israeli soldiers are returned from Lebanon back to Israel, to their parents, to their families.

Mr. LAHOOD. Mr. Speaker, I recently traveled over the Labor Day Weekend to Lebanon and Israel. I traveled with two other Members of Congress. Our purpose was to assess the political and economic situation in both countries.

We spent a full day on Saturday in Beirut. We were immediately struck by how few people were in the shops and cafes and very little traffic on the streets of Beirut. We visited the Jounie area which is north of Beirut to inspect a bridge that was destroyed. The neighborhood that we visited was a very peaceful residential area where there seemed to be no presence of Hezbollah. The bombing of the bridge completely cut off transportation for people from the north to travel to Beirut. It was estimated to take one year and $20 million to repair. This seemed to be an example of the extreme and uncalled bombing by Israel in a peaceful residential area. The outbreak of military hostilities between Israel and Hezbollah has had a profound negative impact on tourism and the overall economy of Lebanon. The internal Lebanese situation was problematic even before the current military crisis began. Prime Minister Siniora's government, elected last year, has been struggling to establish a new stable political order following the assassination of former Prime Minister Rafic al Hariri. The majority of Lebanon's Shia population is still pro Syrian. By contrast the Druze and Sunni, as well as much of the Christian communities are likely to maintain a broadly anti-Syrian stance. The President of Lebanon, Emile Lahoud is tied closely to Syria and unable to offer any strong leadership. The Speaker of the Parliament Nabih Berri is also close to the Hezbollah Leader Hassan Nasrallah. This leaves Prime Minister Siniora on his own in efforts to develop relationships with the world community to assist with funding. President Bush's $230 million commitment to Lebanon to assist with rebuilding plus Secretary Rice's visit to Lebanon has enabled Prime Minister Siniora to raise over $900 million for humanitarian and rebuilding funds. It is absolutely imperative that 15,000 Lebanese troops be deployed to Southern Lebanon. Also, the deployment of United Nations troops along the Syrian border is critical to prevent Iran and Syria from rearming Hezbollah.

Our visit to Israel was highlighted with meetings with the American Ambassador, the Deputy Prime Minister and Minister of Foreign Affairs Tzipi Livni, plus meetings with the Israeli government equivalent of our CIA and FBI. A new government under the Kadima party (forward) and headed by Prime Minister Ehud Olmert was elected following the grave illness of Ariel Sharon. Prime Minister Olmert has been weakened and is falling in the polls for his handling of the attack on Hezbollah. Prime Minister Olmert is dealing with several internal issues including problems along the Gaza Strip and West Bank; a very weak Palestinian Authority; and fiscal and budget issues that affect the economy. In our meeting with Foreign Affairs Minister Livni she made it very clear that Israel will continue to do all it can to assist with the implementation of U.N. Resolution 1701. Minister Livni said that she believes that Lebanon is the one Arab country in the region that Israel had confidence could become partners in the war against terror and had the potential along with Israel to stabilize the region. She also stressed that much work had to be accomplished by Lebanon to reach this goal.

My own view of the situation having been in the region for four days is that Prime Minister Siniora is doing all he can to stabilize Lebanon. He is a man of great confidence and integrity. I believe he will be successful in meeting many of his goals. I also believe Israel is committed to implementing U.N. Resolution 1701 and developing opportunities to work with Lebanon to secure the Lebanese and southern border. The lifting of the blockade against ships entering the Lebanese ports which was announced upon our return to Washington is an example of this commitment and will go a long way to solving some of the serious economic problems in Lebanon. These ships off the Lebanese shore will now be inspected by officials of the German, Italian, and French governments. These inspectors will prevent Iran from shipping arms through the Lebanese ports. Obviously Iran is creating much of the backdrop, encouragement and arms for what has taken place between Lebanon and Israel. However, between the shared goals of Lebanon and Israel to stop Iran's progress I feel this can be accomplished. It is a long road ahead but I sense an air of optimism from both sides.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 1017, affirming the sovereignty and security of Lebanon and urging the government of Lebanon to request a robust international force deployment on its border with Syria to prevent the re-supply of weapons to Hezbollah.

I have long been an advocate for a secure and sovereign Lebanon. I believe that the democratic government of Lebanon is one of the most important democracies in the region, which warrants our recognition and protection.

The remarkable Cedar Revolution led to the withdrawal and end of the Syrian military's occupation of Lebanon, which had lasted three decades. This was a significant step toward Lebanese independence and sovereignty since the outbreak of civil war in 1975. However, the presence of Syrian security personnel in Lebanon continues as does Syrian economic and military support to Hezbollah.

During the conflict between Israel and Lebanon, the government of Lebanon called for the deployment of Lebanese armed forces throughout Lebanese territory. U.N. Security Council Resolution 1701, which ended this conflict, authorized an enhanced U.N. Interim Force in Lebanon (UNIFIL) to accompany and support the Lebanese armed forces as they deploy throughout the south of Lebanon.

U.N. Security Council Resolution 1701 also calls for the enhanced UNIFIL force to, at the request of the Lebanese government, assist Lebanon in securing its borders and other entry points to prevent the entry of arms or related materials without Lebanon's consent. I agree with this Resolution's urging the Lebanese government to request from UNIFIL a robust international force deployment on Lebanon's border with Syria so as to prevent the re-supply of weapons to Hezbollah and to ensure the full implementation of U.N. Security Council Resolution 1701.

Mr. Speaker, it is clear that the Lebanese armed forces need the assistance of an international force in order to adequately interdict arms-smuggling along the Syrian border. Although the government of Lebanon has not

yet requested this assistance on the Syrian border from UNIFIL, they may have been discouraged by statements from Syria's President claim that he would consider the deployment of international force deployment on the Lebanese-Syrian border a "hostile" act. I believe that such a UNIFIL force on the Lebanese-Syrian border is manifestly in the interests of Lebanon and the international community, which seek the full sovereignty and security of Lebanon, and peace and stability in the Middle East.

This is a defining moment in Lebanon's history. We must have and exercise the moral courage necessary to bring peace, stability, and justice to this troubled region of the world. The best way to honor the innocent victims of past conflicts in the Middle East is to ensure similar conflicts do not occur in the future. I urge my colleagues to support this important resolution, and I encourage continued humanitarian aid for the people still suffering in the region.

Mr. ISSA. I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SCHWARZ of Michigan). The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and agree to the resolution, H. Res. 1017, 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. LANTOS. 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.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, September 20, 2006.

Hon. J. DENNIS HASTERT,
Speaker of the House, House of Representatives, H–232 The Capitol, Washington, DC.

DEAR MR. SPEAKER: Enclosed please find the resolutions approved by the Committee on Transportation and Infrastructure on September 20, 2006, in accordance with 40 U.S.C. §3307.

Sincerely,

DON YOUNG,
Chairman.

LEASE—PEACE CORPS, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 238,708 rentable square feet for the Peace Corps, currently located at 1111 20th St., NW., Washington, DC, 2001 L St., NW., Washington, DC, and 1525 Wilson Boulevard, Arlington, Virginia, at a proposed total annual cost of $11,219,276 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—DRUG ENFORCEMENT ADMINISTRATION, LOS ANGELES, CA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 167,754 rentable square feet and 442 inside parking spaces for the Drug Enforcement Administration, currently located at the Roybal Federal Building-Courthouse, 255 East Temple Street, Los Angeles, CA, at a proposed total annual cost of $6,710,160 for a lease term of 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

AMENDED PROSPECTUS—LEASE, INTERNAL REVENUE SERVICE, PHILADELPHIA, PA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 862,692 rentable square feet and up to 1,200 parking spaces (and up to an additional 400 spaces for up to 5 years) for the Internal Revenue Service, currently located at multiple locations in the Philadelphia region, at a proposed total annual cost of $32,256,912 for a lease term of 20 years, a prospectus for which is attached to and included in this resolution. This resolution amends the Committee resolution dated October 26, 2005, authorizing a lease up to 862,692 rentable square feet and 1,800 parking spaces for the Internal Revenue Service in Philadelphia, PA, at a proposed total annual cost of $29,202,124 for a lease term of 20 years.

Approval of this resolution constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Approval of this resolution constitutes authority, in the event the General Services Administration is unable to secure a lease agreement with the United States Postal Service, to conduct a competitive procurement for an alternate facility in the City of Philadelphia for the same maximum rentable square footage, rental rate, lease term, and number of parking spaces included in the prospectus.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

ALTERATION IN LEASED SPACE—INTERNAL REVENUE SERVICE, CITRUS HEIGHTS, CA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the alteration of leased space, located at 6501 Sylvan Road, Citrus Heights, California, for backfill by the Internal Revenue Service, at a design and review cost of $406,000, a management and inspection cost of $339,000, and an estimated construction cost of $4,455,000, for an estimated total project cost of $5,200,000, for which a prospectus is attached to, and included in, this resolution.

AMENDED PROSPECTUS—ALTERATION, U.S. POST OFFICE AND COURTHOUSE BUILDING, PITTSBURGH, PA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, additional appropriations are authorized for the alteration of the U.S. Post Office and Courthouse Building in Pittsburgh, PA, at a design and review cost of $4,543,000, a management and inspection cost of $4,482,000, and an estimated construction cost of $80,466,000, for an estimated total project cost of $89,491,000, for which a prospectus is attached to, and included in, this resolution. This resolution amends Committee resolutions dated November 7, 2001, June 21, 2000, and June 25, 1998.

ALTERATION—EISENHOWER EXECUTIVE OFFICE BUILDING, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the alteration of the Eisenhower Executive Office Building in Washington, DC, at a design and review cost of $3,500,000, a management and inspection cost of $2,300,000, and an estimated construction cost of $25,291,000, for an estimated total project cost of $31,091,000, for which a prospectus is attached to, and included in, this resolution.

AMENDED PROSPECTUS—SITE AND DESIGN, U.S. BORDER STATION, MADAWASKA, ME

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized to meet expanded scope requirements including additional site area, site development and design of the U.S. Border Station project in Madawaska, ME, a 39,211 gross square foot facility on a 13.32 acre site with 48 outside and 5 inside parking spaces, at an additional site and design cost of $17,160,000 (site and design cost of $1,760,000 were previously authorized), management and inspection cost of $4,186,000, and an estimated construction cost of $36,411,000, for a combined estimated total project cost of $59,517,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends a Committee resolution dated July 21, 2004.

AMENDED PROSPECTUS—SITE AND DESIGN U.S. BORDER STATION ALEXANDRIA BAY, NY

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized to meet expanded scope requirements including additional site area, site development and design of the U.S. Border Station project in Alexandria Bay, NY, 138,517 gross square foot facility on a 59.9 acre site with 120 outside parking spaces, at an additional site and design cost of $11,676,000 (site and design cost of $8,884,000 were previously authorized), management and inspection cost of $17,050,000, and an estimated construction cost of $136,396,000, for a combined estimated total project cost of $174,006,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends a Committee resolution dated July 21, 2004.

AMENDED PROSPECTUS—SITE AND DESIGN, U.S. BORDER STATION DERBY LINE, VT

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized to meet expanded scope requirements including additional site area, site development and design of the U.S. Border Station project in Derby Line, VT, a 51,159 gross square foot facility on a 23.25 acre site with 8 inside and 100 outside parking spaces, at an additional site and design cost of $2,880,000 (site and design cost of $4,270,000 were previously authorized), management and inspection cost of $3,740,000, and an estimated construction cost of $26,519,000 (estimated construction cost of $6,120,000 were previously authorized), for a combined estimated total project cost of $43,529,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends a Committee resolution dated July 21, 2004.

AMENDED PROSPECTUS—SITE AND DESIGN, U.S. BORDER STATION, WARROAD, MN

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized to meet expanded scope requirements including additional site area, site development and design of the U.S. Border Station project in Warroad, MN, a 50,120 gross square foot facility on a 10.44 acre site with 5 inside and 22 outside parking spaces, at an additional site and design cost of $2,496,000 (site and design cost of $1,837,000 were previously authorized), management and inspection cost of $3,798,000, and an estimated construction cost of $35,664,000, for a combined estimated total project cost of $43,795,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends a Committee resolution dated July 21, 2004.

DESIGN—DONNA-RIO BRAVO PORT OF ENTRY, DONNA, TX

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the design of a border station in Donna, Texas, of 170,528 gross square feet with 112 outside parking spaces, at a design cost of $3,726,000, for which a prospectus is attached to, and included in, this resolution.

There was no objection.

MILITARY TRIBUNALS

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

Ms. FOXX. Mr. Speaker, I rise today to highlight the hypocrisy of the Democrats and their so-called agenda for the war on terror. They have said much, yet done nothing; and actions speak louder than words.

One of the most critical programs in winning the global war on terror is military tribunals for known and suspected terrorists. Military tribunals for enemy combatants are commonsense justice and need to be instituted for just this reason.

Under the Uniform Code of Military Justice, terrorists would be allowed the opportunity to mount a full defense, certain statements obtained through interrogation would not be admissible, and they would be provided a defense counsel, one with clearance to review classified information on the terrorists' behalf.

But to afford terrorists the rights to review classified information for their defense is irresponsible and would only put our troops in jeopardy. I was shocked to learn that when the U.S. Supreme Court handed down its Hamdan ruling, providing foreign terrorists the same rights and privileges as Americans tried by a jury composed of the very people they want to kill, the Democratic leadership hailed this as a ''triumph for the rule of law.''

Mr. Speaker, giving the President the authority and legal framework for trying known and suspected terrorists must be granted if we are serious in bringing terrorists to justice and winning the global war on terror.

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.

DROUGHT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nebraska (Mr. OSBORNE) is recognized for 5 minutes.

Mr. OSBORNE. Mr. Speaker, I would like to show three drought monitors that have occurred in recent years. The first one actually is a drought monitor for August of 2002, and of course the brown and the red areas show extreme drought; yellow is fairly severe.

You see most of the western United States was engulfed in a drought in 2002. Now we look fast forward to September of 2006, this month, and we see much the same picture: many of the same States, Texas, Oklahoma, Kansas, Nebraska, Wyoming, South Dakota, New Mexico, Arizona on up into North Dakota. So, Mr. Speaker, what we are looking at now is the sixth year of severe drought in essentially the same parts of the United States.

So this cumulative drought, in many cases by most estimates surpasses the Dust Bowl years of the 1930s in terms of its severity. We don't have top soil blowing away like we had in 1930s because we put in some conservation practices, we don't have as much exposed ground. But by the same token, the impact on agriculture has been much the same as it was during that devastating period in the 1930s.

The precipitation levels over the last several years have been remarkable. These are some cities in the State of Nebraska, and the precipitation you see here, Grand Island, Nebraska minus 27 inches, Hastings minus 27, Carney minus 27, and on and on. And this is true not just of Nebraska, but all of the cities and communities in this area.

So we have seen the ground water levels in many cases declining. Reservoirs are now 15 to 25 percent full where they normally would be this time of year 50, 60, 70, sometimes 80 times full. Our pastures are burned up, so right now in the feed lots we have 15 to 20 percent more cattle than we normally would have at this time of year because there are no pastures to graze so the ranchers have had to put their cattle in feed lots so they can be fed and not have to graze out on those pastures already burned up.

Many would say, well, you have crop insurance, so why don't you rely on that? Well, the problem is that for each year of drought, it reduces the amount of production that a farmer has, and each year that production goes down means that they can purchase less crop insurance. So after 5 or 6 straight years, you are now able to purchase much less crop insurance than you could 5 or 6 years ago. So as a result, the insurance is not adequate. And of course everyone understands, most people know that most livestock producers have no crop insurance, they have no safety net. So the livestock people are truly suffering at this point.

So we had some drought assistance in the years 2002, 2004, we had some offsets, we were able to get it from the Conservation Security Program. That offset is no longer available. So we are in really tough shape. We are scratching and looking for someplace to get some drought assistance.

Mr. Speaker, I think everyone realizes that for natural disasters, whether it be a wildfire, whether it be a Hurricane Katrina, hundreds of millions of dollars, billions of dollars actually, floods, tornadoes, earthquakes, we as a Nation respond very quickly. But a drought is something that is ongoing. It is slow, it is assumed that it is not quite a natural disaster, and yet these people are suffering every bit as much as those who have suffered an earthquake, a fire, a flood.

So we urge that the House take a look at this. We think that this is important, we think that time is running out, and we urge close scrutiny by Members of the House and the Senate as well to see if we can't do something before this year is out to help this situation that is in extremely severe drought.

DR. GIRIJA ROY

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. Mr. Speaker, I rise this evening to honor a dear friend, the late Dr. Girija Roy. I want to honor Dr. Roy as a man who exemplified the realization of the American Dream. With his passing, the Indian American community is devoid of one of its finest citizens.

Mr. Speaker, the many accomplishments Dr. Roy achieved over the course of his lifetime serve as a testament to his unwavering commitment to the service of others.

Dr. Roy was born in Kothwan, a small village in the Indian state of Bihar. In 1971, after earning his degree from Ranchi Veterinary College, he immigrated to the United States with a mere $7 in his pocket. He found employment with the American Society for the Prevention of Cruelty to Animals in New York.

After his successful completion of an equivalency examination, Dr. Roy was hired by the Rahway Animal Hospital in New Jersey. In 1977, he purchased that same hospital. He would later acquire two additional veterinary hospitals in New Jersey and established the Central Jersey Emergency Clinic, an after-hours emergency room for animals.

Mr. Speaker, Dr. Roy's son Pryia fondly conveyed his deep love for animals, stating that he believed ''animals were capable of bringing joy to a person that humans cannot.'' His professional life was dedicated to the care of the countless animals that visited his hospital as well as providing comfort to their owners.

Mr. Speaker, I want to mention that Dr. Roy's commitment to service existed throughout his personal life. He was the head of the Bihar Jharkhand Association of North America called B–JANA. In 1999, under his leadership, B–JANA was able to raise a significant sum for the widows of India's Kargill War. Later that year, the Orissa Cycle ravaged India, resulting in a great loss of human life and property, and, again, B–JANA willingly lent a hand by collecting clothes for the survivors of the disaster.

I mention B–JANA, but that was just the beginning of Dr. Roy's involvement in numerous social and political activities both within the Asian Indian community as well as mainstream America. He was a regular at Indian cultural festivals such as Navratri and Devali that occur this time of year. He became very much involved in the political empowerment of the Indian community in central New Jersey, the effort to register voters, run Indian Americans for political office, and get young Indian Americans involved in politics.

Dr. Roy always felt that Indian Americans like himself, who were enormously successful in the United States, should give something back to the community, and he was generous both with his time as well as financially. I can't emphasize enough how much he influenced me and made me understand how important it was to give back. And he, of course, always was there when I needed help both politically as well as personally.

Although I am deeply saddened by Dr. Roy's death, I am grateful for the opportunity to have known a man of such great character. He was equally as passionate about providing assistance for those in need halfway around the world in his native India as he was comforting a worried pet owner sitting in the waiting room of one of his New Jersey animal hospitals.

Dr. Roy was a true humanitarian whose work has touched the lives of countless people, and with his passing we have all suffered a great loss.

□ 2115

HOOPS FOR HOPE

Mr. HULSHOF. Mr. Speaker, I rise to take my Special Order at this time.

The SPEAKER pro tempore. Without objection, the gentleman from Missouri is recognized for 5 minutes.

There was no objection.

Mr. HULSHOF. Mr. Speaker, I wish to report upon a recent event which was refreshingly bipartisan that succeeded in advancing humanitarian causes and personal fitness, all in the same event. There were no political speeches. It was simply a group coming together from different political perspectives. I am speaking of the eighth annual Hoops For Hope, the intense athletic contest between select Members of this venerable institution and a representative team from the seemingly infinite number of registered lobbyists.

Our bipartisan bicameral group of eight, small in size and stature, took the court against an all-star team of superior athletes. On paper, Mr. Speaker, my colleagues, our undermanned, overmatched band, should have never even been in the same building as our foe. But as they say on ESPN SportsCenter, that's why they play the game.

Suffice it to say that this impressive and gleaming trophy suggests the outcome of the game. Yes, we Members defeated the lobbyists 44–39.

But the true winners are the kids of the D.C. area and beyond who will benefit through three extremely worthwhile charities: Hill Help, Horton's Kids, and the Luke Tiahrt Foundation. The moneys raised from this cause will help provide comprehensive service to underserved kids in an effort to improve the quality of each child's daily life and enhance each child's desire and ability to succeed academically. This is through money raised to go to tutoring, to participate in community service projects, summer camp and mentoring.

This annual event, Hoops For Hope, was the brainchild of Paul Miller, President of the American League of Lobbyists, and our former colleague from New York, Mr. Quinn.

The first game 8 years ago generated about $7,500 for charity. After this most recent event the other night, the cumulative total has exceeded $260,000. Over a quarter of a million dollars have been raised during the life of this charitable event.

There was some concern expressed earlier, I admit, concerning the scandal surrounding a high-profile lobbyist as to whether the game would even go forward this year. Well, the American League of Lobbyists passed a code of ethics in 1987 in order to help preserve and advance the public trust in the democratic process. Paul Miller, who was instrumental in this game and this cause, has so passionately advocated for lobbying reform in several congressional hearings before the other body and our own.

Let me say a special thank you to that band of eight: Senator THUNE from South Dakota, the gentleman from Washington (Mr. LARSEN), the gentleman from Arizona (Mr. FLAKE), the gentleman from Wisconsin (Mr. KIND), the gentleman from Illinois (Mr. SHIMKUS), the gentleman from Kansas (Mr. TIAHRT) and the dean of our group, the gentleman from Ohio (Mr. OXLEY), who is retiring after serving this institution so venerably. In fact, Mr. OXLEY was inducted into the Hoops for Hope Hall of Fame; and, as I remarked to the crowd then, Mr. OXLEY's belief about basketball is if it feels like leather, shoot it. We will miss Mr. OXLEY's on-court antics.

I want to thank Roll Call and George Washington University for their instrumental role as far as making a very successful eighth annual Hoops for Hope.

I invite my teammates on both sides of the aisle to share in the spoils of victory. I mentioned this to some of my teammates. This trophy can be an impressive office decoration. It certainly is a unique conversation starter or simply a gaudy hood ornament.

UNDERMINING EFFORTS TO FIGHT TERRORISM

Mr. MCDERMOTT. Mr. Speaker, I ask unanimous consent to take my Special Order speech at this time.

The SPEAKER pro tempore. Without objection, the gentleman from Washington is recognized for 5 minutes.

There was no objection.

Mr. MCDERMOTT. Mr. Speaker, we learned yesterday of a new intelligence assessment that confirms what the common sense of the American people concluded some time ago: The war in Iraq has undermined our efforts to fight terrorism.

The national intelligence estimate says the Iraq war has made terrorism worse on a global scale. The Iraq war has made the world more dangerous. These conclusions come from the agencies and specialists who work to keep America safe by keeping leaders informed of the latest verifiable information.

The intelligence assessment is sobering, but the White House and Republican response is staggering in its total denial of the truth. Faced with newspaper accounts of the new intelligence report in the New York Times and the Washington Post, the White House immediately issued a denial. They went so far as to have their appointees repeat the often-heard misstatement that significant progress is being made in Iraq.

Violence is the only thing that Iraq has more of today. More than 200 people have been killed in Iraq since the

weekend, but the President and the Republican surrogates keep saying significant progress is being made.

The Republican idea of keeping America safe is keeping America in the dark, unaware of the truth Republicans have been told behind closed door. Republicans continue to blindly endorse the President's Iraq war because those are the marching orders from the White House. There is no independence from the President. Republicans in the House do exactly as they are instructed.

So when the intelligence community tells Republican leaders the Iraq war is spreading terrorism, the White House tells the Republicans to say something else. U.S. soldiers are fighting and dying in the middle of a civil war, yet the Republicans mechanically recite the same old White House rhetoric.

The only thing that will help America become safer is to face the truth. The Iraq war has made the world more dangerous. Only Republicans disagree with that truth.

The Republican party in power denies the facts of the intelligence community; and they keep telling America you are safer, you are safer. The facts prove the President has been wrong about Iraq all along. The facts prove the President could have changed course but instead chose to keep U.S. soldiers in harm's way and make the world a more dangerous place. And the facts prove the Republican Party abandoned the American people in favor of misleading statements, failed foreign policy, and a President who will stay his own course when America is off course.

America is not safer when the President has a Republican Congress willing to accept White House press releases instead of cold hard assessments from 16 intelligence agencies of the United States Government. America is not safer when the Republican Party's principal weapon in the war on terror is misleading press releases denying our own intelligence community. But that is what the Republicans would have you believe. Republicans think a press release is more important to their future than an intelligence plan that demands we confront Iraq as it really is.

Republicans had the power to change course and work with the Democrats to produce a national plan on the crisis in Iraq. They simply refuse. They go it alone. Republicans had the power to develop a plan for Iraq that was based on facts, not the President's speeches, but they refused. JACK MURTHA, IKE SKELTON, many on our side have offered them alternatives.

The world today is more dangerous, and Republicans will not even accept their own intelligence assessments.

The American people learned two important pieces of information over the weekend: The Iraq war has made the world more dangerous, and the Republican Party is not willing to act on that intelligence. They are not protecting the American people. They are protecting their own hold on power by denying the horrible mistake that they have made. They will not change course because that would require them to say, well, you know, we did the wrong thing when we let the whole Army go, when we let Abu Ghraib get out of hand. They won't admit that they have made us less safe.

RODNEY JOHNSON, HOUSTON POLICE OFFICER

Mr. POE. Mr. Speaker, I request permission to address the House for 5 minutes.

The SPEAKER pro tempore. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. POE. Mr. Speaker, Houston police officer Rodney Johnson was larger than life. At 6′5″, 300 pounds, strangers were intimidated by him. But those who knew him knew a gentle giant who always did the right thing; and because of his honor and loyalty, he was respected and well-liked by fellow officers and citizens.

He was a loving husband. He was married to a fellow HPD officer, Joslyn; and he was a dedicated father to three daughters and two sons. But those three daughters will never again run to meet their father when he comes home, those two sons will never play ball with their father, and a wife who will now face every day as a single mother. All because a man who made a habit of running from the law finally got caught.

On Thursday, September 21, 2006, as the sun was setting in Texas, Officer Rodney Johnson made his last routine traffic stop. He didn't know the outlaw he arrested was hiding a pistol in his pants, and this desperado took desperate measures.

What happened next wasn't just homicide. It was robbery, robbery of Officer Johnson's life, and it was stolen from him, from his family, and from a community that loved him. Stolen by a man who had no regard for the law or lawmen.

This criminal was sitting behind Officer Johnson in that patrol car. He was handcuffed, but this bandit withdrew a hidden pistol and fired it. Even the thick plastic partition meant to protect peace officers couldn't survive the blast. At point-blank range, Officer Johnson was shot four times in the back and in the face.

Although fatally wounded, Officer Johnson pushed an emergency response button alerting dispatch, ''officer down, officer down.'' And when his fellow officers in blue rushed to the scene, the criminal still had the smoking gun in his hand, and he even took another shot at a wrecker driver.

The vitality, loyalty and all of the virtues that Johnson stood for were drained from his body; and the family and fellow officers feel shock and rage for his death. Other families who he protected every day are saddened as well.

One neighbor says, ''It just breaks my heart. I feel so bad for his wife. He got up and went to work this morning, and this is what happened to him. This is what happened to one of the people who protects us, the citizens. He truly cared about us.''

They weren't the only ones Johnson took care of. He once rushed into a burning building thinking not what the flames would do to him but only what the flames were doing to the children trapped inside.

It was not his only heroic act. Others earned him lifesaving awards, and the prestigious Medal of Valor was given to him by the citizens of Houston.

This native Houstonian served in the United States Army as a military police officer. Back in the great State of Texas, he spent several years as a corrections officer, as a jailer for the Texas Department of Criminal Justice; and, finally, in 1994, Rodney Johnson was sworn in as a Houston police officer.

He would spend the next 12 years of his life protecting and serving the citizens of Houston, Texas, his hometown. And since 1996, Officer Johnson has been a well-respected member of the Southeast Houston Gang Task Force.

Some say he could have been a superman because of his size with his commanding presence and mission to help others. He protected the communities and ensured justice for all.

Sadly, his kryptonite was a downfall for our Nation. Our inability to shut down the borders, our inability to send illegals home and make sure they didn't come back.

This criminal who shot Officer Rodney Johnson murdered him because he feared being deported back to Mexico again. Juan Quintero is a lawless illegal whose disregard for the United States and its rules started when he illegally set foot in American soil. He was deported once for indecency with a child, but he came back to finish a string of crimes. Having snuck back into America, he then shot an American lawman in the back.

During the 25th Annual National Peace Officers Memorial service in June, a powerful statement was given to honor those who had fallen in the line of duty. I reiterate this statement. It says, ''Well served peace officer, may you rest in peace.''

But I add, may our country's poorly enforced border control policies also rest in peace so we may never again see another family member put through what this family has endured because of lawless illegals who never should have been here in the first place.

Officer Johnson is a role model for future officers who wear the badge. We wish his family the best as they mourn for their superman. The Houston community has poured out their hearts for his family, and people have started donating money to his five children.

But our task is not complete. We must strengthen the border for his five

children and all of America's children. Peace officers, Mr. Speaker, are the last strand of wire in the fence between the good and the evil. They wear the badge with pride, and tonight the peace officers wear the black cloth of sacrifice against their badges.

Mr. Speaker, God bless Officer Johnson.

And that's just the way it is.

□ 2130

THE IRAQ WAR

The SPEAKER pro tempore (Mr. SCHWARZ of Michigan). Under a previous order of the House, the gentlewoman from California (Ms. WATERS) is recognized for 5 minutes.

Ms. WATERS. Mr. Speaker, over the weekend the New York Times published an article entitled ''Spy Agencies say Iraq War Worsens Terrorism Threat.'' The article goes on to describe an April 2006, a National Intelligence Estimate which reports the consensus of the 16 U.S. intelligence agencies that the American invasion and occupation of Iraq has helped spawn a new generation of Islamic radicalism and that the overall terrorist threat has grown since the September 11 attacks.

The NIE report concludes that the radical Islamic movement has expanded from a core of al Qaeda operatives to include a new class of ''self-generating'' cells inspired by al Qaeda's leadership, but without any direct connection to Osama bin Laden or his top lieutenants, which will be difficult to monitor and disrupt. One official quoted in the article says ''that the Iraq war has made the overall terrorism problem worse.''

Mr. Speaker and Members, what are we doing? What is this administration doing, and what is this American President thinking about? He is sending more troops to Iraq. The Army announced today that it has extended the combat tours of about 4,000 soldiers who normally would be returning home and is considering sending more combat units to Iraq in order to meet the needs in Iraq. Many of the troops in Iraq are on their second and even third deployment to Iraq. The additional troops are necessary because of the sectarian violence that encompasses much of the country. Many experts have concluded that Iraq is in a civil war.

Mr. Speaker and Members, the President of the United States has said more than once that we are not getting out of Iraq, that we will stand down when the Iraqis stand up, and they would have you believe that we are training Iraqi soldiers and that they are going to take over the responsibility of securing that country.

It is not happening, Mr. Speaker and Members. As a matter of fact, some of the Iraqi soldiers that have been trained are abandoning our soldiers in the middle of conflict. I read an account just a few days ago where our American soldiers got in the middle of a confrontation of a battle, I think, between Sunnis and Shiites, and they were watched by the Iraqi soldiers who were with them who literally stepped back and let the American soldiers be responsible for trying to resolve that fight that was going on.

We hear stories not only about Iraqi soldiers who abandoned our soldiers but who are really inside, being trained by us, with American taxpayer dollars being spent on training them when they simply turn on us. They are not with us to begin with. They are there to spy on us, and they are undermining us.

For God's sake, what are we doing? This occupation is not only causing the deaths of young American men and women, almost 3,000. It is robbing this country of its resources. Well over $300 billion has been spent on this war in Iraq, and that is not to add to the amount of money in Afghanistan. We went to Iraq because supposedly we were making Americans safer. We are at greater risk now than we have ever been. We are certainly at greater risk and less secure than we were before 9/11.

And not only that, why didn't we track Osama bin Laden up through Afghanistan to that border between Pakistan and Afghanistan where we believe he really is? But no. We told the American public that it was Saddam Hussein. We have spent all of this money. We have occupied it, and we still don't have Osama bin Laden. Osama bin Laden, I believe, is being protected by the Pakistanis. I believe that Mr. Musharraf, who is supposed to be our ally, whom we are giving money to, knows a lot more than he is telling us. But one thing I know for sure, he won't allow us to come into Pakistan and he just created a pact with the Taliban. The Taliban is back in control. The poppy seeds are flowing. The dope is flowing. It has been tracked all the way to Chicago.

The American people had better get their heads out of the sand, and we had better do our oversight job and bring our soldiers home. Stop this war in Iraq.

TWO CAPTIVE ISRAELI SOLDIERS AND PROBLEMS WITH THE U.N.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. GARRETT) is recognized for 5 minutes.

Mr. GARRETT of New Jersey. Mr. Speaker, on July 12 of this year, Hezbollah guerillas killed three Israeli soldiers and kidnapped another two, Ehud Goldwasser and Eldad Regev. All the while Hezbollah continued to launch rockets at civilian targets in northern Israel. These actions against Israel's sovereignty sparked Israel's defensive measures and the subsequent escalation of the conflict. In the end, as a direct consequence of Hezbollah's belligerence, more than 1,000 Lebanese and Israeli civilians lay dead and the infrastructure of Lebanon lay in ruins.

When the cease-fire was brokered by the United Nations, it was the understanding of all parties, especially Israel, that the U.N. would work toward the release of Israel's kidnapped soldiers. Today, however, more than 2 months later, those two brave young men remain in captivity and their families remain uncertain of their future.

Furthermore, Hezbollah remains armed with as many as 20,000 rockets aimed at Israel, according to this group's own claims. Just this past Friday, Mr. Speaker, Hezbollah's leader, Sheik Hassan Nasrallah, threw a victory rally in Lebanon, taunting Israel, the peace-seeking government of Lebanon, and the United Nations as well with the probability that no one will ever see these two soldiers alive again. In fact, not only did Nasrallah note that these soldiers would only be returned in exchange for some of its jailed terrorist foot soldiers; he also vowed that neither the U.N. nor the Lebanese troops would ever be allowed to disarm Hezbollah guerilla troops in southern Israel and threatened the Western-friendly Lebanese Government of the Prime Minister.

There can be no doubt that Nasrallah and Hezbollah have become bolder, more dangerous, and graver threats to the peace in the Middle East.

And yet Israel has honorably abided by the terms of the cease-fire as a sign of good faith and its commitment of peace in the region. It leaves one to wonder at the effectiveness of the U.N. to rectify this still unresolved injustice. This situation brings to light yet another example of the dramatic shortcomings of the U.N. in its ability to carry out the good that it was originally planned for and created.

In fact, at the very time that the United Nations was seeking to implement this cease-fire in Lebanon, it was entertaining the Iranian Prime Minister, who surprised no one with his tirade against the U.N. General Assembly, alternating between anti-American vitriol and ad hominem attacks against Israel as well.

Of course, if the United Nations is going to be an effective broker for peace and a conduit for diplomacy, it must itself be above reproach. The United Nations' track record, however, with regard to Israel specifically is unbalanced at best and anti-Semitic at worst. In just a single session of the U.N. General Assembly, it passed 21 individual resolutions criticizing Israel. And over its 30-year period of time, the U.N. has actually funded three organizations that disseminate anti-Israeli propaganda. Furthermore, only Israel has been called upon to defend itself as an individual agenda item before the U.N. Commission on Human Rights.

Even on a more general level, as I have discussed here before, it is little wonder that the U.N. has lacked the credibility to broker international agreements, let alone enforce them.

With its current track record of internal corruption and its roster of greedy little machine bosses that it has, the U.N. is hardly able to claim the moral high ground necessary to occupy this position.

Consider, for example, the Oil-for-Food scandal that facilitated as much as $17 billion in grants, scams, and smuggling, keeping Saddam Hussein living in the lap of luxury while the people of his country, Iraq, starved, and also paying for the rewards for the families of suicide bombers as well. Even now that the first conviction of a central figure to that scandal has been served and dates have been set for the trials of several other co-conspirators, the U.N. continues to protect some of the most egregious offenders.

It has been long enough, Mr. Speaker, and I urge the United Nations to do what is right for once, to defend the sovereignty of the State of Israel and take the necessary measures to ensure the soldiers' immediate and safe return to their families and to give evidence of its credibility as a true broker of peace in the Middle East.

HONORING OFFICER RODNEY JOHNSON

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, in the early evening hours of last Thursday, Officer Rodney Johnson lost his life in the line of duty. And out of that most horrific tragedy came an outpouring of love, affection, and admiration for one of Houston's finest.

Officer Johnson's story, although he lived it every day, began to unfold. Alongside of this valiant officer was his valiant wife, a Houston Police Department officer by the name of Jocelyn Johnson. Both were the parents of five wonderful children. Included in the extended family were sisters and mothers and his very special sister, Susan Johnson. They were a family that were well known. Many of them or some of them were members or participants at the Wheeler Avenue Baptist Church in my congressional district, where at the time Reverend William Lawson was the pastor.

As we begin to learn, know, and understand Officer Johnson, as I indicated, the hearts of Houstonians poured out to him and his family. I think what was most telling about how this family loved each other were the kind words or the words of nonhatred of his wife, when asked if she hated the perpetrator, who now has confessed and is in police custody, and she said no. What a statement of valor. What a statement of courage. What a statement of leadership.

So this evening I pay tribute to Officer Rodney Johnson for his life and his legacy.

As the story unfolds, he was a wonderful husband, a loving father, and an outstanding police officer. As I traveled around my district offering condolences to the number of men and women in blue that I saw, each one of them would say, we have lost a friend. You really needed to know Officer Rodney Johnson. He did so much. He cared so much. In fact, there was a story that indicated that he might have overslept on that day, but his wife woke him up and so he went on to work. When told the story, there was some reminiscing as to maybe that should not have happened, but then there was a thought that if he had woken up and found that he had overslept that he would, in fact, have gone to work because that is the kind of police officer Officer Rodney Johnson was and his legacy will continue to attest to.

He was a police officer's police officer, and he was a community servant. He worked with those who were in trouble. He worked with those who were at risk. He worked with community programs. He was a community Santa Claus because he was a big man, big with love, with earnestness, sincerity, and hard work. And, yes, he cared about his performance. He cared about his fellow brothers and sisters. And, of course, he loved his family.

So as Houston mourns, it shows what a city Houston is with a big heart. This evening there is a prayer vigil where a large gigantic card will be signed by all Houstonians. Yesterday, Quanell X organized in front of the Denny's in Third Ward, Texas, a fundraising effort that generated some $7,600 just in the afternoon, Sunday afternoon. People drove up and came from all over to provide resources for the family. We are now planning a community-wide memorial that will take place this week after the funeralizing of this valiant and brilliant officer.

Most of all, we want to say to the family, his children, his wife, his sister, and many other relatives that we love Rodney for who he was. We love him for his legacy. We love his story and his commitment to our safety. And we will continue to work to provide more resources so our police officers can be more secure. Traveling not with one officer but two officers. A bullet-proof separation between the driver and the perpetrator or the arrested person.

And, yes, we will not scapegoat a whole class of individuals because the individual involved in this may have been without status.

The community is rallying together. The community is now honoring and mourning Officer Rodney Johnson. That is what we want this week to be, a tribute to his life and his legacy; and we want to move forward in tribute to him as we go into the weeks to come to provide more finances for our local police authorities, more cops on the beat, and, yes, to look into the request that his wife made that we find an opportunity or the resources to secure the driver and the perpetrator, to provide a bullet-proof separation from our police officers and the arrested person.

May Rodney Johnson rest in peace. May God bless his family and his children. May God continue to give them peace and comfort in His grace and mercy. My friend, our friend, Officer Rodney Johnson, well done, our good and faithful servant.

(2145)

The SPEAKER pro tempore (Mr. SCHWARZ of Michigan). Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas 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 New York (Mrs. MCCARTHY) is recognized for 5 minutes.

(Mrs. McCARTHY 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 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 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.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY 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 gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO 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. MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California 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 York (Mr. HINCHEY) is recognized for 5 minutes.

(Mr. HINCHEY 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 York (Mr. OWENS) is recognized for 5 minutes.

(Mr. OWENS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

REPUBLICANS PROVIDE SECURITY TO AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentlewoman from North Carolina (Ms. FOXX) is recognized for 60 minutes as the designee of the majority leader.

Ms. FOXX. Mr. Speaker, I appreciate the opportunity to be here tonight and to share this time with my colleagues, several of whom I believe will be joining me. We are going to be talking tonight about national security.

I want to start the evening with a very simple comment about a very simple item. I am wearing on my arm, or I have just taken off, a bracelet. These are very common these days to commemorate different things. It says AMAR. It represents AMAR Manufacturing Corporation.

Today, in my home district in Davie County, we had a celebration about a new manufacturing plant that is going to open up. And it occurred to me as we were doing that today, and as I looked at this, that the people of America are going on about their business on a day-to-day basis, oblivious of the fact that there are many things going on in our country and outside our country to help us be secure.

The American people are in many ways the most secure people in the world. We are used to going on about our business, having announcements of new businesses and just dealing on a day-to-day basis with taking our children to school, taking them to football practice, to baseball practice, doing all of those things that we are used to doing because we live in a very secure Nation.

It is the role of the Federal Government to keep our Nation secure. The number one responsibility of the Federal Government is the defense of this Nation, and a large part of the defense of this Nation again is tied up in the word security.

So we want to talk tonight a little bit about what has happened to threaten that security in the last 30 years or so and what we have done as a Republican Congress in order to bring back a sense of security to our Nation.

We will talk about horrific events that have happened in the past but also talk about the many achievements that have occurred especially in the last 5 years in terms of our bringing back a sense of security and our making sure that in the future the things that we are doing now can be built upon and can allow the people of this country to go about their daily routines and feel secure and not feel threatened in the things that they want to do.

The United States of America has never been an aggressor nation. We have always focused again on providing for the freedom that we have in this country and making sure that what the average American takes for granted every day will be there for him or her.

I want to recognize now my wonderful colleague, the gentlewoman from Tennessee, Congresswoman BLACKBURN, who is such an articulate spokesperson for so many of the issues that we discuss on the floor of the House. She is going to help talk about the issue of national security.

I think she is going to give a little perspective on where we have come from and where we are now in terms of dealing with this issue.

I would like to recognize again my colleague, the gentlewoman from Tennessee, Congresswoman BLACKBURN.

Mrs. BLACKBURN. Mr. Speaker, I thank the gentlewoman from North Carolina. I thank her for her commitment to keeping our Nation safe. As an educator and having spent many years in schools teaching, leading, directing those activities, she knows that it is an imperative that, in order for children to learn, they have to feel secure in their environment.

In order for parents to participate, they have to have that sense of certainty that there is control and security. And this is something that, yes, in our free Nation we are so blessed and so grateful to be able to just expect that.

When we get up in the morning, we expect that we are going to be able to put the children on the school bus, that we are going to be able to go to work, go to the grocery store and participate in those activities with a little bit of control over what happens in those environments and with some predictability and certainty as to what the expectations are going to be.

So indeed we are very blessed in that regard. It is an incredible gift that having a strong national defense, how wonderful it is, what a gift that that has allowed us as a people to enjoy.

As the gentlewoman said, sometimes in order to look forward and to assess, what we have to do is be certain that we have perspective, that we look at where we have been, where we have come from and where we are heading.

In a Nation where we have defense as one of our top priorities and where it is one of the top priorities of this Government, sometimes it is important to cast that perspective and to say this is why we have to say, back to basics, shift our focus, and begin to look at terrorist attacks not as civil disobedience but to view them as what they are, acts of war, and to respond to them as what they are, acts of war.

And as the gentlewoman mentioned, this is a problem that has been brewing and that we have had to deal with for decades. Terrorism and terrorists have been attacking our Nation not for a few months, and it did not start on September 11. It has been going on for decades.

I think that many of us remember November of 1979 when the Iranian radicals took control of the embassy in Tehran. That was a siege that lasted for 444 days, where they had the embassy and 53 hostages. We all remember how the end of that attack came about.

In 1983, we had 63 people that were killed in an embassy booming in Lebanon. 1983, also, there was a suicide bomb attack on the U.S. compound in Lebanon, where 242 Americans were attacked and killed. All the while, attacks that were taking place on U.S. interests but not on U.S. soil.

In 1986, a Berlin discotheque was bombed, and we also had 79 servicemen that were bombed, injured in a bombing attack in West Germany.

In 1988, we remember December of 1988, Pan Am flight 103 that was blown up by the Libyan terrorists.

And then in February of 1993 the first World Trade Center bombing killed 6 people, injured over 1,000 people. That was February of 1993.

Going through the following years and leading up to September 11, 2001. In 1995, we had a military complex in Saudi Arabia that was bombed. The Khobar Towers in 1996. The attack in our embassies in 1998. The *Cole* bombing by al Qaeda in 2000; and then, of course, the al Qaeda-led plot that was enacted on September 11, 2001.

Now, Mr. Speaker, what we see from this is the pattern of terrorist activity for two full decades. What we also have seen since September 11 is that no longer do we respond to terrorist attacks as civil disobedience; we respond to it as an act of war, as what it is.

One of the things that we have to keep focused on right now, every single day, is that this war on terror is just that, it is a war. Yes, we have the battle in Afghanistan. Yes, the battle in Iraq. And, yes, there are terrorist cells that are scattered around the globe. But we started sending a different message on September 11. And we are very grateful for the work that the intelligence community, that our homeland security organizations, that our American military has done, that the coalition partners have done in working together to fight terrorism, to fight the spread of terrorism.

And the reason we do it, Mr. Speaker, the reason the leadership in this House remains so solidly focused on terrorism is exactly what my colleague was speaking of when she opened her remarks. The reason is so that the American people can go about their daily lives exercising the control, exercising the freedom, being certain that those children are going to school in safe and free environments, being certain that they are going into the workplace with safe and free environments.

That is the reason that the focus has shifted. That is the reason that it remains the top priority of the leadership of this House.

I also want to thank the leadership for the work that they have done on this issue and our colleagues who are

sponsoring legislation and bringing it to the floor, this week, last week, the last few weeks as we are preparing to finish up some of the work to increase, increase the funding and the focus on defending this Nation against terrorism.

Mr. Speaker, I thank the gentlewoman from North Carolina for yielding. It is an honor to come and spend some time on the floor with her and to talk with the American people about some of the work that we are doing as we lead in the war against terrorism and against terrorists.

Ms. FOXX. Thank you, Congresswoman BLACKBURN, for your comments. As I said, you always present a very articulate and coherent message to the people of this country when you speak; and it is a real pleasure to work with you and to have you here in the Congress pointing out very commonsense kinds of things that we can be doing to make this country a better place.

I appreciate very much your setting the stage for what has happened over the last 20 or so years in terms of the terrorist threats that came to this country that were largely ignored because most people could not envision the horrific event that occurred on 9/11, 2001, or could not see how these different events were connected with each other.

□ 2200

I want to talk a little bit about what we have done since 9/11 in order to make sure that we do not suffer such an attack in the future, and let me point out some of these things.

In the first key stage of the 9/11 attack, al Qaeda conceived and planned the attacks from abroad, but here are some of the responses that we have made as a result of that. We have taken the key advantages al Qaeda enjoyed while plotting the 9/11 attack in Afghanistan away. We now have removed the Taliban from power, closed the al Qaeda training camps and taken away financial tools that were available to them. They can no longer move around in Afghanistan with impunity. Many of al Qaeda's most important leaders have been captured or killed, including Khalid Sheikh Mohammed, believed to be the mastermind behind the 9/11 attacks. So we have had a big impact on what has happened abroad.

The second key stage of the 9/11 attack, Khalid Sheikh Mohammed and bin Laden identified, trained and deployed operatives to the United States. We have addressed that since 9/11. We have addressed the gaps in America's defenses that were exploited by al Qaeda. We have upgraded technology, and we have added new layers of screening and security to the immigration and visa system. Today, visa applicants, like those who participated in the 9/11 hijackings, would have to appear for face-to-face interviews, be fingerprinted and screened against an extensive database of known or suspected terrorists and be checked again to make sure that their fingerprints matched those on their visas. We have improved our terrorist watch list. We have established common criteria for posting terrorists on a consolidated terrorist watch list.

The NSA created the terrorist surveillance program at the President's direction, and we are going to be dealing more with that this week, as my colleague Congresswoman BLACKBURN has mentioned. Before 9/11, U.S. intelligence professionals found it difficult to monitor international communications such as those between the planners of the 9/11 attacks abroad and al Qaeda operatives operating secretly in the United States. This is not a program to spy on American citizens, as our colleagues have accused us and the President of doing. This is a program to stop the kind of collaboration that existed between those operatives working overseas and those here in the United States, and we are going to work on the terrorist surveillance program this week I believe and pass something that will allow the President and the people who are using this program to thwart these terrorists, to be able to thwart them.

The third key stage of the 9/11 plot, the rest of the 19 al Qaeda operatives came to the United States. So the FBI has now made protecting America from terrorist attacks its top priority. Before 9/11, that was not the top priority of the FBI, but now we have more counterterrorism agents and lists. We have the unified national security branch to coordinate terrorism investigations and intelligence operations, and we have expanded the number of joint terrorism task forces to help Federal, State, and local law enforcement officers work together; and with legislation we passed last week, we are going to strengthen that program where we work with local law enforcement officers, and that is going to be helping.

In addition, we have now torn down the legal and bureaucratic wall that kept law enforcement and intelligence from sharing information. All levels of government are sharing far more information than ever before and connecting the dots to stop terrorists before they strike. People kept saying why did we not connect the dots, why did we not connect the dots. That is because we had silos for our various bureaucracies and intelligence agencies, and they were not allowed to talk to each other; but we have torn those silos down now and people are communicating with each other.

We have passed the PATRIOT Act. This good law has increased the flow of information and helped break up terrorist cells in the United States, and Congress was right to renew it last year.

We have created the national counterterrorism center, the NCTC. Law enforcement intelligence personnel work side by side in the same headquarters. We have created the position of Director of National Intelligence. The Director of National Intelligence operates the intelligence community as a single, unified enterprise.

We have set up the Terrorist Screening Center. The Terrorist Screening Center maintains the government's consolidated list of suspected terrorists and individuals with terrorist links and helps get this information into the hands of State and local law enforcement.

At every level, America's law enforcement officers now have a clear goal: to identify, locate and stop terrorists in our country before they can kill. That is very, very important.

The fourth and final stage of the 9/11 plot came on the morning of the attack. We have taken many steps to address the security gaps that the hijackers exploited that morning. We have created the Transportation Security Administration to make sure that every passenger and every bag is screened. We have increased the number of Federal air marshals, and we have trained and authorized thousands of pilots to carry firearms and hardened cockpit doors to prevent terrorists from gaining access to the controls.

In addition, we have merged 22 government agencies into a single Department of Homeland Security and tripled spending for security of airlines, ports, borders and other critical areas; and we are working constantly to stay several steps, not one step but several steps, ahead of the terrorists. We have gone on the offense across the world, and our country is definitely safer.

We have captured many of the most significant al Qaeda members and associates. We have kept the terrorists from achieving their key goal to overthrow governments across the broader Middle East and seize control.

Our allies in the war on terror include two nations that used to harbor or sponsor terror, but now help us fight it, the democratic nations of Afghanistan and Iraq.

As we fight the enemies of a free Iraq, we must also ensure that al Qaeda and its allies never get their hands on the tools of mass murder. So we are working very hard in the area of national security to make sure that a 9/11 attack can never occur again in this country.

Now, I want to say what some of the very important things are that have been accomplished under Republican stewardship, specifically what congressional Republicans have done.

We have strengthened the national defense. We have helped our troops succeed in Afghanistan and Iraq. We have increased benefits of our men and women in uniform. We have protected our troops with state-of-the-art body armor and equipment. We have streamlined bureaucratic red tape to ensure our servicemembers have all that is necessary to complete their missions. We have increased funding for necessary and state-of-the-art equipment.

We have modernized acquisition and procurement programs. We have enhanced the quality of life for servicemembers and their families, and we are steadily increasing the pay benefits for them.

We have made real progress in missile defense. We have conducted successful missile defense tests. We have ensured the missile defense program goes farther and faster than ever before. So we are making real progress in these areas.

We have seen major changes occurring in the Iraqi Government where they are taking control of their armed forces there and moving ahead to make the country safer and safer.

The Iraqis themselves have overwhelmingly rejected religious or the ethnic breakup of Iraq. They are solidly behind a centrally controlled government. Seventy-eight percent of the Iraqis disagree or strongly disagree with the idea of segregating the country by religious or ethnic sect. They want to keep their country whole and not break it up.

Eighty-nine percent of the Iraqis said the formation of a national government, including the country's main ethnic and religious communities, was extremely important to the future peace and stability of Iraq. They believe that the country is headed in the right direction, and we know that it is.

So what we are doing to strengthen Iraq and strengthen Afghanistan are both important in the war on terror. It is a global war on terror. So what we are doing is all over the world, not just in Iraq and Afghanistan.

We saw that with what we did in England where with the British, we and the Pakistani Government worked together to thwart another plot to take down our airlines filled with Americans. So we have worked on the national security from that perspective to never let another 9/11 happen and do the things that we should do to do that, and while we are doing that, we are strengthening Iraq and Afghanistan.

Now, what are we also doing on border security, because border security is national security? We have done a great deal in this House to make sure that we have border security in this country and that people understand that border security is national security.

Mr. Speaker, we have passed several bills and we have several bills yet to pass that are going to make our borders more secure. We have passed the REAL ID Act. We have passed a strong border security bill last December. We have the Effective Immigration Enforcement and Community Protection Act. The chairman of our Judiciary Committee, Chairman SENSENBRENNER, has been leading us in putting together the bills out of the Judiciary Committee to tighten up our border security.

We are ending catch-and-release. The administration has done this on their own, but we are going to strengthen their hand in ending catch-and-release. We are no longer going to catch criminals and potential terrorists and release them again. We are going to keep them in prison or make sure that they get sent back home and they are not back in this country.

We are removing illegal immigrant gang members to make sure that we are enhancing what we are doing again from our border security. We have established penalties for border tunnels. The bill that we passed last week establishes criminal penalties of up to 20 years' imprisonment for persons who knowingly construct or finance the construction of an unauthorized tunnel across a U.S. international border.

We are prosecuting more smuggling offenses. We are tightening up of the laws on that, and we are making the offenses much more stringent.

We are removing criminal illegal immigrants, getting rid of people who have come into this country to commit crimes. So we are continuing to do things that will make our borders stronger and stronger, which will help our national security. Every time that we can enhance our border security, we are enhancing our national security.

We are also enhancing our homeland security through our homeland security legislation, and I want to talk a little bit about that, too.

We have funded first responders in homeland security. Through a variety of programs, over $30 billion in Federal funding has been allocated for first responders since 2001. Total nondefense homeland security spending across all agencies has gone from $11.8 billion in fiscal year 2001 to $41.5 billion for fiscal year 2007.

I mentioned earlier that we passed the USA PATRIOT Act. We reauthorized it. The bill was passed in 2001, and it has now been reauthorized. A key tool in preventing another domestic attack, the PATRIOT Act has enabled the Federal Government to effectively deter and punish terrorist acts in the United States and around the world.

I mentioned earlier the REAL ID Act, which was the first bill to pass in this Congress.

□ 2215

I was a very proud original cosponsor of that bill and extremely proud to be a freshman and be allowed to be a cosponsor of that bill. My own State of North Carolina has been a haven for illegal aliens coming in and getting drivers' licenses and then being able to use those as IDs to get on airplanes. We know that the terrorists who brought down the Twin Towers had many, many illegal drivers licenses, and the REAL ID Act will cut down on that capability.

The Congress passed the Homeland Security Act of 2002, which established the Department of Homeland Security.

We again are doing more and more on border security. The SAFE Port Act, the Security and Accountability for Every Port Act, or the SAFE Port Act, addresses port security defenses within and beyond U.S. ports, including enhancing security programs and others.

The Project Bioshield, which delivered $5.6 billion to enhance research, procurement and use of biomedical countermeasures to respond to public health threats affecting our national security.

Emergency communications. We are working on making sure that different agencies can communicate with each other so folks will be able to help thwart any threatened terrorist attacks.

The Maritime Transportation Security Act, the MTSA. Congress passed the MTSA in 2002, requiring every regulated U.S. port facility to establish and implement a security plan that outlines procedures for controlling access to the facility, verifying credentials for port workers, inspecting cargo for tampering, designating security responsibilities, training and reporting security breaches.

So we have worked very hard on making sure that we are securing not just the borders, the northern and southern borders, but also all of our ports all over this country. It is the Republicans who are leading the way on bringing these issues up to the country, to the Congress, and making sure that they are passed.

So what do we face from the Democrats? The same things. Even though we bring up over and over and over again the fact that the number one responsibility of the Federal Government is the defense of this Nation, we know this from our Constitution, but we constantly have to remind the Democrats that that is the role of the Federal Government.

The Federal Government in past years has gotten involved with many worthwhile activities. Don't get me wrong. I know that many of the programs that are spending Federal dollars do good things. But those are not the jobs of the Federal Government. The Constitution is a brilliant document, and if we follow the Constitution in the way that it was written and we do what our forefathers outlined for us to do, we will be so much better off in this country.

One of those things that we should be doing is focusing on national security, focusing on the defense of this Nation from the Federal level, and leaving these other things to the States and the localities to deal with. But if you hear the Democrats talking, what they want to do is to continue to talk about no, no, no. They are not interested in enhancing our border security. They are not interested in enhancing national security, when you listen to what they talk about.

When you look at what they have voted against, they have voted against so many things that were designed to enhance our national security. I want to just mention a few of those things that they have voted against.

Over and over and over again they bring up negative things. You would think that they wanted to simply open up our borders and let anybody come in here that wanted to come in here and just ignore the fact that we had an attack on 9/11, that we had those other attacks that Congresswoman BLACKBURN mentioned to us.

You would think that the kinds of things that we have done are the worst things that could have ever been done in this Nation. The terrorist surveillance program, you would think, if you were not aware of what the Democrats are saying, that our government has turned on its own people instead of doing everything that we possibly can to protect the people.

As I said before, I was at AMAT Manufacturing today, sitting there thinking about how it is the role of the Federal Government to make sure that we are safe so we can do the things like that, the routine things that we do.

I want to talk some about how the Democrats have tried to thwart us at every step in trying to maintain security in this country, national security and border security.

I have been joined by one of my colleagues, one of my most articulate colleagues, one of our favorite freshmen, who can always tell the very best stories, but is always right on point on issues dealing with whatever legislation we are dealing with.

I want to recognize Congressman GOHMERT from the great Republic of Texas, who is here to talk a little bit about this issue and give some illustrations of his own of what we have done right and how the Democrats would have us be thwarted in what we have done.

Mr. GOHMERT. Mr. Speaker, I thank my friend from North Carolina, the gentlelady, Ms. FOXX. Thank you for yielding and thank you for the time you have taken tonight to talk about our national security issues. As always, you are most impressive. If someone didn't know before, they might know, Mr. Speaker, that the gentlelady from North Carolina is a teacher, is an educator, and then, of course, got forced to being president of a school. But, anyway, from someone who bore that great title of teacher, it is an honor.

Mr. Speaker, there are so many people in our country that want to blame America first. They think America is the cause for so much of the ills in the world, when the fact is that this is the Nation that has brought about freedom all over the world.

We have some people in the world say America is a bunch of imperialists, when the fact is no nation in the history of the world has helped so many countries obtain the right to rule themselves. If we were imperialists, France certainly wouldn't be speaking French anymore. Germany wouldn't be speaking German anymore. Countries around the world, including in the Middle East, would not be speaking their native tongues. They would be speaking English. But that is because we are about freedom and allowing people to reach their God-given potentials.

I started something last week, and it continues this week, and that is, although there are those who seek to blame America first, and we have had people that have stood right here on this floor, a former Marine accusing Marines of being cold-blooded killers and the military covering things up without a trial, without a charge being made. It just seems with all the blame going around and being made that we need to recognize those who were willing to do what Jesus himself said, which was show the greatest love. As he said, greater love hath no man, no one, than this, that he lay down his life for his friends. Certainly he would know.

But the U.S. military has been faced with tremendous challenges since September 11, 2001. Fortunately, we are blessed to have an exceptional fighting force that is full of troops that are ready and eager to rise to the challenge.

As an example, and this is what I started last week, every day we are in session I want to recognize someone who has received one of our Nation's highest honors and what they have done. This is the America that the world should acknowledge. This is the America that this body should acknowledge, the true heroes who put others above self.

That is the example of Sergeant Leigh Ann Hester. She made history last year when she was the first female soldier to receive the Silver Star since World War II and became the first female ever to be cited for close combat.

The Silver Star, as many of you may know, is awarded for gallantry in action against an enemy of the United States while engaged in military operations involving conflict with an opposing foreign force.

On March 20, 2005, Sergeant Leigh Ann Hester was serving in the 617th Military Police Company. It is a National Guard unit out of Richmond, Kentucky. Her squad was shadowing a supply convoy south of Baghdad near Salman Pak when about 50 insurgents ambushed the convoy. Sergeant Hester's squad moved to the side of the road, flanking the insurgents and cutting off their escape route.

Sergeant Hester herself led her team through what is known as the ''kill zone'' and into a flanking position, where she assaulted a trench line with grenades and M203 grenade launcher rounds. Sergeant Hester and her squad leader, Staff Sergeant Timothy Nein, then cleared two trenches, at which time she killed three insurgents with her own M–4 rifle.

Her actions saved the lives of numerous convoy members. When the fight was over, 27 insurgents were dead, six were wounded and one was captured. Many, many Americans were saved in the process.

Sergeant Hester was only 23 years of age at the time of her action. She was born in 1982 in Bowling Green, Kentucky, later moved to Nashville, Tennessee, and she joined the National Guard in April of 2001.

These are the people that we need to honor and recognize, and cease playing the blame game. We would encourage all of our colleagues to begin looking for the good, because, as Abraham Lincoln said, if you look for the good in people, you truly will find it.

Mr. Speaker, I thank the gentlelady from North Carolina for the great good she is doing.

Ms. FOXX. Thank you, Mr. GOHMERT, and thank you for reminding us of what we should be doing in terms of honoring these people. Sergeant Hester sounds like an absolutely fabulous woman, and we are so fortunate to have her serving in our military and being a great role model for all of us.

I was talking earlier when Congressman GOHMERT came in and I yielded time to him about the fact that in so many of these things that we have accomplished with the Republican leadership in this Congress, to make sure that we thwart terrorists who want to come here, who want to do the kinds of things that were done on 9/11/2001, in so many of those ways we have had to fight the Democrats at every step of the way. They have been opposed to almost every effort that we have made here. The PATRIOT Act, the border security bills, over and over and over again they have said no.

Their answer to fighting the war on terror is to withdraw from Iraq. Take our troops out. Put them somewhere else in the Middle East, but get out of Iraq. They talk out of both sides of their mouths. They say, on the one hand, the minority leader says, okay, all the damage that Osama bin Laden can do he did 5 years ago. She criticizes the President for not having enough forces in Afghanistan to catch Osama bin Laden; and then she says, well, it wouldn't matter if we caught him anyway. We would not be any safer if we caught him.

So, over and over and over again, we get mixed signals from the Democrats. That gives comfort and aid to our enemy. They see that happening, and they think, boy, if there is a chance that the Democrats could take control, then we wouldn't have to worry about being pursued. We wouldn't have to worry about what the Congress is going to try to do to us in conjunction with what the administration is doing. We can just sit back and wait for them, for the Democrats to get in control.

□ 2230

Nothing could be worse for our country than for them to be put in control and to withdraw our troops from Iraq where we are making tremendous progress on helping those people live in a free country. That is what they want.

I had the great opportunity to go to Iraq in July, just at the end of our session in July, and the Iraqi people said

to us: we are so grateful to you for bringing freedom to us. We are so grateful. Don't leave too soon. We are committed to a democracy; we are committed to maintaining freedom here in this country. Please don't go away before we can get our feet on the ground. This is the first chance we have had to have freedom in the history of this country, and we want it and we are going to have it.

And as you read about what is happening in the country and you see that while there are these militias out there, they are not attacking the government of the country, they are attacking each other. There are Sunnis going against Shias, Shias going against Sunnis, but none of them are attacking the Government of Iraq because they all have a vested interest in keeping that government going, and that is very, very important.

But you never read about that. It makes it look like these people are all attacking the government, but they are not doing it. President Maliki I think has done a wonderful job of forming a government that can gain the support of the three major groups in Iraq, and so we are seeing tremendous progress there. Even though we see the insurgents and even though we see the IEDs and even though there has been horrible loss of life, it is not directed at bringing down the government.

There is a fabulous article in the National Review dated today, as a matter of fact, about the importance of that, and I would commend it to people to read it about why the government is strengthening there in Iraq and how it is strengthening and why things are going well there instead of going badly as the popular press would have you believe. So we have to keep fighting, and we have to fight this war on terror and improve our national security on all the fronts that we have before us.

And I want to talk a little bit about a couple of episodes that happened last week that I think show the American people again how much we are at war and what a dangerous place this world still is. The President reminds us periodically about it, and again, as we go about our day-to-day activities, it is difficult to believe that we are at war even though the news media makes it sound as horrific as they possibly can because they want to undermine what we are doing to improve our national security, and they want to undermine the work of this Republican Congress and this Republican President. And I want to point out what happened last week with two people who came to this country to appear at the United Nations and talk at the United Nations and condemn this country for what we are doing.

We dealt with hearing President Chavez and the President of Iran, Ahmadinejad. They both made just absolutely outrageous speeches on the floor of the United Nations. And it is difficult to believe that these people could come into our country and say the kinds of things that they did, but in many ways their speeches were gifts to us because they pointed out the danger that we face from these tyrannical leaders of other countries.

I want to mention first some comments from the President of Iran. He mentioned in his speech that justice was a victim of force and aggression. Well, it certainly is. It was certainly a victim of force and aggression when he participated in the overthrow of the American Embassy in Iran in 1979, and held American hostages for 444 days. He spoke of ridding the world of nuclear, biological, and chemical weapons; but he continually refuses to halt the production of enriched uranium in Iran. He wants to rid the world of aggression and strive for peace, even though he created a proxy war in Lebanon and continually funnels weapons to Hezbollah which continually attacks Israel and tries to bring on world war there.

I was astonished when he spoke of dignity for all human beings and is longing for peace. These words are surprising here from a man who has prayed for the demise of America and constantly calls for Israel to be wiped off the map.

His biography reads like a horror novel, directing multiple assassinations while he was in elite military units and working with Ansar al Hezbollah, the violent Islamic vigilante group. His main goal is the destruction of Western Civilization. That speech was a complete farce. He has shown his true agenda time after time, and one misleading speech at the United Nations is not going to fool America or the world.

While we witnessed the Iranian dictator lecture us on freedom, democracy, and justice, it is ironic that in his own country this tyrant denies his own people the basic rights of freedom of speech and freedom to assemble. His speech focused on freedom, justice, and dignity for human beings, but as the President he has done nothing to bring any of his so-called goals to his own people. Women are denied rights of inheritance, divorce, and child custody and use of their rights of self-expression and economic creativity. Basic rights are denied for the people of Iran, and that is why even with the soaring prices of oil, more than 40 percent of the Iranians live below the poverty line.

Today in Iran, dissent is brutally suppressed and terror is the regime's only instrument of domestic or foreign policy. While he may resent us for being powerful, he does not realize that the foundation of our power is rooted in the freedom of our great people to pursue happiness, to innovate, and to speak freely.

So while it was very painful for us to hear the President of Iran come here and lecture us and be such a hypocrite, I think it was instructive and reminded the American people of how close we are to having a world dominated by tyrants like him and tyrants like Hugo Chavez who would turn the world back, in Iran's case to the fifth century, where they would be in charge and where there would be no freedom like we know it. It would be a horrible world, and yet they want to do that. They hate Western Civilization and want to destroy Western Civilization at every possibility.

I want to take a moment now to recognize another one of my colleagues who is here from the great State of Texas who wants to I think join me and talk about the national security issue, and so I am going to yield to my colleague, Congressman BURGESS, who is going to speak briefly on the issue of the national security.

Mr. BURGESS. I was actually coming to do a memorial for one of our firefighters who we lost over the weekend, but I certainly want to echo the sentiments and the comments that you have made. I, like many of my colleagues, was outraged by Hugo Chavez in this country, and I think he was appropriately reprimanded and upbraided by a Member on the other side of the aisle, CHARLES RANGEL, in whose district the gentleman from Venezuela chose to make his rant public.

It is indeed unfortunate that people feel that they have the license to come to this country and criticize our government as our guests. It is I suppose just a fact of life when there are people who are as kindhearted and as generous as we are that from time to time we are going to be abused by those in the world who choose to behave that way.

The gentlewoman also mentioned the 9/11 Commission, and we hear from time to time about the 9/11 Commission and how many of the recommendations of the 9/11 Commission have not been met. But two of those recommendations I think are extremely important. The 9/11 Commission said that, number one, you have got to secure your borders. You have got to know who is in your country, when they come, when they leave, what they are doing here while they are there.

The 9/11 commission was very explicit in this instance, and I think it is critical that this Congress in the time that we have left this year make certain that we indeed get that legislation passed.

The other thing the 9/11 Commission brought up was that we ought to be encouraging democracies particularly in unstable parts of the world, such as the Middle East, and certainly the President has done just that. It is not always easy, it is not always straightforward, it is not always a job for which we are thanked, but it is the right thing to do. And if you take the long view and if you look out over the next 20 or 30 years' time, I think that history will judge this time and this Presidency as having been absolutely critical for reestablishing that degree of stability that we may achieve in the Middle East by establishing those democracies.

I thank the gentlewoman very much for yielding time.

Ms. FOXX. I thank the gentleman from Texas (Mr. BURGESS) for coming in and adding to the comments that have been made by my colleagues on this issue of national security and bringing up some points that had not been made before. You have done a very, very fine job of bringing in those issues about the 9/11 Commission report and showing how we are doing the things that the 9/11 Commission has said that we need to do. It is something that I had intended to mention in my remarks, but I am glad that you brought them up because you were very eloquent in what you said.

I want to say again that the Republican leadership here, the President, the Vice President, the Secretary of State, we are all focused on improving national security for this country. We want to make sure that the people of this Nation know that they are secure in their everyday lives, that they can go about their jobs, go about their leisure, and go about their business every day doing what they should be doing and forgetting in many ways what happened in 9/11 because they have a government, a national government that is focused on the defense of this Nation and national security.

And I want to encourage our Democratic colleagues to hear what I know their constituents must be saying to them, that they want to remain safe in this country and they want us to deal with those issues at this level. We know no other level of government can do that. And I feel confident that over the next week, as we continue to deal with the issues that we need to deal with before we take a recess to go home and work on our campaigns, that we will focus on the most important job of the Federal Government, and that is securing this country and focusing on the defense of this country and making sure that our citizens can go about their daily lives feeling safe as we did before 9/11 hit and as we will again.

And I want to say to our leadership, you have done a wonderful job in taking us closer and closer to a time when we will be able to once again feel free to do all those things that we did before 9/11, and make sure that that kind of act never occurs in this country, and yet we maintain our constitutional rights and privileges and at the same time go after terrorists where we should be going after them.

IN MEMORY OF FORT WORTH FIRE CHIEF CHARLES GAINES

Mr. BURGESS. Mr. Speaker, I ask unanimous consent to speak out of order for 5 minutes to address the House.

The SPEAKER pro tempore (Mr. DENT). Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. BURGESS. Mr. Speaker, I rise tonight to honor the life and the memory of Fort Worth Fire Chief Charles Gaines. Chief Gaines passed away this past Saturday evening rather suddenly of natural causes. Chief Gaines was 49 years of age.

Mr. Speaker, our paths crossed several times during Chief Gaines' 4-year tenure as fire chief and my 4 years in Congress. The commitment and dedication that the chief showed to his profession was evident from the moment we met. Under his leadership, Chief Gaines was accountable for the oversight of 745 firefighters that composed the Fort Worth Fire Department. As fire chief, he also oversaw the department's response to over 57,000 incidents annually in the city of Fort Worth.

Before serving as the fire chief of Fort Worth, Chief Gaines served in the United States Air Force as a fire protection specialist. He worked on crash and rescue teams at various Air Force bases until his promotion to Air Force assistant chief. After receiving an honorable discharge from the Air Force in 1980, he continued his career as a member of the Oklahoma City Fire Department in 1981.

During the 1995 bombing of the Murrah Federal Building in Oklahoma City, he served as the fire department's operations safety officer. His service and leadership during this national tragedy ensured that the first responders and government workers were informed and received all medical attention.

Fire Chief Gaines was known throughout the department as a man of integrity. While negotiating with the firefighters' union early in his Fort Worth career, his calm, collective demeanor earned him the respect of the department and his co-workers. He was able to compromise with the union and resolve differences between the two sides.

He had a detail-oriented approach to problems, and this meant that problems within his department, those issues were addressed the first time around. Chief Gaines earned his Master's Degree in Business Administration from Oklahoma City University, and he incorporated efficient management techniques throughout the Forth Worth Fire Department. This management style allowed him to incorporate and encourage innovation and alternative thinking.

Chief Gaines was able to initiate solutions that would more effectively safeguard the citizens of Fort Worth, while saving tax dollars in the process. Chief Gaines was the first African American fire chief in the city of Fort Worth. The city has a 113-year history of that department. Chief Gaines brought a new wave of energy to the Forth Worth Fire Department. His policy of requiring a minimum of four firefighters to each fire truck helped Fort Worth become one of the top 10 safest cities in America.

His leadership, professionalism and dedication will not be soon forgotten in the city of Fort Worth or Oklahoma City. His devotion to his career and his fellow officers was absolute, and his service to the Fort Worth community will be deeply missed.

Godspeed, Chief Gaines. We will see you at the top.

□ 2245

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 want to thank the Democratic leader, NANCY PELOSI, and also the Democratic leadership, STENY HOYER, Mr. JAMES CLYBURN and Mr. JOHN LARSON, who is our Vice Chair.

I must say, there is so much to talk about tonight. Not only Members of Congress know there is serious business to discuss as it relates to the new revelations on what is happening in Iraq and the war in Iraq, but also I think it is a reflection on the lack of oversight here in this House.

I think the American people need to be very concerned about what has not happened here on this floor, in committee, in subcommittees, and as it relates to the leadership making sure that our men and women in harm's way not only have what they need in the field, need it in Afghanistan, where they are undermanned and under gun at this particular time, but due to the training of Coalition Forces many are able to protect themselves, but they need more.

In the war in Iraq, a number of unfortunate events are taking place on a daily basis. A number of Marines were lost over the weekend, and we are in our last week of session. I think that the lack of oversight and diplomacy at the same time has resulted in a new insurgence that has been created in Iraq.

I must say that Karen D. Young of the Washington Post on Sunday wrote about this. I think it is important to read it. It was on the front page. I think it is important that Members pay close attention to that and provide the kind of oversight that is needed.

I am glad to be joined by the 30–Something Working Group, Mr. Bill Delahunt, better known as Uncle Bill, Mr. Tim Ryan, who is still injured but on the floor because this is our last time before the election to be able to let the Members and the American people know what has not happened in this House. We are also joined by Ms. WASSERMAN SCHULTZ, who is my good friend and served in the district next to me in Florida.

I yield to Congressman DELAHUNT.

Mr. DELAHUNT. Thank you, Mr. MEEK, Ms. WASSERMAN SCHULTZ, and Mr. RYAN.

I arrived some 10 minutes ago and had the opportunity to hear some of

the remarks of our friend and colleague from North Carolina, Ms. FOXX. She spoke about the truly outrageous comments by both the President of Venezuela, Hugo Chavez, and the President of Iran, Mr. Ahmadinejad, at the United Nations; and I think we all concur that not only were the words offensive and insulting and demeaning, but they had to be responded to.

She spoke clearly about the threat that Iran is posing in the Middle East. Yet she talks about Iraq with a view that I don't share in terms of her description. She speaks about progress, moving forward. That is a very hopeful vision, and maybe under new leadership that is a possibility. But that is not what is happening now. And, ironically, the direction that Iraq is going is towards Iran. How ironic. How ironic that a member of the majority party speaks about Iraq as if it were going forward and at the same time decries the threat from Iran.

If you look to my right in this particular picture, what you have is a photo that was recently taken in Tehran. The gentleman that is farthest to my right is the Prime Minister of Iraq. He is shaking hands and clasping the hands of Mr. Ahmadinejad, who is the President of Iran and whose remarks at the United Nations provoked a response from most Americans and hopefully most members of the United Nations that was deserved.

What I find particularly interesting is that we have spent hundreds of billions of dollars and almost 3,000 American lives have been lost to provide freedom to Iraq, and yet they are going to Tehran. And while in Tehran, according to the Congressional Research Service, there have been a number of agreements between these two governments. Stop and think about that.

A joint committee has been formed to prevent border infiltration from Iran into Iraq, a joint committee to exchange information on mine fields left over from the 1980 to 1988 war, cooperation to search for missing victims of the war, a requirement for Iran to devote a part of its reconstruction contributions for Iraq to Iraq's defense minister. And, most importantly, a bilateral military cooperation.

What have we done?

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank the gentleman for yielding.

You ask a very important question: What have we done?

I think that answer came to us in the form of a third-party validator in the form of the New York Times on Sunday with the headline, ''Spy Agency Says Iraq War Worsens Terrorism Threat.'' The national intelligence estimate, which is a conglomerate report of all of the spy agencies that operate inside the U.S. Government, and they attribute literally a more direct role to the Iraq war in fueling radicalism than that presented in either White House documents or in a report released last Wednesday by our House Intelligence Committee. Essentially, it asserts that Islamic radicalism, rather than being in retreat, has metastasized, the words in the report, and spread across the globe.

We are literally in a situation now where we have our good friends on the other side of the aisle trying desperately to articulate that they are stronger on national security when every day brings more and more bad news for them in terms of where we are versus where we were 5 years ago.

If you recall, a couple of weeks ago we talked about on this floor everywhere we all went on September 11. Our constituents asked us, so are we safer? Are we safer this September 11 and beyond than we were on September 11 5 years ago?

I have not seen a more damning assessment with a resounding ''no'' as an answer than this one.

Add to that your question of what have we done. There are so many reports we could spend the entire hour just on the whole issue of the lack of troops that we have in Iraq and Afghanistan, the assessments that our military experts are doing and desperate messages that they appear to be sending to the administration that are going unheeded.

One colonel said his unit equipment levels have fallen so low that they now had no tanks or other armored vehicles to use in training and that his soldiers were rated as largely untrained in attack and defense. That is one of our colonels fighting in Iraq. That is just absolutely inexcusable.

It would be different under the Democrats. We would implement our real security plan. We would make sure that the equipment that our troops need would be funded and provided. We would make sure that we have a plan to get us through the war, make sure that we stand up to Iraqi troops and have a phased withdrawal of American troops, and that there would be an end in sight.

Mr. RYAN, you said it so well the other day when you gave a very stark assessment of what is going on with the war in Iraq. I know you have some charts here that I am sure you will take us through. We have got to make sure that we focus both on security and getting a handle on the situation over there and getting a handle on the homeland security situation here that is also writhing in disarray inside our own borders.

Mr. RYAN of Ohio. I think it is important. Again, this is a third-party validation from the national intelligence estimate. This is not us talking.

Time and time again we find out there are these other people that are giving us information. This is not information coming out of the Democratic Caucus, and I want to read some assessments that are almost unbelievable, things that we have been saying, but finally now the best and the brightest of the national security teams across the countries, the spy agencies, professionals in the business are saying this.

They are saying that although the intelligence officials agree that the United States has damaged al Qaeda, which we have, probably through Afghanistan more so than Iraq, the original front that we all agreed on, that we disrupted their abilities to plan and direct major operations, radical Islamic networks have spread and decentralized.

We poured gasoline on a fire when we went into Iraq, and we need to make that point. Many of the new cells, the NIE conclude, have no connection to any central structure and arose independently. The members of the cells communicate only among themselves and derive their inspiration, ideology and tactics from the more than 5,000 radical Islamic Web sites. They spread the message that the war in Iraq is a western attempt to conquer Islam by first occupying Iraq and establishing a permanent presence in the Middle East.

What we have to realize here and I think what the President needs to realize and the lack of oversight by the Republican Congress, what we need to realize here is that it is not our view that matters, it is what do they think? How do they see our response? If average people in the Middle East see us as being detrimental to their interest, their ideology spreads. So this attempt in Iraq has really poured gasoline on the fire. I think at the end of the day, it has made us less safe.

□ 2300

And it is not our saying it.

I think we need to make this point very clearly. Is Saddam Hussein being gone a good thing? Yes. But overall, take a step back and look at the big picture. If you are creating thousands and thousands of more terrorists who are decentralized and spread across the world who are looking to hit the United States and make the bull's eye much bigger, I think it is important to say this administration clearly has made the United States less safe. And as citizens of this country, we can't be afraid to say that. They have made us less safe, period, dot, Mr. MEEK. Less safe. Not me, not KENDRICK MEEK, not DEBBIE WASSERMAN SCHULTZ, not BILL DELAHUNT, not NANCY PELOSI, not HARRY REID, not CHUCK SCHUMER, but independent professionals have made this assessment and said that the war in Iraq has made the country less safe.

And even those people who said maybe it was a good idea to go in, it was the administration and the execution afterwards that has made us less safe because we went in there with no plan. We went in there without enough troops. We went in there and didn't do the job. We went in there without the proper approach to figure this whole thing out.

And at the end of the day, it is not our saying it, and I take no pride in

saying that we are less safe now because our constitutional obligation, when we swear and put our hand up, is to make sure that we protect this country. I take no pride in this, but what we have to do is take this information and fix it. And the Republican majority has made no attempts to try to fix this.

Everything has been politics, Mr. DELAHUNT. Everything has been, how do we smooth this over? How do we make this look good? How do we come out and stay the course and put a banner up ''Mission Accomplished''? And when that banner does not work, you put up another banner and then another banner, and you have people come to the floor. Things are not going well in Iraq. Let us admit that.

Mr. DELAHUNT. And I think you have stated it well, TIM, and that is that despite the reality, because of political needs on the part of the Republican majority, the American people are not getting the truth.

I am not suggesting that there is intentional misleading on the part of our colleagues. I think that they hope so profoundly that they have created an alternative reality. How can a Republican Member come to the floor and say on one hand we have got to be careful of Iran and things are going well in Iraq and the only thing that I can see, in addition to the report of the National Intelligence Estimate, is that Iraq is going in the direction of Iran? Some day we could wake up and there is an alliance. There is an alliance.

There are connections. The leadership in Baghdad during the Saddam Hussein regime, many of them resided in Tehran, and what we have here is a symbol of the two leaders of both of these countries executing military cooperation agreements. Is that the direction that the American administration intended when they launched a war into Iraq, that we would create a hegemon in the region, in Iran, that would be allied with Iraq? Now, I am not suggesting it is a formal alliance, but you tell me what direction it is going in. Have an oversight hearing on it.

Ms. WASSERMAN SCHULTZ. Mr. DELAHUNT, we talked a couple weeks ago about that handshake and how in the years that I was growing up, that Mr. MEEK and Mr. RYAN were growing up, in a trillion years you would never have expected this handshake to ever happen. And it certainty is not the culmination of years of hard work and diplomacy. Growing up, these two countries, Iraq and Iran, were bitter enemies locked in a war across their borders that was seemingly endless. And to have predicted that what would bring them together, and certainly Prime Minister Maliki does not hate the United States, but what would force these two countries together as allies, as that picture demonstrates, is the United States' inappropriate involvement in the midst of that region where essentially they have been forced together because of Iran's hatred for us. And the original conflict emanated from Sunni and Shiite tension and hatred, and now the United States has done what thousands of years was not able to do, brought the Sunnis and the Shiites together, united in hatred for the United States.

Mr. RYAN of Ohio. If the gentleman from Florida will yield, I think the point here is this: Was this the intention of this administration? Was this the intention? Of course it was not. So we don't want to misstate anything. The intention of the war in Iraq was not to somehow build an alliance between Iraq and Iran.

Ms. WASSERMAN SCHULTZ. It was a byproduct.

Mr. DELAHUNT. But when you don't think through a situation, when you don't plan, you have unintended consequences.

Mr. RYAN of Ohio. Thank you. When you don't plan, when you don't follow through, when you don't have an exit strategy, that is what happens. So, my friend, what do we do when you have an administration and a Congress that are so reckless and so ill prepared for what the consequences are going to be that that happens? You have the Iraqi leaders and the Iranian leaders shaking hands and building alliances. We could see it coming. You can see it coming. Do you reward them with re-election? Do you say the people who got us into this position, we are going to ask them to come in and clean it up too?

It has been bad preparation. It has been misleading information up to the point that ultimately leads to this. And no one has been fired. And as Mr. MURTHA said so eloquently, not only hasn't anybody been fired, but the members and the architects of this have been promoted. Mr. Wolfowitz, who was Under Secretary of Defense, is now with the World Bank. He got a promotion. Mr. Rumsfeld is still there. All the underlings are still there.

Mr. DELAHUNT. I just want to ask Mr. MEEK, because I know he serves with great distinction on the Armed Services Committee, can you tell me has there been a hearing, an oversight hearing, in terms of what is encompassed in that bilateral military cooperation agreement between Iran and Iraq? Has there been any exercise by the Republican majority in this House of finding out what it is all about? Should we be concerned? Because, if I can for just 30 seconds, I want to read. This is from a think tank in Britain. Sometimes you have to go overseas to get the truth:

''Iran, despite being a part of U.S. President Bush's Axis of Evil, has been the chief beneficiary of the war on terror in the Middle East. Of particular note is Iran's influence in Iraq. The greatest problem facing the U.S. is that Iran has superseded the United States as the most influential power in Iraq.''

Has there been a hearing in the Armed Services Committee, Mr. Chairman?

Mr. MEEK of Florida. I can tell you, Mr. DELAHUNT, and with Mr. RYAN being here, as we are both members of the Armed Services Committee, of course there hasn't been a hearing.

Mr. DELAHUNT, if I may, I just want to top shelf my rubber stamp again. It would be going against the philosophy of the rubber-stamp Republican majority to have such a hearing because, A, it would be embarrassing for the administration, and at the same time, embarrassing for this Congress. Things have gotten so out of control to the point to where there is not a great discussion on new members of the coalition. Have you heard that recently, that we have new countries that are coming to the coalition in the war in Iraq? No. They are not. The only new members of the coalition in the war in Iraq are U.S. contractors that are there because they are the second largest force there.

I think Mr. RYAN, when he pointed out this article that was in the Washington Post on Sunday by Karen DeYoung, I mean, there is a lot here, Mr. Speaker, even in the New York Times and even on television and even by active generals that are in the military now and those that are retired that are saying we need help, we need leadership.

When the President and this Congress punts to the military commanders on diplomacy, we have General Casey over there being the State Department and the Defense Department at the same time. We have career service State Department employees that have trained their entire lives for working out these kinds of issues. And when we put forth proposals as it relates to redeployment, taking the training wheels off the Iraqi Government and the military, there are those on the other side saying ''stay the course.'' Okay. Let us talk about staying the course.

Mr. RYAN read something and I just want to read it again. It is out of this article. You can go on Washingtonpost.com. It is what it is. This is not something that we have put together. We have this National Intelligence Estimate that is a draft report, Mr. DELAHUNT, a draft. What is going to happen when the real report comes out after the November elections? Let me just read some of the things in the article. They are stating the obvious. I mean, are you tired? Do you need any more? That is obvious here, it is the obvious that they are stating here. More than 5,000 radical Islamic Web sites are spreading the message that the Iraq war is a Western attempt to take over Islam and establish a permanent presence in the Middle East. They are calling the United States crusaders because the President is saying ''stay the course.'' That is all he is saying, ''stay the course.'' By ourselves.

Now, I just want to digress here for a minute to say that being on the Armed Services Committee, you have to pay attention to what is happening in the

committee. We get our staff that writes reports even on meetings when the staff attends staff meetings, and I just remember yesterday, after the elections, the administration and our top commanders in Iraq and a number of members of the majority said, oh, yes, we will be able to take the troop levels down after the election. Yes, we will send a number of people back home. General Abizaid came out just a week ago, last week, and said that we have 147,000 troops in Iraq right now and maybe, maybe by the spring we will send 7,000 back.

Now, I am going to tell you this right now, Mr. DELAHUNT, Ms. WASSERMAN SCHULTZ, and Mr. RYAN. I am no prophet and I am definitely not a psychic, but I am going to tell you this: if you keep doing the same thing expecting different results, it is not going to get us to where we need to be. This is the outfit, Ms. WASSERMAN SCHULTZ, as I close, that said that we are going looking for weapons of mass destruction, that there are weapons of mass destruction out there. So under the administration when it was proven wrong, they then flipped the script and said, well, now it is the war, the war on terror, the global war on terror.

This is a war in Iraq. The war on terror is in Afghanistan. And this report, it is not a Democratic report. These are intelligence clandestine experts that are career service individuals that have said that we have more terror and it is an incubator for terrorism throughout the world.

□ 2315

So I think it is very, very important that we take note of this. And it is very, very important that we do not take this lightly.

Ms. WASSERMAN SCHULTZ, this is not something as it relates to the Democrats proving a point. This is not about proving a point. This is about America. This is about the United States of America. This is about the safety of United States citizens and those that live within the borders of the United States and those that are abroad of our future, and better yet this administration is saying, stay the course with very little or no oversight

Ms. WASSERMAN SCHULTZ. And you are absolutely right, Mr. MEEK. And we have our interests and we have our intelligence experts saying that staying the course is the wrong approach because we are getting worse not better in terms of the results that we are getting over there.

We have our military experts, our generals, that I know Mr. DELAHUNT has the commentary from the generals that ran the operations in Iraq lined up and ready to walk us through. We try to talk about this. This is not, you know, it would be very easy for us to come out on the floor and talk about what DEBBIE WASSERMAN SCHULTZ's opinion is, KENDRICK MEEK's, TIM RYAN, BILL DELAHUNT, we are citing the experts, the intelligence experts, the military experts.

Mr. DELAHUNT, I want you, if you would not mind, to go through that. I want to read the opinion of one soldier who communicated my office. This is an e-mail that I got from a soldier in Iraq fighting in Baghdad now. I want to read you his opinion because he is there.

He says, ''In truth every day we are over here we become weaker and they become stronger, Taliban too. It is not getting worse in the sense of more violence and stuff like that, it is getting worse in the minds of those over here and those who are going to have to come back over here. We are not doing anything over here. The bad guys just have to kill one American every couple of days, and that is all they have to do to keep things'' expletive deleted.

''We could kill hundreds a day and it would not matter. The longer we stay the worse it gets. Think about it like this, when Americans came back from fighting World War II people said, 'thank you for fighting.' When people come back from Iraq, people say, 'I am so sorry you had to do that.'

They feel pity. Take from that what you will. Whether the Democrats or the Republicans are in the White House in a year and a half, America is in a seriously bad situation. What happened to Russia after they failed in Afghanistan, not to say that that will happen to us, but the fact of the matter is that we are a lot worse off than we were 6 years ago, a lot worse off.''

Now that is pretty damning from a soldier on the ground who is obviously a patriot and who is doing everything he can to protect American interests and to protect the interests of the democracy, the fledgling democracy that has been created by hook or by crook over there.

But, let's take that one step further. And look at this chart, Mr. DELAHUNT, and then I would like to yield to you. But let's follow up on what this young soldier's opinion is from a snapshot of his on the ground, to the reality of our withdrawing from Afghanistan.

We have the rhetoric versus the reality. We have joined with the Afghan people to bring down the Taliban regime, the protectors of the al-Qaeda network, and aided a new Democratic government to rise in its place. That is the Republican rhetoric.

The reality is that the national—that is the rhetoric called the National Security Strategy of the United States, March 16, 2006. Here is the reality on the ground. From 2001 to 2003, the number of Taliban attacks amounted to 22.

From 2004 to 2006 the number of Taliban attacks amounted to 284. How about the number of suicide attacks from 2001 to 2004? Nine. The number of suicide attacks from 2005 to 2006? Sixty-four. This is in Afghanistan, we are not talking about Iraq.

Goal for numbers of NATO and U.S. trained soldiers in the Afghan army? 70,000. The number of trained soldiers in the Afghan army: About 26,900.

How about the number of hectares, which is an area, in Afghanistan devoted to poppy cultivation in 1999? 51,500. Hectares in Afghanistan devoted to poppy cultivation in 2005? 107,000, more than double.

Estimated opium produced from Afghanistan's crop? 4,475 metric tons, and the percent of global opiate supply originating in Afghan is 90 percent.

But let's stay the course, Mr. DELAHUNT. Let's keep going in the same direction and repeating the same mistakes.

Mr. MEEK of Florida. This has now gone far beyond party loyalty. I mean, this is when you take off your partisan hat, and you have to say this is for protection of not only the U.S. troops but also the people of the United States of America.

Mr. DELAHUNT. You know, and you are so right. I mean, we really have to be past partisanship at this point in time. And, again, I am not being critical of a particular Republican Member. But to come to this floor and say that things are heading in the right direction is simply inaccurate. It is not intentional, but it is inaccurate.

And it is, you know, hope that is founded on an illusion. But there are some Republicans that are speaking out, that are known to be hawkish, if you will, in terms of their view. I serve on the International Relations Committee. And recently we have had a hearing.

And before the hearing there was a letter that was sent to the President of the United States who claims that we are winning the war on terrorism, and things are going well. And this is what this letter said. I am just going to read one paragraph. ''The United States efforts in Afghanistan are failing. Afghanistan faces its highest level of violence and corruption since its liberation. Drug money continues to finance terrorism.'' The chart shows, by the way, that there was like 44 tons of opium production in 2005.

Ms. WASSERMAN-SCHULTZ. 4,475 metric tons.

Mr. DELAHUNT. In 2006 it is estimated to be over 6,000 in this current year, 6,100 to be exact. It has become a narco state. Let me go back to this letter.

''That failure, coupled with aggressive efforts of the terrorists, threatens to destroy Afghanistan's nascent democracy. A free government that Americans and coalitions have died to support.''

That letter was sent to the President by two of our colleagues, one HENRY HYDE, the highly respected chairman of the House International Relations Committee, and MARK KIRK from the State of Illinois, both Republicans. For the first time, there is a little bit of reality and forthrightness, and I am not going to use the word ''truth'' I will say accuracy, in terms of what the realities are.

It is confirmed over and over and over again, wherever you go, whether it is Iran, or whether it is Iraq, or whether the Global War on Terror is

being won. And when you have the administration's own intelligence services saying that they conclude that the War in Iraq has made global terrorism worse by fanning Islamic radicalism and providing a training ground for lethal methods that are increasingly being exported to countries, we are spreading terrorism all over the world like a deadly virus.

Mr. RYAN of Ohio. I think it is so important that we keep going back to this national intelligence estimate that was done by over a dozen professionals who have been involved in this field, Republican and Democrat, overseen by Republicans.

It says, ''The estimate concludes that the radical Islamic movement has expanded,'' and this is very important, ''it has expanded from a core of al-Qaeda operatives and affiliated groups to include a new class of self-generating cells inspired by al-Qaeda's leadership, but without any direct connection to Osama bin Laden or his top lieutenants.''

So what we have done, so what we have done is we have spread this, diffused this radical ideology into self-generating cells that will be able to look, assess, and potentially attack the United States in a very decentralized way, which makes it even more difficult for us to try to combat it.

Now, this is another quote from the article. I believe this is the New York Times article. ''In early 2005, the National Intelligence Council released a study concluding that Iraq had become the primary training ground for the next generation of terrorists.'' So it is now a training ground, it is now a practice field for new terrorists, ''and that veterans of the Iraq war might ultimately overtake al-Qaeda's current leadership in the constellation of the global Jihad leadership.''

We now are creating competing interests between al-Qaeda and these veterans of the Iraq war. We have turned this into a way for these terrorists to go to Iraq and basically become decorated in their way in this own demented movement that they have. And we all agree that it is demented and it does not make any sense, and they are fanatics and everything else.

But what we are trying to do is say, let's be smart about this. And their approach has caused us more grief, created more terrorists, and put us at more risk. The United States is less safe today than we were a few years ago because of the way this administration has conducted this war.

Now, if we had got rid of Saddam Hussein, and that would have been it, and we would have secured Iraq and built this democracy there, that is one thing. But that did not happen. Now we have a Secretary of Defense, it finally comes out that he said, the next person that asks me about a post-war plan will be fired.

So we have got an estimate saying that this war is actually increased the number of terrorists, and then at the same time, and we know part of it is because it has taken so long to secure the country. Then we found out the Secretary of Defense said, well, the next person that asks for a post-war plan is going to be fired. Wrong.

Ms. WASSERMAN SCHULTZ. It just does not have to be this way. We have a real security plan that we will implement. After November 7, our Democratic leader, Ms. PELOSI, who will be the Speaker, who will be the Speaker of this House of Representatives, talks about in the first 100 hours, we will pass legislation that will implement the 9/11 Commission recommendations.

That we will make sure that we provide our troops with the equipment that they need, that we will provide the region with the number of troops necessary to get the job done so that we can stand the Iraqi troops up and withdraw our troops, and make sure that we begin to withdraw from the region and develop a plan to make sure that it can sustain itself.

It is just mind boggling that they support a stay the course concept. We have got to implement the plan that is going to work, instead of continuing down this path to absolute chaos.

Mr. DELAHUNT. I want to pose a question to our expert on the Armed Services Committee. Because while we are, as our national intelligence estimate suggests, while we are losing the war on terrorism, and it is expanding, what has been the impact in terms of our military?

Is our military stronger today than it was 4 years ago? Because today, Mr. MEEK, in the Washington Times, a conservative paper, there is a report by Rowan Scarborough, the Army is studying whether to add more combat units to the rotation plan for Iraq.

''Rather than planning for a big draw down of 30,000 Army soldiers and Marines this year to a level of 100,000 as field commanders had expected, the two services are now trying to figure out how to keep the equivalent of two extra divisions or 40,000 troops in Iraq.''

The Army is facing more demand for troops at a time when military analysts say it is nearly stressed to the breaking point.

□ 2330

What does this mean? Are we eroding the strength of our military?

Mr. MEEK of Florida. Very quickly, I just say that here is another article, September 25, 2006, by I believe it is Peter Spiegel. I mean, the bottom line is that the Army has now alerted or withheld or what have you or the Pentagon withheld, we do not know, because even as Members of Congress this has been noted as one of the most secretive administrations in the history of the United States of America. The reason why they have been very secretive in classifying everything is that the Congress has not demanded more, not only for Members of Congress such as myself who serve on two national security committees here, either be Homeland Security Committee as the ranking member of the Subcommittee on Oversight or a member of several subcommittees in Armed Services.

So, when we read about these things, we have to read about it in the paper. They did not elect us to come up here and read the paper just like the average American and expect us to govern because we do not have an opportunity to govern here because the Republicans are in the majority, and they continue this kind of atmosphere.

The Army right now, they need additional billions to be able to keep up with what is happening in the war in Iraq and other commitments not only throughout the world but domestically. So, if something were to happen, whether it be China or Iran, there would be serious issues for us.

So, when you see these two leaders of not only Iraq and Iran come together at the U.S. taxpayers' expense, I mean this is something we need to pay very close attention to.

I am going to keep it very simple and I am going to yield because there is not a lot that I want to say tonight because I am truly upset about the fact that this continues to happen. The only disruption in this streamline of policy-making or lack thereof is that we have the majority in this House. There has to be a Democratic majority in this House to bring balance to our democracy.

Stay the course just because they say it does not mean it is the truth. We are winning in Iraq. Okay. They have said it so it means we are winning in Iraq, okay, even though you have national experts as it relates to the clandestine organizations not only in this country but abroad that are saying we are stimulating more terrorism than we are tearing down terrorism.

We have the 9/11 Commission that has put forth recommendations to make America safer, but this Republican majority will not adopt those recommendations.

We have individuals that are on their fifth and sixth deployment, need it be a soldier or a Marine or a Coast Guard or a sailor or a pilot in the U.S. Air Force, on their fourth and fifth deployment, and then we have the administration say stay the course, and we have the rubber stamp Congress say, yeah, yeah, stay the course.

Then we come up with recommendations on redeployment and hopefully working with other countries in securing not only Iraq but telling Iraq, listen, you have to secure your own country. You have on average 60 Iraqis dying a day, three to four U.S. Armed Forces dying a day. And so we are saying stay the course? It is very simple. What more do we need?

We are borrowing more from foreign Nations than we ever borrowed before, $1.05 trillion versus $1.01 trillion, 42 Presidents, 224 years of history before us.

We have got the past Speaker, Republican Speaker, it is not a Democrat,

that is saying, ''They are seen by the country as being in charge of a government that cannot function.''

Mr. Speaker, Speaker Gingrich is the individual who brought about, quote, unquote, the Republican revolution that is calling the Republican majority ''they,'' and it goes on and on and on, need it be the gas companies that are making record profits. Look, rubber stamp Congress, $113 billion.

Or need it be in congressional increases in salaries like Mr. RYAN pointed out. Individuals are being rewarded for mediocrity, for saying, okay, well, as long as I am with the team and I am loyal to the President of the United States and I am loyal to the Republican majority, I am going to move up in the company. Well, guess what, this is not a company. This is the government of the United States of America.

Mr. DELAHUNT. Of the people.

Mr. MEEK of Florida. Of the people. The U.S. taxpayer. We have individuals that are being placed in new positions. What do you think in the Pentagon? Well, if you go with your training, with your education and your experience and talk about a post-Iraq plan or talk about standing up to the boss or talk about maybe saying, well, excuse me, I know that you have your plan and all, but you know, we need X, that you are making a career decision in this government?

So just for balance we need a Democratic House. We need a Democratic Congress that will bring balance and will ask the ''but'' question or maybe we need to call this individual in and understand more about things because we are the individuals that are elected to represent the people of the United States of America, not Republican, not Democrats, not Independents, but the people of the United States of America. Until we have that, we are not going to have a true democracy. We are not going to have balance. We are not going to have level thinking. We are not going to have the direction that our men and women need on the ground. We are not going to have the accountability that the Constitution calls for, that Mr. RYAN always talks about in article I, section 1. We are not going to have that until we do away with this Republican rubber stamp Congress.

I do not care if individuals who want to follow me, Mr. Speaker, in a 30-second ad to talk about somebody voted one way or another. The facts are that America is more in danger than it was prior to the invasion of Iraq and fiscally in a worse situation in borrowing from nations that we have never borrowed from at the level that we are borrowing from at this present time.

We can talk about articles. We can talk about all these things. The facts are that the experts are saying one thing. It is like going to the doctor and the doctor said, you know, you have a really bad virus. Are you going to stand there and question the doctor? Are you going to say, well, you know, well, I do not have a virus, Republican majority tells me it is just an allergy, I am going to be okay? No. You are not.

So we have the 9/11 Commission that is saying one thing, that are professionals that spent months and months and months, staff, millions of dollars, had the President and other folks going to testify before them. We have this National Security Council that have pulled themselves together, that have released this report, and we have Members on the Republican side, oh, they do not know what they are doing; it is just a draft report. It is going to be a draft until after the election.

So I think the American people, Mr. Speaker, are going to be paying attention to the obvious. This is not just party rhetoric. We are far beyond that at this point.

Mr. DELAHUNT. Can I ask you a question, again, in your role as a member of the Committee on Armed Services, there have been general after general that have spoken out publicly in a very courageous way that have made statements. Let me just read one of them.

Retired Army General John Batiste, this is what he had to say several months ago, and he was part of the team that actually did the planning. He was involved in the lead-up to the Iraq War. Here is what he had to say: ''We went to war with a flawed plan that did not account for the hard work to build the peace after we took down the regime. We also served under a Secretary of Defense who did not understand leadership, who was abusive, who was arrogant, who did not build a strong team.''

In your time on the committee, and I know Mr. RYAN, too, also serves on the Committee on Armed Services, has he ever been invited by the majority to come before the committee and explain in detail what the process was? Have you ever met General Batiste in your capacity on the dais of the House Armed Services Committee?

Mr. MEEK of Florida. I am just going to put it to you this way. Anyone that speaks the truth, some may say truth to power, those individuals that are trained, that are educated, that have been in the Armed Services as the two-star general has been, and has anything to say about the Pentagon or the direction that we are going in will not and have not, since making that statement, anything to say before the Committee on Armed Services.

Do we want to call them in to kind of learn from them individuals, not the Republican majority? The Republican majority are loyal to the rubber stamp, not to the truth.

Mr. DELAHUNT. If the gentleman would yield to me, I think the American people should be aware that whether it was today or yesterday, there was a hearing, we will call it a rump hearing, an unofficial hearing that was conducted by Democrats with three retired senior military officers who came before Democratic members to explain and give their opinions on what went wrong. Imagine, imagine having to do that, that your point about the need to change Congress so that there are no questions, but that this presidency and this White House and this administration is held accountable. It just boggles my mind.

Can I ask Mr. RYAN a question. General Paul Eaton had this to say, another retired Army major general, and he is referring to the Secretary of Defense. He has shown himself incompetent strategically, operationally and tactically and is far more than anyone responsible for what has happened to our important mission in Iraq. Mr. Rumsfeld must step down.

Have you ever seen General Eaton before your committee?

Mr. RYAN of Ohio. I do not recall ever seeing General Eaton.

Because I do not know where to start with what happened on Monday, September 25, 2006, which just so happens to be today with the hearings on the other side from the Democratic Policy Committee with these separate generals who are there, but I want to share with the American people and I want to share with the Speaker and other Members of this House some of the quotes that came out of there. I think this is important because we already have a national intelligence estimate saying that this country is less safe because of the war in Iraq, and then I am going to my friend from Florida who I know has some points to make, too. Less safe, okay, so now we go into what the testimony of some generals who are on the ground had to say.

This is General Batiste, who Mr. DELAHUNT referenced earlier. This guy used to be the senior military assistant to former Deputy Defense Secretary Paul Wolfowitz who is now with the World Bank. He got a promotion for his great work in Iraq. He ''charged that Rumsfeld and others in the Bush administration 'did not tell the American people the truth for fear of losing support for the war in Iraq.' ''

''He told the committee, 'If we had seriously laid out and considered the full range of requirements for the war in Iraq, we would likely have taken a different course of action that would have maintained a clear focus on our main effort in Afghanistan, not fueled Islamic fundamentalism across the globe, and not created more enemies than there were insurgents.' ''

He ''charged in his testimony that Rumsfeld 'is not a competent wartime leader' and surrounded himself with 'compliant' subordinates.''

'' 'Secretary Rumsfeld ignored 12 years of U.S. Central Command deliberate planning and strategy, dismissed honest dissent, and browbeat subordinates to build ''his plan'' which did not address the hard work to crush the insurgency, secure a post-Saddam Iraq, build the peace and set Iraq for up for self-reliance,' Batiste said.''

''In addition, Rumsfeld 'refused to acknowledge and even ignored the potential for the insurgency.'''

□ 2345

The retired general said, ''At one point,'' and this is the apex of incompetency, ''At one point he threatened to fire the next person who talked about the need for a post-war plan.''

Now, we have all been involved in some form of leadership, whether it was in athletics or in politics or in business or whatever the case may be. To just not plan for an insurgency in a war is unacceptable. But then to say that whoever wants to talk about a plan is going to be fired is the height of incompetence.

Mr. MEEK of Florida. Could you give the web site, Mr. RYAN.

Mr. RYAN of Ohio. Www.housedemocrats.gov/30something. Www.housedemocrats.gov/30something.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Mr. SCHWARZ of Michigan). Under the Speaker's announced policy of January 4, 2005, the gentleman from Ohio (Mr. RYAN) is recognized for the remainder of the time until midnight.

Mr. RYAN of Ohio. Mr. Speaker, I yield to my friend from Florida.

Ms. WASSERMAN SCHULTZ. So now what we have in summary is the Director of National Intelligence, John Negroponte, who has signed off on this National Intelligence Estimate and said that he agrees with the conglomerate of intelligence agencies who have determined that we are worse off than we were before we entered Iraq and that Iraq has made us worse; and we have our 9/11 Commission chairs, the bipartisan 9/11 Commission chairs who on September 11 reissued their opinion, that they had issued a report card on their recommendations last December which included 10 C's, 12 D's and 4 F's. ''What we argued then,'' they said, ''is still true now. Americans are safer, but we are not yet safe.''

Well, that was the September 11 assessment. Now the National Intelligence Estimate indicates that, no, we are not safer. We were not safe and we are not safer.

Here are some of the items that the 9/11 Commission indicated that we should implement that have not been implemented in the 5 years since 9/11. Allocate funding on the basis of risks and vulnerabilities. We haven't done that. We have not created and rehearsed State and local emergency response plans. We have not turned over the broadcast frequencies to first responders now, like we should, instead of in 2009 when the plans are to do that. We have not shut down the turf battles, nor increased information sharing among government agencies.

The list goes on and on. There were dozens of recommendations that they made, the majority of which have not been implemented. Both the bipartisan co-chairs have come together repeatedly to say, why has this Congress not moved forward with the recommendations?

If we take control of this body, as we hope to on November 7, Mr. Speaker, we will implement the 9/11 recommendations, we will implement our Real Security Plan, we will commit to moving this country in a new direction, instead of continuing on the stay-the-course mentality.

We have got to make sure that we go in the direction that the American people have called for, which is to make sure that we aren't interminably mired in the chaos in Iraq; that every single day we don't see more and more of our young men and women killed by suicide bombers and by accidents and by deliberate bombings. All for what? That is what I think the vast majority of Americans are asking themselves every single day, is why are we there? What are we fighting for? Is it worth it?

That is why poll after after poll comes back where Americans say they don't think the Iraq war was worth it. They certainly wanted us to go into Afghanistan. They certainly wanted us to go in and finish the job there, to hunt Osama bin Laden down and find him. But we don't even have enough troops on the ground in Afghanistan right now to get that done. That just isn't even possible at this point.

Mr. DELAHUNT. I don't know if the gentlelady saw last evening the interview with former President Bill Clinton. He achieved a bit of notoriety. There was a statement that President Clinton made about if he were President at this point in time, there would be so many more troops in Afghanistan. There would be so many more troops in Afghanistan. The inference is, of course, that we wouldn't be in Iraq.

Well, I am not going to speculate, but I thought it was significant that he talked about the reality is that there is just insufficient troops existing.

You know what I find particularly interesting, we are talking about active duty army military personnel. It is worse with the National Guard and the Army Reserve. I know we all have Guard units back home. I have a large military reservation that has served this country very well. We have, in my opinion, some of the best Army and Air Force National Guard units anywhere in the country. But the truth is, they are under incredible stress.

I will just read this to you. ''More than two-thirds of the Army National Guard's 34 brigades are not combat ready largely because of vast equipment shortfalls that will take as much as $21 billion to correct.

''The comments by Lieutenant General H. Steven Blum came in the wake of disclosures by Army officials, analysts and members of the Congress that two-thirds of the active Army's brigades are not combat ready.

''The problem, they say, is driven by budget constraints that won't allow the military to complete the personnel training and equipment repairs and replacement that must be done when units return home after deploying to Iraq or Afghanistan.

''I am further behind or in an even more dire situation than the active Army, but we both have the same symptoms. I just have a higher fever.''

Mr. MEEK of Florida. Mr. DELAHUNT, I am going to yield after I mention something, about 2 minutes, to Ms. WASSERMAN SCHULTZ, because the facts are what they are. It is what it is.

We are highlighting these. Because we are using third-party validators, Mr. DELAHUNT, we are highlighting these with third-party validators, just in case the Republican majority, and like I told you, for the 109th Congress, I am done with trying to get the Republican majority to see it the way not only that the experts see it, that are bipartisan, or nonpartisan, when it comes down to national security, and the American people.

We can talk about energy, we can talk about safety of America, we can talk about our operations overseas, all of these things are by third-party validators.

Mr. DELAHUNT, the real issue is when you have a situation like we have in Iraq, you call in those individuals that are speaking out. Who? These major generals and these brigadier generals and individuals that are retired now, and retired because they couldn't say it when they were enlisted. What, they are not longer useful to country? We don't want to know what they have to share with us, to help us learn, to help us protect America?

When I was in the State legislature for 8 years, when someone would come to my office, and even here now in Washington, I want to talk to the man or the woman that is in the drop program, those individuals that are already getting ready to retire, because they are going to tell you the truth. They are not concerned about what is going to happen.

I want a sergeant major in the military to come talk to me, because a sergeant major, a command sergeant major is the highest enlisted individual in the armed services. You can't touch them, because they are respected by the men and women that serve under them and with them. They will tell you the truth.

Those are the kind of individuals that we need before the full Armed Services Committee. Those are the kind of individuals that we need to highlight under the dome here, be it House or Senate. That is what we need.

But, Mr. Speaker, that is not what is happening in this Congress. So just because the Republican majority says it or the President says it doesn't necessarily mean that it is true.

We are saying that we are going to bring balance, we are going to bring oversight. Ms. WASSERMAN SCHULTZ, as I yield to you, if there was a Democratic President in the White House,

they would be challenged by the Democrats in Congress. Challenged. Not just, oh, well, you know, we are Democrats first and then Members of Congress second. That has never been the case, Mr. DELAHUNT. There has always been oversight.

President Clinton used to have fits because of what Members of Congress were saying and doing as relates to their oversight responsibilities on issues that they disagreed with him on.

So to bring balance to this government, we need this House to be Democratic-controlled.

Ms. WASSERMAN SCHULTZ. Mr. MEEK, the sergeant major you are referring to generally, that is the guy you will never see under the direction and control of this institution because they, ''they'' being our Republican colleagues on the other side of the aisle, Mr. DELAHUNT, they don't like the truth staring them in the face. Because the facts, when they are opposite the facts, the facts really lay out just what a mess we are in.

What they need to do is what they do every single day that I have been here as a Member of this body, and that is repeat what they would like to be true over and over and over again. Like you said, force our colleagues on the other side of the aisle to rubber stamp whatever it is they do.

Then when they don't automatically rubber stamp whatever it is they do, when that board lights up with the red and the green and the yes and the no, it looks like a Christmas tree, we get Christmas every other month. Whenever there is a tough vote, the arm twisters come out, the arms are wrenched behind their back and conviction gets checked at that Chamber door right there, because when you are elected to Congress as a Republican, apparently you are expected to check your opinions and your principles at the Chamber door and do whatever it is that the leadership is telling you you are going to do and you came here to do. Never mind the folks back home. Never mind going in the direction that the people of this country want to go in. Never mind that we are mired in a chaotic war in Iraq, that gas prices are astronomically high, that we are in a financial situation economically that doesn't allow us to really make the expenditures that we should because we have a deficit that is out of control, because we have a foreign debt that is more than all 42 presidents combined, as you have outlined so eloquently night after night.

Yet in 42 days, Mr. Speaker, we have an opportunity to make a difference. We have an opportunity to move this country in a new direction, to implement the New Direction Agenda, to implement the Real Security agenda, to implement an agenda that is going to once again reflect the values and principles and ideals of working families in America, and not just for the select few, and to elect some Members of Congress who will throw away that rubber stamp.

You often talk about how on November 8 we are going to come back up here and have a rubber stamp burning party. I look forward to the bonfire, Mr. Speaker.

Mr. MEEK of Florida. I would just say, Ms. WASSERMAN SCHULTZ, we will have the appropriate fire, with all fire codes, because we have to do away with this.

Mr. RYAN, I want to thank you for taking on the additional couple of minutes so that we can fully share with the Members. Of course, we need more time to do it, but to share with them even more about the level of frustration, not only that Americans have, but professionals that are in national security business here in this country.

Mr. RYAN of Ohio. Any time I can have an opportunity to give you more chance to speak directly to the American people, I will step up and I will take that opportunity, because I think the American people need to hear what you have to say.

Mr. MEEK of Florida. They want it.

Mr. RYAN of Ohio. They want what you are giving them, Mr. MEEK.

Mr. Speaker, thank you very much, and the staff that stays here with us so late every night. Thank you, Mr. DELAHUNT, who, as we know, is several years older than the 30–Something Group. We know how tired he gets. Thank you, DEBBIE WASSERMAN SCHULTZ, a great leader in Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DAVIS of Illinois (at the request of Ms. PELOSI) for today on account of district business.

Mr. HINOJOSA (at the request of Ms. PELOSI) for today on account of official business.

Ms. KILPATRICK of Michigan (at the request of Ms. PELOSI) for today.

Ms. MILLENDER-MCDONALD (at the request of Ms. PELOSI) for today on account of official legislative business in the district.

Mr. GIBBONS (at the request of Mr. BOEHNER) for today on account of business in the district.

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. PALLONE) to revise and extend their remarks and include extraneous material:)

Mrs. MCCARTHY, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, today and September 26, 27, 28, and 29.

Mr. BURGESS, for 5 minutes, today and September 26.

Mr. GARRETT of New Jersey, for 5 minutes, today.

Mr. BISHOP of Utah, for 5 minutes, September 26.

(The following Member (at her own request) to revise and extend her remarks and include extraneous material:)

Ms. JACKSON-LEE of Texas, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3679. An act to authorize appropriations for the National Transportation Safety Board, and for other purposes; to the Committee on Transportation and Infrastructure.

BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House reports that on September 21, 2006, she presented to the President of the United States, for his approval, the following bill.

H.R. 5684. To implement the United States-Oman Free Trade Agreement.

ADJOURNMENT

Mr. RYAN of Ohio. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 59 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, September 26, 2006, at 9 a.m., for morning hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

9566. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule — User Fees for Agricultural Quarantine and Inspection Services [Docket No. 04-042-2] (RIN:0579-AB88) received September 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9567. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule — Interstate Movement of Garbage From Hawaii; Municipal Solid Waste [Docket No. 05-002-4] (RIN: 0579-AC12) received September 15, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

9568. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Examining System (RIN:

3206-AK85) received September 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

9569. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Temporary Assignments Under The Intergovernmental Personnel Act (IPA) (RIN: 3206-AJ94) received September 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

9570. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Absence and Leave; Creditable Service (RIN: 3206-AK80) received September 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

9571. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Patapsco River, Northwest and Inner Harbors, Baltimore, MD [CGD05-06-062] (RIN: 1625-AA00) received September 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9572. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Colorado River, Laughlin, NV [COTP San Diego 06-025] (RIN: 1625-AA00) received September 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9573. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Choptank River, Cambridge, MD [CGD05-06-069] (RIN: 1625-AA08) received September 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9574. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Choptank River, Cambridge, MD [CGD05-06-065] (RIN:1625-AA08) received September 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9575. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Potomac River, between Maryland and Virginia [CGD05-06-087] (RIN: 1625-AA09) received September 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9576. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Potomac River, between Maryland and Virginia [CGD05-06-083] (RIN: 1625-AA09) received September 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9577. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Jamaica Bay and Connecting Waterways, New York City, NY. [CGD01-06-006] (RIN: 1625-AA09) received September 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9578. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30505; Amdt. No. 3177] received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9579. A letter from the Trial Attorney, FRA, Department of Transportation, transmitting the Department's final rule — Establishment of Emergency Relief Dockets and Procedures for Handling Petitions for Emergency Waiver of Safety Regulations [Docket No. FRA-2006-24838] (RIN: 2120-AB79) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9580. A letter from the Attorney, PHMSA, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Aluminum Cylinders Manufactured of Aluminum Alloy 6351-T6 Used in SCUBA, SCBA, and Oxygen Services — Revised Requalifications and Use Criteria [Docket No. PHMSA-03-14405(HM-220F)] (RIN: 2137-AD78) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9581. A letter from the Chief, Regulatory Development Division, FMCSA, Department of Transportation, transmitting the Department's final rule — Research Carrier Transportation; Redesignation of Regulations From the Research and Innovation Technology Administration [Docket No. FMSCA-2005-21313] (RIN: 2126-AA92) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9582. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Event Data Recorders [Docket No. NHTSA-2006-25666] (RIN: 2127-AI72) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9583. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Seat Belt Assemblies [Docket No. NHTSA 2006-25725] (RIN: 2127-AJ92) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9584. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Insurer Reporting Requirements; List of Insurers Required To File Reports [Docket No. NHTSA-2006-24175] (RIN: 2127-AJ88) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9585. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Occupant Protection in Interior Impact [Docket No. NHTSA 2006-24497] (RIN: 2127-AI93) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9586. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Occupant Crash Protection [Docket No. NHTSA 2005-22323] (RIN: 2127-AI98) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9587. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Federal Motor Vehicle Safety Standards; Occupant Crash Protection [Docket No. NHTSA-2005-21244] (RIN: 2127-AJ59) received September 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9588. A letter from the Assistant Chief Counsel for Hazmat Safety, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Incorporation of Statutorily Mandated Revisions to the Hazardous Materials Regulations; Correction [Docket No. PHMSA-2005-22208(HM-240)] (RIN: 2137-AE12) received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9589. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — Schedule of Fees Authorized by 49 U.S.C. 30141 [Docket No. NHTSA 2006-24128; Notice 3] (RIN: 2127-AJ87) received August 18, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9590. 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. 30504; Amdt. No. 3176] received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9591. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30503; Amdt. No. 3175] received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9592. 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. 30502; Amdt. No. 3174] received August 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

9593. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 30501; Amdt. No. 3173] received August 9, 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. EHLERS: Committee on House Administration. H.R. 2134. A bill to establish the Commission to Study the Potential Creation of a National Museum of the American Latino Community to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino Community in Washington, DC, and for other purposes; with an amendment (Rept. 109–584, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 6054. A bill to amend title 10, United States Code, to authorize trial by military commission for violations of the law of war, and for other purposes; with amendments (Rept. 109–664 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. KING of New York: Committee on Homeland Security. H.R. 4942. A bill to establish a capability and office to promote cooperation between entities of the United

States and its allies in the global war on terrorism for the purpose of engaging in cooperative endeavors focused on the research, development, and commercialization of high-priority technologies intended to detect, prevent, respond to, recover from, and mitigate against acts of terrorism and other high consequence events and to address the homeland security needs of Federal, State, and local governments; with an amendment (Rept. 109–674). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 2840. A bill to amend title 5, United States Code, to require that agencies, in promulgating rules, take into consideration the impact of such rules on the privacy of individuals, and for other purposes; with an amendment (Rept. 109–675). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Florida: Committee of Conference. Conference report on H.R. 5631. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes (Rept. 109–676). Ordered to be printed.

Mr. COLE of Oklahoma: Committee on Rules. House Resolution 1037. Resolution waiving points of order against the conference report to accompany the bill (H.R. 5631) making appropriations for the Department of Defense for the fiscal year ending September 30, 2007, and for other purposes (Rept. 109–677). Referred to the House Calendar.

Mr. GINGREY: Committee on Rules. House Resolution 1038. Resolution providing for consideration of the bill (H.R. 2679) to amend the Revised Statutes of the United States to eliminate the chilling effect on the constitutionally protected expression of religion by State and local officials from the threat that potential litigants may seek damages and attorney's fees (Rept. 109–678). Referred to the House Calendar.

Mr. GINGREY: Committee on Rules. House Resolution 1039. Resolution providing for consideration of the bill (S. 403) to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions (Rept. 109–679). Referred to the House Calendar.

Mr. HOEKSTRA: Permanent Select Committee on Intelligence. H.R. 5825. A bill to update the Foreign Intelligence Surveillance Act of 1978; with an amendment (Rept. 109–680 Pt. 1)

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 5825. A bill to update the Foreign Intelligence Surveillance Act of 1978; with an amendment (Rept. 109–680 Pt. 2). Referred to the Committee of the Whole House on the State of the Union, and ordered to be printed.

DISCHARGE OF COMMITTEE

[The following actions occurred on September 22, 2006]

Pursuant to clause 2 of rule XII the Committee on the Judiciary discharged from further consideration. H.R. 5585 referred to the Committee of the Whole House on the State of the Union.

Pursuant to clause 2 of rule XII the Committee on the Judiciary discharged from further consideration. H.R. 5637 referred to the Committee of the Whole House on the State of the Union.

Pursuant to clause 2 of rule XII the Committee on International Relations discharged from further consideration of H.R. 6054.

Pursuant to clause 2 of rule XII the Committee on Energy and Commerce discharged from further consideration. H.R. 4777 referred to the Committee of the Whole House on the State of the Union.

TIME LIMITATION OF REFERRED BILL

[The following action occurred on September 22, 2006]

Pursuant to clause 2 of rule XII the following action was taken by the Speaker.

H.R. 6054. Referral to the Committee on the Judiciary extended for a period ending not later than September 25, 2006.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. MANZULLO:

H.R. 6159. A bill to extend temporarily certain authorities of the Small Business Administration; to the Committee on Small Business.

By Mr. ROGERS of Alabama (for himself, Mr. ISSA, Mr. MCCOTTER, Ms. HARRIS, and Mr. GARY G. MILLER of California):

H.R. 6160. A bill to recruit and retain Border Patrol agents; to the Committee on Homeland Security, and in addition to the Committee on Government Reform, 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 Ms. GINNY BROWN-WAITE of Florida (for herself, Mr. KIRK, and Mr. FITZPATRICK of Pennsylvania):

H.R. 6161. A bill to amend titles XVIII and XIX of the Social Security Act to expand the nursing home patients' bill of rights to include the right to receive care from a credible caregiver by requiring background checks on direct access employees and the right to a safe environment during an emergency or natural disaster by requiring nursing long-term care facilities to establish disaster emergency and evacuation plans; to the Committee on Ways and Means, 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. ROGERS of Alabama (for himself, Mr. THOMPSON of Mississippi, and Mr. MCCOTTER):

H.R. 6162. A bill to require financial accountability with respect to certain contract actions related to the Secure Border Initiative of the Department of Homeland Security; to the Committee on Homeland Security.

By Mr. TOM DAVIS of Virginia (for himself, Ms. PRYCE of Ohio, and Mr. SWEENEY):

H.R. 6163. A bill to amend title 44, United States Code, to strengthen requirements related to security breaches of data involving the disclosure of sensitive personal information; to the Committee on Government Reform.

By Mr. BARTON of Texas (for himself, Mr. DEAL of Georgia, Mr. BLUNT, Mr. RADANOVICH, Mr. BURGESS, Mr. SHIMKUS, Mr. UPTON, Mr. ROGERS of Kentucky, Mr. BUYER, Mrs. BONO, Mrs. MYRICK, Mr. GILLMOR, Mr. TERRY, Mr. BILBRAY, and Mr. BILIRAKIS):

H.R. 6164. A bill to amend title IV of the Public Health Service Act to revise and extend the authorities of the National Institutes of Health, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BARROW:

H.R. 6165. A bill to improve the safety of transporting hazardous materials by rail and provide training and resources for first responders to protect communities from incidents involving the transportation of hazardous materials.; to the Committee on Transportation and Infrastructure.

By Mr. HUNTER (for himself and Mr. SENSENBRENNER):

H.R. 6166. A bill to amend title 10, United States Code, to authorize trial by military commission for violations of the law of war, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on the Judiciary, 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. CANNON:

H.R. 6167. A bill to limit the authority of States and localities to tax certain income of employees for employment duties performed in other States and localities; to the Committee on the Judiciary.

By Mr. CANNON:

H.R. 6168. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to serious adverse event reporting for dietary supplements and nonprescription drugs, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PITTS (for himself, Mr. SMITH of New Jersey, Mr. SOUDER, Mr. RYUN of Kansas, Mr. AKIN, Mrs. MUSGRAVE, Ms. HART, Mr. TIAHRT, Mr. PENCE, and Mr. GOHMERT):

H.R. 6169. A bill to provide for research on, and services for individuals with, post-abortion depression and psychosis; to the Committee on Energy and Commerce.

By Mr. BURTON of Indiana (for himself, Mr. PAUL, Mr. FORTUÑO, Ms. JACKSON-LEE of Texas, and Mr. DELAHUNT):

H.R. 6170. A bill to amend the Internal Revenue Code of 1986 to modify and make permanent the deduction for qualified tuition and related expenses; to the Committee on Ways and Means.

By Mrs. DAVIS of California (for herself, Mr. EVANS, and Ms. HERSETH):

H.R. 6171. A bill to authorize appropriations for the National Veterans Business Development Corporation, and for other purposes; to the Committee on Small Business.

By Mr. KIRK (for himself, Mr. SHADEGG, Mr. PLATTS, Mr. FITZPATRICK of Pennsylvania, Mr. DAVIS of Kentucky, Mr. DENT, Mr. SHIMKUS, Mrs. BIGGERT, Mr. ENGLISH of Pennsylvania, Mr. SIMMONS, Mr. REICHERT, Mr. GERLACH, Mr. BRADLEY of New Hampshire, Mr. PAUL, Mr. HERGER, Mr. PORTER, and Mr. KENNEDY of Minnesota):

H.R. 6172. A bill to amend title 5, United States Code, to deny retirement benefits to any Member of Congress convicted of a criminal offense involving abuse of the public trust; to the Committee on House Administration, and in addition to the Committee on Government Reform, 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. RAMSTAD:

H.R. 6173. A bill to amend the Internal Revenue Code of 1986 to provide an alternate sulfur dioxide removal measurement for advanced coal-based generation technology units under the qualifying advanced coal

project credit; to the Committee on Ways and Means.

By Mr. STUPAK:

H.R. 6174. A bill to redesignate the Miners Castle Information Station located near Munising, Michigan, as the ''Raymond F. Clevenger Visitor Information Center at Miners Castle''; to the Committee on Resources.

By Mr. LEWIS of California:

H.J. Res. 97. A joint resolution making continuing appropriations for the fiscal year 2007, and for other purposes; to the Committee on Appropriations.

By Mr. BROWN of South Carolina (for himself, Mr. BAIRD, Mr. THOMPSON of California, Mrs. DRAKE, and Mr. JINDAL):

H. Con. Res. 479. Concurrent resolution recognizing the health benefits of eating seafood as part of a balanced diet, and supporting the goals and ideals of National Seafood Month; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey:

H. Con. Res. 480. A concurrent resolution to correct the enrollment of the bill H.R. 3127; considered and agreed to.

By Mr. HASTINGS of Florida:

H. Res. 1040. A resolution urging political and religious leaders of the world and all peoples to move forward in a conciliatory spirit and deal with religious matters in a responsible and balanced manner; 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. 49: Mr. FRANK of Massachusetts.
H.R. 450: Mr. WOLF.
H.R. 690: Mr. BOSWELL.
H.R. 808: Mr. REYNOLDS.
H.R. 819: Mr. CAMPBELL of California.
H.R. 916: Mr. MURTHA.
H.R. 941: Mr. SMITH of Texas.
H.R. 1002: Mr. LEWIS of Georgia.
H.R. 1079: Mr. ALEXANDER.
H.R. 1124: Mrs. BIGGERT and Mr. GOODLATTE.
H.R. 1227: Mr. MCCAUL of Texas and Mr. CHABOT.
H.R. 1298: Ms. NORTON, Mr. HASTINGS of Florida, Mr. WATT, and Mr. BRADY of Texas.
H.R. 1306: Mr. BOREN and Mr. ETHERIDGE.
H.R. 1384: Mr. SULLIVAN.
H.R. 1415: Mrs. LOWEY.
H.R. 1498: Mr. BRADY of Pennsylvania.
H.R. 1554: Mr. BERMAN and Mr. LANTOS.
H.R. 1671: Mr. HOLT.
H.R. 1688: Mr. HINCHEY.
H.R. 1849: Mr. JONES of North Carolina.
H.R. 1951: Mr. LEVIN and Ms. MCCOLLUM of Minnesota.
H.R. 2211: Mr. GONZALEZ.
H.R. 2526: Mr. FERGUSON.
H.R. 2727: Mr. LEACH.
H.R. 3103: Mr. PORTER.
H.R. 3361: Ms. BERKLEY and Mr. WELDON of Pennsylvania.
H.R. 3427: Mr. SHUSTER.
H.R. 3579: Mr. FOLEY.
H.R. 3628: Ms. VELÁZQUEZ, Mr. OWENS, Mr. LIPINSKI, Mr. RYAN of Ohio, Ms. JACKSON-LEE of Texas, Mr. HONDA, and Mrs. MCCARTHY.
H.R. 3715: Mr. WEXLER.
H.R. 3762: Mr. KUHL of New York.
H.R. 3954: Mr. LEWIS of Georgia.
H.R. 4098: Mr. GOHMERT.
H.R. 4201: Mr. TIERNEY.
H.R. 4217: Mr. CALVERT.
H.R. 4239: Mr. HAYES.
H.R. 4366: Mr. CALVERT and Mr. FOLEY.
H.R. 4377: Mr. WU.
H.R. 4517: Mr. CARNAHAN and Mr. WEXLER.
H.R. 4597: Mr. POMEROY, Mr. ISTOOK, Ms. CORRINE BROWN of Florida, and Mr. LANTOS.
H.R. 4727: Mr. PAUL.
H.R. 4740: Mr. MCCRERY and Mr. BOYD.
H.R. 4746: Ms. MATSUI.
H.R. 4766: Mr. TAYLOR of North Carolina.
H.R. 4769: Mr. ENGLISH of Pennsylvania.
H.R. 4834: Mrs. MYRICK.
H.R. 4873: Mr. DOYLE.
H.R. 4956: Mr. SIMMONS.
H.R. 4992: Ms. BERKLEY.
H.R. 4993: Mrs. JONES of Ohio and Mr. MCDERMOTT.
H.R. 5005: Mr. MARIO DIAZ-BALART of Florida, Mr. GUTKNECHT, Mr. SHIMKUS, and Mr. SULLIVAN.
H.R. 5014: Mr. CLAY.
H.R. 5248: Mr. CONYERS.
H.R. 5472: Mr. PETERSON of Minnesota, Ms. HARRIS, Mrs. CAPITO, and Mr. PICKERING.
H.R. 5513: Mr. ALLEN.
H.R. 5541: Mrs. MYRICK.
H.R. 5562: Mr. FORBES, Mr. WELDON of Pennsylvania, Mr. STARK, and Ms. CARSON.
H.R. 5635: Mr. HOLDEN, Mr. WEXLER, and Mr. OBERSTAR.
H.R. 5671: Mr. ROTHMAN.
H.R. 5704: Mr. PORTER, Mr. EHLERS, and Mrs. BIGGERT.
H.R. 5743: Mr. NUNES, Mr. ENGLISH of Pennsylvania, and Mr. INGLIS of South Carolina.
H.R. 5755: Mr. LEWIS of Georgia, Mr. OWENS, Mr. HONDA, and Mr. BISHOP of New York.
H.R. 5784: Mr. LEACH.
H.R. 5790: Mr. MCHUGH, Mr. ALLEN, Mr. MCNULTY, Mr. KUHL of New York, and Mr. PLATTS.
H.R. 5862: Mr. INGLIS of South Carolina and Mr. CONAWAY.
H.R. 5879: Mr. BOOZMAN.
H.R. 5880: Mr. BOOZMAN.
H.R. 5888: Mr. BISHOP of Utah.
H.R. 5900: Mr. CASE and Mr. FARR.
H.R. 5953: Mr. DOYLE and Mr. TOWNS.
H.R. 5960: Mr. MCDERMOTT, Ms. BERKLEY, and Ms. MATSUI.
H.R. 5996: Mr. HINCHEY.
H.R. 6038: Mr. WYNN.
H.R. 6042: Mr. PAUL.
H.R. 6057: Mr. LEWIS of Kentucky, Mr. BURTON of Indiana, Mr. TANCREDO, Mr. GINGREY, Mr. WAMP, Mr. BRADY of Texas, Mr. BARRETT of South Carolina, Mr. SODREL, Mr. PEARCE, Mr. TIAHRT, Mr. RYAN of Wisconsin, Mr. PRICE of Georgia, Mr. MARCHANT, Mr. AKIN, Mr. MCCAUL of Texas, Mr. GREEN of Wisconsin, Mrs. MUSGRAVE, Mr. HAYWORTH, Mr. SIMPSON, Mr. MCCOTTER, Ms. FOXX, Mr. JINDAL, Mr. GARRETT of New Jersey, Mr. BISHOP of Utah, Mr. KLINE, Mr. FOSSELLA, Mr. CALVERT, Mr. BARTLETT of Maryland, Mr. OTTER, Mr. HENSARLING, Mr. SOUDER, Mr. FORBES, Mr. REICHERT, Mr. GILCHREST, Mrs. JO ANN DAVIS of Virginia, Mr. DAVIS of Kentucky, Ms. HARRIS, Mr. FLAKE, and Mr. WICKER.
H.R. 6058: Mr. FERGUSON.
H.R. 6080: Mr. PEARCE and Mr. BOOZMAN.
H.R. 6093: Mrs. BLACKBURN.
H.R. 6098: Mr. EMANUEL.
H.R. 6099: Mrs. BLACKBURN, Mr. COSTELLO, Mr. ROGERS of Kentucky, Mr. KLINE, Mr. TANCREDO, Mr. HYDE, Mr. HALL, and Mr. PUTNAM.
H.R. 6109: Mr. FOLEY.
H.R. 6130: Mr. MARSHALL.
H.R. 6132: Mr. DOGGETT, Mr. LEACH, Mr. RUPPERSBERGER, Mr. MCNULTY, Mr. FARR, Mr. MOORE of Kansas, Mr. MORAN of Virginia, Mr. PAUL, Mr. BROWN of Ohio, Mr. SCOTT of Georgia, Mr. POMEROY, and Mr. RAMSTAD.
H.R. 6136: Mr. ALEXANDER, Mr. BACHUS, Mr. BARTON of Texas, Mr. BILBRAY, Mr. BILIRAKIS, Mr. BISHOP of Utah, Mr. BOEHLERT, Mr. BOOZMAN, Mr. BOUSTANY, Mr. BRADLEY of New Hampshire, Ms. GINNY BROWN-WAITE of Florida, Mr. BURGESS, Mr. CANNON, Mr. CARTER, Mr. CHABOT, Mr. CHOCOLA, Mr. COBLE, Mr. CONAWAY, Mrs. CUBIN, Mr. CULBERSON, Mr. DAVIS of Kentucky, Mr. DOOLITTLE, Mr. DUNCAN, Mr. EVERETT, Mr. FEENEY, Mr. FITZPATRICK of Pennsylvania, Mr. FOLEY, Mr. FRANKS of Arizona, Mr. GARRETT of New Jersey, Mr. GILCHREST, Mr. GOHMERT, Mr. HALL, Ms. HARRIS, Mr. HASTERT, Mr. HERGER, Mr. ISSA, Mr. JENKINS, Mr. SAM JOHNSON of Texas, and Mr. KING of Iowa.
H.R. 6144: Mr. BURTON of Indiana.
H. Con. Res. 430: Mr. DREIER.
H. Con. Res. 452: Ms. SCHAKOWSKY.
H. Con. Res. 471: Mr. REYES, Mr. EDWARDS, Mr. STUPAK, Mr. FORD, AND MR. BURTON of Indiana.
H. Con. Res. 473: Mr. FILNER and Ms. JACKSON-LEE of Texas.
H. Res. 496: Mr. WYNN, Ms. CARSON, Ms. HARRIS, Ms. SCHAKOWSKY, Mr. ACKERMAN, Mr. MCCOTTER, Ms. MOORE of Wisconsin, Mr. FALEOMAVAEGA, Mrs. NAPOLITANO, Mr. CROWLEY, and Ms. JACKSON-LEE of Texas.
H. Res. 745: Mr. SIMMONS.
H. Res. 748: Mr. KLINE and Mr. MCCOTTER.
H. Res. 759: Mr. DAVIS of Illinois.
H. Res. 790: Ms. SCHAKOWSKY.
H. Res. 863: Mr. DAVIS of Florida.
H. Res. 899: Mr. ROGERS of Kentucky.
H. Res. 940: Mr. FOLEY.
R. Res. 944: Mr. RANGEL, Mr. DENT, Mr. MORAN of Virginia, Mr. YOUNG of Alaska, Mr. RAMSTAD, Mr. SIMMONS, Ms. GINNY BROWN-WAITE of Florida, Mr. GENE GREEN of Texas, Ms. BERKLEY, Mr. PRICE of North Carolina, Mr. COSTELLO, Mr. CARDOZA, Ms. CARSON, and Mrs. DRAKE.
H. Res. 962: Mr. MCCOTTER.
H. Res. 964: Mr. ABERCROMBIE.
H. Res. 973: Mr. RUSH, Ms. MCCOLLUM of Minnesota, and Mr. FOLEY.
H. Res. 986: Mr. MCNULTY.
H. Res. 989: Mr. MARIO DIAZ-BALART of Florida, Mr. CALVERT, and Ms. ROS-LEHTINEN.
H. Res. 990: Mr. OWENS.
H. Res. 991: Mr. MURPHY.
H. Res. 992: Mr. CALVERT, Mr. GRIJALVA, Mr. SCOTT of Virginia, Mr. FOLEY, and Ms. ZOE LOFGREN of California.
H. Res. 1009: Mr. DAVIS of Illinois.
H. Res. 1017: Mr. CROWLEY, Mr. SHAYS, Mr. SWEENEY, Mr. KING of Iowa, Mr. ENGEL, Mr. DAVIS of Florida, Mr. BERMAN, AND MR. ISSA.
H. Res. 1028: Ms. LINDA T. SÁNCHEZ of California.
H. Res. 1032: Mr. SESSIONS.
H. Res. 1033: Mr. WILSON of South Carolina, Mr. POE, Mr. SIMPSON, Mr. JONES of North Carolina, Mr. ISTOOK, Mr. FOSSELLA, Mr. HAYWORTH, Mr. ROGERS of Alabama, Ms. HARRIS, Mr. MCCAUL of Texas, Mr. CANNON, Mr. CARTER, Mr. BAKER, Mr. GOHMERT, and Mr. KING of Iowa.

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PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

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Senate

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Father, we have often stumbled into Your presence not sure why we have come, and yet You continue to show us Your compassionate mercy.

Inspire the Members of this body today with faith, hope, and love. Renew their spiritual vision so that they will continue to please You. Protect them from pride, and deliver them from confusion. Inspire them to persevere. Answer the perplexing questions they face, as You fill them with Your healing spirit.

May they express their gratitude to You by their faithful deeds. Grant them this day the grace to praise You with their lives.

We pray in Your life-changing Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore 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.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this afternoon, we have an order for a period for the transaction of morning business so that Senators can come to the Chamber to introduce legislation and make statements.

ORDER OF PROCEDURE

I now ask unanimous consent that the period extend until 5:20 p.m., with the time equally divided between the two leaders or their designees.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. FRIST. Mr. President, at 5:20 p.m., we have an order to proceed to executive session to consider the nomination of Francisco Besosa to be U.S. district judge for the District of Puerto Rico. The agreement provides for 10 minutes of debate prior to a vote on the nomination, which will occur at 5:30 p.m.

I have said repeatedly over the last days and weeks that we will be finishing our work at the end of this week. Accordingly, I ask for the cooperation of all of our colleagues as we bring together a lot of legislation that has been produced over a long period of time, but over the course of the week it will be a challenge to consider all of that legislation. It is going to take cooperation and working together to allow us to continue to govern with these meaningful solutions, challenges, and issues which have been set before us.

We have the pending border fence legislation that we will need to complete. We have legislation relating to the terrorist tribunals, the military commissions, the Hamdan decision that will be considered and finished prior to adjournment. In addition, we have several conferences that will be completed in the next several days—Defense appropriations and Homeland Security appropriations—that we absolutely must finish this week as well. Other legislation, such as port security, is being worked on very aggressively, and I believe we should be able to finish that bill and bring it to the floor as well.

We have a very small window in which to complete our business over the next 6 days. I have said our intention is to finish on Friday, although if we are unable to do that, of course, we will be here on Saturday to wrap things up. I will update my colleagues over the course of the week on progress that is being made and how that affects plans. At this point, cooperation is key and flexibility with people's schedules will be key in order that we get our work done and leave at the end of the week.

MEASURES PLACED ON THE CALENDAR—S. 3925, S. 3929, S. 3930, S. 3931

Mr. FRIST. Mr. President, I understand there are four bills at the desk due for a second reading.

The PRESIDENT pro tempore. The clerk will report the bills by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 3925) to provide certain authorities for the Secretary of State and the Broadcasting Board of Governors, and for other purposes.

A bill (S. 3929) to authorize military commissions to bring terrorists to justice, to strengthen and modernize terrorist surveillance capabilities, and for other purposes.

A bill (S. 3930) to authorize trial by military commissions for violations of the law of war, and for other purposes.

A bill (S. 3931) to establish procedures for the review of electronic surveillance programs.

Mr. FRIST. Mr. President, in order to place the bills on the calendar under the provisions of rule XIV, I object to further proceedings en bloc.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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The PRESIDENT pro tempore. Objection is heard. The bills will be placed on the calendar.

Mr. FRIST. Mr. President, I yield the floor.

The PRESIDENT pro tempore. The assistant majority leader.

ARMY RECRUITING

Mr. McCONNELL. Mr. President, we may not see it on the front page, but there is good news. Last Friday, the U.S. Army met its annual recruiting goal more than a week ahead of schedule. This will cap the Army's best recruiting year since 1997.

Let me repeat that. The Army will be completing its best recruiting year in almost a decade—this despite all the gloom and doom we have heard about young people not wanting to serve their country in the war on terror.

On Friday, in New York City, Shirley Salvi, a 23-year-old graduate of Rutgers, joined the Army as the 80,000th soldier to enlist this year. That is 80,000 soldiers this year. She will report to Fort Leonard Wood in Missouri to become either an Army linguist or intelligence analyst.

In spite of all the danger and all the hardship and sacrifice involved, thousands of young Americans, such as Ms. Salvi, are stepping forward to say: I will defend my country.

We have an All-Volunteer Army, and it is the best in the world. While the enemy fights solely to instill fear and death, our soldiers fight for the hope and opportunity that only comes with liberty.

Before the fiscal year is over, the Army anticipates having a total of 504,000 soldiers—an increase of 12,000 from last year. The Army Reserve and Army National Guard also expect to meet their recruiting goals for this year. This increased recruiting comes even as administrators in a number of institutions of higher learning and even some high schools remain openly hostile to military recruiting on campus.

Retention in the Army also shows encouraging signs. In July of this year, GEN Pete Schoomaker, Chief of Staff of the Army, noted that the reenlistment rate for two of the divisions deployed in Iraq was over 140 percent. One of those divisions, I am proud to report, is the 101st Airborne located in my home State of Kentucky.

I think what this good recruiting and retention news reflects is basically three things:

First, it reflects the patriotism and commitment of today's youth. The generation coming of age today has grown up with the war on terror, and they understand its importance. They understand the need to defend America's values. They understand what is at stake, and they want to do their part by volunteering to protect the Nation from al-Qaida and others who would do this Nation harm.

Second, I think this good Army recruiting news reflects the recognition by today's youth that a career in the military is, indeed, a noble calling. In fact, it is hard to think of anything more honorable than serving and protecting America.

Third, the achievement of the Army's recruiting goal a week early sends a strong signal to our allies and our enemies in the war on terror. It shows that the American people are resolute in defending our Nation and in defending freedom.

I must say, I take some pride in this good news about recent recruiting numbers since the U.S. Army recruiting command is located at another base in my State, Fort Knox. The command is doing a great job for America.

I salute Ms. Salvi and the thousands of other volunteers like her who have joined the Army this year. I thank them for their patriotism and for their future service on behalf of our country.

OVERSIGHT HEARINGS ON IRAQ AND THE GLOBAL WAR ON TERROR

Mr. McCONNELL. Mr. President, I wish to say a few words about oversight hearings on Iraq and the global war on terror.

Just last week, our good friend, the Democratic leader, complained that there has not been ''a single oversight hearing, none.'' That was our good friend, the Democratic leader, saying there hasn't been a single oversight hearing on Iraq and the global war on terror. But the Senate has conducted scores of hearings on Iraq and related issues since 2003. For example, the Armed Services Committee held more than 20—20—hearings on such topics as military operations in Iraq and Afghanistan, operations and strategy in Iraq, and Iraq-Afghanistan and the global war on terrorism. That is 20 hearings by the Armed Services Committee alone. The Foreign Relations Committee has held more than 30 hearings in the past 3 years, including hearings on post-Saddam Iraq, on the status of and prospect for Iraq reconstruction, Iraq's transition to sovereignty, and post-transition Iraq. That is 30 hearings by the Foreign Relations Committee on Iraq and the war on terror in the last 3 years. And then there is the Judiciary Committee, the Banking Committee, and the Homeland Security Committee hearings. All told, more than 80—80—hearings have been held on Iraq and related issues.

I ask unanimous consent that a listing of all of these hearings to which I just referred indicating the Senate has engaged in extensive oversight on the war in Iraq and the war on terror over the last 3 years be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SENATE FOREIGN RELATIONS COMMITTEE HEARINGS

UN Weapons Inspector's Report, CQ Committee Hearings, 108th Congress (Event Date: 1/30/2003)

Post-Saddam Iraq, CQ Committee Hearings, 108th Congress (Event Date: 2/11/2003)

Afghanistan and the War on Terror, CQ Committee Hearings, 108th Congress (Event Date: 2/12/2003)

Post-Conflict Afghanistan, CQ Committee Hearings, 108th Congress (Event Date: 2/26/2003)

Aid to Turkey and Issues in Northern Iraq, CQ Committee Hearings, 108th Congress (Event Date: 3/5/2003)

Reconstruction of Iraq, CQ Committee Hearings, 108th Congress (Event Date: 3/11/2003)

Political Future of Iraq, CQ Committee Hearings, 108th Congress (Event Date: 3/13/2003)

Diplomacy and the War on Terrorism, CQ Committee Hearings, 108th Congress (Event Date: 3/18/2003)

An Enlarged NATO: Moving Forward on Iraq, CQ Committee Hearings, 108th Congress (Event Date: 4/29/2003)

Iraq Stabilization and Reconstruction, CQ Committee Hearings, 108th Congress (Event Date: 5/22/2003)

Repercussions of Iraq Stabilization and Reconstruction Policies, CQ Committee Hearings, 108th Congress (Event Date: 6/12/2003)

Status and Prospects for Iraq Reconstruction, CQ Committee Hearings, 108th Congress (Event Date: 7/23/2003)

Review of Iraq Policy and Issues, CQ Committee Hearings, 108th Congress (Event Date: 9/23/2003)

Review of Iraq Policy and Issues Updated, CQ Committee Hearings, 108th Congress (Event Date: 9/24/2003)

Security and Democracy in Afghanistan, CQ Committee Hearings, 108th Congress (Event Date: 10/16/2003)

Afghanistan Reconstruction, CQ Committee Hearings, 108th Congress (Event Date: 1/27/2004)

Iraq Stabilization and Reconstruction, CQ Committee Hearings, 108th Congress (Event Date: 3/9/2004)

Effect of Madrid Attacks on U.S. European Cooperation, CQ Committee Hearings, 108th Congress (Event Date: 3/31/2004)

Iraq's Transition to Sovereignty, CQ Committee Hearings, 108th Congress (Event Date: 4/20/2004)

Iraq's Transition to Sovereignty, CQ Committee Hearings, 108th Congress (Event Date: 4/21/2004)

Iraq's Transition to Sovereignty, CQ Committee Hearings, 108th Congress (Event Date: 4/22/2004)

Afghanistan, CQ Committee Hearings, 108th Congress (Event Date: 5/12/2004)

Iraq: The Way Ahead, CQ Committee Hearings, 108th Congress (Event Date: 5/18/2004)

Iraq: The Way Ahead, CQ Committee Hearings, 108th Congress (Event Date: 5/19/2004)

Post-Transition Situation in Iraq, CQ Committee Hearings, 108th Congress (Event Date: 7/22/2004)

Accelerating U.S. Assistance to Iraq, CQ Committee Hearings, 108th Congress (Event Date: 9/15/2004)

Reshaping U.S. Policy in Iraq and Middle East, CQ Committee Hearings, 109th Congress (Event Date: 2/1/2005)

Iran: Weapons Proliferation, Terrorism and Democracy, CQ Committee Hearings, 109th Congress (Event Date: 5/19/2005)

Iraq Ambassador Nomination, CQ Committee Hearings, 109th Congress (Event Date: 6/7/2005)

The Future of Iraq, CQ Committee Hearings, 109th Congress (Event Date: 7/18/2005)

The Future of Iraq, CQ Committee Hearings, 109th Congress (Event Date: 7/19/2005)

The Future of Iraq, CQ Committee Hearings, 109th Congress (Event Date: 7/20/2005)

Iraq and U.S. Foreign Policy, CQ Committee Hearings, 109th Congress (Event Date: 10/19/2005)

Iraq Stabilization and Reconstruction, CQ Committee Hearings, 109th Congress (Event Date: 2/8/2006)

Iraq Update, CQ Committee Hearings, 109th Congress (Event Date: 7/13/2006)

SENATE ARMED SERVICES COMMITTEE HEARINGS

Post-Conflict Iraq, CQ Committee Hearings, 108th Congress (Event Date: 2/26/2003)

NATO Enlargement Post-Conflict Iraq, CQ Committee Hearings, 108th Congress (Event Date: 4/10/2003)

U.S. Policy and Military Operations in Afghanistan and Iraq, CQ Committee Hearings, 108th Congress (Event Date: 5/23/2003)

Iraqi Weapons of Mass Destruction, CQ Committee Hearings, 108th Congress (Event Date: 6/6/2003)

Lessons Learned from Operation Iraqi Freedom, CQ Committee Hearings, 108th Congress (Event Date: 7/9/2003)

Military Operations Briefing, CQ Committee Hearings, 108th Congress (Event Date: 9/3/2003)

Iraq Briefing, CQ Committee Hearings, 108th Congress (Event Date: 9/11/2003)

Operations and Reconstruction in Iraq, CQ Committee Hearings, 108th Congress (Event Date: 9/25/2003)

Report on Iraq's Weapons of Mass Destruction, CQ Committee Hearings, 108th Congress (Event Date: 10/3/2003)

Iraq Stabilization Report, CQ Committee Hearings, 108th Congress (Event Date: 3/30/2004)

U.S. Policy and Operations in Iraq and Afghanistan, CQ Committee Hearings, 108th Congress (Event Date: 4/20/2004)

$25 Billion Iraq Contingency Fund, CQ Committee Hearings, 108th Congress (Event Date: 5/13/2004)

Treatment of Iraqi Prisoners, CQ Committee Hearings, 108th Congress (Event Date: 5/19/2004)

Iraq Multi-National Force Commander Nomination, CQ Committee Hearings, 108th Congress (Event Date: 6/24/2004)

Transition to Sovereignty in Iraq, CQ Committee Hearings, 108th Congress (Event Date: 6/25/2004)

Military Operations In Iraq and Afghanistan, CQ Committee Hearings, 109th Congress (Event Date: 2/3/2005)

Iraq Issues, CQ Committee Hearings, 109th Congress (Event Date: 6/23/2005)

The War on Terror, CQ Committee Hearings, 109th Congress (Event Date: 6/30/2005)

Operations and Strategy In Iraq, CQ Committee Hearings, 109th Congress (Event Date: 9/29/2005)

Defense Authorization: Contracting Issues in Iraq, CQ Committee Hearings; 109th Congress (Event Date: 2/7/2006)

Iraq, Afghanistan and the Global War on Terrorism, CQ Committee Hearings, 109th Congress (Event Date: 8/3/2006)

SENATE HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS COMMITTEE HEARINGS

Consolidating Intelligence Analysis, CQ Committee Hearings, 108th Congress (Event Date: 2/26/2003)

Combating Terrorist Financing, CQ Committee Hearings, 108th Congress (Event Date: 9/23/2003)

Terrorism Financing, CQ Committee Hearings, 108th Congress (Event Date: 6/15/2004)

9/11 Commission Report, CQ Committee Hearings, 108th Congress (Event Date: 8/26/2004)

Improving Ability of Intelligence Community to Fight Terrorism, CQ Committee Hearings, 108th Congress (Event Date: 9/8/2004)

Contracting and Procurement In Iraq, CQ Committee Hearings, 109th Congress (Event Date: 8/2/06)

SENATE JUDICIARY COMMITTEE HEARINGS

War Against Terrorism, CQ Committee Hearings, 108th Congress (Event Date: 3/4/2003)

Terrorism in the United States, CQ Committee Hearings, 108th Congress (Event Date: 6/26/2003)

Law Enforcement and Terrorism, CQ Committee Hearings, 108th Congress (Event Date: 7/23/2003)

Terrorism in the Post 9–11 Era, CQ Committee Hearings, 108th Congress (Event Date: 9/10/2003)

Recruitment of Terrorists in Prisons and the Military, CQ Committee Hearings, 108th Congress (Event Date: 10/14/2003)

Efforts to Prevent Terrorism in the United States, CQ Committee Hearings, 108th Congress (Event Date: 10/21/2003)

Seaport Security Since 9–11, CQ Committee Hearings, 108th Congress (Event Date: 1/27/2004)

Cyberterrorism, CQ Committee Hearings, 108th Congress (Event Date: 2/24/2004)

Preventing and Responding to Acts of Terrorism, CQ Committee Hearings, 108th Congress (Event Date: 4/14/2004)

Bioterrorism Detection and Response, CQ Committee Hearings, 108th Congress (Event Date: 5/11/2004)

Department of Justice: Terrorism Oversight, CQ Committee Hearings, 108th Congress (Event Date: 6/8/2004)

Terrorism Oversight: Department of Homeland Security, CQ Committee Hearings, 108th Congress (Event Date: 6/9/2004)

Tools To Fight Terrorism Act, CQ Committee Hearings, 108th Congress (Event Date: 9/13/2004)

Patriot Act Reauthorization: Section 805, CQ Committee Hearings, 109th Congress (Event Date: 4/20/2005)

Intelligence Information Sharing, CQ Committee Hearings, 109th Congress (Event Date: 9/21/2005)

Saudi Arabia and the War on Terror, CQ Committee Hearings, 109th Congress (Event Date: 11/8/2005)

SENATE BANKING, HOUSING AND URBAN AFFAIRS COMMITTEE

Financial Reconstruction in Iraq, CQ Committee Hearings, 108th Congress (Event Date: 9/16/2003)

Prevention of Terrorist Financing, CQ Committee Hearings, 108th Congress (Event Date: 9/25/2003)

Economic and Financial Reconstruction in Iraq, CQ Committee Hearings, 108th Congress (Event Date: 2/11/2004)

Terrorist Financing and Couterterror Initiatives, CQ Committee Hearings, 108th Congress (Event Date: 4/29/2004)

Terrorism Risk Insurance, CQ Committee Hearings, 108th Congress (Event Date: 5/18/2004)

Terror Financing and Money Laundering, CQ Committee Hearings, 108th Congress (Event Date: 9/28/2004)

Terror Financing in the Middle East, CQ Committee Hearings, 109th Congress (Event Date: 7/13/2005)

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. CORNYN). Without objection, it is so ordered.

THE SUPERDOME

Ms. LANDRIEU. Mr. President, it is only 1:50 p.m. in New Orleans, but the bands have been marching since early this morning, and the singing is joyful. People have been so excited not only in New Orleans but in all of Louisiana because tonight the Saints will be marching again into that grand, wonderful building we call the Superdome.

The Superdome has always been a special symbol to New Orleans, but tonight that symbol takes on a new meaning. It has been a symbol of pride in the past, and tonight it is a symbol of hope—a symbol of hope for the great rebuilding of our wonderful city, region, and State.

Just a year ago, the Superdome was a symbol of sadness, loss, confusion, and despair as New Orleans, the region, and our State faced the worst natural disaster in the history of this country. It wasn't just Hurricanes Katrina and Rita that caused devastation, it was also the levees that collapsed and put a great city and region under some 20 to 25 feet of water. It was in that overwhelming flood that people fled to the Dome looking for safety and security. All of America knows this sad story.

But I am here to talk about a story of recovery, a story of leadership. I want to thank the people who made the Dome's reopening possible—to thank the men and women who work at the Dome: the welders, the janitors, the cleanup crews, the construction crews, the managers, the architects, and the engineers.

They spent the whole year rebuilding this Dome on a schedule that no one thought was possible, at a cost that came under budget. A partnership formed between the NFL, the State of Louisiana, and the Federal Emergency Management Agency to get this building back into shape and reopen tonight with 68,000 fans coming to watch the Saints play the Atlanta Falcons.

I want to remind the country that these employees showed up to work each day to restore the Dome, many of them traveling hours to get there in the morning and hours back in the evening because there were no nearby houses for them to sleep. Many of them lost their homes, their children lost their schools, and their churches were destroyed.

The successful rebuilding of the Dome is because of the people who showed up to work. Their journeys in the morning and their journeys home show a commitment to rebuilding a great city. Despite the criticism that the city, the State and the region have received, tonight is a symbol of all that is great about the spirit of the people who refuse to let this city die.

Desiree Jones, who lives in Violet, La., is the housekeeping manager for the Superdome. She started working at the Dome 25 years ago as a janitor. Every day for the past two weeks, she has been working to get the Dome ready for tonight. She knows the Dome's reopening is a signal of rebirth for our city.

I come to the floor to thank the thousands of men and women who worked on the Superdome. The were

led by a wonderful leader, a young man who has really shown his stripes and all of New Orleans is singing his praises: Doug Thornton, the general manager of the Dome. He stayed in the Superdome with his wife and children doing everything he could to help the evacuees. His heroic efforts during those harrowing days a year ago have been well reported. But what might not be known is that Doug and his wife also lost their home. He didn't see his wife for weeks because he spent his time rebuilding the Dome while Denise spent time rebuilding their house in Lakeview. That is what people all over New Orleans and South Louisiana and the Gulf Coast are doing—going to work to rebuild the refineries, the pipelines, the industries, while their spouses are at home rebuilding what is left of their houses.

Doug Thornton, general manager of the Superdome, is no exception. He deserves a tremendous amount of credit.

Tim Coulon, the chairman of the Louisiana Stadium Exhibition District, is a former Jefferson Parish president and a man I know well. Tim has always been a very quiet but competent and effective leader. His leadership doesn't come from loud speeches and pushing but from quiet determination. Tim, his staff, and other board members worked very closely with Governor Blanco, who signed executive order after executive order, to cut through the redtape and expedite the Superdome's rebuilding.

That partnership between our Governor, the stadium commissioners, and Doug Thornton was the leadership team that put this Superdome back together.

I also have to say for the record that Paul Tagliabue, former commissioner of the NFL, saw what happened at the Superdome and decided that the NFL was a service organization, and its first job was to service teams and the cities. He understands something about the emotional connection between the teams and the cities that host them. The teams become a part of the spirit of every city, and he would not allow the Saints' spirit to die.

He said the Saints will march again. He said the Dome will be rebuilt, and let's get to it. New Orleans will forever be grateful to Paul Tagliabue and his staff at the NFL for their belief in our city and for not cutting and running, not leaving when times got tough for us. They stood their ground, and we are very grateful.

I also want to go on the record to say that the Dome has been a symbol of our city for 31 years. Its origin goes back to Governor John McKeithen. He was not from New Orleans. He was actually a country boy from Columbia, LA. But as our Governor, he had a vision of what a great Dome could mean to a great American city, a great southern city. He, along with the mayor at that time, my father, Moon Landrieu, along with Dave Dixon, a local businessman, decided the Dome would mean renewal for the city. The three of them overcame all sorts of political hurdles and were able to build this great Dome.

We have hosted more Super Bowls than any building in America. It sits on 52 acres of land in the central business district. The Superdome has a seating capacity of over 70,000, depending on the event.

When Dave Dixon had a vision for this Dome, he told our Governor at the time: You know, Governor, we will have a Pope here one day and a President here one day.

Nobody believed him when he said that. But sure enough, President Reagan honored all of us when the Republican National Convention came to New Orleans 18 years ago.

It was a proud time for New Orleans and Louisiana when 19 years ago, Pope John Paul II made the first ever Papal visit to Louisiana and held a rally in front of 80,000 children in that Dome. It was a site to behold.

We have had a proud Superdome history right there on the corner of Poydras and Loyola, right across the street from city hall. It will be there for years to come because the heroic efforts of the employees at the Dome and our local contractors who put their shoulders to the wheel and their hearts into their work and decided that this would be a symbol of our rebirth.

I am proud as the Senator from the great State of Louisiana to come and honor them, to thank them, and to say that this is the beginning of our recovery. This week, we close a chapter on Hurricane Rita, which, Mr. President, hit your own State of Texas, and which did so much damage to both Louisiana and Texas. I visited Louisiana this past weekend with some of Louisiana's delegation and local leaders. It is clear that recovery has begun, but there is still a long way to go.

As we close the Rita and Katrina chapters of the last year, let the Saints go marching in tonight, and let them lead us to a new chapter of hope and recovery for New Orleans, for Louisiana, for the whole gulf coast, and for all of America.

I yield the floor.

The PRESIDING OFFICER (Mr. DEMINT). The Senator from Alabama.

BORDER FENCING

Mr. SESSIONS. Mr. President, the House and Senate have a piece of legislation more commonly known as the Fence bill, but it is really a bill to establish operational control of our borders through fencing and other means. It includes authorization for 700 specific miles fencing along the Mexican border and a study of the situation on the northern border. It is designed to help multiply the capacity of American Border Patrol agents to be effective in creating a lawful border instead of the unlawful border we have.

It passed the House with a strong bipartisan vote. They have had five formal hearings on the matter and have considered information from previous hearings. They had a number of field hearings in August and they actually talked to people in the region to find out what is going on.

The House has sent the Senate a bill they have worked on for some time and to which they have given a great deal of thought. It is very similar to the bill we passed in the Senate which authorized 870 total miles of physical infrastructure at the border.

Let me take a moment to discussion the history of the legislation in this Senate dealing with barriers at the border. I will discuss why the barriers are an important component—not all of what we need to do, but an essential component of what we need to do—to create a lawful system of immigration. But first let us talk about the votes we have had in the Senate.

On May 17, I offered an amendment that mandated the construction of 370 miles of fencing and 500 miles of vehicle barriers along the southwest border of the United States. That is a total of 870 miles of physical barriers. This is not a lot different from what the House is sending the Senate, some 700 or so miles of fencing. When we voted on my amendment, we discussed it at some length.

I did not know how we would vote. I didn't know how the vote would turn out. A number of Members said they were for fencing; a number of Members said they were against fencing. I argued that good fences make good neighbors. It clarifies where property lines are, what your rights are, and neighbors can get along pretty well. Leave them ambiguous, and people get in fusses.

At any rate, when we voted, the vote was 83 to 16 to approve my amendment mandating construction of this fence. That was part of the overall immigration bill. That immigration bill was fatally flawed. The truth is, it is not going to become law. We can all be thankful for that.

This amendment, though, was voted on 83 to 16. A lot of our colleagues say, I voted for an amendment to build a fence; I voted as one of the 83. But, we all are grownups, we know that legislation containing that amendment is not going to become law. So, now it is time to either put up or shut up about enforcement. It is time to either be honest with our constituents and say, I am not going to vote for a stand alone fence bill, or, yes, I believe a fence is an important component of border security and I will vote for this bill because it takes the first step.

So where did the Senate go after the first vote of 83 to 13? I suggest that strong vote indicated border fencing and barriers are a high priority of this Senate. This was a strong bipartisan vote, if people were voting with integrity, to build a fence.

We had a second vote. One of the things that is unusual about the Senate, to people who are not used to it, is

a vote to authorize a matter—a subject, a fence—is not the end of it. Before that construction can take place, the Congress has to vote again to appropriate the money to build it. It takes two votes. One vote can be a signal, but it does not have any reality until a second vote is a fact.

When the Department of Homeland Security appropriations bill hit the Senate, we were more than a little disappointed that even though the original vote was 83 to 16, when we come along with the Department of Homeland appropriations bill, what did we see? Thirty-nine miles of vehicle barriers only. This was most discouraging.

I urged my colleagues, if they were serious about the previous vote, we ought to have a vote to actually fund it. I offered an amendment that would actually have funded this fence at $1.8 billion which we think if we get someone to run it as it ought to be run and build it in a cost-effective way, it would be enough to meet that standard. I offered that amendment on July 13. It would have reduced a percent or two of funding for other appropriations in the bill, an across-the-board reduction, and we voted on it. Unfortunately, only 29 Senators voted to actually appropriate the money to do what they had already voted to do.

That was very discouraging to me. I talked about it, particularly the fact that if there is one area where the American people are most cynical about Congress, it is about their protestations they are doing everything they can do to create a lawful system of immigration when they are actually not. They are very cynical about that. They have every right to be. The American people have understood this issue for 30 years. No President, no Congress, has listened to them and done what actually needs to be done and could be done to create a lawful system of immigration. This was most troubling.

So we continued to study what could be done to get fencing built. On August 2 the Defense bill was in the Senate. The National Guard had been deployed to the border and was making some progress, assisting those at the border—not as much as some would like and would hope, but it has made a positive step. They have the capability of building some fencing and actually were already working on some fencing projects. Again, I offered an amendment on the floor to actually fund the fencing, this time through the Defense Department, through the National Guard. The amendment would have let them either build the fencing themselves, or manage private contractors who would build a fence.

When we voted on that amendment, perhaps after my colleagues had spent some time talking to their constituents, the vote to authorize $1.8 billion for funding passed 93 to 3. So we got 93 to 3. Now we are cooking. We have money, we have actually put up money to follow through on the fencing idea. I was very happy about that.

In the course of the conference on the Defense appropriations legislation that we won the amendment vote on, I was informed they were moving $1.8 billion from the Department of Defense bill over to Homeland Security bill which was also in their conference because that was the more appropriate vehicle to put funding to build a fence for Homeland Security. So, I was told that the Homeland Security Appropriators would handle it.

Now we are hearing that less money for the fence is going to be included in the conference report, that was included in my amendment. There was an article in the paper today, one of the Web sites of the AP, saying they agreed to $1.2 billion instead of $1.8 billion. That is a 30-percent reduction. We voted to fund a $1.8 billion one-time expenditure to build miles of fence and barriers. It is something that ought to be done at one time and it will save money in great amounts over the long term.

I am worried about that reduction in funding. Some have said the numbers may even be worse than that because those in charge of the process feel an obligation to fund other things related to Homeland Security and they may not even appropriate the full $1.2 billion for fencing construction. I hope that is not so. I think that would be unacceptable. That would be inconsistent with the votes we have had and would not make Congress look good. It would not be the kind of action worthy of a Senate that is attempting to gain the respect of the American people on the subject of immigration, a subject about which they have lost the respect of the American people and deserve to get back.

So the House passed a bill. They passed an authorization bill that mandates the fencing, very similar to what the Senate voted for, and is now before the Senate. A filibuster was suggested, indicated by the several procedural votes we have had to have on this bill. The majority leader had to file for cloture on the motion to proceed. That gives 30 hours of debate. Then 30 hours later, we voted on the motion to proceed and we did not see the filibuster continue. The vote was 94 to 0 to proceed to the Secure Fence Act. It took a lot of time, not much debate. I was one of the few Members who spoke. The 30 hours slowed down everything we were doing.

The people are saying, I am for a vote, I voted for cloture. Why did we have to have cloture? Why couldn't we move straight to the bill as we do time and time again in this Senate—although less and less, as time has gone by. We are in a slowdown mode. We are moving along now. We will have a vote, I thought today, on cloture on the bill. However, it looks as though that may be tomorrow. Then we will have another 30 hours of debate. Then we will have an opportunity or complaints about how many amendments can be offered or fall. Who knows where this will go?

There are some Members who like to claim they support barriers at the border, but when the chips are down, through legerdemain in this body, manage to create logjams and headaches so it will never become law if it appears that is their wish. I suspect we will have people who say they want to add amendments on comprehensive reform, on amnesty, on agriculture jobs or other issues that would kill this amendment if adopted. They want to try to offer those amendments. Or they are complaining that virtual fencing, some sort of a satellite, unmanned aerial vehicle, can do the same thing as a fence. That is not so. It can be an asset, but it cannot replace individual people apprehending people coming across the border illegally—not a virtual fence. How silly is that? They will say they do not favor the locations where the fencing is or they will say they favor fencing, but they really favor comprehensive reform and if we pass anything such as fencing, even though the American people want it, then the American people will not pass their version of amnesty or whatever they want to see in the form of comprehensive reform.

They are afraid the American people will get what they want, and if the American people get what they want in terms of increased enforcement, they may not be so interested in their ideas about how to reach final settlement on amnesty.

We will have two real votes on fencing this week: cloture on the underlying bill and final passage. We should be able to achieve cloture and final passage. It takes 60 votes, but we have had 80, 90 votes on this before. Without this authorization language, there will be no mandate that the fencing act will be constructed or in what manner it will be constructed.

So these votes are the real test this week—not the final test, but very critical steps in the process. The American people will want to watch and see if they agree with their Senators in how they vote. I note we will also have to have some more votes somewhere along the line that are also critical that deal with actual funding of the border barriers.

I see my colleague from Oklahoma is in the Chamber, my distinguished colleague on the Armed Services Committee, who chairs the Environment and Public Works Committee. I ask my colleague, do you have a time agreement to speak? What is your schedule?

Mr. INHOFE. Mr. President, I am going to be requesting unanimous consent to be recognized for up to 1 hour.

Mr. SESSIONS. All right. I will wrap up and be pleased to yield to the Senator. The Senator is going to ask unanimous consent to be recognized after I finish?

Mr. INHOFE. After the Senator concludes, yes.

Mr. SESSIONS. Mr. President, I will continue a couple more minutes.

Fencing works. We have a major problem. Last year, our Border Patrol

agents apprehended 1.12 million people along our border coming into our country unlawfully. Can you imagine that? Where we did build fencing along the San Diego border—only 14 miles, but it was one of the worst areas—that area was tremendously improved. Crime went down, drug dealing went down, violence went down, illegal immigration plummeted and property values went up.

But we have 1,800 miles along the border. This bill would not provide funding and authorization but for fencing about one-third of that distance.

I will share with my colleagues some of the debate in the House of Representatives recently, as they passed the very bill that is before us. Chairman ROYCE—he is from California—who chairs the International Terrorism and Nonproliferation Subcommittee talked about the difficulties they have had with a breach, a gap in the border fencing. He said this: It is called ''smugglers' gulch,'' a fence that runs from the foothills to the ocean through that small 3-mile breach. It has taken 8½ years to get the California Coastal Commission to go along with closing that fence in consultation—8½ years to get it done.

He talked about the problem of that gap. And he talked about the field hearings he had participated in. He said: We heard from witnesses, and we heard them express that border fencing was very effective. He quoted Darryl Griffen, who is the chief agent in San Diego for the Border Patrol—the chief agent. Mr. Griffen, referring to the fencing, said this: It is a great force multiplier. It expands our enforcement capacity. It allows us the discretion to redeploy agents to areas of vulnerability or risk. It is one component that certainly has been integral to everything we have accomplished here raising the level of security.

That is what the chief of the Border Patrol for San Diego said. So people will tell you fencing makes no difference, it is not important, it does not help. It is not so. Listen to the professionals. I know President Bush has been reluctant to support fencing, but this man works for President Bush. He testified, as has Secretary Chertoff, about the subject. Secretary of Homeland Security Chertoff supports the fence, the bill that we passed in the Senate. Indeed, it was passed on his recommendation, the details of it were.

Then Chairman ROYCE, in the House, who chairs the International Terrorism Subcommittee, said this about the dangerous people who are coming across the border: So we see people coming over the border illegally from Afghanistan, Angola, Jordan, Qatar, Pakistan, Yemen. And I will give you one example. Mohammed Karani is the brother of a commander of Hezbollah in south Lebanon. He came over the border in my State in the trunk of a car. He paid a coyote to get him across the border. He was later arrested in Dearborn, Michigan. He is serving 4½ years. He is a member of Hezbollah. He was in the process of securing funds and resources for Hezbollah in the United States.

He then goes on to say: Two border Governors have declared states of emergency over illegal immigration. Then one of the agents told him a personal story of stopping a man who had been trained in an Afghan training camp originally from Uzbekistan. This man injured the Border Patrol agent, actually bit his arm as he was trying to take him down. This agent told Chairman ROYCE one of his concerns was this was the second time the man had tried to come into the country after 9/11.

So I would say we are dealing with an important issue. I am glad to see from previous votes that the Senate is coming around to a uniform position on it. It is time for us now, as we wind up this session, to fulfill our obligation for actually making a law, legislation to authorize the building of the fence, and then, in the few days we have left, to come forward with legislation that will actually fund this requirement we authorize. Otherwise, we risk going home and even further arousing cynicism and irritation among the voters who have sent us here.

I believe we can get it done. I think we are moving in the right direction. I am optimistic. But there will be some around here who would like to see it fail in the last minute. Let's don't let that happen. Let's follow through, and let's be consistent with the wishes of the American people and the security of the United States.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized for 1 hour in morning business.

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

Mr. INHOFE. Mr. President, let me first say to my friend from Alabama that as to the last comment he made about whether at the last minute someone may come along and try to torpedo this, I suspect that might be the case. It is like when I had the amendment to make English our national language—and 89 percent of the American people were for it; 70 percent of the Hispanics were for it—and yet some of the liberals in this Chamber were catering to La Raza, an extremist group, in trying to torpedo what we are doing, and merely doing what 51 other countries have done, making English the official language.

I also want to say to my friend from Alabama, I have never been prouder to serve on the Armed Services Committee with any member more than I am to serve with him. It was you and seven other of the Republicans who tried from the very beginning to give the President everything he needed to interrogate these people, to prosecute these people, and to get as much human intelligence as possible to save American lives. I thank the Senator publicly for standing up as one of all nine of us.

Mr. SESSIONS. Mr. President, if the Senator will yield, I think the Senator has provided great leadership on security on a number of issues. You may be talking about other issues as we go forward right now, but I know the Senator would agree that our borders do represent vulnerabilities, and fixing our borders is also an aspect of national security, as I read of Hezbollah people coming across and others who have dangerous reputations.

I also thank the Senator for his steadfast leadership and his clear thinking in regard to the fundamental issue that barriers do represent a critical part of what we need to do to have a lawful border.

Mr. INHOFE. Mr. President, I thank the Senator from Alabama. And I think we will prevail. As to what you are suggesting, and what you have been suggesting over the last few minutes, the vast majority of the American people are on our side. They know as to people who say: You cannot secure our border, fences will not work—they worked for a long time up in between North Korea and South Korea. I think they will work down here, too.

CLIMATE CHANGE

Mr. INHOFE. Mr. President, I rise to speak today about the most media-hyped environmental issue of all time. It is the word that gets everybody upset when you say it and the word or the phrase that many politicians are afraid to say, and that is ''global warming.'' I have spoken more about global warming than any other politician in Washington today. My speech will be a bit different from the previous seven floor speeches I have made on this subject, as I focus not only on the science, as I have many times before, but on the media's coverage of climate change.

Global warming—just the term—evokes many Members in this Chamber, the media, Hollywood elites, and our pop culture to nod their heads and fret about an impending climate disaster. As the Senator who has spent more time educating about the actual facts about global warming, I will address some of the recent media coverage of global warming and Hollywood's involvement in this issue. And, of course, I will also discuss former Vice President Al Gore's movie, ''An Inconvenient Truth.''

Let's keep in mind, I do chair the committee in the Senate called Environment and Public Works, the committee that has jurisdiction. I recall so well when I first became chairman of this committee, almost 4 years ago, I was actually a believer that because I had heard it so many times there must be something to this thing, until I started looking at the science. But I have talked about that before.

Since 1895, the media has alternated between global cooling and global

warming scares during four separate and sometimes overlapping time periods. From 1895 until the 1930s, the media peddled a coming ice age. From the late 1920s until the 1960s, they warned of global warming. From the 1950s until the 1970s, they warned us again of a coming ice age. This makes modern global warming the fourth estate's fourth attempt to promote opposing climate change fears during the last 100 years—4 times during the last 100 years—and every time just as hysterical as the time before.

Recently, advocates of alarmism have grown increasingly desperate to try to convince the public that global warming is the greatest moral issue of our generation. Just last week, the vice president of London's Royal Society sent a chilling letter to the media encouraging them to stifle the voices of scientists skeptical of climate alarmism.

During the past year, the American people have been served up an unprecedented parade of environmental alarmism by the media and entertainment industry, which links every possible weather event to global warming. The year 2006 saw many major organs of the media dismiss any pretense of balance and objectivity on climate change coverage and instead crossed squarely on into global warming advocacy.

First, I will summarize some of the recent developments in the controversy over whether humans have created a climate catastrophe. One of the key aspects the United Nations, environmental groups, and the media have promoted as the ''smoking gun'' of proof of catastrophic global warming is the so-called hockey stick temperature graph by climate scientist Michael Mann from Virginia and some of his liberal colleagues.

This graph purported to show that temperatures in the northern hemisphere remained relatively stable over 900 years, and then spiked upward as we moved into the 20th century. And that spike would be the ''blade'' on the hockey stick. They say this was due to human activity. Mann, who also copublishes a global warming propaganda blog—reportedly set up with the help of an environmental group—had his hockey stick come under severe scrutiny.

The hockey stick was completely and thoroughly broken once and for all in 2006. Several years ago, two Canadian researchers tore apart the statistical foundation for the hockey stick. In 2006, both the National Academy of Sciences and an independent researcher further refuted the foundation of the hockey stick.

The National Academy of Sciences report reaffirmed the existence of the Medieval Warming Period. That was from about 900 AD to 1300 AD, and the Little Ice Age from about 1500 to approximately 1850. Both of these periods occurred long before the invention of the SUV or human industrial activity and it could not have possibly impacted the Earth's climate. In fact, scientists believe the Earth was warmer than today during the Medieval Warming Period, when the Vikings grew crops in Greenland. We all remember reading about that. That was a period of time when the Vikings, all of a sudden, because it became warmer back around 1000 AD, started inhabiting Greenland. They flourished up there, until the Little Ice Age came along in 1500, and most of them died at that time. Now the climate alarmists have attempted to erase the inconvenient Medieval Warming Period from the Earth's climate history for at least a decade.

David Demming, an assistant professor at the University of Oklahoma's College of Geosciences, can testify firsthand about this effort. Dr. Demming was welcomed into the close-knit group of global warming believers after he published a paper in 1995 that noted some warming in the 20th century. He says he was subsequently contacted by a prominent global warming alarmist and told point blank:

> We have to get rid of the medieval warming period.

When the ''hockey stick'' first appeared in 1998, it did exactly that. This guy, Michael Mann, turned around and ignored the fact that we had this medieval warming period and then went into the little ice age, which changed it.

The media has missed big pieces of the puzzle when it comes to the Earth's temperatures and mankind's carbon dioxide, CO_2, emissions. It is very simplistic to feign horror and say the 1-degree Fahrenheit temperature increase in the 20th century means we are all doomed. First of all, the 1-degree Fahrenheit rise coincided with the greatest advancement in living standards, life expectancy, food production, and human health in the history of our planet. So it is hard to argue that the global warming we experienced in the 20th century was somehow negative or part of a catastrophic trend.

Here on the chart you can see during this period of time, when things were flourishing and they went down, it was far more prosperous during the medieval part.

Second, what the climate alarmists and their advocates in the media have continued to ignore is the fact that the little ice age, which resulted in harsh winters which froze New York Harbor and caused untold deaths, ended about 1850. So trying to prove manmade global warming by comparing the well-known fact that today's temperatures are warmer than during the little ice age is like comparing summer to winter to show a catastrophic temperature trend.

In addition, something that the media almost never addresses are the holes in the theory that CO_2 has been the driving force in global warming.

The alarmists fail to adequately explain why temperatures began warming at the end of the little ice age in about 1850, long before manmade CO_2 emissions could have impacted the climate. Then in about 1940, just as manmade CO_2 emissions rose sharply—about 80 percent, with the largest increase in the middle of the 1940s—the temperatures began a decline, and that lasted until about the 1970s, prompting the media and many scientists to fear a coming ice age.

I am saying that this increase in CO_2 emissions did not precipitate a warming period; it precipitated a cooling period.

If CO_2 is the driving force of the global climate change, why do so many in the media ignore the many skeptical scientists who cite these rather obvious inconvenient truths?

My skeptical views on manmade catastrophic global warming have only strengthened as new science comes in. There have been recent findings in peer-reviewed literature over the past few years showing that the Antarctic is getting colder, and ice is growing. And a new study in Geophysical Research Letters found that the Sun was responsible for 50 percent of the 20th century warming. Now, that is shocking: the Sun is responsible for warmth.

Recently, many scientists, including a leading member of the Russian Academy of Sciences, predicted long-term global cooling may be on the horizon due to a projected decrease in the Sun's output. It is going to start getting cooler again.

A letter that was sent to the Canadian Prime Minister on April 6 of this year by 60 prominent scientists who question the basis for climate alarmism, clearly explains the current state of the scientific knowledge on global warming. Keep in mind, these 60 scientists were the ones who recommended back in the 1990s that Canada sign onto the Kyoto Treaty. They wrote this to Prime Minister Harper:

> If, back in the mid-1990s, we knew what we know today about climate, Kyoto would almost certainly not exist, because we would have concluded that it was not necessary.

The letter also noted:

> ''Climate change is real'' is a meaningless phase used repeatedly by activists to convince the public that a climate catastrophe is looming and humanity is the cause. Neither of these fears is justified. Global climate changes occur all the time due to natural causes, and the human impact still remains impossible to distinguish from the natural ''noise.''

These are scientists talking. People realize that these cycles go on. God is still up there, and we have the cycles every 1,500 years or so. Every time this happens, alarmists get this out and say we are all going to die.

One of the ways alarmists have pounded the mantra of a ''consensus'' on global warming into our pop culture is through the use of computer models that project future calamity. But the science is not there to place so much faith in scary computer model scenarios which extrapolate the current and projected buildup of greenhouse gases in the atmosphere and conclude that the planet faces certain doom.

Dr. Vincent Gray, a research scientist and a 2001 reviewer with the U.N. Intergovernmental Panel—they started like most bad things do, with the U.N. Back in the 1990s they came out with the Intergovernmental Panel on Climate Change, and Dr. Gray said:

The effects of aerosols, and their uncertainties, are such as to nullify completely the reliability of any of the climate models.

Earlier this year, the director of the International Arctic Research Center in Fairbanks, AK, testified to Congress that highly publicized climate models showing a disappearing Arctic were nothing more than ''science fiction.''

That is not Senator INHOFE talking. That is the director of the International Arctic Research Center in Fairbanks, who ought to know a little bit about the Arctic.

In fact, after years of hearing about the computer-generated scary scenarios about the future of our planet, I now believe that the greatest climate threat we face may be coming from alarmist computer models.

This threat is originating from the software installed on hard drives of the publicity-seeking climate modelers. It is long past time for us to separate climate change fact from hysteria.

One final point—and there are many. We have made seven talks, averaging about an hour apiece, about the flawed science. One final point about the science: I am approached by many in the media and others who ask: What if you are wrong, INHOFE, to doubt the dire global warming predictions? Will you be able to live with yourself for opposing the Kyoto Protocol?

My answer is blunt. The history of the modern environmental movement is chock full of predictions of doom that never came true. We have all heard the dire predictions about the threat of overpopulation, resource scarcity, mass starvation, and the projected death of our oceans. None of them came true. Yet it never stopped the doomsayers from predicting a dire environmental future.

The more the eco-doomsayers' predictions fail, the more the eco-doomsayers predict. These failed predictions are just one reason I respect the serious scientists out there today debunking the latest scare mongering on climate change: scientists such as MIT's Richard Lindzen; former Colorado State climatologist, Roger Pielke, Sr.; the University of Alabama's Roy Spencer and John Christy; Virginia State climatologist Patrick Michaels; Colorado State University's William Gray; atmospheric physicist, S. Fred Singer; Willie Soon of the Harvard-Smithsonian Center for Astrophysics; Oregon State climatologist George Taylor; astrophysicist Sallie Baliunas, to name a few.

You never hear about these well-established scientists.

More important, it is the global warming alarmists who should ask the question: What if they are correct about manmade catastrophic global warming? They have come up with no meaningful solution to their supposed climate crisis in the two decades they have been hyping this issue.

If the alarmists truly believe that manmade greenhouse gas emissions are dooming the planet, then they must face up to the fact that symbolism does not solve a supposed climate crisis.

It is long past time for them to separate symbolism from fact. Let me show you this. This is a chart I used on the floor before. A very prominent Senator from the Northeast who bought into this hoax called global warming—after he researched this chart, found it was true. This chart says in the event that everything is true that they have said about global warming, and if all of the countries—I am talking about the developing nations, as well as the developed nations—adhere to or achieve Kyoto goals, this is the difference it would make by 2050. It is not even measurable.

A final point on the science of climate change. Again, I am approached by many in the media and others who ask what if you are wrong? I think the answer is that they have been wrong all along.

The alarmists freely concede that the Kyoto Protocol, even if fully ratified and complied with, would not have any meaningful impact on global temperatures. Keep in mind that Kyoto is not even close to being complied with by many of the ratifying nations. Fifteen European nations ratified the Kyoto Protocol, and 13 have not made their goals. So they are not going to be able to do it.

Many of the nations that ratified Kyoto are now realizing what I have been saying all along: The Kyoto Protocol is a lot of economic pain for no climate gain.

Legislation that has been proposed in this Chamber would have even less of a temperature effect than Kyoto's undetectable impact. And more recently, global warming alarmists and the media have been praising California for taking action to limit CO_2. But here again this costly, feel-good, California measure, which is actually far less severe than Kyoto, will have no impact on the climate, only the economy.

Symbolism does not solve a climate crisis.

In addition, we now have many environmentalists and Hollywood celebrities, such as Laurie David, who have been advocating measures like changing standard light bulbs in your home to fluorescents to help avert global warming. Changing to more energy-efficient light bulbs is fine, but to somehow imply that we can avert a climate disaster by these actions is absurd.

Once again, symbolism does not solve a climate crisis. But this symbolism may be hiding a dark side. While greenhouse gas limiting proposals may cost the industrialized West trillions of dollars, it is the effect on the developing world's poor that is being lost in this debate.

The Kyoto Protocol's post-2012 agenda, which mandates that the developing world be subjected to restrictions on greenhouse gases, could have the potential to severely restrict development in regions such as Africa, Asia, and South America, where some of the Earth's most energy-deprived people currently reside.

Expanding basic necessities like running water and electricity in the developing world are seen by many in the Green Movement as a threat to the planet's health that must be avoided.

Energy poverty equals a life of back-breaking poverty and premature death.

If we allow scientifically unfounded fears of global warming to influence policymakers to restrict future energy production and the creation of basic infrastructure in the developing world, billions of people will continue to suffer.

Last week, my committee heard testimony from Danish statistician Bjorn Lomborg, who was once a committed leftwing environmentalist until he realized that so much of what that the movement preached was based on bad science. Lomborg wrote a book called ''The Skeptical Environmentalist'' and has organized some of the world's top Nobel laureates to form the 2004 ''Copenhagen Consensus,'' which ranked the world's most pressing problems.

Guess what. They place global warming at the bottom of the list in terms of our planet's priorities. The ''Copenhagen Consensus'' found that the most important priorities for our planet include combating disease, stopping malaria, securing clean water, and building infrastructure to help lift the developing nations out of poverty.

I have made a lot of trips to Africa. A lot of people know I have had a mission there for well over 10 years now. Once you see the devastating poverty—we think we have poverty in this country. Well, if you saw their poverty and the kids running through the junk piles and rats biting at the heels of their bloody feet, you would realize that these fears about global warming are severely misguided.

I firmly believe that when the history of our era is written, future generations will look back with puzzlement and wonder why we spent so much time and effort on global warming fears and pointless solutions, such as the Kyoto protocol.

One of your favorite Frenchmen, Mr. President, Jacques Chirac, the French President, provided the key clue as to why so many in the international community still revere the Kyoto Protocol, when in 2000 he said Kyoto represents not climate change but represents ''the first component of an authentic global governance.''

Furthermore, if your goal is to limit CO_2 emissions, the only effective way to go about it is the use of cleaner, more effective technologies that will meet the energy demands of this century and beyond.

The Bush administration and my Environment and Public Works Committee—the committee I chair—have been engaged in these efforts as we work to expand nuclear power and promote the Asian-Pacific Partnership. This partnership stresses the sharing of new technology among member nations, including three of the world's top 10 emitters—China, India, and Korea—all of whom are exempt from Kyoto.

Keep in mind, even if all these charts were true and everyone is going to comply with this, we passed in this Chamber just a very short while ago, by a unanimous vote, 96 to 0, legislation that said if you come back with any kind of treaty where we are going to treat developing nations differently from developed nations, we are going to oppose it. So it is unanimously opposed.

Many in the media, as I noted earlier, have taken it upon themselves to drop all pretense of balance on global warming and have instead become committed advocates for the issue.

Here is a quote from Newsweek. You have to listen to this, Mr. President. This is very important. I am going to quiz you later. This is a quote from Newsweek magazine:

> There are numerous signs that the Earth's weather patterns have begun to change dramatically and that these changes may portend a drastic decline in food production—with serious political implications for just about every nation on Earth.

A headline in the New York Times reads:

> Climate Changes Endanger World's Food Output.

Here is another quote from Time magazine:

> As they review the bizarre and unpredictable weather pattern of the past several years, a growing number of scientists are beginning to suspect that many seemingly contradictory meteorological fluctuations are actually part of a global climate upheaval.

All this sounds very ominous. That is until one realizes that the three quotes I just read are from articles in 1975 editions of Newsweek magazine and the New York Times, and Time magazine in 1974. They were not referring to global warming; they were warning of a coming ice age. The same people who were hysterical back then are using the same words to describe what is happening today.

Let me repeat: All three of those quotes were published in the 1970s warning of a coming ice age. An ice age is coming; we are all going to die.

In addition to global cooling fears, Time magazine has also reported on global warming. Here is an example:

> [Those] who claim that winters were harder when they were boys are quite right . . . weathermen have no doubt that the world at least for the time being is growing warmer.

Before one thinks that this is just another example of the media promoting former Vice President Gore's movie, one needs to know that the quote I just read is from Time magazine and not a recent quote. It is from January 22, 1939. Yes, in 1939—9 years before former Vice President Gore was born and over three decades before Time magazine began hyping a coming ice age, and almost five decades before they returned to hyping global warming.

Time magazine, in 1951, pointed to receding permafrost in Russia as proof that the planet was warming.

In 1952, the New York Times noted that the ''trump card'' of global warming ''has been the melting glaciers.''

But the media could not decide between warming or cooling scares. There are many more examples of the media and scientists flip-flopping between warming and cooling scares. They don't really care. They just want to scare you. They want to make sure you are scared, and then they are satisfied.

Here is a quote from the New York Times on fears of an approaching ice age:

> Geologists Think the World May be Frozen Up Again.

That sentence appeared over 100 years ago in the February 24, 1895, edition of the New York Times. Let me repeat, 1895, not 1995.

A front-page article in the October 7, 1912, New York Times, just a few months after the Titanic struck an iceberg and sank, declared that a prominent professor ''Warns Us of an Encroaching Ice Age.''

The very same day in 1912, the Los Angeles Times ran an article warning that the ''human race will have to fight for its existence against the cold.''

An August 10, 1923, Washington Post article declared:

> Ice Age Coming Here.

By the 1930s, the media took a break from reporting on the coming ice age and instead switched gears to promoting global warming. This is the 1930s:

> America in Longest Warm Spell Since 1776; Temperature Line Records a 25-year Rise.

That was in an article in the New York Times on March 27, 1933.

The media of yesteryear was also not above injecting large amounts of fear and alarmism into their climate articles.

An August 9, 1923, front-page article in the Chicago Tribune declared:

> Scientist Says Arctic Ice Will Wipe Out Canada.

The article quoted a Yale University professor who predicted that large parts of Europe and Asia would be ''wiped out'' and Switzerland would be ''entirely obliterated.''

A December 29, 1974, New York Times article on global cooling reported that climatologists believed ''the facts of the present climate change are such that the most optimistic experts would assign near certainty to major crop failure in a decade.''

The article also warned that unless Government officials reacted to the coming catastrophe ''mass deaths by starvation and probably in anarchy and violence'' would result. In 1975, the New York Times reported that ''a major cooling [was] widely considered to be inevitable.''

These past predictions of doom have a familiar ring, don't they? They sound strikingly similar to our modern media promotion of the former Vice President's brand of climate alarmism, an alarmism he believes will put him back in the White House.

After more than a century of alternating between global cooling and warming, one would think that this media history would serve a cautionary tale for today's voices in the media and scientific community who are promoting yet another round of eco-doom.

Much of the 100-year media history on climate change that I have documented today can be found in a publication entitled ''Fire and Ice'' from the Business and Media Institute.

Which raises the question: How has this embarrassing 100-year documented legacy of coverage on what turned out to be trendy climate science theories made the media more skeptical of today's sensational promoters of global warming? You be the judge.

On February 19 of this year, CBS News's ''60 Minutes'' produced a segment on the North Pole. The segment was a completely one-sided report alleging rapid and unprecedented melting at the polar cap. It even featured correspondent Scott Pelley claiming that the ice in Greenland was melting so fast that he barely got off an iceberg before it collapsed into the water.

Mr. President, ''60 Minutes'' failed to inform its viewers that a 2005 study by a scientist named Ola Johannessen and his colleagues showed that the interior of Greenland is gaining ice mass and that, according to scientists, the Arctic was warmer in the 1930s than it is today. If you see this film, they will say it is the warmest it has ever been. It is just not true.

By the way, around the edges of ice caps there is a phenomenon known as calving. So when it becomes thicker in the middle, it melts a little on the outside, but the overall volume density increases.

On March 19 of this year, ''60 Minutes'' profiled NASA scientists and alarmist James Hansen who was once again making allegations of being censored by the Bush administration. In this segment, objectivity and balance were again tossed aside in favor of a one-sided glowing profile of Hansen.

The ''60 Minutes'' segment made no mention of Hansen's partisan ties to former Democratic Vice President Al Gore or Hansen's receiving of a grant of a quarter of a million dollars from the leftwing Heinz Foundation run by Teresa Heinz Kerry. I guess she is Teresa Heinz now. There was also no mention of Hansen's subsequent endorsement of her husband JOHN KERRY for the presidency in 2004. He is a political activist. This was never mentioned in the ''60 Minutes'' segment.

Many in the media dwell on any industry support given to so-called climate skeptics, but the same media completely failed to note Hansen's huge grant from the leftwing Heinz Foundation.

The foundation's money originated from the Heinz family ketchup fortune. So it appears that the media makes a distinction between oil money and ketchup money.

Mr. President, ''60 Minutes'' also did not inform viewers that Hansen appeared to concede in a 2003 issue of ''Natural Science'' that the use of ''extreme scenarios'' to dramatize climate change ''may have been appropriate one time'' to drive the public's attention on the issue. In other words, it is all right to lie in order to drive the public's attention to an issue that you want them to have and to that opinion.

Why would ''60 Minutes'' ignore the basic tenets of journalism that call for objectivity and balance in sourcing and do such one-sided segments?

The answer was provided by correspondent Scott Pelley. Pelley told the CBS News Web site that he justified excluding scientists skeptical of global warming alarmism from his segments because he considers skeptics to be the equivalent of ''Holocaust deniers.''

This year also saw a New York Times reporter write a children's book entitled ''The North Pole Was Here.'' The author of the book, New York Times reporter Andrew Revkin, wrote that it may someday be ''easier to sail to than stand on'' the North Pole in summer. So here we have a very prominent environmental reporter for the New York Times who is promoting the aspect of global warming alarmism in a book aimed at our kids.

In April of this year, Time magazine devoted an issue to global warming alarmism entitled ''Be Afraid, Be Very Afraid.'' This is the same Time magazine which first warned of a coming ice age in the 1920s before it switched to warning about global warming in the 1930s, before it switched again to promoting the 1970s coming ice age scare. The April 3, 2006, global warming special report of Time magazine was a prime example of the media's shortcomings, as the magazine cited partisan leftwing environmental groups with a vested financial interest in hyping alarmism.

Headlines blared: ''More and More Land is Being Devastated by Drought.''

''Earth is at the Tipping Point.''

''The Climate is Crashing.''

Time magazine did not make the slightest attempt to balance its reporting with any views of scientists skeptical of this alleged climate disaster.

I don't have journalism training, but I daresay calling a bunch of environmental groups with an obvious fundraising agenda and asking them to make wild speculations on how bad global warming might become is nothing more than advocacy for leftwing causes. It is a violation of basic journalistic standards.

To his credit, New York Times reporter Revkin saw fit to criticize Time magazine for its embarrassing coverage of climate science.

So in the end, Time's cover story title of ''Be Worried, Be Very Worried'' appears to have been apt. The American people should be worried—they should be very worried—of such shoddy journalism.

As to Al Gore's inconvenient truth, in May, our Nation was exposed to perhaps one of the slickest science propaganda films of all time. Former Vice President Gore's ''An Inconvenient Truth,'' in addition to having the backing of Paramount Pictures to market this film, had the full backing of the media, and leading the cheerleading charge was none other than the Associated Press, and of course they had the elitists, from Hollywood.

On June 27, the Associated Press ran an article by Seth Borenstein that boldly declared:

> ''Scientists give two thumbs up to Gore's movie.''

The article quoted only five scientists—two thumbs up, five scientists. They were praising Gore's science, despite the Associated Press having contacted over 100 scientists.

The fact that over 80 percent of the scientists contacted by the AP had not even seen the movie or that many scientists have harshly criticized the science presented by Gore did not dissuade the news outlet one bit from its mission to promote Gore's brand of climate alarmism.

Let's keep in mind, they said it is thumbs up, 100 percent of the scientists, and it was only 5 out of the 100.

I am almost at a loss as to how to begin to address the series of errors, misleading science, and unfounded speculation that appear in the former Vice President's film and in his book of the same name.

Here is what Richard Lindzen, a meteorologist from MIT, has written about ''An Inconvenient Truth.'' He is talking about Al Gore and his movie. This is a scientist, Richard Lindzen, a meteorologist from MIT:

> A general characteristic of Mr. Gore's approach is to ignore the fact that the Earth and its climate are dynamic; they are always changing even without any external forcing. To treat all change as something to fear is bad enough; to do so in order to exploit that fear is much worse.

That is exactly what Al Gore is doing.

What follows is a brief summary of the science the former Vice President promotes in either a wrong or misleading way:

He promoted the now debunked ''hockey stick'' temperature chart in an attempt to prove man's overwhelming impact on the climate.

He attempted to minimize the significance of the medieval warm period and the little ice age.

He insists on a link between increased hurricane activity and global warming that most scientists believe does not exist.

He asserted that today's Arctic is experiencing unprecedented warmth while ignoring that temperatures in the 1930s were as warm or warmer than they are today.

He claimed the Antarctic is warming and losing ice but failed to note that is only true of a small region and the vast bulk has been cooling and gaining ice. This is the Antarctic.

He hyped unfounded fears that Greenland's ice is in danger of disappearing.

He erroneously claimed that the icecap on Mount Kilimanjaro is disappearing because of global warming, even while the region cools and researchers blame ice loss on local land-use practices. What they are talking about here is they had deforested the area down below. That was the reason. It had nothing to do with CO_2, obviously.

He made assertions of massive future sea level rise that is way outside of any supposed scientific consensus and is not supported in even the most alarmist literature.

He incorrectly implied that a Peruvian glacier's retreat is due to global warming, while ignoring the fact that the region has been cooling since the 1930s and other glaciers in South America are advancing.

He blamed global warming for water loss in Africa's Lake Chad despite NASA scientists concluding that local population and grazing factors are the more likely culprits.

He inaccurately claimed polar bears are drowning in significant numbers due to melting ice when in fact they are thriving.

He completely failed to inform viewers that the 48 scientists who accused President Bush of distorting science were part of a political advocacy group set up to support the Democratic Presidential candidate John Kerry in 2004.

That was just a brief sampling of some of the errors presented in ''An Inconvenient Truth.'' Imagine how long the list would have been if I had actually seen the movie. There wouldn't be enough time to deliver the speech today.

So along comes Tom Brokaw. Following the promotion of ''An Inconvenient Truth,'' the press did not miss a beat in their role as advocates for global warming fears.

ABC News put forth its best effort to secure its standing as an advocate for climate alarmism when the network put out a call for people to submit their anecdotal global warming horror stories in June for use in a future news segment.

In July, the Discovery Channel presented a documentary on global warming narrated by former NBC anchor Tom Brokaw. The program presented only those views of scientists promoting the idea that humans are destroying the Earth's climate. You don't have to take my word for the program's overwhelming bias. A Bloomberg TV news review noted:

''You'll find more dissent at a North Korean political rally than in this program'' because of its lack of scientific objectivity.

Brokaw also presented climate alarmist James Hansen to viewers as unbiased, failing to note his quarter-million-dollar grant from the partisan Heinz Foundation or his endorsement of Democratic Presidential nominee John Kerry in 2004 and his role promoting former Vice President Gore's Hollywood movie. Brokaw, however, did find time to impugn the motives of scientists skeptical of climate alarmism when he featured paid environmental partisan Michael Oppenhimer, of the group Environmental Defense, accusing skeptics of being bought out by fossil fuel interests.

The fact remains that political campaign funding by environmental groups to promote climate and environmental alarmism dwarfs spending by the fossil fuel industry by 3 to 1. Environmental special interests, through their 527s, spent over $19 million compared to $7 million spent by the oil and gas industry through political action committees in the 2004 election cycle.

I am reminded of a question the media often asks me about how much I have received in campaign contributions from the fossil fuel industry. My unapologetic answer is always: Not enough, especially when you consider the millions partisan environmental groups pour into political campaigns.

Continuing with our media analysis: On July 24, 2006, the Los Angeles Times featured an op-ed by Naomi Oreskes, a social scientist at the University of California, San Diego, and the author of a 2004 Science magazine study. Oreskes insisted that a review of 928 scientific papers showed there was 100 percent consensus that global warming was not caused by natural climate variations. This study was also featured in former Vice President Al Gore's ''An Inconvenient Truth.''

However, the analysis in Science magazine excluded nearly 11,000 studies or more than 90 percent of the papers dealing with global warming, according to a critique by British social scientist Benny Peiser. Peiser also pointed out that less than 2 percent of the climate studies in the survey actually endorsed the so-called ''consensus view'' that human activity is driving global warming and some of the studies actually opposed that view. Oreskes called 2 percent, 100 percent. But despite this manufactured ''consensus,'' the media continued to ignore any attempt to question the orthodoxy of climate alarmism.

As the dog days of August rolled in, the American people were once again hit with more hot hype regarding global warming, this time from the New York Times op-ed pages. A columnist penned an August 3 column filled with so many inaccuracies it is a wonder the editor of the Times saw fit to publish it. For instance, Bob Herbert's column made dubious claims about polar bears, the snows of Kilimanjaro, and he attempted to link this past summer's heat wave in the United States to global warming—something even the alarmist James Hansen does not support.

Finally, a September 15, 2006, Reuters News article claimed that polar bears in the Arctic are threatened with extinction by global warming. The article by correspondent Alister Doyle quoted a visitor to the Arctic—now listen to this, Mr. President—a visitor to the Arctic who claimed he saw two distressed polar bears. According to the Reuters article, the man noted that one of the polar bears looked to be dead and the other one looked to be exhausted. The article did not state the bears were actually dead or exhausted, they merely looked that way. Have we really arrived at the point where major news outlets in the United States are reduced to analyzing whether polar bears in the Arctic appear restful? How reporting such as this gets approved for publication by the editors at Reuters, I don't know. What happened to covering the hard science in this issue?

What was missing from the Reuters News article was the fact that according to biologists who study animals, polar bears are doing quite well. Biologist Dr. Mitchell Taylor from the Arctic government of Nunavut, which is a territory of Canada, refuted these claims in May when he noted that—this is a quote. Keep in mind I am quoting the biologist Dr. Mitchell Taylor from the Arctic government. He said:

> Of the 13 populations of polar bears in Canada, 11 are stable or increasing in number. They are not going extinct, or even appear to be affected at present.

Sadly, it appears that reporting anecdotes and hearsay is now fast replacing the tenets of journalism for many media outlets.

It is an inconvenient truth that so far 2006 has been a year in which most major segments of the media have given up on any quest for journalistic balance, fairness, and objectivity when it comes to climate change. The global warming alarmists and their friends in the media have attempted to smear scientists who dare to question the premise of manmade catastrophic global warming, and as a result some scientists have seen their reputations and their research funding dry up.

The media has so relentlessly promoted global warming fears that a British group called the Institute For Public Policy Research—and this from a left-leaning group—issued a report in 2006 accusing media outlets of engaging in what they termed ''climate porn'' in order to attract the public's attention. Bob Carter, a paleoclimate geologist from James Cook University in Australia, has described how the media promotes this kind of fear:

> Each such alarmist article is larded with words such as ''if,'' ''might,'' ''could,'' ''probably,'' ''perhaps,'' ''expected,'' ''projected,'' or ''modeled,'' and many involve such deep dreaming, or ignorance of scientific facts or principles, that they are akin to nonsense.

He concluded this in an op-ed in April of this year.

Another example of this relentless hype is the reporting on the seemingly endless number of global warming impact studies which do not even address whether global warming is going to happen. They merely project the impact of potential temperature increases.

The media endlessly hypes studies that purportedly show that global warming could increase mosquito populations, malaria, West Nile virus, heat waves and hurricanes, threaten the oceans, damage coral reefs, boost poison ivy growth, damage vineyards and global food crops, to name just a few of the global warming-linked calamities. Oddly, according to the media reports, warmer temperatures almost never seem to have any positive effects on plant or animal life or food production.

Fortunately, the media's addiction to so-called ''climate porn'' has failed to seduce many Americans. According to a July Pew Research Center poll, the American public is split about evenly between those who say global warming is due to human activity versus those who believe it is from natural factors or not happening at all. This is significantly down from the previous polls. In addition, an August Los Angeles Times/Bloomberg poll found that most Americans do not attribute the cause of recent severe weather events to global warming, and the portion of Americans who believe global warming is naturally occurring is on the rise. It is nothing short of a miracle and amazing that the American people are not buying this alarmism. It is all they see on TV. It is all they hear about. I would rather believe the American people know when their intelligence is being insulted and they know when they are being used and when they are being duped by the hysterical left.

The American people deserve much better from our fourth estate. We have a right to expect accuracy and objectivity on climate change coverage. We have a right to expect balance in sourcing and fair analysis from reporters who cover the issue. Above all, the media must roll back this mantra that there is scientific ''consensus'' of impending climatic doom as an excuse to ignore recent science. I used to get this all the time from the left. They say: Well, the consensus is already there; we don't want to talk about science. No wonder they don't—because most of the science since 1999 has refuted everything they are asserting. After all, there was a so-called scientific consensus that there were nine planets in our solar system until Pluto was recently demoted.

I am a realist. I want to challenge the news media to reverse course and report on the objective science of climate change, stop ignoring legitimate voices in this scientific debate, and

stop being used by the hysterical left. Breaking the cycles of media hysteria will not be easy since hysteria sells and it is very profitable, but I really believe the issue is getting worn out. They have not been able to come up with anything to support their side. And as Winston Churchill said:

> The truth is incontrovertible. Panic may resent it, ignorance may deride it, malice may destroy it, but there it is. And it will be there, and we will understand.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COLEMAN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SALAZAR. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COLEMAN). Without objection, it is so ordered.

Mr. SALAZAR. Mr. President, I ask that I be recognized to speak as in morning business for up to 20 minutes.

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

COMPREHENSIVE IMMIGRATION REFORM

Mr. SALAZAR. Mr. President, I come to the floor of the Senate today to talk about the importance of immigration reform in a comprehensive manner. We are in the last week of this legislative session before the November elections. It is obvious to me, in terms of what is going on in the country, that the leadership of the Senate, the Congress, and the White House has decided to allow politics to triumph over the very fundamental national purposes for which we have tried to work together with respect to comprehensive immigration reform.

It is my hope that those speaking for principled immigration reform stand up and say that we are not going to let politics triumph over national security, that we are not going to let politics triumph over the rule of law, which is a central tenet of our Nation, basic to the stability of our Nation, and that we are not going to let politics triumph over the economic and human and moral realities with which we deal in immigration.

As we move forward in the days ahead, dealing with this fence legislation, legislation that would create a fence across Arizona and Texas and Mexico and the possibility of a fence between the United States and Canada, I hope the voices of reason that brought Republicans and Democrats together on the floor of this Senate to say we needed comprehensive immigration reform, once again will say we reject piecemeal legislation that deals with creating a fence only because we know that will not be the answer for the comprehensive immigration reform we need.

When I look at the map which has come out of the House of Representatives which would create a fence which would essentially follow the entire border of Arizona and large pieces of the Texas border, it seems to me what we are doing here in Washington is we are telling those States that we know better here in Washington where the fence ought to be located and we will authorize this fence to be built only in these particulars locations. We are, in fact, not listening to the Department of Homeland Security and to our Border Patrol officers who know there are places where it is appropriate for us to put a fence. Indeed, in our legislation here in the Senate, what we did is we authorized the construction of a fence, but we also recognized there was latitude to be given to those experts who are in charge of making sure we create a secure border.

When I look at what we are trying to do in this debate which will take place with respect to the Secure Fence Act on the floor this year, I would like us to look back and see what was being said around the country with respect to immigration reform just a few months ago when we were debating immigration reform here on the floor of the Senate.

Our Secretary of Homeland Security, Secretary Chertoff, said this about the fence:

> Fencing has its place in some areas, but as a total solution, I don't think it's a good solution.

Secretary Chertoff, on February 9, 2006, also said the following:

> When you're dealing with the desert, for example, we don't advocate putting a fence in the desert because it's more efficient for us to intercept people when they're in the desert at a place of our own choosing as opposed to being forced to guard the entire fence, right up against the fence.

From our friend, Attorney General Alberto Gonzales, speaking about the fence, back in those days: ''I think that's contrary to our traditions,'' he said, noting that ''99.9 percent'' of illegal immigrants ''come across to seek a better life for their families. . . .'' This is from Attorney General Gonzales.

He continued and said:

> I don't know if that would make much sense. We've got a 2,000-mile border. Because of natural geography, we don't need a fence . . . along certain portions of that border. Obviously, we believe it does make sense to have fencing along certain areas of our border. We do have several hundred miles of fencing currently, but the objective here is to make sure we're being smart in securing our border.

Commissioner W. Ralph Basham from Customs and Border Protection said:

> It doesn't make sense, it's not practical.

We are in the last week of the legislative session, doing our business prior to the time we go out for elections. So what has happened here? What has happened here is people have decided to ride this horse of immigration reform, with all the divisiveness it has created around the country, to try to gain a political advantage in these November elections. It would be my hope that Democrats and Republicans of this body, who stood with the President in calling for comprehensive immigration reform, would stand by those principles and say: We are going to push forward for immigration reform that really works for our country because it addresses all aspects of the immigration issue we face in America.

We as a Senate did that several months ago. I was very proud to have worked with people such as Senator MCCAIN, Senator GRAHAM, Senator DURBIN, Senator KENNEDY, and a whole host of other people who were involved in putting together what became a comprehensive immigration reform package. It was a law-and-order bill that we debated here on the floor for weeks and was ultimately adopted by a significant bipartisan group of Senators. It was a law-and-order bill because it dealt in a comprehensive way with the issue of immigration. It dealt in a comprehensive way with the recognition that we have a national security crisis on our hands that requires us to deal with immigration reform in a comprehensive way.

The components of the legislative which we subsequently shepherded through the Senate included border security, strengthening our border. It included immigration law enforcement so we make sure that we as a nation uphold our tradition of being a nation of laws; that we enforce our immigration laws here in our country.

It also includes huge registration penalties applying against those who have broken the law and have come to this country illegally.

The law and order bill deserves the support of the Senate. It is my hope as we move forward in the debate on immigration this week that we return to that legislation and move that legislation as an amendment to the legislation which has been introduced in this body.

Let me again quickly walk through to refresh my colleagues' memory about the components of this legislation which we felt so urgently was needed to deal with national security and the economic and human reality relating to the immigration issue.

First, we all want our borders secure. We recognize we can't have a secure nation if we can't deal with the threats we face with homeland security unless we secure the border. We recognize the United States of America as a sovereign nation has a sovereign right to protect its borders. We need to make sure we are protecting our borders.

We included in our legislation many aspects of a cross-border security solution. They included 12,000 new Border Patrol agents which we would add to our Border Patrol effort to make sure we have the right manpower to address the border security issue.

In that legislation through an amendment that was sponsored by our friend from Alabama, we created additional fences that would be established along the border, some 370 miles of

fences that had been established and constructed in critical locations along the border.

We provided new criminal penalties for construction of border tunnels to address what has happened in places where there are currently fences across borders; where people have created tunnels to dig under those fences to come to the United States. We added new checkpoints and points of entry throughout the entire border. We expanded the exit-entry security system at all land borders and airports.

Our legislation dealt in a comprehensive way moving forward to make sure we were creating a secure border. That was a key component of legislation we are dealing with.

Beyond securing our borders, which is very essential as we put together this effort on comprehensive immigration reform, we also recognized that we as a nation must enforce our immigration laws. So we included in our legislation significant provisions to ensure we are enforcing those laws.

We added 5,000 new investigators to help us enforce our laws. We established in that legislation 20 new detention facilities so we can effectively process those who are caught here in our country illegally. We included provisions in our legislation that would reimburse States for detaining and imprisoning criminal aliens. That is an issue which has affected local and State governments throughout our country.

We included in our legislation requirements for a faster deportation process. We increased penalties for gang members, for money laundering, and human trafficking. We increased document fraud detection, and we created new fraudproof immigration documents for people who are here in this country with biometric identifiers.

Finally, we expanded authority to remove suspected terrorists from our country.

Looking at what we did in coming up with an immigration enforcement package in our country, we said we were going to ensure that we as a nation of laws would have a legal system in place that would in fact be enforceable and that we would put the resources behind that enforcement.

We also dealt with another issue; that is, an issue that has caused so much controversy around this country. Essentially, it had to do with the question what do you do with 11 million or 12 million human beings currently residing in our country. We felt as a group of Democrats and Republicans working on this legislation that we needed to come up with a realistic and humane way of approaching the 12 million people who are here illegally in our country. These are the people who probably have cleaned the hotel rooms and motel rooms where most Americans stay. These are the people who are working at construction sites in each one of the our States around the country. These are the people who are the backbone of the agricultural workforce in places such as Idaho, Colorado, and throughout our great Nation.

So we decided to come up with a program where we would deal with these 12 million people in an honest, realistic, and straightforward manner. We said we would require them to pay a fine. They have broken the law. They will be punished. They have broken the law and they will be punished by the requirements that they pay a fine for their illegal conduct. We require that they register with the U.S. Government. That is not a requirement for any U.S. citizen, but we require these people to step forward, to come out of the shadows and to register themselves with the U.S. Government.

We require them to pay additional registration fees. We require them to learn English. We require them to learn American history and government. We require them to pass medical exams. And we require them to be continuously employed with a valid temporary visa.

We came up with a program that the President himself has talked about in positive terms, where essentially we would bring these people to come out of the shadows. We require them to go to the back of the line. We require them to pay a penalty. We require them to learn English, and we require them to learn about American history as a realistic way of approaching the reality of 12 million human beings who live here in our country today.

Let me come back and talk a little bit about the piecemeal approach—this political approach which is being talked about here in the Congress today. It is in fact a piecemeal approach because all of those who have studied this issue recognize that unless we deal with immigration issues in a comprehensive way, it will not work. Many of us in this Chamber have had many conversations with the President of the United States about the need for comprehensive immigration reform. On August 3 of this year, in a public statement, the President said:

> I'm going to talk today about comprehensive immigration reform. I say comprehensive because unless you have all five pieces working together it's not going to work at all.

This is the President of the United States saying it is not going to work at all unless we do this in a comprehensive manner.

In another statement, he said the following:

> We will fix the problems created by illegal immigration, and we deliver a system that is secure, orderly, and fair. So I support comprehensive immigration reform that will accomplish these five objectives.

That was the President of our country.

He said in another statement on May 15 of 2006 the following:

> Some in this country argue that the solution is to deport every illegal immigrant, and that any proposal short of this amounts to amnesty. I disagree. It is neither wise nor realistic to round up millions of people, many with deep roots in the United States, and send them across the border. There is a rational middle ground.

That is from the President's Presidential address of May 15, 2006.

On May 15, on that same day, he said the following:

> An immigration reform bill needs to be comprehensive, because all elements of this problem must be addressed together, or none of them will be solved at all. Congress can pass a comprehensive bill for me to sign into law.

That is what the President of the United States has asked us as a Congress to do. That was what Democrats and Republicans in this Chamber came together to do several months ago.

It would be my hope as we consider the legislation which we will be debating this week that we take the statements of the President, the statements that have been made by members of his administration, and statements made here on the floor, and that we address this issue of immigration reform in a manner that is truly going to work as opposed to addressing it in a piecemeal manner as has been suggested by the legislation which we will be considering.

I conclude by asking my colleagues in the Senate today to make sure as we move forward to not let politics triumph over the national security issue of the broken borders that we face today; that we as a Senate do not let politics triumph over the rule of law which makes us have the kind of country we can all be very proud of because we abide by the rule of law; that we as a country make sure we stand up for the human and moral issues that are very much on stage in this debate over immigration reform. Those issues should take precedence over a political agenda which is obviously unfolding with this legislation that has been brought to the floor of the Senate today.

Finally, I ask the White House, President Bush, to end the silence on this issue. President Bush has been working on this issue for a long time. He is a former Governor of a border State. He knows what is at stake on this issue. I hope the White House can provide this body and the House of Representatives with the kind of guidance they were providing us when we were dealing with the issue some months ago.

I thank the Chair. I yield the floor.

Mr. KENNEDY. Mr. President, how much time is allocated in morning business?

The PRESIDING OFFICER. There is 37 minutes.

Mr. KENNEDY. For each speaker, is there a time limitation?

The PRESIDING OFFICER. On the Democratic side, 37 minutes remain.

GLOBAL TERRORISM

Mr. KENNEDY. Mr. President, according to reports in Sunday's New

York Times and Washington Post, a National Intelligence Estimate prepared last April concludes that the war in Iraq has made the problem of global terrorism worse and that terrorist cells have metastasized and spread across the globe.

For more than 3 years, President Bush and the Republican Congress have repeatedly claimed the war in Iraq is making America safer. Now, we learn that the 16 agencies in the intelligence community concluded just the opposite last April—that the Iraq war has become a rallying cry for extremists against the United States and made the war on terror more difficult to win.

The American people have the right to hear from our Nation's top intelligence official about the conclusions of the intelligence community in this report. Before Congress adjourns this week, Director of National Intelligence John Negroponte should testify in open session about this report. In addition, an unclassified version of the key judgments and discussion about Iraq in the report should be made available to the public in a way that protects sources and methods.

With more than 140,000 American troops on the ground in Iraq and terrorist attacks increasing around the globe, the stakes for the safety of all Americans are enormously high. It is our obligation to hear directly from Mr. Negroponte before adjourning at the end of this week. It is essential that Congress and the American people obtain a fuller understanding about the conclusions of the intelligence community about the impact of the Iraq war.

In addition, the President and Vice President must explain statements they have made that are directly at odds with this National Intelligence Estimate.

Despite the conclusion of the intelligence community that the war has been a recruitment tool for a new generation of extremists, on numerous occasions since the document was prepared, President Bush has claimed that the war has made America safer.

On September 7, President Bush said:

> We've learned the lessons of 9/11 * * * We've gone on the offense against our enemies, and transformed former adversaries into allies. We have put in place the institutions needed to win this war. Five years after September the 11th, 2001, America is safer—and America is winning the war on terror.

On September 11, President Bush said:

> Saddam's regime posed a risk that the world could not afford to take. The world is safer because Saddam Hussein is no longer in power.

Despite the conclusion of the intelligence community 5 months earlier that new threats are emerging because of the war in Iraq, Vice President CHENEY said the exact opposite on September 10. He said:

> We are better off there because of what we've done to date. We are less likely to have a threat emerge against the United States from that corner of the world than would have been the case if Saddam were still there.

The American people deserve to know whether the President and Vice President are intentionally misleading us about our safety or whether they are simply ignoring the intelligence community. Clearly, America deserves better from its leaders.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded. I ask to speak for up to 20 minutes.

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

Mr. CORNYN. I ask unanimous consent I be permitted to speak for up to 20 minutes in morning business.

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

TERRORIST TRIBUNALS

Mr. CORNYN. Mr. President, one of the lessons America learned after the tragic events of September 11, 2001, is the danger of treating our fight against global terrorism as a law enforcement function alone. This was documented time and time again, whether it is the wall that was erected that prevented intelligence authorities from getting access to important information and sharing it with law enforcement authorities, and vice versa, or whether it was waiting until a terrorist attack occurred and then merely investigating in the rubble and the destruction left behind, and then prosecuting the person, if, in fact, he could be prosecuted and brought to justice.

It concerns me a great deal that we have seemed to lapse once again into a pre-September 11 mindset where some of our colleagues, as we debate the use of terrorist tribunals and the access to our court system those convicted of war crimes should have, seem to have forgotten some of those lessons learned from September 11. It is important we not fight this global war on terrorism strictly as a law enforcement matter, punishing conduct after the fact rather than gaining intelligence we need in order to detect, deter, and disrupt terrorist attacks from occurring in the first place. Specifically, I will address what sort of avenues of appeal detainees at Guantanamo Bay should have regarding their convictions and their status review.

Members may recall late last year the Congress passed something called the Detainee Treatment Act in which we thought we had dealt comprehensively with the issue of how detainees, unlawful combatants, should be treated. Of course, we reiterated our commitment, the ban against torture, cruel and inhumane and degrading conduct, but in that important piece of legislation, Congress also said that detainees, these unlawful combatants, people who do not observe the laws of war, who target innocent civilian populations, are not entitled to receive the full panoply of rights accorded to American citizens when tried in an Article III court of law.

Specifically, we said that for the writ of habeas corpus that otherwise might be available to them, we would substitute an alternative procedure composed of three different things. We created the combat status review tribunal, first, which was designed to make sure the individuals who are actually detained at Guantanamo Bay were, in fact, enemy combatants, and to make sure we did not in the course of or in the fog of war sweep up innocent bystanders who were not actually a threat to the United States. These combat status review tribunals have very important procedures I will mention in a moment.

However, we also saw the use of administrative review boards that on an annual basis review the status of a particular detainee at Guantanamo Bay to determine, No. 1, whether they were a continuing threat to the American people or our allies, and, No. 2, whether additional actionable intelligence could be obtained from them during the interrogation process.

This administrative review board is an annual process and has resulted in the release of many of the detainees who were at Guantanamo Bay who had been determined to no longer be a danger to the American people or our allies.

The fact is these two procedures—the combatant status review tribunal and the administrative review board—are coupled together with an additional right of appellate review provided under the Detainee Treatment Act which is full review of a conviction by a military commission by the District of Columbia Court of Appeals in the Nation's capital. That court is not restricted in any way to review any and all errors they believe are material to the outcome of the case, and I believe, combined with the combatant status review tribunal and the administrative review board, does provide a due process for these detainees in a way that does not jeopardize this legislation, should it be ultimately reviewed by the U.S. Supreme Court.

Actually, I think it might surprise some of our colleagues to be talking about this issue because they may well have thought we addressed this issue late last year when we passed the Detainee Treatment Act. The fact is, in the Hamden case, handed down in June, the U.S. Supreme Court said Congress had not made sufficiently clear its intention to apply the Detainee Treatment Act to pending cases. Therefore, it went on to decide the Hamden case, refused to throw out the appeal based on a lack of jurisdiction, and, in fact, left us with a situation where about 300 of the detainees at Guantanamo Bay have about 600 applications for writs of habeas corpus pending in American courts.

The United States provides adequate evidentiary hearings to ensure that detainees held at Guantanamo Bay are, in fact, unlawful combatants, and, No. 2, pose a threat to the United States national security interests. These detainee status hearings and other procedures provided by the United States to terrorist detainees at Guantanamo Bay meet, and in many ways exceed, the requirements for prisoners of war under article V of the Geneva Conventions.

As I mentioned, on top of these status hearings, meaningful judicial review is provided by the U.S. Federal Court of Appeals. Final judicial review is provided of those decisions. These status hearings and judicial review mechanisms were codified as part of that Detainee Treatment Act.

The District of Columbia Circuit Court of Appeals—which many in this Chamber have referred to as the second highest court in the land—has the power to review not only whether the Department of Defense faithfully followed the procedures prescribed by Congress but also whether those procedures comport with the U.S. Constitution.

For some to say, as I actually heard this morning in a hearing we had before the Senate Judiciary Committee, that ''no meaningful judicial review'' is provided to unlawful combatants is, I claim, inaccurate and misleading.

While providing these judicial procedures, Congress saw fit to foreclose the possibility of a flood of habeas corpus petitions overwhelming the Federal courts and distracting our men and women in uniform from prosecuting the war effort. The status hearings and judicial review mechanisms are intended to satisfy the meaningful review requirement in the absence of the ability to file a petition for writ of habeas corpus. Alien enemy combatants, whether lawful or unlawful under the Geneva Conventions, have never been found by the U.S. Supreme Court to have a right to file a habeas corpus petition in American Federal courts.

In 1950, the U.S. Supreme Court ruled in a case called Eisentrager v. Johnson that enemy combatants held by U.S. forces overseas are not entitled to the ''privilege of litigation'' and cannot sue our military in our courts.

Beyond the constitutional arguments for removing habeas jurisdiction, there are important practical considerations, as well, as explained in the Eisentrager decision. The Supreme Court explained clearly and eloquently why we cannot let enemy combatants sue the U.S. military and our soldiers in American Federal courts. It said:

> Such trials would hamper the war effort and bring aid and comfort to the enemy . . . It would be difficult to devise a more effective fettering of a field commander than to allow the very enemies he is ordered to reduce to submission to call him to account in his own civil courts and divert his efforts and attention from the military offensive abroad to the legal defensive at home. Nor is it unlikely that the result of such enemy litigation would be a conflict between judicial and military opinion highly comforting to enemies of the United States.

These burdens, as identified by the U.S. Supreme Court placed on our military by enemy combatant litigation, persist today.

The Department of Justice has detailed the significant burdens. It has said:

> The detainees have urged habeas courts to dictate conditions on [Guantanamo Naval] Base ranging from the speed of Internet access afforded their lawyers to the extent of mail delivered to the detainees.

More than 200 cases have been filed on behalf of 600 purported detainees. Curiously, this number exceeds the number of detainees actually held at Guantanamo Bay, which is closer to 500.

Also, according to the Department of Justice:

> This habeas litigation has consumed enormous resources and disrupted the day-to-day operation of Guantanamo Naval Base.

The United States also notes that this litigation has had a serious negative impact on our war against al-Qaida. According to the U.S. brief, in the al-Qaida case:

> Perhaps most disturbing, the habeas litigation has imperiled crucial military operations during a time of war. In some instances, habeas counsel have violated protective orders and jeopardized the security of the base by giving detainees information likely to cause unrest. Moreover, habeas counsel have frustrated interrogation critical to preventing further terrorist attacks on the United States.

Michael Ratner, a lawyer who has filed lawsuits on behalf of numerous enemy combatants held at GTMO, boasted about disrupting U.S. war efforts to a magazine—Mother Earth magazine. He said:

> The litigation is brutal for [the United States]. It's huge. We have over one hundred lawyers now from big and small firms working to represent the detainees. Every time an attorney goes down there, it makes it that much harder [for the U.S. military] to do what they're doing. You can't run an interrogation . . . with attorneys. What are they going to do now that we're getting court orders to get more lawyers down there?

Former Attorney General Bill Barr explained the folly of applying American criminal procedure and judicial process and standards to questions of the enemy combatants. He said:

> In armed conflict, the body politic is not using its domestic disciplinary powers to sanction an errant member, rather it is exercising its national defense powers to neutralize the external threat and preserve the very foundation of all our civil liberties. Here the Constitution is not concerned with handicapping the government to preserve other values. Rather it is designed to maximize the government's efficiency to achieve victory—even at the cost of ''collateral damage'' that would be unacceptable in the domestic realm.

Attorney General Barr brought these concerns into relief with the very telling hypothetical example. He said:

> Let me posit a battlefield scenario. American troops are pinned down by sniper fire from a village. As the troops advance, they see two men running from a building from which the troops believe they had received sniper fire. The troops believe they are probably a sniper team. Is it really being suggested that the Constitution vests these men with due process rights as against the American soldiers? When do these rights arise? If the troops shoot and kill them—i.e., deprive them of life—could it be a violation of [their] due process [rights]? Suppose they are wounded and it turns out they were not enemy forces. Does this give rise to Bivens' Constitutional tort actions for violation of due process? Alternatively, suppose the fleeing men are captured and held as enemy combatants. Does the Due Process Clause really mean that they have to be released unless the military can prove they were enemy combatants? Does the Due Process Clause mean that the American military must divert its energies and resources from fighting the war and dedicate them to investigating the claims of innocence of these two men?
>
> This [simply] illustrates why military decisions are not susceptible to judicial administration and supervision. There are simply no judicially-manageable standards to either govern or evaluate military operational judgments. Such decisions invariably involve the weighing of risks. One can easily imagine situations in which there is an appreciable risk that someone is an enemy combatant, but significant uncertainty and not a preponderance of evidence. Nevertheless, the circumstances may be such that the President makes a judgment that prudence dictates treating such a person as hostile in order to avoid an unacceptable risk to our military operations. By their nature, these military judgments must rest upon a broad range of information, opinion, prediction, and even surmise. The President's assessment may include reports from his military and diplomatic advisers, field commanders, intelligence sources, or sometimes just the opinion of front line troops. He must decide what weight to give each of these sources. He must evaluate risks in light of the present state of the conflict and the overall military and political objectives of the campaign.

So as we take up this important issue of terrorist tribunals, and reaffirming our commitment in the Detainee Treatment Act, which we passed just last year, these unlawful and lawful combatants—the enemy captured on the battlefield—are entitled to process, but they are not entitled to all of the rights and privileges of an American citizen in a court of law.

It is only just and fitting we do provide this alternative process through reviewing the combat status tribunal decisions to make sure we are accurate as a matter of fact in detaining enemy combatants of the United States. It is entirely appropriate that we have an annual administrative review board to look at and determine whether these individuals should continue to be detained in light of additional information and in light of changing circumstances. And it is entirely appropriate that they be provided an appellate review in the District of Columbia Court of Appeals on all bases of decision in the combat status review tribunal and the administrative review process and also that they be provided an appeal following any conviction of a war crime by a military tribunal. But it is not appropriate to lapse into a

pre-9/11 mentality of treating the war on terror as simply another law enforcement action, treating it as another criminal prosecution just such as any other criminal prosecution that occurs on a regular basis in our State and Federal courts. The dangers of doing so mean we will have lapsed back into those perhaps happier times but the blissful ignorance those happier times produced.

We are at war. We have an enemy that continues to try to explore our vulnerabilities. And as we know from the recently disrupted plot emanating out of London, al-Qaida and our enemies continue to try to find vulnerabilities that will allow them to hit us here at home. It is absolutely essential that we live up to our responsibilities as elected representatives of the American people to maintain the safety and security of those people by making sure we meet the obligations imposed upon Congress and the Federal Government by the U.S. Supreme Court and that we provide basic rights as dictated by the Court in the Hamdan decision. But it is not appropriate that we tie the hands of our military commanders, that we perhaps undermine our ability to prosecute and win this war on terror and keep America safe by treating this war on terror and the appellate rights of detainees in a way that makes it harder for us to keep America safe.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CHAMBLISS). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SPECTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

EXECUTIVE SESSION

NOMINATION OF FRANCISCO AUGUSTO BESOSA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF PUERTO RICO

The PRESIDING OFFICER. Under the previous order, the hour of 5:20 p.m. having arrived, the Senate will proceed to executive session for the consideration of Executive Calendar No. 920, which the clerk will report.

The legislative clerk read the nomination of Francisco Augusto Besosa, of Puerto Rico, to be a United States District Judge for the District of Puerto Rico.

The PRESIDING OFFICER. Under the previous order, the time until 5:30 p.m. shall be equally divided between the chairman and ranking member of the Judiciary Committee. The chairman is recognized.

Mr. SPECTER. Mr. President, I have sought recognition to recommend to my colleagues the confirmation of Francisco Augusto Besosa to be a district court judge for the District of Puerto Rico.

Mr. Besosa comes before the Senate with an impressive record. He received his Bachelor's degree from Brown University in 1971 and his law degree from Georgetown University Law Center in 1979. Prior to attending law school, he served as an intelligence officer in the U.S. Army and was awarded the Meritorious Service Medal.

Mr. Besosa has had a distinguished career as a practicing lawyer in Puerto Rico. He has spent 70 percent of his time practicing in the Federal courts, with the balance in the State courts. His principal occupation has been in the civil field, and he has had considerable trial practice. Mr. Besosa is currently a partner in the law firm of Absuar Muniz Goyco and Besosa, a firm he joined in 1994. The American Bar Association has rated Mr. Besosa ''well qualified.''

Mr. Besosa was passed out of the Judiciary Committee unanimously. I am pleased in my capacity as chairman of the committee to recommend him to my colleagues for confirmation.

Mr. LEAHY. Mr. President, today, as we begin the last week of this legislative session, the Senate considers the nomination of Francisco Augusto Besosa for a lifetime appointment to the U.S. District Court for the District of Puerto Rico. Mr. Besosa's nomination was reported unanimously to the Judiciary Committee on Thursday of last week.

Last week the Judiciary Committee held two business meetings dedicated to judicial nominations. I want to thank all Senators for working with us to expedite consideration of nominations like that of Mr. Besosa. I cooperated last Tuesday with the Chairman's request for a Special Executive Business Meeting. I came to the meeting and established the quorum. The Chairman had said that the meeting would be held to burn holds on two non-controversial circuit court nominees. I agreed to try to expedite consideration of the nomination of Kent Jordan, a nominee to the Third Circuit. Peter Keisler's nomination to the D.C. Circuit is, however, by no means non-controversial. Nonetheless, in an effort to work with the Chairman I stayed and the Republicans held over the Keisler nomination, as well.

Then, although we had not discussed either in advance, in order to be accommodating, I did not object when, at the request of Senator GRASSLEY and Senator DEWINE, the nominations of John Alfred Jarvey and Sara Elizabeth Lioi were also held over. Those nominations will now be reviewed and available for consideration by the Committee later this week in accordance with the rules of the Committee.

Mr. Besosa's nomination was unanimously reported at our regular Thursday business meeting. In addition, we reported a number of other judicial nominations, including one for a judicial emergency vacancy that was given expedited consideration. I thank the Chairman for his kind words in which he acknowledged our cooperation.

The Democratic Senators on the Committee have worked hard to accommodating the Chairman's demanding schedule. The Chairman has already held three hearings during the last three weeks and has another scheduled for this week, in addition to another special business meeting. We have held 18 judicial nominations hearings this year, including a Supreme Court hearing, as well as two additional executive nominations hearings.

I have been saying for some time that I feared we would sacrifice progress on nominations that can be moved for debate on controversial nominations. It appears that my fears will be realized this week. This Wednesday afternoon and evening, a hearing on the highly controversial nomination of Michael Wallace to the Fifth Circuit has been noticed and renoticed. As the times have changed, it has become even less likely that it will be helpful or productive during this extremely busy time of year. Of course, Mr. Wallace is the first appellate court nominee in 25 years to have been rated unanimously not qualified by the ABA peer review committee.

After today, the Senate will have confirmed 31 judicial nominees this year. The Republican Senate confirmed only 17 of President Clinton's judicial nominees in the 1996 session. The Senate has confirmed seven circuit court nominees, which is seven more than the Republican Senate confirmed with a Democratic President during the 1996 session. That year, Republicans would not consider or confirm a single appellate court nomination for an entire year-long session of the Senate, not one.

This is a far cry from the days when the Republican Congress pocket filibustered more than 60 of President Clinton's nominees, refusing even to bring them up for a vote in Committee. Of course, during the 17 months that I was Chairman, we were able to confirm 100 of President Bush's nominees. In 20 months of Republican control, with a Republican President, even counting Mr. Besosa's confirmation today, that number will stand at about half that—just 53.

We could have accomplished more this year if the White House had sent over consensus nominees early in the year. The White House did not. Many of the nominees we are now trying to consider now were not even nominated until July. Regrettably, the administration concentrated on a few highly controversial nominees and delayed until recently sending nominations and

thereby prevented us from having the time to do any meaningful review. We are now in the position of trying to rush through too many nominees too quickly for us to give them real consideration.

The White House continues to undermine our process. Instead of working with us and focusing on consensus nominees, the President sent back to us five highly controversial nominees who had been returned to the White House. Sadly, the Senate Republican leadership, which has rubberstamped a number of very poor nominations, may force us to spend time and energy debating troublesome nominations, rather than reviewing and confirming good ones.

We have been accommodating, and we will continue to be, but the Judiciary Committee and the Senate should not be a rubber stamp for the President's nominations. We should be taking our constitutional responsibility to advise and consent seriously. That means carefully reviewing the nominees' records and making sure that these are appropriate nominees for lifetime appointments to important Federal judgeships.

A customary practice in the Senate would have been for the leaders, the Republican and Democratic leaders, to have sat down with the Chairman and the Ranking Member by now and have worked out a process to conclude the year with respect to judicial nominations. I would have urged that we concentrate on completing our work on those nominations most likely to be confirmed and to maximize the number of confirmations. Sadly, that meeting has not occurred and apparently will not.

I congratulate Francisco Besosa and his family on his confirmation today.

Mr. President, in the absence of any other Senator seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. LOTT. Mr. President, I ask for the yeas and nays on the nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Francisco Augusto Besosa, of Puerto Rico, to be United States District Judge for the District of Puerto Rico?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Kansas (Mr. BROWNBACK), the Senator from Ohio (Mr. DEWINE), the Senator from Utah (Mr. HATCH), the Senator from Arizona (Mr. MCCAIN), the Senator from Pennsylvania (Mr. SANTORUM), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA), the Senator from Montana (Mr. BAUCUS), the Senator from Indiana (Mr. BAYH), the Senator from Delaware (Mr. BIDEN), the Senator from Hawaii (Mr. INOUYE), the Senator from Wisconsin (Mr. KOHL), and the Senator from New Jersey (Mr. MENENDEZ) are necessarily absent.

The PRESIDING OFFICER (Mr. GRAHAM). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 87, nays 0, as follows:

[Rollcall Vote No. 253 Ex.]

YEAS—87

Alexander	Dorgan	McConnell
Allard	Durbin	Mikulski
Allen	Ensign	Murkowski
Bennett	Enzi	Murray
Bingaman	Feingold	Nelson (FL)
Bond	Feinstein	Nelson (NE)
Boxer	Frist	Obama
Bunning	Graham	Pryor
Burns	Grassley	Reed
Burr	Gregg	Reid
Byrd	Hagel	Roberts
Cantwell	Harkin	Rockefeller
Carper	Hutchison	Salazar
Chafee	Inhofe	Sarbanes
Chambliss	Isakson	Schumer
Clinton	Jeffords	Sessions
Coburn	Johnson	Shelby
Cochran	Kennedy	Smith
Coleman	Kerry	Snowe
Collins	Kyl	Specter
Conrad	Landrieu	Stabenow
Cornyn	Lautenberg	Stevens
Craig	Leahy	Sununu
Crapo	Levin	Talent
Dayton	Lieberman	Thomas
DeMint	Lincoln	Thune
Dodd	Lott	Voinovich
Dole	Lugar	Warner
Domenici	Martinez	Wyden

NOT VOTING—13

Akaka	DeWine	Menendez
Baucus	Hatch	Santorum
Bayh	Inouye	Vitter
Biden	Kohl	
Brownback	McCain	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. MARTINEZ). The President will be immediately notified of the Senate's action.

Mr. FRIST. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a period of morning business.

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

HONORING OUR ARMED FORCES

PRIVATE FIRST CLASS NICHOLAS A. MADARAS

Mr. LIEBERMAN. Mr. President, I wish to pay tribute to PFC Nicholas A. Madaras, U.S. Army, of Wilton, CT.

While in Boqouba, Iraq, with the 168th Combined Arms Battalion, 3rd Brigade Combat Team, 4th Infantry Division, Private Madaras died on September 3, 2006, of injuries he sustained when an improvised explosive device detonated near his dismounted patrol.

He is remembered by those who knew him in the community as a leader on the soccer field, a sharp and focused student, a quiet but intense warrior, and as a caring and creative young man. He is remembered by his comrades as a good-humored soldier in a league of extraordinary heroes, mature beyond his years. Described as having tremendous potential with a heart of courage, he caused many to wonder why he had interrupted a promising education and chose the Army instead. Feeling uncomfortable just watching others serve, he responded to them that he was compelled to do his part for his country.

Private Madaras epitomizes the American spirit which permeates our great Nation. Living as a true patriot and defender of our principles of freedom and justice, he consistently put others ahead of himself. While I am saddened by his loss, I am also both proud and grateful that we have the kind of fighting force exemplified by Private Madaras serving in our Armed Forces.

Our Nation extends its heartfelt sympathy to his family. I offer my condolences to his father William, to his mother Shalini, to his sister Marie, and to his brother Christopher. We extend our appreciation for sharing this outstanding soldier with us, and we offer our prayers and support.

SUCCESSFUL NEW MEXICO PROGRAMS

Mr. DOMENICI. Mr. President, I rise today to discuss some successful Department of Defense and Department of Homeland Security programs created in my home State of New Mexico.

One project, the foreign language translator, is a hands-free, voice-activated translator that allows troops to speak English phrases that are automatically broadcast in Arabic. The electronics for the translator are built by Crane Corporation of Albuquerque, NM and Laguna Industries assembles and tests the units in Cibola County, NM. I secured $1.4 million for this project in fiscal year 2005 Department of Defense funding, and its usefulness was highlighted in a June 19 Forbes article which quoted a Coast Guardsman as saying the device is the best interpreting tool available to date.

Another project, the National Infrastructure Simulation and Analysis Center, or NISAC, is a joint Sandia/Los Alamos National Laboratories initiative that was created in 2000. NISAC studies critical infrastructure and models the effects of a potential terrorist attack on such infrastructure. This work has proven invaluable to our Nation. NISAC accurately predicted

the effect of Hurricane Katrina on New Orleans and was cited by the White House as a positive part of the Federal Government's efforts in response to Hurricane Katrina. I have helped fund NISAC since its inception, including securing $7 million for a NISAC facility in fiscal year 2003 and providing $5 million more than the President requested for the program in fiscal year 2006.

Lastly, the Expeditionary Unit Water Purification, or EUWP, Program is a desalination program developed by the Office of Naval Research and tested in Otero County, NM. I have secured more than $30 million for this project, and it has been money well spent. When the water supply at the Coast Guard's Loran Station at Port Clarence, AK was contaminated last summer, an EUWP unit was deployed to Alaska to create fresh water from brackish water for troops there. In the aftermath of Hurricane Katrina, two EUWP units were deployed to Mississippi to provide fresh water to both victims and rescue workers. Clearly, the program is accomplishing its mission.

I am proud of these success stories and am glad to have helped three such successful programs secure the Federal funding they needed to do—important tasks for our Nation.

VISIT OF KAZAKHSTAN PRESIDENT NURSULTAN NAZARBAYEV

Mr. FEINGOLD. Mr. President, I would like to bring attention to a visitor the White House plans to receive this week—the President of Kazakhstan, Nursultan Nazarbayev. My colleagues in this body can be forgiven if they haven't heard much about his visit; there aren't going to be any press conferences or state dinners to welcome him. In fact, the Bush administration has kept very quiet about the invitation it extended to President Nazarbayev, who is expected to arrive later this week. I don't blame them for trying to downplay the visit; President Nazarbayev is widely acknowledged to be a corrupt dictator and someone who has built a record of contempt for the rule of law, the quashing of a nascent democracy, and the destruction of a free press. This is not the kind of leader who should be granted the privilege of an official White House visit.

According to the State Department's most recent Human Rights Report, in 2005 Kazakhstan's ''human rights record remained poor. Legislation enacted during the year seriously eroded legal protections for human rights and expanded the powers of the executive branch to regulate and control civil society . . . [The laws that were passed] encroached on political rights, freedom of the press, freedom of religion, and other human rights.'' The Justice Department and the FBI have accused President Nazarbayev—who has been in control of the country since 1990—of corruption and reportedly considered indicting him on bribery and other charges under the Foreign Corrupt Practices Act. Instead they indicted his personal financial adviser, James Giffen, while identifying President Nazarbayev as the recipient of tens of millions of dollars in payoffs of cash and gifts in an oil lease deal.

President Bush has said that his goal is to spread democracy and the rule of law around the world. But this goal is hard to reconcile with his support for one of the world's most repressive and corrupt dictatorships.

Mr. President, the Washington Post recently published an insightful article on this issue, which I would like to have printed in the RECORD. I hope my colleagues will have the opportunity to read it and will join me in calling on President Bush to cancel this visit and send the message that there is no room in the White House for those who have such disregard for democracy and the rule of law. I ask unanimous consent that this article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WITH KAZAKH'S VISIT, BUSH PRIORITIES CLASH—AUTOCRAT LEADS AN OIL-RICH COUNTRY

(By Peter Baker)

AUGUST 29, 2006.—President Bush launched an initiative this month to combat international kleptocracy, the sort of high-level corruption by foreign officials that he called ''a grave and corrosive abuse of power'' that ''threatens our national interest and violates our values.'' The plan, he said, would be ''a critical component of our freedom agenda.''

Three weeks later, the White House is making arrangements to host the leader of Kazakhstan, an autocrat who runs a nation that is anything but free and who has been accused by U.S. prosecutors of pocketing the bulk of $78 million in bribes from an American businessman. Not only will President Nursultan Nazarbayev visit the White House, people involved say, but he also will travel to the Bush family compound in Maine.

Nazarbayev's upcoming visit, according to analysts and officials, offers a case study in the competing priorities of the Bush administration at a time when the president has vowed to fight for democracy and against corruption around the globe. Nazarbayev has banned opposition parties, intimidated the press and profited from his post, according to the U.S. government. But he also sits atop massive oil reserves that have helped open doors in Washington.

Nazarbayev is hardly the only controversial figure received at the top levels of the Bush administration. In April, the president welcomed to the Oval Office the president of Azerbaijan, Ilham Aliyev, who has been accused of rigging elections. And Secretary of State Condoleezza Rice hosted Teodoro Obiang Nguema, the president of Equatorial Guinea, who has been found to have millions of dollars stashed in overseas bank accounts.

But the Kazakh leader has received especially warm treatment, given that the same government that will host him next month plans to go to trial in federal court in January to prove that he was paid off in the 1990s by a U.S. banker seeking to influence oil rights. Although the banker faces prison time, Nazarbayev has not been charged and has called the allegations illegitimate.

In addition to Nazarbayev's upcoming visit, Vice President Cheney went to the former Soviet republic in May to praise him as a friend, a trip that drew criticism because it came the day after Cheney criticized Russia for retreating from democracy. The latest invitation has sparked outrage among Kazakh opposition.

''It raises the question of how serious is the determination to fight kleptocracy,'' said Rinat Akhmetshin, director of the International Eurasian Institute, who works for Kazakh opposition. ''Nazarbayev is a symbol of kleptocracy . . . and yet they are bringing him in. That sends a very clear signal to people inside Kazakhstan who are very well aware that he stole money from them.''

The White House declined to comment because it has not yet officially announced the visit, but Deputy Assistant Secretary of State Evan Feigenbaum was in Kazakhstan last week working out details, and Kazakh officials said the trip will take place in late September. A spokesman for former president George H.W. Bush confirmed that Nazarbayev will visit Kennebunkport as part of his U.S. stay. ''An old friend of his was in the U.S. and he extended an invitation,'' Bush spokesman Tom Frechette said.

An administration official, speaking on the condition of anonymity because the invitation has not been announced, said President Bush often meets with leaders of countries ''that are not yet democracies'' and uses the time to push for more freedom. ''We've always been frank in our discussions with government officials from Kazakhstan about our concerns about lack of democratic movement, and we always press them for democratic reform,'' the official said.

Kazakhstan, a vast nation of 15 million on the Central Asian steppe, has emerged as an increasingly important player in the world energy market. With the largest crude oil reserves in the Caspian Sea region, Kazakhstan pumps 1.2 million barrels a day and exports 1 million of that. The Kazakh government hopes to boost production to 3.5 million barrels a day by 2015, rivaling Iran. U.S. and Russian companies and governments have competed for access to its oil.

Nazarbayev, 66, a blast-furnace operator-turned-Communist functionary, has led Kazakhstan since 1990, when it was part of the Soviet Union, and has since won a series of tainted elections. His government has banned or refused to register opposition parties, closed newspapers and harassed advocacy groups. Two opposition leaders were found dead of gunshots in disputed circumstances.

But the Bush administration considers Nazarbayev a friendly, stable moderate in a region of harsher, sometimes hostile dictators and has been hopeful he will open up and cleanse his government. The Kazakh government under Nazarbayev recently embarked on an anti-corruption campaign that has resulted in arrests of mid-level officials.

''I really do think he has learned how to be clean,'' said Martha Brill Olcott, a Kazakhstan specialist at the Carnegie Endowment for International Peace. ''He has learned a lot more about how you can promote to some degree divestiture [of assets]. Most of his holdings are, I wouldn't say transparent, but they're more so.''

Others aren't sure. ''When the United States is transparently soft on friendly dictators like Nazarbayev, it undermines the effort to be tough on not-so-friendly dictators,'' said Tom Malinowski of Human Rights Watch.

Transparency International, an anti-corruption organization, ranks Kazakhstan 2.6 on a 10-point scale, placing it 107th out of 159 countries graded. That's a decline from a 3.0 grade and 65th place in 2000.

''You don't have free elections, and the press is pretty much controlled by his family, and a significant portion of assets in

Kazakhstan are directly or indirectly controlled by his family,'' said Miklos Marschall, the group's regional director. ''But on the other hand, unlike other Central Asian countries, he is willing to initiate some step-by-step reforms. From our perspective, he's not the worst.''

Nazarbayev visited the Bush White House in 2001—before the Justice Department filed a case in 2003 alleging that he had taken bribes and before the president issued a 2004 proclamation banning corrupt foreign officials from visiting the United States. A State Department official said hundreds of foreign officials have been denied visas under Bush's proclamation but could not explain how it would not apply in Nazarbayev's case.

U.S. prosecutors have charged businessman James H. Giffen with steering $78 million in bribes to Nazarbayev and one of his former prime ministers in the 1990s in exchange for influence in oil transactions. In addition to cash transferred to secret Swiss bank accounts, Nazarbayev, originally identified in court papers simply as ''KO–2,'' allegedly received two snowmobiles, an $80,000 speedboat, fur coats for his wife and daughter, and tuition for his daughter at a Swiss boarding school and later George Washington University.

Giffen's attorneys have argued that he is not guilty because his actions were sanctioned by the U.S. government. Giffen says he disclosed his activities to agencies including the CIA and was encouraged to continue for national security reasons. The Justice Department is appealing a court decision allowing the defense. The case is scheduled to go to trial Jan. 16.

MEDICARE

Mr. NELSON of Nebraska. Mr. President, during the August recess, I heard from many physicians in Nebraska who are concerned about the looming cut in their Medicare payments. If Congress does not act soon, Nebraska's doctors will face a $17 million loss next year. In addition, the cuts are scheduled to continue for the following 8 years if they are not reversed. During this time period, each Nebraska physician will lose $27,000 annually.

Physicians want to serve Nebraska's seniors, but they simply cannot afford to accept an unlimited number of new Medicare patients into their practices if Medicare payments do not keep up with the cost of providing care.

In addition to listening to my constituents, I also think it is helpful to listen to experts when making policy decisions. Medicare payment policy can be quite complicated, so Congress established the Medicare Payment Advisory Commission, MedPAC, to make recommendations to us. MedPAC consists of a group of health experts that annually makes Medicare policy recommendations to Congress. For next year, MedPAC recommended that Congress eliminate the scheduled payment cut and instead raise physician payments by 2.7 percent.

I think we should listen to Nebraska's doctors and policy experts and stop the Medicare cut. We are running out of time. Congress must act now to stop the impending cuts. America's seniors and our health professionals deserve no less.

ADDITIONAL STATEMENTS

TRIBUTE TO ARTHUR SAUVIGNE, MD

• Mr. JEFFORDS. Mr. President, it gives me great pleasure today to pay tribute to Dr. Arthur Sauvigne, a doctor who has made it his life's work to care for veterans. Dr. Sauvigne, known to most everyone as Art, has decided to retire from tha Veterans' Administration after 33 years of remarkable service. His most recent role has been as chief of staff at the VA Medical Center in White River Junction, VT. Although we have been assured that he will continue to treat veterans in a part-time capacity at the VA, I take this moment to honor him for his years of dedicated service.

Art began his VA career as a resident in internal medicine at Dartmouth-Hitchcock Medical Center. I like to think that Art's commitment to caring for veterans began with this residency because he has stayed with the VA in many different capacities ever since. Over the past 33 years he has held the following positions at the White River Junction VA: staff physician, associate chief of staff for ambulatory care, director of the emergency room, acting primary care service line manager, and acting specialty and acute care service line manager. Art became chief of staff in 1997.

In the time that my staff and I have known Art, we have been amazed at his breadth of medical and administrative knowledge and impressed by his vision. It seems that his ideas on improving service to veterans—especially veterans in rural areas—have, once implemented, served as national models. One needs only spend 10 minutes with Art to get the true sense of his passion for delivering service to veterans in their community. In fact, the White River Junction VA was a pioneer in his arena. Long before the Congressional mandate and establishment of the Community Based Outpatient Clinic, CBOC, a mobile clinic housed in a motor coach began seeing patients in 1989. In 1991, a small one-room clinic housed in the Burlington, VT, Vet Center became the predecessor of future CBOC's.

Art also has a firm belief that the VA, as a Government-run health care system, has a greater calling and higher need to provide excellence in care to its customers. He has long been involved in designing and implementing systems to improve customer services. Over the years, Art has actively endorsed and in many cases taken the lead in establishing standards of clinical practice, improving access, advancing types of services, and promoting the education of future health care providers.

Art's hard work was recognized when the White River Junction VA Medical Center was awarded the Veterans Health Administration's Robert W. Carey Organizational Excellence Award in 2002 and 2003 at the ''Achievement level.'' The White River Junction VA was awarded the Carey Award at the ''Trophy level'' in 2004 and was the ''Circle of Excellence'' winner in 2005. Art would tell you this recognition had little to do with him and everything to do with the incredible staff at the White River Junction VA, but I think his leadership made it a much easier journey.

Art's departure as chief of staff will leave a huge void. His indomitable spirit and limitless energy, even when faced by mind-numbing bureaucratic inertia, are irreplaceable. He will be hugely missed. However, we are grateful that he will still be caring for Vermont and New Hampshire veterans on a part-time basis in a role he still relishes—as a VA doctor.

My staff and I wish Art the very best in his well-deserved retirement. We also want to thank Art's wife Shirley and his family for sharing Art's time and energy with us through the years. I believe I can speak for all Vermont veterans when I say that we are deeply grateful to Art for making the VA health care system a more caring and professional place for veterans.•

TRIBUTE TO CAMERON McKINLEY

• Mr. SESSIONS. Mr. President, I would like to make some remarks today about Alabama's 2006–2007 Teacher of the Year, Ms. Cameron McKinley. Ms. McKinley has been a technology specialist for the Hoover City School System since she left her successful career as a businesswoman in the marketing field over 10 years ago to pursue her dream of teaching. Within the Hoover City School System, Ms. McKinley has taught computer education, instructional technology, and summer technology camps.

Ms. McKinley, a magna cum laude graduate of the University of Alabama with a bachelor's degree in corporate finance/investment management and marketing, is a national board certified teacher.

I would like to commend Ms. McKinley's efforts on behalf of her students, and sincerely congratulate her for this very high honor. I appreciate her dedication to educate our children, as we know that an investment in our children is one of the most important investments that we can make as a nation.

Ms. McKinley's decision to change careers to give her life to our children is a wonderful act and it is made all the more remarkable for being selected as Teacher of the Year. This is, indeed, a heartwarming story. With Ms. McKinley's help, and the aid of other teachers like her, we will continue to raise up quality leaders that will serve our country and our children in the years to come.•

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED DURING ADJOURNMENT

Under the authority of the order of the Senate of January 4, 2005, the following enrolled bills, previously signed by the Speaker of the House, were signed on September 22, 2006, during the adjournment of the Senate, by the President pro tempore (Mr. STEVENS).

S. 260. An act to authorize the Secretary of the Interior to provide technical and financial assistance to private landowners to restore, enhance, and manage private land to improve fish and wildlife habitats through the Partners for Fish and Wildlife Program.

S. 418. An act to protect members of the Armed Forces from unscrupulous practices regarding sales of insurance, financial, and investment products.

S. 1025. An act to amend the Act entitled ''An Act to provide for the construction of the Cheney division, Wichita Federal reclamation project, Kansas, and for other purposes'' to authorize the Equus Beds Division of the Wichita Project.

H.R. 3408. An act to reauthorize the Livestock Mandatory Reporting Act of 1999 and to amend the swine reporting provisions of that Act.

H.R. 3858. An act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that State and local emergency preparedness operational plans address the needs of individuals with household pets and service animals following a major disaster or emergency.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 3630. A bill to amend the Federal Water Pollution Control Act to reauthorize a program relating to the Lake Pontchartrain Basin, and for other purposes.

S. 3925. A bill to provide certain authorities for the Secretary of State and the Broadcasting Board of Governors, and for other purposes.

S. 3929. A bill to authorize military commissions to bring terrorists to justice, to strengthen and modernize terrorist surveillance capabilities, and for other purposes.

S. 3930. A bill to authorize trial by military commission for violations of the law of war, and for other purposes.

S. 3931. A bill to establish procedures for the review of electronic surveillance programs.

ENROLLED BILLS PRESENTED

The Secretary of the Senate announced that on today, September 25, 2006, she had presented to the President of the United States the following enrolled bills:

S. 260. An act to authorize the Secretary of the Interior to provide technical and financial assistance to private landowners to restore, enhance, and manage private land to improve fish and wildlife habitats through the Partners for Fish and Wildlife Program.

S.418. An act to protect members of the Armed Forces from unscrupulous practices regarding sales of insurance, financial, and investment products.

S. 1025. An act to amend the Act entitled ''An Act to provide for the construction of the Cheney division, Wichita Federal reclamation project, Kansas, and for other purposes'' to authorize the Equus Beds Division of the Wichita Project.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–8403. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Economic Exclusive Zone Off Alaska; Shallow-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska'' (I.D. No. 082506D) received on September 21, 2006; to the Committee on Commerce, Science, and Transportation.

EC–8404. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Non-American Fisheries Act Crab Vessels Catching Pacific Cod for Processing by the Inshore Component in the Central and Western Regulatory Areas of the Gulf of Alaska'' (I.D. No. 081806A) received on September 21, 2006; to the Committee on Commerce, Science, and Transportation.

EC–8405. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 of the Gulf of Alaska'' (I.D. No. 082506A) received on September 21, 2006; to the Committee on Commerce, Science, and Transportation.

EC–8406. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Temporary Rule; Inseason Bluefish Quota Transfer from Florida to New York'' (I.D. No. 081506B) received on September 21, 2006; to the Committee on Commerce, Science, and Transportation.

EC–8407. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 of the Gulf of Alaska'' (I.D. No. 082506C) received on September 21, 2006; to the Committee on Commerce, Science, and Transportation.

EC–8408. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Temporary Rule; Closure (Closure of Quarter III Fishery for Loligo Squid)'' (I.D. No. 082806A) received on September 21, 2006; to the Committee on Commerce, Science, and Transportation.

EC–8409. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Economic Exclusive Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska'' (I.D. No. 090106A) received on September 21, 2006; to the Committee on Commerce, Science, and Transportation.

EC–8410. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Trawl Gear in Bering Sea and Aleutian Islands Management Area'' (I.D. No. 083006D) received on September 21, 2006; to the Committee on Commerce, Science, and Transportation.

EC–8411. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 of the Gulf of Alaska'' (I.D. No. 082906D) received on September 21, 2006; to the Committee on Commerce, Science, and Transportation.

EC–8412. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Temporary Rule; Inseason Retention Limit Adjustment'' (I.D. No. 081006A) received on September 21, 2006; to the Committee on Commerce, Science, and Transportation.

EC–8413. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Temporary Rule; Closure (Maine Summer Flounder Commercial Fishery)'' (I.D. No. 082406A) received on September 21, 2006; to the Committee on Commerce, Science, and Transportation.

EC–8414. A communication from the Chairman, Federal Energy Regulatory Commission, transmitting, pursuant to law, a report relative to the Commission's inventory of commercial and inherently governmental activities for year 2006; to the Committee on Energy and Natural Resources.

EC–8415. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of State Implementation Plans; Utah; Revised Definitions of Volatile Organic Compounds and Clearing Index'' (FRL No. 8220–5) received on September 20, 2006; to the Committee on Environment and Public Works.

EC–8416. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, a report relative to the Agency's regulatory programs; to the Committee on Environment and Public Works.

EC–8417. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, a report relative to international agreements other than treaties that have been entered into; to the Committee on Foreign Relations.

EC–8418. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the export of defense articles or defense services sold commercially under contract in the amount of $100,000,000 or more to the United Kingdom; to the Committee on Foreign Relations.

EC–8419. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed license for the export of defense articles or defense services sold commercially under contract in the amount of $100,000,000 or more to the United Kingdom; to the Committee on Foreign Relations.

EC–8420. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed manufacturing license agreement for the manufacture of significant military equipment abroad and the export of defense article or defense services in the amount of $50,000,000 to Switzerland; to the Committee on Foreign Relations.

EC–8421. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a semiannual report detailing payments made to Cuba as a result of the provision of telecommunications services pursuant to specific licenses; to the Committee on Foreign Relations.

EC–8422. A communication from the Human Resources Specialist, Office of the Assistant Secretary for Administration and Management, Department of Labor, transmitting, pursuant to law, the designation of an acting officer and an action on a nomination for the position of Assistant Secretary for Mine and Safety Health, received on September 21, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–8423. A communication from the White House Liaison, Office of Planning, Evaluation and Policy Development, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary, received on September 21, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–8424. A communication from the White House Liaison, Office of Planning, Evaluation and Policy Development, Department of Education, transmitting, pursuant to law, the report of the designation of an acting officer for the position of Assistant Secretary, received on September 21, 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–8425. A communication from the Deputy Director of Communications and Legislative Affairs, U.S. Equal Employment Opportunity Commission, transmitting, a draft of its Strategic Plan for Fiscal Years 2007–2012; to the Committee on Health, Education, Labor, and Pensions.

EC–8426. A communication from the Chairman, National Endowment for the Humanities, transmitting, pursuant to law, a report relative to FAIR Act inventories for Fiscal Year 2006; to the Committee on Health, Education, Labor, and Pensions.

EC–8427. A communication from the Acting Executive Director, District of Columbia Retirement Board, transmitting, pursuant to law, the Board's annual report for fiscal year 2005; to the Committee on Homeland Security and Governmental Affairs.

EC–8428. A communication from the Deputy General Counsel and Designated Reporting Official, Office of National Drug Control Policy, Executive Office of the President, transmitting, a report supplementing information that was provided on August 9, 2005, relative to the nomination of Mr. James F. X. O'Gara to be the Deputy Director for Supply Reduction; to the Committee on the Judiciary.

EC–8429. A communication from the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Retail Sales of Scheduled Listed Chemical Products; Self-Certification of Regulated Sellers of Scheduled Listed Chemical Products'' (RIN1117–AB05) received on September 21, 2006; to the Committee on the Judiciary.

EC–8430. A communication from the Deputy Assistant Administrator of the Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, a copy of an interim final rule with request for comment; to the Committee on the Judiciary.

EC–8431. A communication from the Assistant to the Secretary, Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Claims Based on Aggravation of a Nonservice-Connected Disability'' (RIN2900–AI42) received on September 21, 2006; to the Committee on Veterans' Affairs.

EC–8432. A communication from the Assistant to the Secretary, Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Schedule for Rating Disabilities; Guidelines for Application of Evaluation Criteria for Certain Respiratory and Cardiovascular Conditions; Evaluation of Hypertension With Heart Disease'' (RIN2900–AL26) received on September 21, 2006; to the Committee on Veterans' Affairs.

EC–8433. A communication from the Chief, Regulation Development, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''New and Material Evidence'' (RIN2900–AM15) received on September 21, 2006; to the Committee on Veterans' Affairs.

EC–8434. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the report of advance billing of a working capital fund customer; to the Committee on Armed Services.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–429. A resolution adopted by the House of Representatives of the Legislature of the State of Michigan relative to memorializing Congress to adopt and present to the states for ratification an amendment to the United States Constitution that would provide that only citizens may be counted for purposes of determining congressional representation among the states; to the Committee on the Judiciary.

HOUSE RESOLUTION NO. 97

Whereas, one of the cornerstones of our democratic republic is the decennial census, which is the basis for congressional representation and the apportionment process. The data gathered through the census is used to determine how the 435 members of the United States House of Representatives are divided among the states; and

Whereas, with growing numbers of illegal immigrants concentrated in a small number of states, especially California, states with few illegal immigrants suffer a commensurate reduction in the number of their members of the United States House of Representatives. This is true for Michigan, which has experienced a steady decline in congressional representation over the past few decades. Projections for the next reapportionment, after the 2010 census, include the loss of more seats for Michigan and other states with few illegal immigrants; and

Whereas, in 2000, an estimated 5.3 million noncitizens in California were counted by the Census Bureau. In one Californian district, more than 260,000 noncitizens, or 43 percent of the district's population, were tabulated, a ratio of almost four noncitizens for every voter. As a result, it took fewer than 35,000 votes to win the district compared to almost 100,000 votes to win a typical Congressional race in Michigan. If only legal citizens were counted, California would have been allocated six fewer seats in the House of Representatives. In addition, New York, Texas, and Florida, which along with California account for more than 50 percent of all noncitizens residing in the United States, would have been allocated one fewer Congressional seat apiece if only citizens were calculated; and

Whereas, while estimates of actual illegal aliens in our country are higher, the 2000 federal census found 7 million illegal aliens. It seems wrong for illegal aliens to have as profound an impact on our political environment as they presently do. While immigration is a very complex issue that must be addressed, it seems clear that including illegal immigrants in the calculation of congressional representation is wrong; and

Whereas, a measure has been introduced in the United States House of Representatives to propose an amendment to the United States Constitution that would provide that only citizens may be counted for purposes of apportioning congressional representation among the states. This legislation, H.J.R. 53, is long overdue; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to adopt and present to the states for ratification an amendment to the United States Constitution that would provide that only citizens may be counted for purposes of determining congressional representation among the states; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation. Adopted by the House of Representatives, September 6, 2006.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, with amendments:

S. 3879. A bill to implement the Convention on Supplementary Compensation for Nuclear Damage, and for other purposes (Rept. No. 109–346).

By Mr. INHOFE, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 2348. A bill to amend the Atomic Energy Act of 1954 to require a licensee to notify the Atomic Energy Commission, and the State and county in which a facility is located, whenever there is an unplanned release of fission products in excess of allowable limits (Rept. No. 109–347).

By Mr. ENZI, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 3771. A bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. STEVENS for the Committee on Commerce, Science, and Transportation.

*Mary E. Peters, of Arizona, to be Secretary of Transportation.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. FEINGOLD:

S. 3932. A bill to limit the amount of funds available to the Aerobatics Research Mission Directorate of the National Aeronautics and Space Administration during fiscal year 2007 and fiscal years thereafter; to the Committee on Commerce, Science, and Transportation.

By Mr. INHOFE:

S. 3933. A bill to extend the generalized system of preferences; to the Committee on Finance.

By Ms. SNOWE:

S. 3934. A bill to terminate authorization for the project for navigation, Rockport Harbor, Maine; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REID (for Mr. INOUYE):

S. Res. 582. A resolution urging the people of the United States to observe Global Family Day and One Day of Peace and Sharing; considered and agreed to.

By Mr. STEVENS (for himself, Ms. MURKOWSKI, Mr. AKAKA, Mr. DEWINE, Mr. FEINGOLD, Mr. DOMENICI, and Mr. CHAMBLISS):

S. Res. 583. A resolution designating September 2006 as ''National Youth Court Month''; considered and agreed to.

By Mr. FRIST (for himself and Mr. REID):

S. Res. 584. A resolution to authorize the production of records, testimony, and legal representation; considered and agreed to.

By Mr. COBURN:

S. Con. Res. 118. A concurrent resolution expressing the sense of the Congress that, as a matter of economic and national security, the United States Government should protect and support United States currency; to the Committee on Banking, Housing, and Urban Affairs.

ADDITIONAL COSPONSORS

S. 241

At the request of Ms. SNOWE, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 241, a bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 334

At the request of Mr. DORGAN, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 334, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

S. 381

At the request of Mr. SMITH, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 381, a bill to amend the Internal Revenue Code of 1986 to encourage guaranteed lifetime income payments from annuities and similar payments of life insurance proceeds at dates later than death by excluding from income a portion of such payments.

S. 503

At the request of Mr. BOND, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 503, a bill to expand Parents as Teachers programs and other quality programs of early childhood home visitation, and for other purposes.

S. 559

At the request of Mr. BIDEN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 559, a bill to make the protection of vulnerable populations, especially women and children, who are affected by a humanitarian emergency a priority of the United States Government, and for other purposes.

S. 908

At the request of Mr. MCCONNELL, the names of the Senator from Idaho (Mr. CRAIG), the Senator from Texas (Mrs. HUTCHISON) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 908, a bill to allow Congress, State legislatures, and regulatory agencies to determine appropriate laws, rules, and regulations to address the problems of weight gain, obesity, and health conditions associated with weight gain or obesity.

S. 965

At the request of Mr. SMITH, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 965, a bill to amend the Internal Revenue Code of 1986 to reduce the recognition period for built-in gains for subchapter S corporations.

S. 1013

At the request of Mrs. FEINSTEIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1013, a bill to improve the allocation of grants through the Department of Homeland Security, and for other purposes.

S. 1082

At the request of Mrs. HUTCHISON, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1082, a bill to restore Second Amendment rights in the District of Columbia.

S. 1172

At the request of Mr. SPECTER, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1172, a bill to provide for programs to increase the awareness and knowledge of women and health care providers with respect to gynecologic cancers.

S. 1915

At the request of Mr. ENSIGN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 1915, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 2154

At the request of Mr. OBAMA, the names of the Senator from Maryland (Mr. SARBANES), the Senator from North Carolina (Mrs. DOLE), the Senator from Ohio (Mr. VOINOVICH), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Tennessee (Mr. ALEXANDER) were added as cosponsors of S. 2154, a bill to provide for the issuance of a commemorative postage stamp in honor of Rosa Parks.

S. 2284

At the request of Ms. MIKULSKI, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2284, a bill to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

S. 2348

At the request of Mr. INHOFE, the names of the Senator from New York (Mrs. CLINTON) and the Senator from Ohio (Mr. VOINOVICH) were added as cosponsors of S. 2348, a bill to amend the Atomic Energy Act of 1954 to require a licensee to notify the Atomic Energy Commission, and the State and county in which a facility is located, whenever there is an unplanned release of fission products in excess of allowable limits.

S. 2491

At the request of Mr. CORNYN, the names of the Senator from North Dakota (Mr. DORGAN), the Senator from Kansas (Mr. BROWNBACK), the Senator from Montana (Mr. BURNS), the Senator from Kansas (Mr. ROBERTS), the Senator from Utah (Mr. BENNETT) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 2491, a bill to award a Congressional gold medal to Byron Nelson in recognition of his significant contributions to the game of golf as a player, a teacher, and a commentator.

S. 2493

At the request of Mr. LAUTENBERG, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2493, a bill to provide for disclosure of fire safety standards and measures with respect to campus buildings, and for other purposes.

S. 3421

At the request of Mr. CRAIG, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 3421, a bill to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal years 2006 and 2007, and for other purposes.

S. 3519

At the request of Mr. HATCH, the name of the Senator from Ohio (Mr.

DEWINE) was added as a cosponsor of S. 3519, a bill to reform the State inspection of meat and poultry in the United States, and for other purposes.

S. 3596

At the request of Mr. HAGEL, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 3596, a bill to amend the Internal Revenue Code of 1986 to provide a credit to certain concentrated animal feeding operations for the cost of complying with environmental protection regulations.

S. 3681

At the request of Mr. DOMENICI, the names of the Senator from Pennsylvania (Mr. SPECTER) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 3681, a bill to amend the Comprehensive Environmental Response Compensation and Liability Act of 1980 to provide that manure shall not be considered to be a hazardous substance, pollutant, or contaminant.

S. 3705

At the request of Mr. KENNEDY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 3705, a bill to amend title XIX of the Social Security Act to improve requirements under the Medicaid program for items and services furnished in or through an educational program or setting to children, including children with developmental, physical, or mental health needs, and for other purposes.

S. 3744

At the request of Mr. DURBIN, the names of the Senator from Florida (Mr. NELSON) and the Senator from Illinois (Mr. OBAMA) were added as cosponsors of S. 3744, a bill to establish the Abraham Lincoln Study Abroad Program.

S. 3771

At the request of Mr. HATCH, the names of the Senator from North Dakota (Mr. DORGAN), the Senator from Kansas (Mr. ROBERTS) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 3771, a bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act.

S. 3795

At the request of Mr. SMITH, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Rhode Island (Mr. CHAFEE) were added as cosponsors of S. 3795, a bill to amend title XVIII of the Social Security Act to provide for a two-year moratorium on certain Medicare physician payment reductions for imaging services.

At the request of Mr. ROCKEFELLER, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 3795, supra.

S. 3827

At the request of Mrs. LINCOLN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Kentucky (Mr. BUNNING) were added as cosponsors of S. 3827, a bill to amend the Internal Revenue Code of 1986 to extend and expand the benefits for businesses operating in empowerment zones, enterprise communities, or renewal communities, and for other purposes.

S. 3855

At the request of Mr. CONRAD, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 3855, a bill to provide emergency agricultural disaster assistance, and for other purposes.

S. 3877

At the request of Mrs. FEINSTEIN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 3877, a bill entitled the ''Foreign Intelligence Surveillance Improvement and Enhancement Act of 2006''.

S. 3879

At the request of Mr. INHOFE, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 3879, a bill to implement the Convention on Supplementary Compensation for Nuclear Damage, and for other purposes.

S. 3884

At the request of Mr. LUGAR, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 3884, a bill to impose sanctions against individuals responsible for genocide, war crimes, and crimes against humanity, to support measures for the protection of civilians and humanitarian operations, and to support peace efforts in the Darfur region of Sudan, and for other purposes.

S. 3912

At the request of Mr. ENSIGN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 3912, a bill to amend title XVIII of the Social Security Act to extend the exceptions process with respect to caps on payments for therapy services under the Medicare program.

S. 3913

At the request of Mr. ROCKEFELLER, the names of the Senator from Maryland (Ms. MIKULSKI), the Senator from Illinois (Mr. DURBIN) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 3913, a bill to amend title XXI of the Social Security Act to eliminate funding shortfalls for the State Children's Health Insurance Program (SCHIP) for fiscal year 2007.

S. CON. RES. 72

At the request of Mr. INOUYE, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. Con. Res. 72, a concurrent resolution requesting the President to issue a proclamation annually calling upon the people of the United States to observe Global Family Day, One Day of Peace and Sharing, and for other purposes.

S. CON. RES. 84

At the request of Mr. KYL, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. Con. Res. 84, a concurrent resolution expressing the sense of Congress regarding a free trade agreement between the United States and Taiwan.

S. RES. 559

At the request of Mr. BIDEN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. Res. 559, a resolution calling on the President to take immediate steps to help stop the violence in Darfur.

S. RES. 572

At the request of Mr. BURNS, the names of the Senator from Oklahoma (Mr. INHOFE), the Senator from Oregon (Mr. SMITH), the Senator from California (Mrs. BOXER), the Senator from Georgia (Mr. ISAKSON), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Utah (Mr. BENNETT), the Senator from Virginia (Mr. ALLEN) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. Res. 572, a resolution expressing the sense of the Senate with respect to raising awareness and enhancing the state of computer security in the United States, and supporting the goals and ideals of National Cyber Security Awareness Month.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FEINGOLD:

S. 3932. A bill to limit the amount of funds available to the Aerobatics Research Mission Directorate of the National Aeronautics and Space Administration during fiscal year 2007 and fiscal years thereafter; to the Committee on Commerce, Science, and Transportation.

Mr. FEINGOLD. Mr. President, I rise today to introduce a bill that would limit the amount of funds available to the Aeronautics Research Mission Directorate (ARMD) of the National Aeronautics and Space Administration. We must ensure that U.S. taxpayer money is being used efficiently and effectively, and this measure would help in our ongoing efforts to streamline government programs and reduce the Federal budget deficit.

My bill proposes to reduce the amount of funding for the ARMD from its 2006 level of $884 million to $724 million for fiscal years 2007 and thereafter. This represents a savings of $160 million per year, or $800 million over five years. This funding reduction reflects the President's own budget priorities; in fact, the $724 million figure comes from the President's 2007 budget savings proposal. NASA is in the process of restructuring and reprioritizing, and the ARMD is a directorate that has been identified as an area where savings could be achieved. In the past, some of the ARMD's aeronautics work focused on developing technologies that could have short-term commercial applications in the air transportation industry. This is work that could be more appropriately taken on by the

private sector, and does not require such a massive investment from the Federal Government.

This bill should not be read to imply that the work of the ARMD is not important. To the contrary, aeronautics research is perhaps some of the most directly relevant work to many Americans that NASA is involved in. This bill simply follows up on the President's call for the ARMD to focus its research efforts in the areas that are most appropriate. By refocusing on long-term fundamental aeronautics research, safety research, and ways to address the needs of the future air transportation system, ARMD should be able to operate effectively and efficiently under this spending cap.

One of the main reasons I first ran for the U.S. Senate was to restore fiscal responsibility to the Federal budget. I have continued to work to eliminate wasteful spending and to reduce the soaring budget deficit, which is now estimated at $300 billion this year. Unless we return to fiscally responsible budgeting, Congress will saddle our Nation's younger generations with an enormous financial burden for years to come. This bill is one small step in that direction.

By Mr. INHOFE:

S. 3933. A bill to extend the generalized system of preferences; to the Committee on Finance.

Mr. INHOFE. Mr. President, I rise today to introduce legislation that will reauthorize a vital trade and development program—the Generalized System of Preferences (GSP). This is a program I have worked to reauthorize in the past, and I think it is a vital program for both developing countries and the American economy. As someone who frequently works to assist those who face the direst of circumstances in the poor countries of Sub-Saharan Africa, I feel that we must reauthorize this program as a key component of our efforts there.

The GSP program is an effort of the United States and 19 other industrialized countries to aid developing countries through increased market access, which in turn fosters industrial development and enhanced opportunities for prosperity in some of the least-advantaged countries in the world. This program allows a specified list of developing countries, from the Asian Continent to Sub-Saharan Africa to Latin America, to export certain products duty-free to the U.S. market. A beneficiary country's GSP treatment is contingent upon that country's commitment to securing intellectual property rights and to protecting the rights of workers. In this way, the GSP program promotes the development of sound practices and institutions in those countries with which we are engaged in trade and thus fulfills some important objectives of U.S. trade policy. In sum, the GSP program promotes self-sustaining production development in developing countries—not dependence on foreign aid—and also encourages respect for human dignity and property.

While originally developed as a trade program to aid developing countries, GSP over the past 32 years has become an important component of the U.S. economy. American consumers enjoy lower prices on diverse products from oil to flashlights to broomhandles to cheese. Furthermore, numerous American small businesses retain their competitive advantage from the duty-free treatment of essential inputs, such as electrical equipment and automotive parts. American small businesses need every cost-cutting edge available to them in order to continue to create jobs and value. I first took an interest in the reauthorization of this program when a small business in Oklahoma that used GSP-covered drilling components to support domestic energy enhancement contacted my office and explained how failure to reauthorize GSP would seriously affect his business. After which, upon understanding how much this program also assists those in developing countries, its reauthorization became a priority for me. Very clearly, although designed to make other less-advantaged countries more competitive, GSP has contributed to our continued competitiveness here in the United States.

Workers, consumers, and businesses in nearly 120 countries including our own will benefit from the continuation of this program, which affects the price of over 5,600 finished and unfinished goods. Therefore, I ask that you join me in reauthorizing the Generalized System of Preferences.

By Ms. SNOWE:

S. 3934. A bill to terminate authorization for the project for navigation, Rockport Harbor, Maine; to the Committee on Environment and Public Works.

Ms. SNOWE. Mr. President, I am introducing a bill today for the Town of Rockport that would deauthorize a part of the Federal Navigation Channel in Rockport Harbor. The town, located on the active Mid-Coast of Maine, requested shortly after the Senate passed the Water Resources Development Act of 2006 that Congress decommission a 35-foot by 275-foot area directly adjacent to the bulkhead at Marine Park. With this deauthorization, the Town will be able to install permanent pilings to secure a set of new municipal floats, which would replace the current temporary float system.

It is my hope that this non-controversial provision will be included in the Water Resources Development Act of 2006 conference report rather than have the Town of Rockport have to wait possibly for years before another WRDA bill is considered. I urge my Senate conferees for the WRDA conference to include this language that was drafted by the New England Corps of Engineers who have no objection to the deauthorization.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 582—URGING THE PEOPLE OF THE UNITED STATES TO OBSERVE GLOBAL FAMILY DAY AND ONE DAY OF PEACE AND SHARING

Mr. REID (for Mr. INOUYE) submitted the following resolution; which was considered and agreed to:

S. RES. 582

Whereas in 2005, the people of the world suffered many calamitous events, including devastation from tsunamis, terror attacks, wars, famines, genocides, hurricanes, earthquakes, political and religious conflicts, diseases, poverty, and rioting, all necessitating global cooperation, compassion, and unity previously unprecedented among diverse cultures, faiths, and economic classes;

Whereas grave global challenges in 2006 may require cooperation and innovative problem-solving among citizens and nations on an even greater scale;

Whereas, on December 15, 2000, Congress adopted Senate Concurrent Resolution 138, expressing the sense of Congress that the President of the United States should issue a proclamation each year calling upon the people of the United States and interested organizations to observe an international day of peace and sharing at the beginning of each year;

Whereas, in 2001, the United Nations General Assembly adopted Resolution 56/2, which invited ''Member States, intergovernmental and non-governmental organizations and all the peoples of the world to celebrate One Day in Peace, 1 January 2002, and every year thereafter'';

Whereas many foreign heads of State have recognized the importance of establishing Global Family Day, a special day of international unity, peace, and sharing, on the first day of each year; and

Whereas family is the basic structure of humanity, thus, we must all look to the stability and love within our individual families to create stability in the global community: Now therefore, be it

Resolved, That the Senate urgently requests—

(1) the people of the United States to observe Global Family Day and One Day of Peace and Sharing with appropriate activities stressing the need—

(A) to eradicate violence, hunger, poverty, and suffering; and

(B) to establish greater trust and fellowship among peace-loving countries and families everywhere; and

(2) that American businesses, labor organizations, and faith and civic leaders are urged to join in promoting appropriate activities for Americans and in extending appropriate greetings from the families of America to families in the rest of the world.

SENATE RESOLUTION 583—DESIGNATING SEPTEMBER 2006 AS ''NATIONAL YOUTH COURT MONTH''

Mr. STEVENS (for himself, Ms. MURKOWSKI, Mr. AKAKA, Mr. DEWINE, Mr. FEINGOLD, Mr. DOMENICI, and Mr. CHAMBLISS) submitted the following resolution, which was considered and agreed to:

S. RES. 583

Whereas a strong country begins with strong communities in which all citizens

play an active role and invest in the success and future of the youth of the United States;

Whereas the fifth National Youth Court Month celebrates the outstanding achievement of youth courts throughout the country;

Whereas in 2005, more than 110,000 youths volunteered to hear more than 115,000 juvenile cases, and more than 20,000 adults volunteered to facilitate peer justice in youth court programs;

Whereas 1,158 youth court programs in 49 States and the District of Columbia provide restorative justice for juvenile offenders, resulting in effective crime prevention, early intervention and education for all youth participants, and enhanced public safety throughout the United States;

Whereas, by holding juvenile offenders accountable, reconciling victims, communities, juvenile offenders, and their families, and reducing caseloads for the juvenile justice system, youth courts address offenses that might otherwise go unaddressed until the offending behavior escalates and redirects the efforts of juvenile offenders toward becoming contributing members of their communities;

Whereas Federal, State, and local governments, corporations, foundations, service organizations, educational institutions, juvenile justice agencies, and individual adults support youth courts because youth court programs actively promote and contribute to building successful, productive lives and futures for the youth of the United States;

Whereas a fundamental correlation exists between youth service and lifelong adult commitment to and involvement in one's community;

Whereas volunteer service and related service learning opportunities enable young people to build character and develop and enhance life-skills, such as responsibility, decision-making, time management, teamwork, public speaking, and leadership, which prospective employers will value; and

Whereas participating in youth court programs encourages youth court members to become valuable members of their communities: Now, therefore, be it

Resolved, That the Senate designates September 2006 as ''National Youth Court Month''.

SENATE RESOLUTION 584—TO AUTHORIZE THE PRODUCTION OF RECORDS, TESTIMONY, AND LEGAL REPRESENTATION

Mr. FRIST (for himself and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 584

Whereas, the United States Attorney's Office for the District of Columbia is conducting an investigation of the financial disclosures made by Dr. Lester Crawford to the Committee on Health, Education, Labor, and Pensions in connection with confirmation proceedings on Dr. Crawford's nomination to be Commissioner of the Food and Drug Administration;

Whereas, the Committee on Health, Education, Labor, and Pensions has received a request from the United States Attorney's Office for testimony of three employees of the Committee and for records of the Committee relevant to the investigation;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Committee on Health, Education, Labor, and Pensions is authorized to produce documents and committee staff are authorized to testify in these and related proceedings, except where a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent employees of the Committee on Health, Education, Labor, and Pensions in connection with the document production and testimony authorized in section one of this resolution.

SENATE CONCURRENT RESOLUTION 118—EXPRESSING THE SENSE OF THE CONGRESS THAT, AS A MATTER OF ECONOMIC AND NATIONAL SECURITY, THE UNITED STATES GOVERNMENT SHOULD PROTECT AND SUPPORT UNITED STATES CURRENCY

Mr. COBURN submitted the following concurrent resolution; which was referred to the Committee on Banking, Housing, and Urban Affairs:

S. CON. RES. 118

Whereas the United States dollar, as the world's reserve currency, is one of our country's greatest assets;

Whereas the strength and integrity of the United States dollar provides the United States with economic stability and national security;

Whereas any threat or change to the status of the dollar as a world reserve currency would be costly to the United States Treasury and could cause national economic instability;

Whereas international counterfeiting of the dollar is on the rise and currency counterfeiting has reportedly been used to finance rogue governments and terrorism;

Whereas on January 26, 2006, President Bush made a strong commitment to protect the currency of the United States from counterfeiting by the North Korean regime or any other adversarial regime or organization; and

Whereas every dollar issued by the United States Government is meant to be representative of the strength and solidarity of this great nation: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that, as a matter of economic and national security, the United States Government should provide the currency of the United States with the protection and support necessary to defend its integrity throughout the world, effectively deter counterfeiting, and preserve the status of the dollar as the world's reserve currency.

AMENDMENTS SUBMITTED & PROPOSED

SA 5036. Mr. FRIST proposed an amendment to the bill H.R. 6061, to establish operational control over the international land and maritime borders of the United States.

SA 5037. Mr. FRIST proposed an amendment to amendment SA 5036 proposed by Mr. FRIST to the bill H.R. 6061, supra.

SA 5038. Mr. FRIST proposed an amendment to the bill H.R. 6061, supra.

SA 5039. Mr. FRIST proposed an amendment to amendment SA 5038 proposed by Mr. FRIST to the bill H.R. 6061, supra.

SA 5040. Mr. FRIST proposed an amendment to amendment SA 5039 proposed by Mr. FRIST to the amendment SA 5038 proposed by Mr. FRIST to the bill H.R. 6061, supra.

TEXT OF AMENDMENTS

SA 5036. Mr. FRIST proposed an amendment to the bill H.R. 6061, to establish operational control over the international land and maritime borders of the United States; as follows:

On page 7 line 10, after ''Subsection (A)'', insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Military Commissions Act of 2006''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Construction of Presidential authority to establish military commissions.
Sec. 3. Military commissions.
Sec. 4. Amendments to Uniform Code of Military Justice.
Sec. 5. Treaty obligations not establishing grounds for certain claims.
Sec. 6. Implementation of treaty obligations.
Sec. 7. Habeas corpus matters.
Sec. 8. Revisions to Detainee Treatment Act of 2005 relating to protection of certain United States Government personnel.
Sec. 9. Review of judgments of military commissions.
Sec. 10. Detention covered by review of decisions of Combatant Status Review Tribunals of propriety of detention.

SEC. 2. CONSTRUCTION OF PRESIDENTIAL AUTHORITY TO ESTABLISH MILITARY COMMISSIONS.

The authority to establish military commissions under chapter 47A of title 10, United States Code, as added by section 3(a), may not be construed to alter or limit the authority of the President under the Constitution of the United States and laws of the United States to establish military commissions for areas declared to be under martial law or in occupied territories should circumstances so require.

SEC. 3. MILITARY COMMISSIONS.

(a) MILITARY COMMISSIONS.—

(1) IN GENERAL.—Subtitle A of title 10, United States Code, is amended by inserting after chapter 47 the following new chapter:

''CHAPTER 47A—MILITARY COMMISSIONS

''Subchapter
''I. General Provisions 948a
''II. Composition of Military Commissions 948h
''III. Pre-Trial Procedure 948q
''IV. Trial Procedure 949a
''V. Sentences 949s
''VI. Post-Trial Procedure and Review of Military Commissions 950a
''VII. Punitive Matters 950p

''SUBCHAPTER I—GENERAL PROVISIONS

''Sec.
''948a. Definitions.
''948b. Military commissions generally.
''948c. Persons subject to military commissions.
''948d. Jurisdiction of military commissions.
''948e. Annual report to congressional committees.

"§ 948a. Definitions

''In this chapter:

''(1) UNLAWFUL ENEMY COMBATANT.—(A) The term 'unlawful enemy combatant' means—

''(i) a person who has engaged in hostilities or who has purposefully and materially supported hostilities against the United States or its co-belligerents who is not a lawful enemy combatant (including a person who is part of the Taliban, al Qaeda, or associated forces); or

''(ii) a person who, before, on, or after the date of the enactment of the Military Commissions Act of 2006, has been determined to be an unlawful enemy combatant by a Combatant Status Review Tribunal or another competent tribunal established under the authority of the President or the Secretary of Defense.

''(B) CO-BELLIGERENT.—In this paragraph, the term 'co-belligerent', with respect to the United States, means any State or armed force joining and directly engaged with the United States in hostilities or directly supporting hostilities against a common enemy.

''(2) LAWFUL ENEMY COMBATANT.—The term 'lawful enemy combatant' means a person who is—

''(A) a member of the regular forces of a State party engaged in hostilities against the United States;

''(B) a member of a militia, volunteer corps, or organized resistance movement belonging to a State party engaged in such hostilities, which are under responsible command, wear a fixed distinctive sign recognizable at a distance, carry their arms openly, and abide by the law of war; or

''(C) a member of a regular armed force who professes allegiance to a government engaged in such hostilities, but not recognized by the United States.

''(3) ALIEN.—The term 'alien' means a person who is not a citizen of the United States.

''(4) CLASSIFIED INFORMATION.—The term 'classified information' means the following:

''(A) Any information or material that has been determined by the United States Government pursuant to statute, Executive order, or regulation to require protection against unauthorized disclosure for reasons of national security.

''(B) Any restricted data, as that term is defined in section 11 y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)).

''(5) GENEVA CONVENTIONS.—The term 'Geneva Conventions' means the international conventions signed at Geneva on August 12, 1949.

"§ 948b. Military commissions generally

''(a) PURPOSE.—This chapter establishes procedures governing the use of military commissions to try alien unlawful enemy combatants engaged in hostilities against the United States for violations of the law of war and other offenses triable by military commission.

''(b) AUTHORITY FOR MILITARY COMMISSIONS UNDER THIS CHAPTER.—The President is authorized to establish military commissions under this chapter for offenses triable by military commission as provided in this chapter.

''(c) CONSTRUCTION OF PROVISIONS.—The procedures for military commissions set forth in this chapter are based upon the procedures for trial by general courts-martial under chapter 47 of this title (the Uniform Code of Military Justice). Chapter 47 of this title does not, by its terms, apply to trial by military commission except as specifically provided in this chapter. The judicial construction and application of that chapter are not binding on military commissions established under this chapter.

''(d) INAPPLICABILITY OF CERTAIN PROVISIONS.—(1) The following provisions of this title shall not apply to trial by military commission under this chapter:

''(A) Section 810 (article 10 of the Uniform Code of Military Justice), relating to speedy trial, including any rule of courts-martial relating to speedy trial.

''(B) Sections 831(a), (b), and (d) (articles 31(a), (b), and (d) of the Uniform Code of Military Justice), relating to compulsory self-incrimination.

''(C) Section 832 (article 32 of the Uniform Code of Military Justice), relating to pretrial investigation.

''(2) Other provisions of chapter 47 of this title shall apply to trial by military commission under this chapter only to the extent provided by this chapter.

''(e) TREATMENT OF RULINGS AND PRECEDENTS.—The findings, holdings, interpretations, and other precedents of military commissions under this chapter may not be introduced or considered in any hearing, trial, or other proceeding of a court-martial convened under chapter 47 of this title. The findings, holdings, interpretations, and other precedents of military commissions under this chapter may not form the basis of any holding, decision, or other determination of a court-martial convened under that chapter.

''(f) STATUS OF COMMISSIONS UNDER COMMON ARTICLE 3.—A military commission established under this chapter is a regularly constituted court, affording all the necessary 'judicial guarantees which are recognized as indispensable by civilized peoples' for purposes of common Article 3 of the Geneva Conventions.

''(g) GENEVA CONVENTIONS NOT ESTABLISHING SOURCE OF RIGHTS.—No alien unlawful enemy combatant subject to trial by military commission under this chapter may invoke the Geneva Conventions as a source of rights.

"§ 948c. Persons subject to military commissions

''Any alien unlawful enemy combatant is subject to trial by military commission under this chapter.

"§ 948d. Jurisdiction of military commissions

''(a) JURISDICTION.—A military commission under this chapter shall have jurisdiction to try any offense made punishable by this chapter or the law of war when committed by an alien unlawful enemy combatant before, on, or after September 11, 2001.

''(b) LAWFUL ENEMY COMBATANTS.—Military commissions under this chapter shall not have jurisdiction over lawful enemy combatants. Lawful enemy combatants who violate the law of war are subject to chapter 47 of this title. Courts-martial established under that chapter shall have jurisdiction to try a lawful enemy combatant for any offense made punishable under this chapter.

''(c) DETERMINATION OF UNLAWFUL ENEMY COMBATANT STATUS DISPOSITIVE.—A finding, whether before, on, or after the date of the enactment of the Military Commissions Act of 2006, by a Combatant Status Review Tribunal or another competent tribunal established under the authority of the President or the Secretary of Defense that a person is an unlawful enemy combatant is dispositive for purposes of jurisdiction for trial by military commission under this chapter.

''(d) PUNISHMENTS.—A military commission under this chapter may, under such limitations as the Secretary of Defense may prescribe, adjudge any punishment not forbidden by this chapter, including the penalty of death when authorized under this chapter or the law of war.

"§ 948e. Annual report to congressional committees

''(a) ANNUAL REPORT REQUIRED.—Not later than December 31 each year, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on any trials conducted by military commissions under this chapter during such year.

''(b) FORM.—Each report under this section shall be submitted in unclassified form, but may include a classified annex.

''SUBCHAPTER II—COMPOSITION OF MILITARY COMMISSIONS

''Sec.

''948h. Who may convene military commissions.
''948i. Who may serve on military commissions.
''948j. Military judge of a military commission.
''948k. Detail of trial counsel and defense counsel.
''948l. Detail or employment of reporters and interpreters.
''948m. Number of members; excuse of members; absent and additional members.

"§ 948h. Who may convene military commissions

''Military commissions under this chapter may be convened by the Secretary of Defense or by any officer or official of the United States designated by the Secretary for that purpose.

"§ 948i. Who may serve on military commissions

''(a) IN GENERAL.—Any commissioned officer of the armed forces on active duty is eligible to serve on a military commission under this chapter.

''(b) DETAIL OF MEMBERS.—When convening a military commission under this chapter, the convening authority shall detail as members of the commission such members of the armed forces eligible under subsection (a), as in the opinion of the convening authority, are best qualified for the duty by reason of age, education, training, experience, length of service, and judicial temperament. No member of an armed force is eligible to serve as a member of a military commission when such member is the accuser or a witness for the prosecution or has acted as an investigator or counsel in the same case.

''(c) EXCUSE OF MEMBERS.—Before a military commission under this chapter is assembled for the trial of a case, the convening authority may excuse a member from participating in the case.

"§ 948j. Military judge of a military commission

''(a) DETAIL OF MILITARY JUDGE.—A military judge shall be detailed to each military commission under this chapter. The Secretary of Defense shall prescribe regulations providing for the manner in which military judges are so detailed to military commissions. The military judge shall preside over each military commission to which he has been detailed.

''(b) QUALIFICATIONS.—A military judge shall be a commissioned officer of the armed forces who is a member of the bar of a Federal court, or a member of the bar of the highest court of a State, and who is certified to be qualified for duty under section 826 of this title (article 26 of the Uniform Code of Military Justice) as a military judge in general courts-martial by the Judge Advocate General of the armed force of which such military judge is a member.

''(c) INELIGIBILITY OF CERTAIN INDIVIDUALS.—No person is eligible to act as military judge in a case of a military commission under this chapter if he is the accuser or a witness or has acted as investigator or a counsel in the same case.

''(d) CONSULTATION WITH MEMBERS; INELIGIBILITY TO VOTE.—A military judge detailed

to a military commission under this chapter may not consult with the members of the commission except in the presence of the accused (except as otherwise provided in section 949d of this title), trial counsel, and defense counsel, nor may he vote with the members of the commission.

''(e) OTHER DUTIES.—A commissioned officer who is certified to be qualified for duty as a military judge of a military commission under this chapter may perform such other duties as are assigned to him by or with the approval of the Judge Advocate General of the armed force of which such officer is a member or the designee of such Judge Advocate General.

''(f) PROHIBITION ON EVALUATION OF FITNESS BY CONVENING AUTHORITY.—The convening authority of a military commission under this chapter shall not prepare or review any report concerning the effectiveness, fitness, or efficiency of a military judge detailed to the military commission which relates to his performance of duty as a military judge on the military commission.

''§ 948k. Detail of trial counsel and defense counsel

''(a) DETAIL OF COUNSEL GENERALLY.—(1) Trial counsel and military defense counsel shall be detailed for each military commission under this chapter.

''(2) Assistant trial counsel and assistant and associate defense counsel may be detailed for a military commission under this chapter.

''(3) Military defense counsel for a military commission under this chapter shall be detailed as soon as practicable after the swearing of charges against the accused.

''(4) The Secretary of Defense shall prescribe regulations providing for the manner in which trial counsel and military defense counsel are detailed for military commissions under this chapter and for the persons who are authorized to detail such counsel for such commissions.

''(b) TRIAL COUNSEL.—Subject to subsection (e), trial counsel detailed for a military commission under this chapter must be—

''(1) a judge advocate (as that term is defined in section 801 of this title (article 1 of the Uniform Code of Military Justice) who—

''(A) is a graduate of an accredited law school or is a member of the bar of a Federal court or of the highest court of a State; and

''(B) is certified as competent to perform duties as trial counsel before general courts-martial by the Judge Advocate General of the armed force of which he is a member; or

''(2) a civilian who—

''(A) is a member of the bar of a Federal court or of the highest court of a State; and

''(B) is otherwise qualified to practice before the military commission pursuant to regulations prescribed by the Secretary of Defense.

''(c) MILITARY DEFENSE COUNSEL.—Subject to subsection (e), military defense counsel detailed for a military commission under this chapter must be a judge advocate (as so defined) who is—

''(1) a graduate of an accredited law school or is a member of the bar of a Federal court or of the highest court of a State; and

''(2) certified as competent to perform duties as defense counsel before general courts-martial by the Judge Advocate General of the armed force of which he is a member.

''(d) CHIEF PROSECUTOR; CHIEF DEFENSE COUNSEL.—(1) The Chief Prosecutor in a military commission under this chapter shall meet the requirements set forth in subsection (b)(1).

''(2) The Chief Defense Counsel in a military commission under this chapter shall meet the requirements set forth in subsection (c)(1).

''(e) INELIGIBILITY OF CERTAIN INDIVIDUALS.—No person who has acted as an investigator, military judge, or member of a military commission under this chapter in any case may act later as trial counsel or military defense counsel in the same case. No person who has acted for the prosecution before a military commission under this chapter may act later in the same case for the defense, nor may any person who has acted for the defense before a military commission under this chapter act later in the same case for the prosecution.

''§ 948l. Detail or employment of reporters and interpreters

''(a) COURT REPORTERS.—Under such regulations as the Secretary of Defense may prescribe, the convening authority of a military commission under this chapter shall detail to or employ for the commission qualified court reporters, who shall make a verbatim recording of the proceedings of and testimony taken before the commission.

''(b) INTERPRETERS.—Under such regulations as the Secretary of Defense may prescribe, the convening authority of a military commission under this chapter may detail to or employ for the military commission interpreters who shall interpret for the commission and, as necessary, for trial counsel and defense counsel and for the accused.

''(c) TRANSCRIPT; RECORD.—The transcript of a military commission under this chapter shall be under the control of the convening authority of the commission, who shall also be responsible for preparing the record of the proceedings.

''§ 948m. Number of members; excuse of members; absent and additional members

''(a) NUMBER OF MEMBERS.—(1) A military commission under this chapter shall, except as provided in paragraph (2), have at least five members.

''(2) In a case in which the accused before a military commission under this chapter may be sentenced to a penalty of death, the military commission shall have the number of members prescribed by section 949m(c) of this title.

''(b) EXCUSE OF MEMBERS.—No member of a military commission under this chapter may be absent or excused after the military commission has been assembled for the trial of a case unless excused—

''(1) as a result of challenge;

''(2) by the military judge for physical disability or other good cause; or

''(3) by order of the convening authority for good cause.

''(c) ABSENT AND ADDITIONAL MEMBERS.—Whenever a military commission under this chapter is reduced below the number of members required by subsection (a), the trial may not proceed unless the convening authority details new members sufficient to provide not less than such number. The trial may proceed with the new members present after the recorded evidence previously introduced before the members has been read to the military commission in the presence of the military judge, the accused (except as provided in section 949d of this title), and counsel for both sides.

''SUBCHAPTER III—PRE-TRIAL PROCEDURE

''Sec.
''948q. Charges and specifications.
''948r. Compulsory self-incrimination prohibited; treatment of statements obtained by torture and other statements.
''948s. Service of charges.

''§ 948q. Charges and specifications

''(a) CHARGES AND SPECIFICATIONS.—Charges and specifications against an accused in a military commission under this chapter shall be signed by a person subject to chapter 47 of this title under oath before a commissioned officer of the armed forces authorized to administer oaths and shall state—

''(1) that the signer has personal knowledge of, or reason to believe, the matters set forth therein; and

''(2) that they are true in fact to the best of the signer's knowledge and belief.

''(b) NOTICE TO ACCUSED.—Upon the swearing of the charges and specifications in accordance with subsection (a), the accused shall be informed of the charges against him as soon as practicable.

''§ 948r. Compulsory self-incrimination prohibited; treatment of statements obtained by torture and other statements

''(a) IN GENERAL.—No person shall be required to testify against himself at a proceeding of a military commission under this chapter.

''(b) EXCLUSION OF STATEMENTS OBTAINED BY TORTURE.—A statement obtained by use of torture shall not be admissible in a military commission under this chapter, except against a person accused of torture as evidence that the statement was made.

''(c) STATEMENTS OBTAINED BEFORE ENACTMENT OF DETAINEE TREATMENT ACT OF 2005.—A statement obtained before December 30, 2005 (the date of the enactment of the Defense Treatment Act of 2005) in which the degree of coercion is disputed may be admitted only if the military judge finds that—

''(1) the totality of the circumstances renders the statement reliable and possessing sufficient probative value; and

''(2) the interests of justice would best be served by admission of the statement into evidence.

''(d) STATEMENTS OBTAINED AFTER ENACTMENT OF DETAINEE TREATMENT ACT OF 2005.—A statement obtained on or after December 30, 2005 (the date of the enactment of the Defense Treatment Act of 2005) in which the degree of coercion is disputed may be admitted only if the military judge finds that—

''(1) the totality of the circumstances renders the statement reliable and possessing sufficient probative value;

''(2) the interests of justice would best be served by admission of the statement into evidence; and

''(3) the interrogation methods used to obtain the statement do not violate the cruel, unusual, or inhumane treatment or punishment prohibited by the Fifth, Eighth, and Fourteenth Amendments to the Constitution of the United States.

''§ 948s. Service of charges

''The trial counsel assigned to a case before a military commission under this chapter shall cause to be served upon the accused and military defense counsel a copy of the charges upon which trial is to be had. Such charges shall be served in English and, if appropriate, in another language that the accused understands. Such service shall be made sufficiently in advance of trial to prepare a defense.

''SUBCHAPTER IV—TRIAL PROCEDURE

''Sec.
''949a. Rules.
''949b. Unlawfully influencing action of military commission.
''949c. Duties of trial counsel and defense counsel.
''949d. Sessions.
''949e. Continuances.
''949f. Challenges.
''949g. Oaths.
''949h. Former jeopardy.
''949i. Pleas of the accused.
''949j. Opportunity to obtain witnesses and other evidence.

''949k. Defense of lack of mental responsibility.
''949l. Voting and rulings.
''949m. Number of votes required.
''949n. Military commission to announce action.
''949o. Record of trial.

''§ 949a. Rules

''(a) PROCEDURES AND RULES OF EVIDENCE.—Pretrial, trial, and post-trial procedures, including elements and modes of proof, for cases triable by military commission under this chapter may be prescribed by the Secretary of Defense, in consultation with the Attorney General. Such procedures shall, so far as the Secretary considers practicable or consistent with military or intelligence activities, apply the principles of law and the rules of evidence in trial by general courts-martial. Such procedures and rules of evidence may not be contrary to or inconsistent with this chapter.

''(b) RULES FOR MILITARY COMMISSION.—(1) Notwithstanding any departures from the law and the rules of evidence in trial by general courts-martial authorized by subsection (a), the procedures and rules of evidence in trials by military commission under this chapter shall include the following:

''(A) The accused shall be permitted to present evidence in his defense, to cross-examine the witnesses who testify against him, and to respond to evidence admitted against him on the issue of guilt or innocence and for sentencing, as provided for by this chapter.

''(B) The accused shall be present at all sessions of the military commission (other than those for deliberations or voting), except when excluded under section 949d of this title.

''(C) The accused shall receive the assistance of counsel as provided for by section 948k.

''(D) The accused shall be permitted to represent himself, as provided for by paragraph (3).

''(2) In establishing procedures and rules of evidence for military commission proceedings, the Secretary of Defense may prescribe the following provisions:

''(A) Evidence shall be admissible if the military judge determines that the evidence would have probative value to a reasonable person.

''(B) Evidence shall not be excluded from trial by military commission on the grounds that the evidence was not seized pursuant to a search warrant or other authorization.

''(C) A statement of the accused that is otherwise admissible shall not be excluded from trial by military commission on grounds of alleged coercion or compulsory self-incrimination so long as the evidence complies with the provisions of section 948r of this title.

''(D) Evidence shall be admitted as authentic so long as—

''(i) the military judge of the military commission determines that there is sufficient basis to find that the evidence is what it is claimed to be; and

''(ii) the military judge instructs the members that they may consider any issue as to authentication or identification of evidence in determining the weight, if any, to be given to the evidence.

''(E)(i) Except as provided in clause (ii), hearsay evidence not otherwise admissible under the rules of evidence applicable in trial by general courts-martial may be admitted in a trial by military commission if the proponent of the evidence makes known to the adverse party, sufficiently in advance to provide the adverse party with a fair opportunity to meet the evidence, the intention of the proponent to offer the evidence, and the particulars of the evidence (including information on the general circumstances under which the evidence was obtained). The disclosure of evidence under the preceding sentence is subject to the requirements and limitations applicable to the disclosure of classified information in section 949j(c) of this title.

''(ii) Hearsay evidence not otherwise admissible under the rules of evidence applicable in trial by general courts-martial shall not be admitted in a trial by military commission if the party opposing the admission of the evidence demonstrates that the evidence is unreliable or lacking in probative value.

''(F) The military judge shall exclude any evidence the probative value of which is substantially outweighed—

''(i) by the danger of unfair prejudice, confusion of the issues, or misleading the commission; or

''(ii) by considerations of undue delay, waste of time, or needless presentation of cumulative evidence.

''(3)(A) The accused in a military commission under this chapter who exercises the right to self-representation under paragraph (1)(D) shall conform his deportment and the conduct of the defense to the rules of evidence, procedure, and decorum applicable to trials by military commission.

''(B) Failure of the accused to conform to the rules described in subparagraph (A) may result in a partial or total revocation by the military judge of the right of self-representation under paragraph (1)(D). In such case, the detailed defense counsel of the accused or an appropriately authorized civilian counsel shall perform the functions necessary for the defense.

''(c) DELEGATION OF AUTHORITY TO PRESCRIBE REGULATIONS.—The Secretary of Defense may delegate the authority of the Secretary to prescribe regulations under this chapter.

''(d) NOTIFICATION TO CONGRESSIONAL COMMITTEES OF CHANGES TO PROCEDURES.—Not later than 60 days before the date on which any proposed modification of the procedures in effect for military commissions under this chapter goes into effect, 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 describing the modification.

''§ 949b. Unlawfully influencing action of military commission

''(a) IN GENERAL.—(1) No authority convening a military commission under this chapter may censure, reprimand, or admonish the military commission, or any member, military judge, or counsel thereof, with respect to the findings or sentence adjudged by the military commission, or with respect to any other exercises of its or his functions in the conduct of the proceedings.

''(2) No person may attempt to coerce or, by any unauthorized means, influence—

''(A) the action of a military commission under this chapter, or any member thereof, in reaching the findings or sentence in any case;

''(B) the action of any convening, approving, or reviewing authority with respect to his judicial acts; or

''(C) the exercise of professional judgment by trial counsel or defense counsel.

''(3) Paragraphs (1) and (2) do not apply with respect to—

''(A) general instructional or informational courses in military justice if such courses are designed solely for the purpose of instructing members of a command in the substantive and procedural aspects of military commissions; or

''(B) statements and instructions given in open proceedings by a military judge or counsel.

''(b) PROHIBITION ON CONSIDERATION OF ACTIONS ON COMMISSION IN EVALUATION OF FITNESS.—In the preparation of an effectiveness, fitness, or efficiency report or any other report or document used in whole or in part for the purpose of determining whether a commissioned officer of the armed forces is qualified to be advanced in grade, or in determining the assignment or transfer of any such officer or whether any such officer should be retained on active duty, no person may—

''(1) consider or evaluate the performance of duty of any member of a military commission under this chapter; or

''(2) give a less favorable rating or evaluation to any commissioned officer because of the zeal with which such officer, in acting as counsel, represented any accused before a military commission under this chapter.

''§ 949c. Duties of trial counsel and defense counsel

''(a) TRIAL COUNSEL.—The trial counsel of a military commission under this chapter shall prosecute in the name of the United States.

''(b) DEFENSE COUNSEL.—(1) The accused shall be represented in his defense before a military commission under this chapter as provided in this subsection.

''(2) The accused shall be represented by military counsel detailed under section 948k of this title.

''(3) The accused may be represented by civilian counsel if retained by the accused, but only if such civilian counsel—

''(A) is a United States citizen;

''(B) is admitted to the practice of law in a State, district, or possession of the United States or before a Federal court;

''(C) has not been the subject of any sanction of disciplinary action by any court, bar, or other competent governmental authority for relevant misconduct;

''(D) has been determined to be eligible for access to classified information that is classified at the level Secret or higher; and

''(E) has signed a written agreement to comply with all applicable regulations or instructions for counsel, including any rules of court for conduct during the proceedings.

''(4) Civilian defense counsel shall protect any classified information received during the course of representation of the accused in accordance with all applicable law governing the protection of classified information and may not divulge such information to any person not authorized to receive it.

''(5) If the accused is represented by civilian counsel, military counsel detailed shall act as associate counsel.

''(6) The accused is not entitled to be represented by more than one military counsel. However, the person authorized under regulations prescribed under section 948k of this title to detail counsel, in that person's sole discretion, may detail additional military counsel to represent the accused.

''(7) Defense counsel may cross-examine each witness for the prosecution who testifies before a military commission under this chapter.

''§ 949d. Sessions

''(a) SESSIONS WITHOUT PRESENCE OF MEMBERS.—(1) At any time after the service of charges which have been referred for trial by military commission under this chapter, the military judge may call the military commission into session without the presence of the members for the purpose of—

''(A) hearing and determining motions raising defenses or objections which are capable of determination without trial of the issues raised by a plea of not guilty;

''(B) hearing and ruling upon any matter which may be ruled upon by the military judge under this chapter, whether or not the matter is appropriate for later consideration or decision by the members;

''(C) if permitted by regulations prescribed by the Secretary of Defense, receiving the pleas of the accused; and

''(D) performing any other procedural function which may be performed by the military judge under this chapter or under rules prescribed pursuant to section 949a of this title and which does not require the presence of the members.

''(2) Except as provided in subsections (c) and (e), any proceedings under paragraph (1) shall—

''(A) be conducted in the presence of the accused, defense counsel, and trial counsel; and

''(B) be made part of the record.

''(b) PROCEEDINGS IN PRESENCE OF ACCUSED.—Except as provided in subsections (c) and (e), all proceedings of a military commission under this chapter, including any consultation of the members with the military judge or counsel, shall—

''(1) be in the presence of the accused, defense counsel, and trial counsel; and

''(2) be made a part of the record.

''(c) DELIBERATION OR VOTE OF MEMBERS.—When the members of a military commission under this chapter deliberate or vote, only the members may be present.

''(d) CLOSURE OF PROCEEDINGS.—(1) The military judge may close to the public all or part of the proceedings of a military commission under this chapter, but only in accordance with this subsection.

''(2) The military judge may close to the public all or a portion of the proceedings under paragraph (1) only upon making a specific finding that such closure is necessary to—

''(A) protect information the disclosure of which could reasonably be expected to cause damage to the national security, including intelligence or law enforcement sources, methods, or activities; or

''(B) ensure the physical safety of individuals.

''(3) A finding under paragraph (2) may be based upon a presentation, including a presentation ex parte or in camera, by either trial counsel or defense counsel.

''(e) EXCLUSION OF ACCUSED FROM CERTAIN PROCEEDINGS.—The military judge may exclude the accused from any portion of a proceeding upon a determination that, after being warned by the military judge, the accused persists in conduct that justifies exclusion from the courtroom—

''(1) to ensure the physical safety of individuals; or

''(2) to prevent disruption of the proceedings by the accused.

''(f) PROTECTION OF CLASSIFIED INFORMATION.—

''(1) NATIONAL SECURITY PRIVILEGE.—(A) Classified information shall be protected and is privileged from disclosure if disclosure would be detrimental to the national security. The rule in the preceding sentence applies to all stages of the proceedings of military commissions under this chapter.

''(B) The privilege referred to in subparagraph (A) may be claimed by the head of the executive or military department or government agency concerned based on a finding by the head of that department or agency that—

''(i) the information is properly classified; and

''(ii) disclosure of the information would be detrimental to the national security.

''(C) A person who may claim the privilege referred to in subparagraph (A) may authorize a representative, witness, or trial counsel to claim the privilege and make the finding described in subparagraph (B) on behalf of such person. The authority of the representative, witness, or trial counsel to do so is presumed in the absence of evidence to the contrary.

''(2) INTRODUCTION OF CLASSIFIED INFORMATION.—

''(A) ALTERNATIVES TO DISCLOSURE.—To protect classified information from disclosure, the military judge, upon motion of trial counsel, shall authorize, to the extent practicable—

''(i) the deletion of specified items of classified information from documents to be introduced as evidence before the military commission;

''(ii) the substitution of a portion or summary of the information for such classified documents; or

''(iii) the substitution of a statement of relevant facts that the classified information would tend to prove.

''(B) PROTECTION OF SOURCES, METHODS, OR ACTIVITIES.—The military judge, upon motion of trial counsel, shall permit trial counsel to introduce otherwise admissible evidence before the military commission, while protecting from disclosure the sources, methods, or activities by which the United States acquired the evidence if the military judge finds that (i) the sources, methods, or activities by which the United States acquired the evidence are classified, and (ii) the evidence is reliable. The military judge may require trial counsel to present to the military commission and the defense, to the extent practicable and consistent with national security, an unclassified summary of the sources, methods, or activities by which the United States acquired the evidence.

''(C) ASSERTION OF NATIONAL SECURITY PRIVILEGE AT TRIAL.—During the examination of any witness, trial counsel may object to any question, line of inquiry, or motion to admit evidence that would require the disclosure of classified information. Following such an objection, the military judge shall take suitable action to safeguard such classified information. Such action may include the review of trial counsel's claim of privilege by the military judge in camera and on an ex parte basis, and the delay of proceedings to permit trial counsel to consult with the department or agency concerned as to whether the national security privilege should be asserted.

''(3) CONSIDERATION OF PRIVILEGE AND RELATED MATERIALS.—A claim of privilege under this subsection, and any materials submitted in support thereof, shall, upon request of the Government, be considered by the military judge in camera and shall not be disclosed to the accused.

''(4) ADDITIONAL REGULATIONS.—The Secretary of Defense may prescribe additional regulations, consistent with this subsection, for the use and protection of classified information during proceedings of military commissions under this chapter. A report on any regulations so prescribed, or modified, shall be submitted to the Committees on Armed Services of the Senate and the House of Representatives not later than 60 days before the date on which such regulations or modifications, as the case may be, go into effect.

''§ 949e. Continuances

''The military judge in a military commission under this chapter may, for reasonable cause, grant a continuance to any party for such time, and as often, as may appear to be just.

''§ 949f. Challenges

''(a) CHALLENGES AUTHORIZED.—The military judge and members of a military commission under this chapter may be challenged by the accused or trial counsel for cause stated to the commission. The military judge shall determine the relevance and validity of challenges for cause. The military judge may not receive a challenge to more than one person at a time. Challenges by trial counsel shall ordinarily be presented and decided before those by the accused are offered.

''(b) PEREMPTORY CHALLENGES.—Each accused and the trial counsel are entitled to one peremptory challenge. The military judge may not be challenged except for cause.

''(c) CHALLENGES AGAINST ADDITIONAL MEMBERS.—Whenever additional members are detailed to a military commission under this chapter, and after any challenges for cause against such additional members are presented and decided, each accused and the trial counsel are entitled to one peremptory challenge against members not previously subject to peremptory challenge.

''§ 949g. Oaths

''(a) IN GENERAL.—(1) Before performing their respective duties in a military commission under this chapter, military judges, members, trial counsel, defense counsel, reporters, and interpreters shall take an oath to perform their duties faithfully.

''(2) The form of the oath required by paragraph (1), the time and place of the taking thereof, the manner of recording the same, and whether the oath shall be taken for all cases in which duties are to be performed or for a particular case, shall be as prescribed in regulations of the Secretary of Defense. Those regulations may provide that—

''(A) an oath to perform faithfully duties as a military judge, trial counsel, or defense counsel may be taken at any time by any judge advocate or other person certified to be qualified or competent for the duty; and

''(B) if such an oath is taken, such oath need not again be taken at the time the judge advocate or other person is detailed to that duty.

''(b) WITNESSES.—Each witness before a military commission under this chapter shall be examined on oath.

''§ 949h. Former jeopardy

''(a) IN GENERAL.—No person may, without his consent, be tried by a military commission under this chapter a second time for the same offense.

''(b) SCOPE OF TRIAL.—No proceeding in which the accused has been found guilty by military commission under this chapter upon any charge or specification is a trial in the sense of this section until the finding of guilty has become final after review of the case has been fully completed.

''§ 949i. Pleas of the accused

''(a) ENTRY OF PLEA OF NOT GUILTY.—If an accused in a military commission under this chapter after a plea of guilty sets up matter inconsistent with the plea, or if it appears that the accused has entered the plea of guilty through lack of understanding of its meaning and effect, or if the accused fails or refuses to plead, a plea of not guilty shall be entered in the record, and the military commission shall proceed as though the accused had pleaded not guilty.

''(b) FINDING OF GUILT AFTER GUILTY PLEA.—With respect to any charge or specification to which a plea of guilty has been made by the accused in a military commission under this chapter and accepted by the military judge, a finding of guilty of the charge or specification may be entered immediately without a vote. The finding shall constitute the finding of the commission unless the plea of guilty is withdrawn prior to announcement of the sentence, in which event the proceedings shall continue as though the accused had pleaded not guilty.

"§ 949j. Opportunity to obtain witnesses and other evidence

''(a) RIGHT OF DEFENSE COUNSEL.—Defense counsel in a military commission under this chapter shall have a reasonable opportunity to obtain witnesses and other evidence as provided in regulations prescribed by the Secretary of Defense.

''(b) PROCESS FOR COMPULSION.—Process issued in a military commission under this chapter to compel witnesses to appear and testify and to compel the production of other evidence—

''(1) shall be similar to that which courts of the United States having criminal jurisdiction may lawfully issue; and

''(2) shall run to any place where the United States shall have jurisdiction thereof.

''(c) PROTECTION OF CLASSIFIED INFORMATION.—(1) With respect to the discovery obligations of trial counsel under this section, the military judge, upon motion of trial counsel, shall authorize, to the extent practicable—

''(A) the deletion of specified items of classified information from documents to be made available to the accused;

''(B) the substitution of a portion or summary of the information for such classified documents; or

''(C) the substitution of a statement admitting relevant facts that the classified information would tend to prove.

''(2) The military judge, upon motion of trial counsel, shall authorize trial counsel, in the course of complying with discovery obligations under this section, to protect from disclosure the sources, methods, or activities by which the United States acquired evidence if the military judge finds that the sources, methods, or activities by which the United States acquired such evidence are classified. The military judge may require trial counsel to provide, to the extent practicable, an unclassified summary of the sources, methods, or activities by which the United States acquired such evidence.

''(d) EXCULPATORY EVIDENCE.—(1) As soon as practicable, trial counsel shall disclose to the defense the existence of any evidence known to trial counsel that reasonably tends to exculpate the accused. Where exculpatory evidence is classified, the accused shall be provided with an adequate substitute in accordance with the procedures under subsection (c).

''(2) In this subsection, the term 'evidence known to trial counsel', in the case of exculpatory evidence, means exculpatory evidence that the prosecution would be required to disclose in a trial by general court-martial under chapter 47 of this title.

"§ 949k. Defense of lack of mental responsibility

''(a) AFFIRMATIVE DEFENSE.—It is an affirmative defense in a trial by military commission under this chapter that, at the time of the commission of the acts constituting the offense, the accused, as a result of a severe mental disease or defect, was unable to appreciate the nature and quality or the wrongfulness of the acts. Mental disease or defect does not otherwise constitute a defense.

''(b) BURDEN OF PROOF.—The accused in a military commission under this chapter has the burden of proving the defense of lack of mental responsibility by clear and convincing evidence.

''(c) FINDINGS FOLLOWING ASSERTION OF DEFENSE.—Whenever lack of mental responsibility of the accused with respect to an offense is properly at issue in a military commission under this chapter, the military judge shall instruct the members of the commission as to the defense of lack of mental responsibility under this section and shall charge them to find the accused—

''(1) guilty;

''(2) not guilty; or

''(3) subject to subsection (d), not guilty by reason of lack of mental responsibility.

''(d) MAJORITY VOTE REQUIRED FOR FINDING.—The accused shall be found not guilty by reason of lack of mental responsibility under subsection (c)(3) only if a majority of the members present at the time the vote is taken determines that the defense of lack of mental responsibility has been established.

"§ 949l. Voting and rulings

''(a) VOTE BY SECRET WRITTEN BALLOT.—Voting by members of a military commission under this chapter on the findings and on the sentence shall be by secret written ballot.

''(b) RULINGS.—(1) The military judge in a military commission under this chapter shall rule upon all questions of law, including the admissibility of evidence and all interlocutory questions arising during the proceedings.

''(2) Any ruling made by the military judge upon a question of law or an interlocutory question (other than the factual issue of mental responsibility of the accused) is conclusive and constitutes the ruling of the military commission. However, a military judge may change his ruling at any time during the trial.

''(c) INSTRUCTIONS PRIOR TO VOTE.—Before a vote is taken of the findings of a military commission under this chapter, the military judge shall, in the presence of the accused and counsel, instruct the members as to the elements of the offense and charge the members—

''(1) that the accused must be presumed to be innocent until his guilt is established by legal and competent evidence beyond a reasonable doubt;

''(2) that in the case being considered, if there is a reasonable doubt as to the guilt of the accused, the doubt must be resolved in favor of the accused and he must be acquitted;

''(3) that, if there is reasonable doubt as to the degree of guilt, the finding must be in a lower degree as to which there is no reasonable doubt; and

''(4) that the burden of proof to establish the guilt of the accused beyond a reasonable doubt is upon the United States.

"§ 949m. Number of votes required

''(a) CONVICTION.—No person may be convicted by a military commission under this chapter of any offense, except as provided in section 949i(b) of this title or by concurrence of two-thirds of the members present at the time the vote is taken.

''(b) SENTENCES.—(1) No person may be sentenced by a military commission to suffer death, except insofar as—

''(A) the penalty of death is expressly authorized under this chapter or the law of war for an offense of which the accused has been found guilty;

''(B) trial counsel expressly sought the penalty of death by filing an appropriate notice in advance of trial;

''(C) the accused is convicted of the offense by the concurrence of all the members present at the time the vote is taken; and

''(D) all the members present at the time the vote is taken concur in the sentence of death.

''(2) No person may be sentenced to life imprisonment, or to confinement for more than 10 years, by a military commission under this chapter except by the concurrence of three-fourths of the members present at the time the vote is taken.

''(3) All other sentences shall be determined by a military commission by the concurrence of two-thirds of the members present at the time the vote is taken.

''(c) NUMBER OF MEMBERS REQUIRED FOR PENALTY OF DEATH.—(1) Except as provided in paragraph (2), in a case in which the penalty of death is sought, the number of members of the military commission under this chapter shall be not less than 12.

''(2) In any case described in paragraph (1) in which 12 members are not reasonably available because of physical conditions or military exigencies, the convening authority shall specify a lesser number of members for the military commission (but not fewer than 9 members), and the military commission may be assembled, and the trial held, with not fewer than the number of members so specified. In such a case, the convening authority shall make a detailed written statement, to be appended to the record, stating why a greater number of members were not reasonably available.

"§ 949n. Military commission to announce action

''A military commission under this chapter shall announce its findings and sentence to the parties as soon as determined.

"§ 949o. Record of trial

''(a) RECORD; AUTHENTICATION.—Each military commission under this chapter shall keep a separate, verbatim, record of the proceedings in each case brought before it, and the record shall be authenticated by the signature of the military judge. If the record cannot be authenticated by the military judge by reason of his death, disability, or absence, it shall be authenticated by the signature of the trial counsel or by a member of the commission if the trial counsel is unable to authenticate it by reason of his death, disability, or absence. Where appropriate, and as provided in regulations prescribed by the Secretary of Defense, the record of a military commission under this chapter may contain a classified annex.

''(b) COMPLETE RECORD REQUIRED.—A complete record of the proceedings and testimony shall be prepared in every military commission under this chapter.

''(c) PROVISION OF COPY TO ACCUSED.—A copy of the record of the proceedings of the military commission under this chapter shall be given the accused as soon as it is authenticated. If the record contains classified information, or a classified annex, the accused shall be given a redacted version of the record consistent with the requirements of section 949d of this title. Defense counsel shall have access to the unredacted record, as provided in regulations prescribed by the Secretary of Defense.

''SUBCHAPTER V—SENTENCES

''Sec.
''949s. Cruel or unusual punishments prohibited.
''949t. Maximum limits.
''949u. Execution of confinement.

"§ 949s. Cruel or unusual punishments prohibited

''Punishment by flogging, or by branding, marking, or tattooing on the body, or any other cruel or unusual punishment, may not be adjudged by a military commission under this chapter or inflicted under this chapter upon any person subject to this chapter. The use of irons, single or double, except for the purpose of safe custody, is prohibited under this chapter.

"§ 949t. Maximum limits

''The punishment which a military commission under this chapter may direct for an offense may not exceed such limits as the President or Secretary of Defense may prescribe for that offense.

"§ 949u. Execution of confinement

''(a) IN GENERAL.—Under such regulations as the Secretary of Defense may prescribe, a

sentence of confinement adjudged by a military commission under this chapter may be carried into execution by confinement—

''(1) in any place of confinement under the control of any of the armed forces; or

''(2) in any penal or correctional institution under the control of the United States or its allies, or which the United States may be allowed to use.

''(b) TREATMENT DURING CONFINEMENT BY OTHER THAN THE ARMED FORCES.—Persons confined under subsection (a)(2) in a penal or correctional institution not under the control of an armed force are subject to the same discipline and treatment as persons confined or committed by the courts of the United States or of the State, District of Columbia, or place in which the institution is situated.

''SUBCHAPTER VI—POST-TRIAL PROCEDURE AND REVIEW OF MILITARY COMMISSIONS

''Sec.
''950a. Error of law; lesser included offense.
''950b. Review by the convening authority.
''950c. Appellate referral; waiver or withdrawal of appeal.
''950d. Appeal by the United States.
''950e. Rehearings.
''950f. Review by Court of Military Commission Review.
''950g. Review by the United States Court of Appeals for the District of Columbia Circuit and the Supreme Court.
''950h. Appellate counsel.
''950i. Execution of sentence; procedures for execution of sentence of death.
''950j. Finality or proceedings, findings, and sentences.

''§ 950a. Error of law; lesser included offense

''(a) ERROR OF LAW.—A finding or sentence of a military commission under this chapter may not be held incorrect on the ground of an error of law unless the error materially prejudices the substantial rights of the accused.

''(b) LESSER INCLUDED OFFENSE.—Any reviewing authority with the power to approve or affirm a finding of guilty by a military commission under this chapter may approve or affirm, instead, so much of the finding as includes a lesser included offense.

''§ 950b. Review by the convening authority

''(a) NOTICE TO CONVENING AUTHORITY OF FINDINGS AND SENTENCE.—The findings and sentence of a military commission under this chapter shall be reported in writing promptly to the convening authority after the announcement of the sentence.

''(b) SUBMITTAL OF MATTERS BY ACCUSED TO CONVENING AUTHORITY.—(1) The accused may submit to the convening authority matters for consideration by the convening authority with respect to the findings and the sentence of the military commission under this chapter.

''(2)(A) Except as provided in subparagraph (B), a submittal under paragraph (1) shall be made in writing within 20 days after the accused has been given an authenticated record of trial under section 949o(c) of this title.

''(B) If the accused shows that additional time is required for the accused to make a submittal under paragraph (1), the convening authority may, for good cause, extend the applicable period under subparagraph (A) for not more than an additional 20 days.

''(3) The accused may waive his right to make a submittal to the convening authority under paragraph (1). Such a waiver shall be made in writing and may not be revoked. For the purposes of subsection (c)(2), the time within which the accused may make a submittal under this subsection shall be deemed to have expired upon the submittal of a waiver under this paragraph to the convening authority.

''(c) ACTION BY CONVENING AUTHORITY.—(1) The authority under this subsection to modify the findings and sentence of a military commission under this chapter is a matter of the sole discretion and prerogative of the convening authority.

''(2)(A) The convening authority shall take action on the sentence of a military commission under this chapter.

''(B) Subject to regulations prescribed by the Secretary of Defense, action on the sentence under this paragraph may be taken only after consideration of any matters submitted by the accused under subsection (b) or after the time for submitting such matters expires, whichever is earlier.

''(C) In taking action under this paragraph, the convening authority may, in his sole discretion, approve, disapprove, commute, or suspend the sentence in whole or in part. The convening authority may not increase a sentence beyond that which is found by the military commission.

''(3) The convening authority is not required to take action on the findings of a military commission under this chapter. If the convening authority takes action on the findings, the convening authority may, in his sole discretion, may—

''(A) dismiss any charge or specification by setting aside a finding of guilty thereto; or

''(B) change a finding of guilty to a charge to a finding of guilty to an offense that is a lesser included offense of the offense stated in the charge.

''(4) The convening authority shall serve on the accused or on defense counsel notice of any action taken by the convening authority under this subsection.

''(d) ORDER OF REVISION OR REHEARING.—(1) Subject to paragraphs (2) and (3), the convening authority of a military commission under this chapter may, in his sole discretion, order a proceeding in revision or a rehearing.

''(2)(A) Except as provided in subparagraph (B), a proceeding in revision may be ordered by the convening authority if—

''(i) there is an apparent error or omission in the record; or

''(ii) the record shows improper or inconsistent action by the military commission with respect to the findings or sentence that can be rectified without material prejudice to the substantial rights of the accused.

''(B) In no case may a proceeding in revision—

''(i) reconsider a finding of not guilty of a specification or a ruling which amounts to a finding of not guilty;

''(ii) reconsider a finding of not guilty of any charge, unless there has been a finding of guilty under a specification laid under that charge, which sufficiently alleges a violation; or

''(iii) increase the severity of the sentence unless the sentence prescribed for the offense is mandatory.

''(3) A rehearing may be ordered by the convening authority if the convening authority disapproves the findings and sentence and states the reasons for disapproval of the findings. If the convening authority disapproves the finding and sentence and does not order a rehearing, the convening authority shall dismiss the charges. A rehearing as to the findings may not be ordered by the convening authority when there is a lack of sufficient evidence in the record to support the findings. A rehearing as to the sentence may be ordered by the convening authority if the convening authority disapproves the sentence.

''§ 950c. Appellate referral; waiver or withdrawal of appeal

''(a) AUTOMATIC REFERRAL FOR APPELLATE REVIEW.—Except as provided under subsection (b), in each case in which the final decision of a military commission (as approved by the convening authority) includes a finding of guilty, the convening authority shall refer the case to the Court of Military Commission Review. Any such referral shall be made in accordance with procedures prescribed under regulations of the Secretary.

''(b) WAIVER OF RIGHT OF REVIEW.—(1) In each case subject to appellate review under section 950f of this title, except a case in which the sentence as approved under section 950b of this title extends to death, the accused may file with the convening authority a statement expressly waiving the right of the accused to such review.

''(2) A waiver under paragraph (1) shall be signed by both the accused and a defense counsel.

''(3) A waiver under paragraph (1) must be filed, if at all, within 10 days after notice on the action is served on the accused or on defense counsel under section 950b(c)(4) of this title. The convening authority, for good cause, may extend the period for such filing by not more than 30 days.

''(c) WITHDRAWAL OF APPEAL.—Except in a case in which the sentence as approved under section 950b of this title extends to death, the accused may withdraw an appeal at any time.

''(d) EFFECT OF WAIVER OR WITHDRAWAL.—A waiver of the right to appellate review or the withdrawal of an appeal under this section bars review under section 950f of this title.

''§ 950d. Appeal by the United States

''(a) INTERLOCUTORY APPEAL.—(1) Except as provided in paragraph (2), in a trial by military commission under this chapter, the United States may take an interlocutory appeal to the Court of Military Commission Review of any order or ruling of the military judge that—

''(A) terminates proceedings of the military commission with respect to a charge or specification;

''(B) excludes evidence that is substantial proof of a fact material in the proceeding; or

''(C) relates to a matter under subsection (d), (e), or (f) of section 949d of this title or section 949j(c) of this title.

''(2) The United States may not appeal under paragraph (1) an order or ruling that is, or amounts to, a finding of not guilty by the military commission with respect to a charge or specification.

''(b) NOTICE OF APPEAL.—The United States shall take an appeal of an order or ruling under subsection (a) by filing a notice of appeal with the military judge within five days after the date of such order or ruling.

''(c) APPEAL.—An appeal under this section shall be forwarded, by means specified in regulations prescribed the Secretary of Defense, directly to the Court of Military Commission Review. In ruling on an appeal under this section, the Court may act only with respect to matters of law.

''(d) APPEAL FROM ADVERSE RULING.—The United States may appeal an adverse ruling on an appeal under subsection (c) to the United States Court of Appeals for the District of Columbia Circuit by filing a petition for review in the Court of Appeals within 10 days after the date of such ruling. Review under this subsection shall be at the discretion of the Court of Appeals.

''§ 950e. Rehearings

''(a) COMPOSITION OF MILITARY COMMISSION FOR REHEARING.—Each rehearing under this chapter shall take place before a military commission under this chapter composed of members who were not members of the military commission which first heard the case.

''(b) SCOPE OF REHEARING.—(1) Upon a rehearing—

''(A) the accused may not be tried for any offense of which he was found not guilty by the first military commission; and

''(B) no sentence in excess of or more than the original sentence may be imposed unless—

''(i) the sentence is based upon a finding of guilty of an offense not considered upon the merits in the original proceedings; or

''(ii) the sentence prescribed for the offense is mandatory.

''(2) Upon a rehearing, if the sentence approved after the first military commission was in accordance with a pretrial agreement and the accused at the rehearing changes his plea with respect to the charges or specifications upon which the pretrial agreement was based, or otherwise does not comply with pretrial agreement, the sentence as to those charges or specifications may include any punishment not in excess of that lawfully adjudged at the first military commission.

''§ 950f. Review by Court of Military Commission Review

''(a) ESTABLISHMENT.—The Secretary of Defense shall establish a Court of Military Commission Review which shall be composed of one or more panels, and each such panel shall be composed of not less than three appellate military judges. For the purpose of reviewing military commission decisions under this chapter, the court may sit in panels or as a whole in accordance with rules prescribed by the Secretary.

''(b) APPELLATE MILITARY JUDGES.—The Secretary shall assign appellate military judges to a Court of Military Commission Review. Each appellate military judge shall meet the qualifications for military judges prescribed by section 948j(b) of this title or shall be a civilian with comparable qualifications. No person may be serve as an appellate military judge in any case in which that person acted as a military judge, counsel, or reviewing official.

''(c) CASES TO BE REVIEWED.—The Court of Military Commission Review, in accordance with procedures prescribed under regulations of the Secretary, shall review the record in each case that is referred to the Court by the convening authority under section 950c of this title with respect to any matter of law raised by the accused.

''(d) SCOPE OF REVIEW.—In a case reviewed by the Court of Military Commission Review under this section, the Court may act only with respect to matters of law.

''§ 950g. Review by the United States Court of Appeals for the District of Columbia Circuit and the Supreme Court

''(a) EXCLUSIVE APPELLATE JURISDICTION.—(1)(A) Except as provided in subparagraph (B), the United States Court of Appeals for the District of Columbia Circuit shall have exclusive jurisdiction to determine the validity of a final judgment rendered by a military commission (as approved by the convening authority) under this chapter.

''(B) The Court of Appeals may not review the final judgment until all other appeals under this chapter have been waived or exhausted.

''(2) A petition for review must be filed by the accused in the Court of Appeals not later than 20 days after the date on which—

''(A) written notice of the final decision of the Court of Military Commission Review is served on the accused or on defense counsel; or

''(B) the accused submits, in the form prescribed by section 950c of this title, a written notice waiving the right of the accused to review by the Court of Military Commission Review under section 950f of this title.

''(b) STANDARD FOR REVIEW.—In a case reviewed by it under this section, the Court of Appeals may act only with respect to matters of law.

''(c) SCOPE OF REVIEW.—The jurisdiction of the Court of Appeals on an appeal under subsection (a) shall be limited to the consideration of—

''(1) whether the final decision was consistent with the standards and procedures specified in this chapter; and

''(2) to the extent applicable, the Constitution and the laws of the United States.

''(d) SUPREME COURT.—The Supreme Court may review by writ of certiorari the final judgment of the Court of Appeals pursuant to section 1257 of title 28.

''§ 950h. Appellate counsel

''(a) APPOINTMENT.—The Secretary of Defense shall, by regulation, establish procedures for the appointment of appellate counsel for the United States and for the accused in military commissions under this chapter. Appellate counsel shall meet the qualifications for counsel appearing before military commissions under this chapter.

''(b) REPRESENTATION OF UNITED STATES.—Appellate counsel appointed under subsection (a)—

''(1) shall represent the United States in any appeal or review proceeding under this chapter before the Court of Military Commission Review; and

''(2) may, when requested to do so by the Attorney General in a case arising under this chapter, represent the United States before the United States Court of Appeals for the District of Columbia Circuit or the Supreme Court.

''(c) REPRESENTATION OF ACCUSED.—The accused shall be represented by appellate counsel appointed under subsection (a) before the Court of Military Commission Review, the United States Court of Appeals for the District of Columbia Circuit, and the Supreme Court, and by civilian counsel if retained by the accused. Any such civilian counsel shall meet the qualifications under paragraph (3) of section 949c(b) of this title for civilian counsel appearing before military commissions under this chapter and shall be subject to the requirements of paragraph (4) of that section.

''§ 950i. Execution of sentence; procedures for execution of sentence of death

''(a) IN GENERAL.—The Secretary of Defense is authorized to carry out a sentence imposed by a military commission under this chapter in accordance with such procedures as the Secretary may prescribe.

''(b) EXECUTION OF SENTENCE OF DEATH ONLY UPON APPROVAL BY THE PRESIDENT.—If the sentence of a military commission under this chapter extends to death, that part of the sentence providing for death may not be executed until approved by the President. In such a case, the President may commute, remit, or suspend the sentence, or any part thereof, as he sees fit.

''(c) EXECUTION OF SENTENCE OF DEATH ONLY UPON FINAL JUDGMENT OF LEGALITY OF PROCEEDINGS.—(1) If the sentence of a military commission under this chapter extends to death, the sentence may not be executed until there is a final judgment as to the legality of the proceedings (and with respect to death, approval under subsection (b)).

''(2) A judgment as to legality of proceedings is final for purposes of paragraph (1) when—

''(A) the time for the accused to file a petition for review by the Court of Appeals for the District of Columbia Circuit has expired and the accused has not filed a timely petition for such review and the case is not otherwise under review by that Court; or

''(B) review is completed in accordance with the judgment of the United States Court of Appeals for the District of Columbia Circuit and—

''(i) a petition for a writ of certiorari is not timely filed;

''(ii) such a petition is denied by the Supreme Court; or

''(iii) review is otherwise completed in accordance with the judgment of the Supreme Court.

''(d) SUSPENSION OF SENTENCE.—The Secretary of the Defense, or the convening authority acting on the case (if other than the Secretary), may suspend the execution of any sentence or part thereof in the case, except a sentence of death.

''§ 950k. Finality or proceedings, findings, and sentences

''(a) FINALITY.—The appellate review of records of trial provided by this chapter, and the proceedings, findings, and sentences of military commissions as approved, reviewed, or affirmed as required by this chapter, are final and conclusive. Orders publishing the proceedings of military commissions under this chapter are binding upon all departments, courts, agencies, and officers of the United States, except as otherwise provided by the President.

''(b) PROVISIONS OF CHAPTER SOLE BASIS FOR REVIEW OF MILITARY COMMISSION PROCEDURES AND ACTIONS.—Except as otherwise provided in this chapter and notwithstanding any other provision of law (including section 2241 of title 28 or any other habeas corpus provision), no court, justice, or judge shall have jurisdiction to hear or consider any claim or cause of action whatsoever, including any action pending on or filed after the date of the enactment of the Military Commissions Act of 2006, relating to the prosecution, trial, or judgment of a military commission under this chapter, including challenges to the lawfulness of procedures of military commissions under this chapter.

''SUBCHAPTER VII—PUNITIVE MATTERS

''Sec.

''950p. Statement of substantive offenses.
''950q. Principals.
''950r. Accessory after the fact.
''950s. Conviction of lesser included offense.
''950t. Attempts.
''950u. Solicitation.
''950v. Crimes triable by military commissions.
''950w. Perjury and obstruction of justice; contempt.

''§ 950p. Statement of substantive offenses

''(a) PURPOSE.—The provisions of this subchapter codify offenses that have traditionally been triable by military commissions. This chapter does not establish new crimes that did not exist before its enactment, but rather codifies those crimes for trial by military commission.

''(b) EFFECT.—Because the provisions of this subchapter (including provisions that incorporate definitions in other provisions of law) are declarative of existing law, they do not preclude trial for crimes that occurred before the date of the enactment of this chapter.

''§ 950q. Principals

''Any person is punishable as a principal under this chapter who—

''(1) commits an offense punishable by this chapter, or aids, abets, counsels, commands, or procures its commission;

''(2) causes an act to be done which if directly performed by him would be punishable by this chapter; or

''(3) is a superior commander who, with regard to acts punishable under this chapter, knew, had reason to know, or should have known, that a subordinate was about to commit such acts or had done so and who failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof.

''§ 950r. Accessory after the fact

''Any person subject to this chapter who, knowing that an offense punishable by this

chapter has been committed, receives, comforts, or assists the offender in order to hinder or prevent his apprehension, trial, or punishment shall be punished as a military commission under this chapter may direct.

"§ 950s. Conviction of lesser included offense

''An accused may be found guilty of an offense necessarily included in the offense charged or of an attempt to commit either the offense charged or an attempt to commit either the offense charged or an offense necessarily included therein.

"§ 950t. Attempts

''(a) IN GENERAL.—Any person subject to this chapter who attempts to commit any offense punishable by this chapter shall be punished as a military commission under this chapter may direct.

''(b) SCOPE OF OFFENSE.—An act, done with specific intent to commit an offense under this chapter, amounting to more than mere preparation and tending, even though failing, to effect its commission, is an attempt to commit that offense.

''(c) EFFECT OF CONSUMMATION.—Any person subject to this chapter may be convicted of an attempt to commit an offense although it appears on the trial that the offense was consummated.

"§ 950u. Solicitation

''Any person subject to this chapter who solicits or advises another or others to commit one or more substantive offenses triable by military commission under this chapter shall, if the offense solicited or advised is attempted or committed, be punished with the punishment provided for the commission of the offense, but, if the offense solicited or advised is not committed or attempted, he shall be punished as a military commission under this chapter may direct.

"§ 950v. Crimes triable by military commissions

''(a) DEFINITIONS AND CONSTRUCTION.—In this section:

''(1) MILITARY OBJECTIVE.—The term 'military objective' means—

''(A) combatants; and

''(B) those objects during an armed conflict—

''(i) which, by their nature, location, purpose, or use, effectively contribute to the opposing force's war-fighting or war-sustaining capability; and

''(ii) the total or partial destruction, capture, or neutralization of which would constitute a definite military advantage to the attacker under the circumstances at the time of the attack.

''(2) PROTECTED PERSON.—The term 'protected person' means any person entitled to protection under one or more of the Geneva Conventions, including—

''(A) civilians not taking an active part in hostilities;

''(B) military personnel placed hors de combat by sickness, wounds, or detention; and

''(C) military medical or religious personnel.

''(3) PROTECTED PROPERTY.—The term 'protected property' means property specifically protected by the law of war (such as buildings dedicated to religion, education, art, science or charitable purposes, historic monuments, hospitals, or places where the sick and wounded are collected), if such property is not being used for military purposes or is not otherwise a military objective. Such term includes objects properly identified by one of the distinctive emblems of the Geneva Conventions, but does not include civilian property that is a military objective.

''(4) CONSTRUCTION.—The intent specified for an offense under paragraph (1), (2), (3), (4), or (12) of subsection (b) precludes the applicability of such offense with regard to—

''(A) collateral damage; or

''(B) death, damage, or injury incident to a lawful attack.

''(b) OFFENSES.—The following offenses shall be triable by military commission under this chapter at any time without limitation:

''(1) MURDER OF PROTECTED PERSONS.—Any person subject to this chapter who intentionally kills one or more protected persons shall be punished by death or such other punishment as a military commission under this chapter may direct.

''(2) ATTACKING CIVILIANS.—Any person subject to this chapter who intentionally engages in an attack upon a civilian population as such, or individual civilians not taking active part in hostilities, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(3) ATTACKING CIVILIAN OBJECTS.—Any person subject to this chapter who intentionally engages in an attack upon a civilian object that is not a military objective shall be punished as a military commission under this chapter may direct.

''(4) ATTACKING PROTECTED PROPERTY.—Any person subject to this chapter who intentionally engages in an attack upon protected property shall be punished as a military commission under this chapter may direct.

''(5) PILLAGING.—Any person subject to this chapter who intentionally and in the absence of military necessity appropriates or seizes property for private or personal use, without the consent of a person with authority to permit such appropriation or seizure, shall be punished as a military commission under this chapter may direct.

''(6) DENYING QUARTER.—Any person subject to this chapter who, with effective command or control over subordinate groups, declares, orders, or otherwise indicates to those groups that there shall be no survivors or surrender accepted, with the intent to threaten an adversary or to conduct hostilities such that there would be no survivors or surrender accepted, shall be punished as a military commission under this chapter may direct.

''(7) TAKING HOSTAGES.—Any person subject to this chapter who, having knowingly seized or detained one or more persons, threatens to kill, injure, or continue to detain such person or persons with the intent of compelling any nation, person other than the hostage, or group of persons to act or refrain from acting as an explicit or implicit condition for the safety or release of such person or persons, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(8) EMPLOYING POISON OR SIMILAR WEAPONS.—Any person subject to this chapter who intentionally, as a method of warfare, employs a substance or weapon that releases a substance that causes death or serious and lasting damage to health in the ordinary course of events, through its asphyxiating, bacteriological, or toxic properties, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(9) USING PROTECTED PERSONS AS A SHIELD.—Any person subject to this chapter who positions, or otherwise takes advantage of, a protected person with the intent to shield a military objective from attack, or to shield, favor, or impede military operations, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(10) USING PROTECTED PROPERTY AS A SHIELD.—Any person subject to this chapter who positions, or otherwise takes advantage of the location of, protected property with the intent to shield a military objective from attack, or to shield, favor, or impede military operations, shall be punished as a military commission under this chapter may direct.

''(11) TORTURE.—

''(A) OFFENSE.—Any person subject to this chapter who commits an act specifically intended to inflict severe physical or mental pain or suffering (other than pain or suffering incidental to lawful sanctions) upon another person within his custody or physical control for the purpose of obtaining information or a confession, punishment, intimidation, coercion, or any reason based on discrimination of any kind, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(B) SEVERE MENTAL PAIN OR SUFFERING DEFINED.—In this section, the term 'severe mental pain or suffering' has the meaning given that term in section 2340(2) of title 18.

''(12) CRUEL OR INHUMAN TREATMENT.—

''(A) OFFENSE.—Any person subject to this chapter who commits an act intended to inflict severe or serious physical or mental pain or suffering (other than pain or suffering incidental to lawful sanctions), including serious physical abuse, upon another within his custody or control shall be punished, if death results to the victim, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to the victim, by such punishment, other than death, as a military commission under this chapter may direct.

''(B) DEFINITIONS.—In this paragraph:

''(i) The term 'serious physical pain or suffering' means bodily injury that involves—

''(I) a substantial risk of death;

''(II) extreme physical pain;

''(III) a burn or physical disfigurement of a serious nature (other than cuts, abrasions, or bruises); or

''(IV) significant loss or impairment of the function of a bodily member, organ, or mental faculty.

''(ii) The term 'severe mental pain or suffering' has the meaning given that term in section 2340(2) of title 18.

''(iii) The term 'serious mental pain or suffering' has the meaning given the term 'severe mental pain or suffering' in section 2340(2) of title 18, except that—

''(I) the term 'serious' shall replace the term 'severe' where it appears; and

''(II) as to conduct occurring after the date of the enactment of the Military Commissions Act of 2006, the term 'serious and nontransitory mental harm (which need not be prolonged)' shall replace the term 'prolonged mental harm' where it appears.

''(13) INTENTIONALLY CAUSING SERIOUS BODILY INJURY.—

''(A) OFFENSE.—Any person subject to this chapter who intentionally causes serious bodily injury to one or more persons, including lawful combatants, in violation of the law of war shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(B) SERIOUS BODILY INJURY DEFINED.—In this paragraph, the term 'serious bodily injury' means bodily injury which involves—

''(i) a substantial risk of death;

''(ii) extreme physical pain;

''(iii) protracted and obvious disfigurement; or

''(iv) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

''(14) MUTILATING OR MAIMING.—Any person subject to this chapter who intentionally injures one or more protected persons by disfiguring the person or persons by any mutilation of the person or persons, or by permanently disabling any member, limb, or organ of the body of the person or persons, without any legitimate medical or dental purpose, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(15) MURDER IN VIOLATION OF THE LAW OF WAR.—Any person subject to this chapter who intentionally kills one or more persons, including lawful combatants, in violation of the law of war shall be punished by death or such other punishment as a military commission under this chapter may direct.

''(16) DESTRUCTION OF PROPERTY IN VIOLATION OF THE LAW OF WAR.—Any person subject to this chapter who intentionally destroys property belonging to another person in violation of the law of war shall punished as a military commission under this chapter may direct.

''(17) USING TREACHERY OR PERFIDY.—Any person subject to this chapter who, after inviting the confidence or belief of one or more persons that they were entitled to, or obliged to accord, protection under the law of war, intentionally makes use of that confidence or belief in killing, injuring, or capturing such person or persons shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(18) IMPROPERLY USING A FLAG OF TRUCE.—Any person subject to this chapter who uses a flag of truce to feign an intention to negotiate, surrender, or otherwise suspend hostilities when there is no such intention shall be punished as a military commission under this chapter may direct.

''(19) IMPROPERLY USING A DISTINCTIVE EMBLEM.—Any person subject to this chapter who intentionally uses a distinctive emblem recognized by the law of war for combatant purposes in a manner prohibited by the law of war shall be punished as a military commission under this chapter may direct.

''(20) INTENTIONALLY MISTREATING A DEAD BODY.—Any person subject to this chapter who intentionally mistreats the body of a dead person, without justification by legitimate military necessity, shall be punished as a military commission under this chapter may direct.

''(21) RAPE.—Any person subject to this chapter who forcibly or with coercion or threat of force wrongfully invades the body of a person by penetrating, however slightly, the anal or genital opening of the victim with any part of the body of the accused, or with any foreign object, shall be punished as a military commission under this chapter may direct.

''(22) SEXUAL ASSAULT OR ABUSE.—Any person subject to this chapter who forcibly or with coercion or threat of force engages in sexual contact with one or more persons, or causes one or more persons to engage in sexual contact, shall be punished as a military commission under this chapter may direct.

''(23) HIJACKING OR HAZARDING A VESSEL OR AIRCRAFT.—Any person subject to this chapter who intentionally seizes, exercises unauthorized control over, or endangers the safe navigation of a vessel or aircraft that is not a legitimate military objective shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(24) TERRORISM.—Any person subject to this chapter who intentionally kills or inflicts great bodily harm on one or more protected persons, or intentionally engages in an act that evinces a wanton disregard for human life, in a manner calculated to influence or affect the conduct of government or civilian population by intimidation or coercion, or to retaliate against government conduct, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(25) PROVIDING MATERIAL SUPPORT FOR TERRORISM.—

''(A) OFFENSE.—Any person subject to this chapter who provides material support or resources, knowing or intending that they are to be used in preparation for, or in carrying out, an act of terrorism (as set forth in paragraph (24)), or who intentionally provides material support or resources to an international terrorist organization engaged in hostilities against the United States, knowing that such organization has engaged or engages in terrorism (as so set forth), shall be punished as a military commission under this chapter may direct.

''(B) MATERIAL SUPPORT OR RESOURCES DEFINED.—In this paragraph, the term 'material support or resources' has the meaning given that term in section 2339A(b) of title 18.

''(26) WRONGFULLY AIDING THE ENEMY.—Any person subject to this chapter who, in breach of an allegiance or duty to the United States, knowingly and intentionally aids an enemy of the United States, or one of the co-belligerents of the enemy, shall be punished as a military commission under this chapter may direct.

''(27) SPYING.—Any person subject to this chapter who with intent or reason to believe that it is to be used to the injury of the United States or to the advantage of a foreign power, collects or attempts to collect information by clandestine means or while acting under false pretenses, for the purpose of conveying such information to an enemy of the United States, or one of the co-belligerents of the enemy, shall be punished by death or such other punishment as a military commission under this chapter may direct.

''(28) CONSPIRACY.—Any person subject to this chapter who conspires to commit one or more substantive offenses triable by military commission under this chapter, and who knowingly does any overt act to effect the object of the conspiracy, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''§ 950w. Perjury and obstruction of justice; contempt

''(a) PERJURY AND OBSTRUCTION OF JUSTICE.—A military commission under this chapter may try offenses and impose such punishment as the military commission may direct for perjury, false testimony, or obstruction of justice related to military commissions under this chapter.

''(b) CONTEMPT.—A military commission under this chapter may punish for contempt any person who uses any menacing word, sign, or gesture in its presence, or who disturbs its proceedings by any riot or disorder.''.

(2) TABLES OF CHAPTERS AMENDMENTS.—The tables of chapters at the beginning of subtitle A, and at the beginning of part II of subtitle A, of title 10, United States Code, are each amended by inserting after the item relating to chapter 47 the following new item:

''47A. Military Commissions ..... 948a''.

(b) SUBMITTAL OF PROCEDURES TO CONGRESS.—Not later than 90 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 setting forth the procedures for military commissions prescribed under chapter 47A of title 10, United States Code (as added by subsection (a)).

SEC. 4. AMENDMENTS TO UNIFORM CODE OF MILITARY JUSTICE.

(a) CONFORMING AMENDMENTS.—Chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended as follows:

(1) APPLICABILITY TO LAWFUL ENEMY COMBATANTS.—Section 802(a) (article 2(a)) is amended by adding at the end the following new paragraph:

''(13) Lawful enemy combatants (as that term is defined in section 948a(2) of this title) who violate the law of war.''.

(2) EXCLUSION OF APPLICABILITY TO CHAPTER 47A COMMISSIONS.—Sections 821, 828, 848, 850(a), 904, and 906 (articles 21, 28, 48, 50(a), 104, and 106) are amended by adding at the end the following new sentence: ''This section does not apply to a military commission established under chapter 47A of this title.''.

(3) INAPPLICABILITY OF REQUIREMENTS RELATING TO REGULATIONS.—Section 836 (article 36(b)) is amended—

(A) in subsection (a), by inserting '', except as provided in chapter 47A of this title,'' after ''but which may not''; and

(B) in subsection (b), by inserting before the period at the end '', except insofar as applicable to military commissions established under chapter 47A of this title''.

(b) PUNITIVE ARTICLE OF CONSPIRACY.—Section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice), is amended—

(1) by inserting ''(a)'' before ''Any person''; and

(2) by adding at the end the following new subsection:

''(b) Any person subject to this chapter who conspires with any other person to commit an offense under the law of war, and who

knowingly does an overt act to effect the object of the conspiracy, shall be punished, if death results to one or more of the victims, by death or such other punishment as a court-martial or military commission may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a court-martial or military commission may direct.''.

SEC. 5. TREATY OBLIGATIONS NOT ESTABLISHING GROUNDS FOR CERTAIN CLAIMS.

(a) IN GENERAL.—No person may invoke the Geneva Conventions or any protocols thereto in any habeas corpus or other civil action or proceeding to which the United States, or a current or former officer, employee, member of the Armed Forces, or other agent of the United States is a party as a source of rights in any court of the United States or its States or territories.

(b) GENEVA CONVENTIONS DEFINED.—In this section, the term ''Geneva Conventions'' means—

(1) the Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, done at Geneva August 12, 1949 (6 UST 3114);

(2) the Convention for the Amelioration of the Condition of the Wounded, Sick, and Shipwrecked Members of the Armed Forces at Sea, done at Geneva August 12, 1949 (6 UST 3217);

(3) the Convention Relative to the Treatment of Prisoners of War, done at Geneva August 12, 1949 (6 UST 3316); and

(4) the Convention Relative to the Protection of Civilian Persons in Time of War, done at Geneva August 12, 1949 (6 UST 3516).

SEC. 6. IMPLEMENTATION OF TREATY OBLIGATIONS.

(a) IMPLEMENTATION OF TREATY OBLIGATIONS.—

(1) IN GENERAL.—The acts enumerated in subsection (d) of section 2441 of title 18, United States Code, as added by subsection (b) of this section, and in subsection (c) of this section, constitute violations of common Article 3 of the Geneva Conventions prohibited by United States law.

(2) PROHIBITION ON GRAVE BREACHES.—The provisions of section 2441 of title 18, United States Code, as amended by this section, fully satisfy the obligation under Article 129 of the Third Geneva Convention for the United States to provide effective penal sanctions for grave breaches which are encompassed in common Article 3 in the context of an armed conflict not of an international character. No foreign or international source of law shall supply a basis for a rule of decision in the courts of the United States in interpreting the prohibitions enumerated in subsection (d) of such section 2441.

(3) INTERPRETATION BY THE PRESIDENT.—

(A) As provided by the Constitution and by this section, the President has the authority for the United States to interpret the meaning and application of the Geneva Conventions and to promulgate higher standards and administrative regulations for violations of treaty obligations which are not grave breaches of the Geneva Conventions.

(B) The President shall issue interpretations described by subparagraph (A) by Executive Order published in the Federal Register.

(C) Any Executive Order published under this paragraph shall be authoritative (except as to grave breaches of common Article 3) as a matter of United States law, in the same manner as other administrative regulations.

(D) Nothing in this section shall be construed to affect the constitutional functions and responsibilities of Congress and the judicial branch of the United States.

(4) DEFINITIONS.—In this subsection:

(A) GENEVA CONVENTIONS.—The term ''Geneva Conventions'' means—

(i) the Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, done at Geneva August 12, 1949 (6 UST 3217);

(ii) the Convention for the Amelioration of the Condition of the Wounded, Sick, and Shipwrecked Members of the Armed Forces at Sea, done at Geneva August 12, 1949 (6 UST 3217);

(iii) the Convention Relative to the Treatment of Prisoners of War, done at Geneva August 12, 1949 (6 UST 3316); and

(iv) the Convention Relative to the Protection of Civilian Persons in Time of War, done at Geneva August 12, 1949 (6 UST 3516).

(B) THIRD GENEVA CONVENTION.—The term ''Third Geneva Convention'' means the international convention referred to in subparagraph (A)(iii).

(b) REVISION TO WAR CRIMES OFFENSE UNDER FEDERAL CRIMINAL CODE.—

(1) IN GENERAL.—Section 2441 of title 18, United States Code, is amended—

(A) in subsection (c), by striking paragraph (3) and inserting the following new paragraph (3):

''(3) which constitutes a grave breach of common Article 3 (as defined in subsection (d)) when committed in the context of and in association with an armed conflict not of an international character; or''; and

(B) by adding at the end the following new subsection:

''(d) COMMON ARTICLE 3 VIOLATIONS.—

''(1) PROHIBITED CONDUCT.—In subsection (c)(3), the term 'grave breach of common Article 3' means any conduct (such conduct constituting a grave breach of common Article 3 of the international conventions done at Geneva August 12, 1949), as follows:

''(A) TORTURE.—The act of a person who commits, or conspires or attempts to commit, an act specifically intended to inflict severe physical or mental pain or suffering (other than pain or suffering incidental to lawful sanctions) upon another person within his custody or physical control for the purpose of obtaining information or a confession, punishment, intimidation, coercion, or any reason based on discrimination of any kind.

''(B) CRUEL OR INHUMAN TREATMENT.—The act of a person who commits, or conspires or attempts to commit, an act intended to inflict severe or serious physical or mental pain or suffering (other than pain or suffering incidental to lawful sanctions), including serious physical abuse, upon another within his custody or control.

''(C) PERFORMING BIOLOGICAL EXPERIMENTS.—The act of a person who subjects, or conspires or attempts to subject, one or more persons within his custody or physical control to biological experiments without a legitimate medical or dental purpose and in so doing endangers the body or health of such person or persons.

''(D) MURDER.—The act of a person who intentionally kills, or conspires or attempts to kill, or kills whether intentionally or unintentionally in the course of committing any other offense under this subsection, one or more persons taking no active part in the hostilities, including those placed out of combat by sickness, wounds, detention, or any other cause.

''(E) MUTILATION OR MAIMING.—The act of a person who intentionally injures, or conspires or attempts to injure, or injures whether intentionally or unintentionally in the course of committing any other offense under this subsection, one or more persons taking no active part in the hostilities, including those placed out of combat by sickness, wounds, detention, or any other cause, by disfiguring the person or persons by any mutilation thereof or by permanently disabling any member, limb, or organ of his body, without any legitimate medical or dental purpose.

''(F) INTENTIONALLY CAUSING SERIOUS BODILY INJURY.—The act of a person who intentionally causes, or conspires or attempts to cause, serious bodily injury to one or more persons, including lawful combatants, in violation of the law of war.

''(G) RAPE.—The act of a person who forcibly or with coercion or threat of force wrongfully invades, or conspires or attempts to invade, the body of a person by penetrating, however slightly, the anal or genital opening of the victim with any part of the body of the accused, or with any foreign object.

''(H) SEXUAL ASSAULT OR ABUSE.—The act of a person who forcibly or with coercion or threat of force engages, or conspires or attempts to engage, in sexual contact with one or more persons, or causes, or conspires or attempts to cause, one or more persons to engage in sexual contact.

''(I) TAKING HOSTAGES.—The act of a person who, having knowingly seized or detained one or more persons, threatens to kill, injure, or continue to detain such person or persons with the intent of compelling any nation, person other than the hostage, or group of persons to act or refrain from acting as an explicit or implicit condition for the safety or release of such person or persons.

''(2) DEFINITIONS.—In the case of an offense under subsection (a) by reason of subsection (c)(3)—

''(A) the term 'severe mental pain or suffering' shall be applied for purposes of paragraphs (1)(A) and (1)(B) in accordance with the meaning given that term in section 2340(2) of this title;

''(B) the term 'serious bodily injury' shall be applied for purposes of paragraph (1)(F) in accordance with the meaning given that term in section 113(b)(2) of this title;

''(C) the term 'sexual contact' shall be applied for purposes of paragraph (1)(G) in accordance with the meaning given that term in section 2246(3) of this title;

''(D) the term 'serious physical pain or suffering' shall be applied for purposes of paragraph (1)(B) as meaning bodily injury that involves—

''(i) a substantial risk of death;

''(ii) extreme physical pain;

''(iii) a burn or physical disfigurement of a serious nature (other than cuts, abrasions, or bruises); or

''(iv) significant loss or impairment of the function of a bodily member, organ, or mental faculty; and

''(E) the term 'serious mental pain or suffering' shall be applied for purposes of paragraph (1)(B) in accordance with the meaning given the term 'severe mental pain or suffering' (as defined in section 2340(2) of this title), except that—

''(i) the term 'serious' shall replace the term 'severe' where it appears; and

''(ii) as to conduct occurring after the date of the enactment of the Military Commissions Act of 2006, the term 'serious and nontransitory mental harm (which need not be prolonged)' shall replace the term 'prolonged mental harm' where it appears.

''(3) INAPPLICABILITY OF CERTAIN PROVISIONS WITH RESPECT TO COLLATERAL DAMAGE OR INCIDENT OF LAWFUL ATTACK.—The intent specified for the conduct stated in subparagraphs (D), (E), and (F) or paragraph (1) precludes the applicability of those subparagraphs to an offense under subsection (a) by reasons of subsection (c)(3) with respect to—

''(A) collateral damage; or

''(B) death, damage, or injury incident to a lawful attack.

''(4) INAPPLICABILITY OF TAKING HOSTAGES TO PRISONER EXCHANGE.—Paragraph (1)(I) does not apply to an offense under subsection (a) by reason of subsection (c)(3) in the case of a prisoner exchange during wartime.''.

(2) RETROACTIVE APPLICABILITY.—The amendments made by this subsection, except as specified in subsection (d)(2)(E) of section 2441 of title 18, United States Code, shall take effect as of November 26, 1997, as if enacted immediately after the amendments made by section 583 of Public Law 105–118 (as amended by section 4002(e)(7) of Public Law 107–273).

(c) ADDITIONAL PROHIBITION ON CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT.—

(1) IN GENERAL.—No individual in the custody or under the physical control of the United States Government, regardless of nationality or physical location, shall be subject to cruel, inhuman, or degrading treatment or punishment.

(2) CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT DEFINED.—In this subsection, the term ''cruel, inhuman, or degrading treatment or punishment'' means cruel, unusual, and inhumane treatment or punishment prohibited by the Fifth, Eighth, and Fourteenth Amendments to the Constitution of the United States, as defined in the United States Reservations, Declarations and Understandings to the United Nations Convention Against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment done at New York, December 10, 1984.

(3) COMPLIANCE.—The President shall take action to ensure compliance with this subsection, including through the establishment of administrative rules and procedures.

SEC. 7. HABEAS CORPUS MATTERS.

(a) IN GENERAL.—Section 2241 of title 28, United States Code, is amended by striking both the subsection (e) added by section 1005(e)(1) of Public Law 109–148 (119 Stat. 2742) and the subsection (e) added by added by section 1405(e)(1) of Public Law 109–163 (119 Stat. 3477) and inserting the following new subsection (e):

''(e)(1) No court, justice, or judge shall have jurisdiction to hear or consider an application for a writ of habeas corpus filed by or on behalf of an alien detained by the United States who has been determined by the United States to have been properly detained as an enemy combatant or is awaiting such determination.

''(2) Except as provided in paragraphs (2) and (3) of section 1005(e) of the Detainee Treatment Act of 2005 (10 U.S.C. 801 note), no court, justice, or judge shall have jurisdiction to hear or consider any other action against the United States or its agents relating to any aspect of the detention, transfer, treatment, trial, or conditions of confinement of an alien who is or was detained by the United States and has been determined by the United States to have been properly detained as an enemy combatant or is awaiting such determination.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply to all cases, without exception, pending on or after the date of the enactment of this Act which relate to any aspect of the detention, transfer, treatment, trial, or conditions of detention of an alien detained by the United States since September 11, 2001.

SEC. 8. REVISIONS TO DETAINEE TREATMENT ACT OF 2005 RELATING TO PROTECTION OF CERTAIN UNITED STATES GOVERNMENT PERSONNEL.

(a) COUNSEL AND INVESTIGATIONS.—Section 1004(b) of the Detainee Treatment Act of 2005 (42 U.S.C. 2000dd–1(b)) is amended—

(1) by striking ''may provide'' and inserting ''shall provide'';

(2) by inserting ''or investigation'' after ''criminal prosecution''; and

(3) by inserting ''whether before United States courts or agencies, foreign courts or agencies, or international courts or agencies,'' after ''described in that subsection''.

(b) PROTECTION OF PERSONNEL.—Section 1004 of the Detainee Treatment Act of 2005 (42 U.S.C. 2000dd–1) shall apply with respect to any criminal prosecution that—

(1) relates to the detention and interrogation of aliens described in such section;

(2) is grounded in section 2441(c)(3) of title 18, United States Code; and

(3) relates to actions occurring between September 11, 2001, and December 30, 2005.

SEC. 9. REVIEW OF JUDGMENTS OF MILITARY COMMISSIONS.

Section 1005(e)(3) of the Detainee Treatment Act of 2005 (title X of Public Law 109–148; 119 Stat. 2740; 10 U.S.C. 801 note) is amended—

(1) in subparagraph (A), by striking ''pursuant to Military Commission Order No. 1. dated August 31, 2005 (or any successor military order)'' and inserting ''by a military commission under chapter 47A of title 10, United States Code'';

(2) by striking subparagraph (B) and inserting the following new subparagraph (B):

''(B) GRANT OF REVIEW.—Review under this paragraph shall be as of right.'';

(3) in subparagraph (C)—

(A) in clause (i)—

(i) by striking ''pursuant to the military order'' and inserting ''by a military commission''; and

(ii) by striking ''at Guantanamo Bay, Cuba''; and

(B) in clause (ii), by striking ''pursuant to such military order'' and inserting ''by the military commission''; and

(4) in subparagraph (D)(i), by striking ''specified in the military order'' and inserting ''specified for a military commission''.

SEC. 10. DETENTION COVERED BY REVIEW OF DECISIONS OF COMBATANT STATUS REVIEW TRIBUNALS OF PROPRIETY OF DETENTION.

Section 1005(e)(2)(B)(i) of the Detainee Treatment Act of 2005 (title X of Public Law 109–148; 119 Stat. 2742; 10 U.S.C. 801 note) is amended by striking ''the Department of Defense at Guantanamo Bay, Cuba'' and inserting ''the United States''

SA 5037. Mr. FRIST proposed an amendment to amendment SA 5036 proposed by Mr. FRIST to the bill H.R. 6061, to establish operational control over the international land and maritime borders of the United States; as follows:

At the end of the amendment, add the following:

This Act shall become effective 1 day after the date of enactment.

SA 5038. Mr. FRIST proposed an amendment to the bill H.R. 6061, to establish operational control over the international land and maritime borders of the United States, as follows:

On page 7 line 10, after ''Subsection (A)'', insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Military Commissions Act of 2006''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Construction of Presidential authority to establish military commissions.
Sec. 3. Military commissions.
Sec. 4. Amendments to Uniform Code of Military Justice.
Sec. 5. Treaty obligations not establishing grounds for certain claims.
Sec. 6. Implementation of treaty obligations.
Sec. 7. Habeas corpus matters.
Sec. 8. Revisions to Detainee Treatment Act of 2005 relating to protection of certain United States Government personnel.
Sec. 9. Review of judgments of military commissions.
Sec. 10. Detention covered by review of decisions of Combatant Status Review Tribunals of propriety of detention.

SEC. 2. CONSTRUCTION OF PRESIDENTIAL AUTHORITY TO ESTABLISH MILITARY COMMISSIONS.

The authority to establish military commissions under chapter 47A of title 10, United States Code, as added by section 3(a), may not be construed to alter or limit the authority of the President under the Constitution of the United States and laws of the United States to establish military commissions for areas declared to be under martial law or in occupied territories should circumstances so require.

SEC. 3. MILITARY COMMISSIONS.

(a) MILITARY COMMISSIONS.—

(1) IN GENERAL.—Subtitle A of title 10, United States Code, is amended by inserting after chapter 47 the following new chapter:

''CHAPTER 47A—MILITARY COMMISSIONS

''Subchapter
''I. General Provisions 948a
''II. Composition of Military Commissions 948h
''III. Pre-Trial Procedure 948q
''IV. Trial Procedure 949a
''V. Sentences 949s
''VI. Post-Trial Procedure and Review of Military Commissions 950a
''VII. Punitive Matters 950p

''SUBCHAPTER I—GENERAL PROVISIONS

''Sec.
''948a. Definitions.
''948b. Military commissions generally.
''948c. Persons subject to military commissions.
''948d. Jurisdiction of military commissions.
''948e. Annual report to congressional committees.

''§ 948a. Definitions

''In this chapter:

''(1) UNLAWFUL ENEMY COMBATANT.—(A) The term 'unlawful enemy combatant' means—

''(i) a person who has engaged in hostilities or who has purposefully and materially supported hostilities against the United States or its co-belligerents who is not a lawful enemy combatant (including a person who is part of the Taliban, al Qaeda, or associated forces); or

''(ii) a person who, before, on, or after the date of the enactment of the Military Commissions Act of 2006, has been determined to be an unlawful enemy combatant by a Combatant Status Review Tribunal or another competent tribunal established under the authority of the President or the Secretary of Defense.

''(B) CO-BELLIGERENT.—In this paragraph, the term 'co-belligerent', with respect to the United States, means any State or armed force joining and directly engaged with the United States in hostilities or directly supporting hostilities against a common enemy.

''(2) LAWFUL ENEMY COMBATANT.—The term 'lawful enemy combatant' means a person who is—

''(A) a member of the regular forces of a State party engaged in hostilities against the United States;

''(B) a member of a militia, volunteer corps, or organized resistance movement belonging to a State party engaged in such hostilities, which are under responsible command, wear a fixed distinctive sign recognizable at a distance, carry their arms openly, and abide by the law of war; or

''(C) a member of a regular armed force who professes allegiance to a government engaged in such hostilities, but not recognized by the United States.

''(3) ALIEN.—The term 'alien' means a person who is not a citizen of the United States.

''(4) CLASSIFIED INFORMATION.—The term 'classified information' means the following:

''(A) Any information or material that has been determined by the United States Government pursuant to statute, Executive order, or regulation to require protection against unauthorized disclosure for reasons of national security.

''(B) Any restricted data, as that term is defined in section 11 y. of the Atomic Energy Act of 1954 (42 U.S.C. 2014(y)).

''(5) GENEVA CONVENTIONS.—The term 'Geneva Conventions' means the international conventions signed at Geneva on August 12, 1949.

''§ 948b. Military commissions generally

''(a) PURPOSE.—This chapter establishes procedures governing the use of military commissions to try alien unlawful enemy combatants engaged in hostilities against the United States for violations of the law of war and other offenses triable by military commission.

''(b) AUTHORITY FOR MILITARY COMMISSIONS UNDER THIS CHAPTER.—The President is authorized to establish military commissions under this chapter for offenses triable by military commission as provided in this chapter.

''(c) CONSTRUCTION OF PROVISIONS.—The procedures for military commissions set forth in this chapter are based upon the procedures for trial by general courts-martial under chapter 47 of this title (the Uniform Code of Military Justice). Chapter 47 of this title does not, by its terms, apply to trial by military commission except as specifically provided in this chapter. The judicial construction and application of that chapter are not binding on military commissions established under this chapter.

''(d) INAPPLICABILITY OF CERTAIN PROVISIONS.—(1) The following provisions of this title shall not apply to trial by military commission under this chapter:

''(A) Section 810 (article 10 of the Uniform Code of Military Justice), relating to speedy trial, including any rule of courts-martial relating to speedy trial.

''(B) Sections 831(a), (b), and (d) (articles 31(a), (b), and (d) of the Uniform Code of Military Justice), relating to compulsory self-incrimination.

''(C) Section 832 (article 32 of the Uniform Code of Military Justice), relating to pretrial investigation.

''(2) Other provisions of chapter 47 of this title shall apply to trial by military commission under this chapter only to the extent provided by this chapter.

''(e) TREATMENT OF RULINGS AND PRECEDENTS.—The findings, holdings, interpretations, and other precedents of military commissions under this chapter may not be introduced or considered in any hearing, trial, or other proceeding of a court-martial convened under chapter 47 of this title. The findings, holdings, interpretations, and other precedents of military commissions under this chapter may not form the basis of any holding, decision, or other determination of a court-martial convened under that chapter.

''(f) STATUS OF COMMISSIONS UNDER COMMON ARTICLE 3.—A military commission established under this chapter is a regularly constituted court, affording all the necessary 'judicial guarantees which are recognized as indispensable by civilized peoples' for purposes of common Article 3 of the Geneva Conventions.

''(g) GENEVA CONVENTIONS NOT ESTABLISHING SOURCE OF RIGHTS.—No alien unlawful enemy combatant subject to trial by military commission under this chapter may invoke the Geneva Conventions as a source of rights.

''§ 948c. Persons subject to military commissions

''Any alien unlawful enemy combatant is subject to trial by military commission under this chapter.

''§ 948d. Jurisdiction of military commissions

''(a) JURISDICTION.—A military commission under this chapter shall have jurisdiction to try any offense made punishable by this chapter or the law of war when committed by an alien unlawful enemy combatant before, on, or after September 11, 2001.

''(b) LAWFUL ENEMY COMBATANTS.—Military commissions under this chapter shall not have jurisdiction over lawful enemy combatants. Lawful enemy combatants who violate the law of war are subject to chapter 47 of this title. Courts-martial established under that chapter shall have jurisdiction to try a lawful enemy combatant for any offense made punishable under this chapter.

''(c) DETERMINATION OF UNLAWFUL ENEMY COMBATANT STATUS DISPOSITIVE.—A finding, whether before, on, or after the date of the enactment of the Military Commissions Act of 2006, by a Combatant Status Review Tribunal or another competent tribunal established under the authority of the President or the Secretary of Defense that a person is an unlawful enemy combatant is dispositive for purposes of jurisdiction for trial by military commission under this chapter.

''(d) PUNISHMENTS.—A military commission under this chapter may, under such limitations as the Secretary of Defense may prescribe, adjudge any punishment not forbidden by this chapter, including the penalty of death when authorized under this chapter or the law of war.

''§ 948e. Annual report to congressional committees

''(a) ANNUAL REPORT REQUIRED.—Not later than December 31 each year, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on any trials conducted by military commissions under this chapter during such year.

''(b) FORM.—Each report under this section shall be submitted in unclassified form, but may include a classified annex.

''SUBCHAPTER II—COMPOSITION OF MILITARY COMMISSIONS

''Sec.
''948h. Who may convene military commissions.
''948i. Who may serve on military commissions.
''948j. Military judge of a military commission.
''948k. Detail of trial counsel and defense counsel.
''948l. Detail or employment of reporters and interpreters.
''948m. Number of members; excuse of members; absent and additional members.

''§ 948h. Who may convene military commissions

''Military commissions under this chapter may be convened by the Secretary of Defense or by any officer or official of the United States designated by the Secretary for that purpose.

''§ 948i. Who may serve on military commissions

''(a) IN GENERAL.—Any commissioned officer of the armed forces on active duty is eligible to serve on a military commission under this chapter.

''(b) DETAIL OF MEMBERS.—When convening a military commission under this chapter, the convening authority shall detail as members of the commission such members of the armed forces eligible under subsection (a), as in the opinion of the convening authority, are best qualified for the duty by reason of age, education, training, experience, length of service, and judicial temperament. No member of an armed force is eligible to serve as a member of a military commission when such member is the accuser or a witness for the prosecution or has acted as an investigator or counsel in the same case.

''(c) EXCUSE OF MEMBERS.—Before a military commission under this chapter is assembled for the trial of a case, the convening authority may excuse a member from participating in the case.

''§ 948j. Military judge of a military commission

''(a) DETAIL OF MILITARY JUDGE.—A military judge shall be detailed to each military commission under this chapter. The Secretary of Defense shall prescribe regulations providing for the manner in which military judges are so detailed to military commissions. The military judge shall preside over each military commission to which he has been detailed.

''(b) QUALIFICATIONS.—A military judge shall be a commissioned officer of the armed forces who is a member of the bar of a Federal court, or a member of the bar of the highest court of a State, and who is certified to be qualified for duty under section 826 of this title (article 26 of the Uniform Code of Military Justice) as a military judge in general courts-martial by the Judge Advocate General of the armed force of which such military judge is a member.

''(c) INELIGIBILITY OF CERTAIN INDIVIDUALS.—No person is eligible to act as military judge in a case of a military commission under this chapter if he is the accuser or a witness or has acted as investigator or a counsel in the same case.

''(d) CONSULTATION WITH MEMBERS; INELIGIBILITY TO VOTE.—A military judge detailed to a military commission under this chapter may not consult with the members of the commission except in the presence of the accused (except as otherwise provided in section 949d of this title), trial counsel, and defense counsel, nor may he vote with the members of the commission.

''(e) OTHER DUTIES.—A commissioned officer who is certified to be qualified for duty as a military judge of a military commission under this chapter may perform such other duties as are assigned to him by or with the approval of the Judge Advocate General of the armed force of which such officer is a member or the designee of such Judge Advocate General.

''(f) PROHIBITION ON EVALUATION OF FITNESS BY CONVENING AUTHORITY.—The convening authority of a military commission under this chapter shall not prepare or review any report concerning the effectiveness, fitness, or efficiency of a military judge detailed to the military commission which relates to his performance of duty as a military judge on the military commission.

''§ 948k. Detail of trial counsel and defense counsel

''(a) DETAIL OF COUNSEL GENERALLY.—(1) Trial counsel and military defense counsel shall be detailed for each military commission under this chapter.

''(2) Assistant trial counsel and assistant and associate defense counsel may be detailed for a military commission under this chapter.

''(3) Military defense counsel for a military commission under this chapter shall be detailed as soon as practicable after the swearing of charges against the accused.

''(4) The Secretary of Defense shall prescribe regulations providing for the manner in which trial counsel and military defense counsel are detailed for military commissions under this chapter and for the persons who are authorized to detail such counsel for such commissions.

''(b) TRIAL COUNSEL.—Subject to subsection (e), trial counsel detailed for a military commission under this chapter must be—

''(1) a judge advocate (as that term is defined in section 801 of this title (article 1 of the Uniform Code of Military Justice) who—

''(A) is a graduate of an accredited law school or is a member of the bar of a Federal court or of the highest court of a State; and

''(B) is certified as competent to perform duties as trial counsel before general courts-martial by the Judge Advocate General of the armed force of which he is a member; or

''(2) a civilian who—

''(A) is a member of the bar of a Federal court or of the highest court of a State; and

''(B) is otherwise qualified to practice before the military commission pursuant to regulations prescribed by the Secretary of Defense.

''(c) MILITARY DEFENSE COUNSEL.—Subject to subsection (e), military defense counsel detailed for a military commission under this chapter must be a judge advocate (as so defined) who is—

''(1) a graduate of an accredited law school or is a member of the bar of a Federal court or of the highest court of a State; and

''(2) certified as competent to perform duties as defense counsel before general courts-martial by the Judge Advocate General of the armed force of which he is a member.

''(d) CHIEF PROSECUTOR; CHIEF DEFENSE COUNSEL.—(1) The Chief Prosecutor in a military commission under this chapter shall meet the requirements set forth in subsection (b)(1).

''(2) The Chief Defense Counsel in a military commission under this chapter shall meet the requirements set forth in subsection (c)(1).

''(e) INELIGIBILITY OF CERTAIN INDIVIDUALS.—No person who has acted as an investigator, military judge, or member of a military commission under this chapter in any case may act later as trial counsel or military defense counsel in the same case. No person who has acted for the prosecution before a military commission under this chapter may act later in the same case for the defense, nor may any person who has acted for the defense before a military commission under this chapter act later in the same case for the prosecution.

''§ 948l. Detail or employment of reporters and interpreters

''(a) COURT REPORTERS.—Under such regulations as the Secretary of Defense may prescribe, the convening authority of a military commission under this chapter shall detail to or employ for the commission qualified court reporters, who shall make a verbatim recording of the proceedings of and testimony taken before the commission.

''(b) INTERPRETERS.—Under such regulations as the Secretary of Defense may prescribe, the convening authority of a military commission under this chapter may detail to or employ for the military commission interpreters who shall interpret for the commission and, as necessary, for trial counsel and defense counsel and for the accused.

''(c) TRANSCRIPT; RECORD.—The transcript of a military commission under this chapter shall be under the control of the convening authority of the commission, who shall also be responsible for preparing the record of the proceedings.

''§ 948m. Number of members; excuse of members; absent and additional members

''(a) NUMBER OF MEMBERS.—(1) A military commission under this chapter shall, except as provided in paragraph (2), have at least five members.

''(2) In a case in which the accused before a military commission under this chapter may be sentenced to a penalty of death, the military commission shall have the number of members prescribed by section 949m(c) of this title.

''(b) EXCUSE OF MEMBERS.—No member of a military commission under this chapter may be absent or excused after the military commission has been assembled for the trial of a case unless excused—

''(1) as a result of challenge;

''(2) by the military judge for physical disability or other good cause; or

''(3) by order of the convening authority for good cause.

''(c) ABSENT AND ADDITIONAL MEMBERS.—Whenever a military commission under this chapter is reduced below the number of members required by subsection (a), the trial may not proceed unless the convening authority details new members sufficient to provide not less than such number. The trial may proceed with the new members present after the recorded evidence previously introduced before the members has been read to the military commission in the presence of the military judge, the accused (except as provided in section 949d of this title), and counsel for both sides.

''SUBCHAPTER III—PRE-TRIAL PROCEDURE

''Sec.
''948q. Charges and specifications.
''948r. Compulsory self-incrimination prohibited; treatment of statements obtained by torture and other statements.
''948s. Service of charges.

''§ 948q. Charges and specifications

''(a) CHARGES AND SPECIFICATIONS.—Charges and specifications against an accused in a military commission under this chapter shall be signed by a person subject to chapter 47 of this title under oath before a commissioned officer of the armed forces authorized to administer oaths and shall state—

''(1) that the signer has personal knowledge of, or reason to believe, the matters set forth therein; and

''(2) that they are true in fact to the best of the signer's knowledge and belief.

''(b) NOTICE TO ACCUSED.—Upon the swearing of the charges and specifications in accordance with subsection (a), the accused shall be informed of the charges against him as soon as practicable.

''§ 948r. Compulsory self-incrimination prohibited; treatment of statements obtained by torture and other statements

''(a) IN GENERAL.—No person shall be required to testify against himself at a proceeding of a military commission under this chapter.

''(b) EXCLUSION OF STATEMENTS OBTAINED BY TORTURE.—A statement obtained by use of torture shall not be admissible in a military commission under this chapter, except against a person accused of torture as evidence that the statement was made.

''(c) STATEMENTS OBTAINED BEFORE ENACTMENT OF DETAINEE TREATMENT ACT OF 2005.—A statement obtained before December 30, 2005 (the date of the enactment of the Defense Treatment Act of 2005) in which the degree of coercion is disputed may be admitted only if the military judge finds that—

''(1) the totality of the circumstances renders the statement reliable and possessing sufficient probative value; and

''(2) the interests of justice would best be served by admission of the statement into evidence.

''(d) STATEMENTS OBTAINED AFTER ENACTMENT OF DETAINEE TREATMENT ACT OF 2005.—A statement obtained on or after December 30, 2005 (the date of the enactment of the Defense Treatment Act of 2005) in which the degree of coercion is disputed may be admitted only if the military judge finds that—

''(1) the totality of the circumstances renders the statement reliable and possessing sufficient probative value;

''(2) the interests of justice would best be served by admission of the statement into evidence; and

''(3) the interrogation methods used to obtain the statement do not violate the cruel, unusual, or inhumane treatment or punishment prohibited by the Fifth, Eighth, and Fourteenth Amendments to the Constitution of the United States.

''§ 948s. Service of charges

''The trial counsel assigned to a case before a military commission under this chapter shall cause to be served upon the accused and military defense counsel a copy of the charges upon which trial is to be had. Such charges shall be served in English and, if appropriate, in another language that the accused understands. Such service shall be made sufficiently in advance of trial to prepare a defense.

''SUBCHAPTER IV—TRIAL PROCEDURE

''Sec.
''949a. Rules.
''949b. Unlawfully influencing action of military commission.
''949c. Duties of trial counsel and defense counsel.
''949d. Sessions.
''949e. Continuances.
''949f. Challenges.
''949g. Oaths.
''949h. Former jeopardy.
''949i. Pleas of the accused.
''949j. Opportunity to obtain witnesses and other evidence.
''949k. Defense of lack of mental responsibility.
''949l. Voting and rulings.
''949m. Number of votes required.
''949n. Military commission to announce action.
''949o. Record of trial.

''§ 949a. Rules

''(a) PROCEDURES AND RULES OF EVIDENCE.—Pretrial, trial, and post-trial procedures, including elements and modes of proof, for cases triable by military commission under this chapter may be prescribed by the Secretary of Defense, in consultation with the Attorney General. Such procedures shall, so far as the Secretary considers practicable or consistent with military or intelligence activities, apply the principles of law and the rules of evidence in trial by general courts-martial. Such procedures and rules of evidence may not be contrary to or inconsistent with this chapter.

''(b) RULES FOR MILITARY COMMISSION.—(1) Notwithstanding any departures from the law and the rules of evidence in trial by general courts-martial authorized by subsection (a), the procedures and rules of evidence in trials by military commission under this chapter shall include the following:

''(A) The accused shall be permitted to present evidence in his defense, to cross-examine the witnesses who testify against him,

and to respond to evidence admitted against him on the issue of guilt or innocence and for sentencing, as provided for by this chapter.

''(B) The accused shall be present at all sessions of the military commission (other than those for deliberations or voting), except when excluded under section 949d of this title.

''(C) The accused shall receive the assistance of counsel as provided for by section 948k.

''(D) The accused shall be permitted to represent himself, as provided for by paragraph (3).

''(2) In establishing procedures and rules of evidence for military commission proceedings, the Secretary of Defense may prescribe the following provisions:

''(A) Evidence shall be admissible if the military judge determines that the evidence would have probative value to a reasonable person.

''(B) Evidence shall not be excluded from trial by military commission on the grounds that the evidence was not seized pursuant to a search warrant or other authorization.

''(C) A statement of the accused that is otherwise admissible shall not be excluded from trial by military commission on grounds of alleged coercion or compulsory self-incrimination so long as the evidence complies with the provisions of section 948r of this title.

''(D) Evidence shall be admitted as authentic so long as—

''(i) the military judge of the military commission determines that there is sufficient basis to find that the evidence is what it is claimed to be; and

''(ii) the military judge instructs the members that they may consider any issue as to authentication or identification of evidence in determining the weight, if any, to be given to the evidence.

''(E)(i) Except as provided in clause (ii), hearsay evidence not otherwise admissible under the rules of evidence applicable in trial by general courts-martial may be admitted in a trial by military commission if the proponent of the evidence makes known to the adverse party, sufficiently in advance to provide the adverse party with a fair opportunity to meet the evidence, the intention of the proponent to offer the evidence, and the particulars of the evidence (including information on the general circumstances under which the evidence was obtained). The disclosure of evidence under the preceding sentence is subject to the requirements and limitations applicable to the disclosure of classified information in section 949j(c) of this title.

''(ii) Hearsay evidence not otherwise admissible under the rules of evidence applicable in trial by general courts-martial shall not be admitted in a trial by military commission if the party opposing the admission of the evidence demonstrates that the evidence is unreliable or lacking in probative value.

''(F) The military judge shall exclude any evidence the probative value of which is substantially outweighed—

''(i) by the danger of unfair prejudice, confusion of the issues, or misleading the commission; or

''(ii) by considerations of undue delay, waste of time, or needless presentation of cumulative evidence.

''(3)(A) The accused in a military commission under this chapter who exercises the right to self-representation under paragraph (1)(D) shall conform his deportment and the conduct of the defense to the rules of evidence, procedure, and decorum applicable to trials by military commission.

''(B) Failure of the accused to conform to the rules described in subparagraph (A) may result in a partial or total revocation by the military judge of the right of self-representation under paragraph (1)(D). In such case, the detailed defense counsel of the accused or an appropriately authorized civilian counsel shall perform the functions necessary for the defense.

''(c) DELEGATION OF AUTHORITY TO PRESCRIBE REGULATIONS.—The Secretary of Defense may delegate the authority of the Secretary to prescribe regulations under this chapter.

''(d) NOTIFICATION TO CONGRESSIONAL COMMITTEES OF CHANGES TO PROCEDURES.—Not later than 60 days before the date on which any proposed modification of the procedures in effect for military commissions under this chapter goes into effect, 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 describing the modification.

''§ 949b. Unlawfully influencing action of military commission

''(a) IN GENERAL.—(1) No authority convening a military commission under this chapter may censure, reprimand, or admonish the military commission, or any member, military judge, or counsel thereof, with respect to the findings or sentence adjudged by the military commission, or with respect to any other exercises of its or his functions in the conduct of the proceedings.

''(2) No person may attempt to coerce or, by any unauthorized means, influence—

''(A) the action of a military commission under this chapter, or any member thereof, in reaching the findings or sentence in any case;

''(B) the action of any convening, approving, or reviewing authority with respect to his judicial acts; or

''(C) the exercise of professional judgment by trial counsel or defense counsel.

''(3) Paragraphs (1) and (2) do not apply with respect to—

''(A) general instructional or informational courses in military justice if such courses are designed solely for the purpose of instructing members of a command in the substantive and procedural aspects of military commissions; or

''(B) statements and instructions given in open proceedings by a military judge or counsel.

''(b) PROHIBITION ON CONSIDERATION OF ACTIONS ON COMMISSION IN EVALUATION OF FITNESS.—In the preparation of an effectiveness, fitness, or efficiency report or any other report or document used in whole or in part for the purpose of determining whether a commissioned officer of the armed forces is qualified to be advanced in grade, or in determining the assignment or transfer of any such officer or whether any such officer should be retained on active duty, no person may—

''(1) consider or evaluate the performance of duty of any member of a military commission under this chapter; or

''(2) give a less favorable rating or evaluation to any commissioned officer because of the zeal with which such officer, in acting as counsel, represented any accused before a military commission under this chapter.

''§ 949c. Duties of trial counsel and defense counsel

''(a) TRIAL COUNSEL.—The trial counsel of a military commission under this chapter shall prosecute in the name of the United States.

''(b) DEFENSE COUNSEL.—(1) The accused shall be represented in his defense before a military commission under this chapter as provided in this subsection.

''(2) The accused shall be represented by military counsel detailed under section 948k of this title.

''(3) The accused may be represented by civilian counsel if retained by the accused, but only if such civilian counsel—

''(A) is a United States citizen;

''(B) is admitted to the practice of law in a State, district, or possession of the United States or before a Federal court;

''(C) has not been the subject of any sanction of disciplinary action by any court, bar, or other competent governmental authority for relevant misconduct;

''(D) has been determined to be eligible for access to classified information that is classified at the level Secret or higher; and

''(E) has signed a written agreement to comply with all applicable regulations or instructions for counsel, including any rules of court for conduct during the proceedings.

''(4) Civilian defense counsel shall protect any classified information received during the course of representation of the accused in accordance with all applicable law governing the protection of classified information and may not divulge such information to any person not authorized to receive it.

''(5) If the accused is represented by civilian counsel, military counsel detailed shall act as associate counsel.

''(6) The accused is not entitled to be represented by more than one military counsel. However, the person authorized under regulations prescribed under section 948k of this title to detail counsel, in that person's sole discretion, may detail additional military counsel to represent the accused.

''(7) Defense counsel may cross-examine each witness for the prosecution who testifies before a military commission under this chapter.

''§ 949d. Sessions

''(a) SESSIONS WITHOUT PRESENCE OF MEMBERS.—(1) At any time after the service of charges which have been referred for trial by military commission under this chapter, the military judge may call the military commission into session without the presence of the members for the purpose of—

''(A) hearing and determining motions raising defenses or objections which are capable of determination without trial of the issues raised by a plea of not guilty;

''(B) hearing and ruling upon any matter which may be ruled upon by the military judge under this chapter, whether or not the matter is appropriate for later consideration or decision by the members;

''(C) if permitted by regulations prescribed by the Secretary of Defense, receiving the pleas of the accused; and

''(D) performing any other procedural function which may be performed by the military judge under this chapter or under rules prescribed pursuant to section 949a of this title and which does not require the presence of the members.

''(2) Except as provided in subsections (c) and (e), any proceedings under paragraph (1) shall—

''(A) be conducted in the presence of the accused, defense counsel, and trial counsel; and

''(B) be made part of the record.

''(b) PROCEEDINGS IN PRESENCE OF ACCUSED.—Except as provided in subsections (c) and (e), all proceedings of a military commission under this chapter, including any consultation of the members with the military judge or counsel, shall—

''(1) be in the presence of the accused, defense counsel, and trial counsel; and

''(2) be made a part of the record.

''(c) DELIBERATION OR VOTE OF MEMBERS.—When the members of a military commission under this chapter deliberate or vote, only the members may be present.

''(d) CLOSURE OF PROCEEDINGS.—(1) The military judge may close to the public all or part of the proceedings of a military commission under this chapter, but only in accordance with this subsection.

''(2) The military judge may close to the public all or a portion of the proceedings under paragraph (1) only upon making a specific finding that such closure is necessary to—

''(A) protect information the disclosure of which could reasonably be expected to cause damage to the national security, including intelligence or law enforcement sources, methods, or activities; or

''(B) ensure the physical safety of individuals.

''(3) A finding under paragraph (2) may be based upon a presentation, including a presentation ex parte or in camera, by either trial counsel or defense counsel.

''(e) EXCLUSION OF ACCUSED FROM CERTAIN PROCEEDINGS.—The military judge may exclude the accused from any portion of a proceeding upon a determination that, after being warned by the military judge, the accused persists in conduct that justifies exclusion from the courtroom—

''(1) to ensure the physical safety of individuals; or

''(2) to prevent disruption of the proceedings by the accused.

''(f) PROTECTION OF CLASSIFIED INFORMATION.—

''(1) NATIONAL SECURITY PRIVILEGE.—(A) Classified information shall be protected and is privileged from disclosure if disclosure would be detrimental to the national security. The rule in the preceding sentence applies to all stages of the proceedings of military commissions under this chapter.

''(B) The privilege referred to in subparagraph (A) may be claimed by the head of the executive or military department or government agency concerned based on a finding by the head of that department or agency that—

''(i) the information is properly classified; and

''(ii) disclosure of the information would be detrimental to the national security.

''(C) A person who may claim the privilege referred to in subparagraph (A) may authorize a representative, witness, or trial counsel to claim the privilege and make the finding described in subparagraph (B) on behalf of such person. The authority of the representative, witness, or trial counsel to do so is presumed in the absence of evidence to the contrary.

''(2) INTRODUCTION OF CLASSIFIED INFORMATION.—

''(A) ALTERNATIVES TO DISCLOSURE.—To protect classified information from disclosure, the military judge, upon motion of trial counsel, shall authorize, to the extent practicable—

''(i) the deletion of specified items of classified information from documents to be introduced as evidence before the military commission;

''(ii) the substitution of a portion or summary of the information for such classified documents; or

''(iii) the substitution of a statement of relevant facts that the classified information would tend to prove.

''(B) PROTECTION OF SOURCES, METHODS, OR ACTIVITIES.—The military judge, upon motion of trial counsel, shall permit trial counsel to introduce otherwise admissible evidence before the military commission, while protecting from disclosure the sources, methods, or activities by which the United States acquired the evidence if the military judge finds that (i) the sources, methods, or activities by which the United States acquired the evidence are classified, and (ii) the evidence is reliable. The military judge may require trial counsel to present to the military commission and the defense, to the extent practicable and consistent with national security, an unclassified summary of the sources, methods, or activities by which the United States acquired the evidence.

''(C) ASSERTION OF NATIONAL SECURITY PRIVILEGE AT TRIAL.—During the examination of any witness, trial counsel may object to any question, line of inquiry, or motion to admit evidence that would require the disclosure of classified information. Following such an objection, the military judge shall take suitable action to safeguard such classified information. Such action may include the review of trial counsel's claim of privilege by the military judge in camera and on an ex parte basis, and the delay of proceedings to permit trial counsel to consult with the department or agency concerned as to whether the national security privilege should be asserted.

''(3) CONSIDERATION OF PRIVILEGE AND RELATED MATERIALS.—A claim of privilege under this subsection, and any materials submitted in support thereof, shall, upon request of the Government, be considered by the military judge in camera and shall not be disclosed to the accused.

''(4) ADDITIONAL REGULATIONS.—The Secretary of Defense may prescribe additional regulations, consistent with this subsection, for the use and protection of classified information during proceedings of military commissions under this chapter. A report on any regulations so prescribed, or modified, shall be submitted to the Committees on Armed Services of the Senate and the House of Representatives not later than 60 days before the date on which such regulations or modifications, as the case may be, go into effect.

''§ 949e. Continuances

''The military judge in a military commission under this chapter may, for reasonable cause, grant a continuance to any party for such time, and as often, as may appear to be just.

''§ 949f. Challenges

''(a) CHALLENGES AUTHORIZED.—The military judge and members of a military commission under this chapter may be challenged by the accused or trial counsel for cause stated to the commission. The military judge shall determine the relevance and validity of challenges for cause. The military judge may not receive a challenge to more than one person at a time. Challenges by trial counsel shall ordinarily be presented and decided before those by the accused are offered.

''(b) PEREMPTORY CHALLENGES.—Each accused and the trial counsel are entitled to one peremptory challenge. The military judge may not be challenged except for cause.

''(c) CHALLENGES AGAINST ADDITIONAL MEMBERS.—Whenever additional members are detailed to a military commission under this chapter, and after any challenges for cause against such additional members are presented and decided, each accused and the trial counsel are entitled to one peremptory challenge against members not previously subject to peremptory challenge.

''§ 949g. Oaths

''(a) IN GENERAL.—(1) Before performing their respective duties in a military commission under this chapter, military judges, members, trial counsel, defense counsel, reporters, and interpreters shall take an oath to perform their duties faithfully.

''(2) The form of the oath required by paragraph (1), the time and place of the taking thereof, the manner of recording the same, and whether the oath shall be taken for all cases in which duties are to be performed or for a particular case, shall be as prescribed in regulations of the Secretary of Defense. Those regulations may provide that—

''(A) an oath to perform faithfully duties as a military judge, trial counsel, or defense counsel may be taken at any time by any judge advocate or other person certified to be qualified or competent for the duty; and

''(B) if such an oath is taken, such oath need not again be taken at the time the judge advocate or other person is detailed to that duty.

''(b) WITNESSES.—Each witness before a military commission under this chapter shall be examined on oath.

''§ 949h. Former jeopardy

''(a) IN GENERAL.—No person may, without his consent, be tried by a military commission under this chapter a second time for the same offense.

''(b) SCOPE OF TRIAL.—No proceeding in which the accused has been found guilty by military commission under this chapter upon any charge or specification is a trial in the sense of this section until the finding of guilty has become final after review of the case has been fully completed.

''§ 949i. Pleas of the accused

''(a) ENTRY OF PLEA OF NOT GUILTY.—If an accused in a military commission under this chapter after a plea of guilty sets up matter inconsistent with the plea, or if it appears that the accused has entered the plea of guilty through lack of understanding of its meaning and effect, or if the accused fails or refuses to plead, a plea of not guilty shall be entered in the record, and the military commission shall proceed as though the accused had pleaded not guilty.

''(b) FINDING OF GUILT AFTER GUILTY PLEA.—With respect to any charge or specification to which a plea of guilty has been made by the accused in a military commission under this chapter and accepted by the military judge, a finding of guilty of the charge or specification may be entered immediately without a vote. The finding shall constitute the finding of the commission unless the plea of guilty is withdrawn prior to announcement of the sentence, in which event the proceedings shall continue as though the accused had pleaded not guilty.

''§ 949j. Opportunity to obtain witnesses and other evidence

''(a) RIGHT OF DEFENSE COUNSEL.—Defense counsel in a military commission under this chapter shall have a reasonable opportunity to obtain witnesses and other evidence as provided in regulations prescribed by the Secretary of Defense.

''(b) PROCESS FOR COMPULSION.—Process issued in a military commission under this chapter to compel witnesses to appear and testify and to compel the production of other evidence—

''(1) shall be similar to that which courts of the United States having criminal jurisdiction may lawfully issue; and

''(2) shall run to any place where the United States shall have jurisdiction thereof.

''(c) PROTECTION OF CLASSIFIED INFORMATION.—(1) With respect to the discovery obligations of trial counsel under this section, the military judge, upon motion of trial counsel, shall authorize, to the extent practicable—

''(A) the deletion of specified items of classified information from documents to be made available to the accused;

''(B) the substitution of a portion or summary of the information for such classified documents; or

''(C) the substitution of a statement admitting relevant facts that the classified information would tend to prove.

''(2) The military judge, upon motion of trial counsel, shall authorize trial counsel, in the course of complying with discovery obligations under this section, to protect from disclosure the sources, methods, or activities by which the United States acquired evidence if the military judge finds that the sources, methods, or activities by which the United States acquired such evidence are classified. The military judge may require trial counsel to provide, to the extent practicable, an unclassified summary of the sources, methods, or activities by which the United States acquired such evidence.

''(d) EXCULPATORY EVIDENCE.—(1) As soon as practicable, trial counsel shall disclose to the defense the existence of any evidence known to trial counsel that reasonably tends to exculpate the accused. Where exculpatory evidence is classified, the accused shall be provided with an adequate substitute in accordance with the procedures under subsection (c).

''(2) In this subsection, the term 'evidence known to trial counsel', in the case of exculpatory evidence, means exculpatory evidence that the prosecution would be required to disclose in a trial by general court-martial under chapter 47 of this title.

''§ 949k. Defense of lack of mental responsibility

''(a) AFFIRMATIVE DEFENSE.—It is an affirmative defense in a trial by military commission under this chapter that, at the time of the commission of the acts constituting the offense, the accused, as a result of a severe mental disease or defect, was unable to appreciate the nature and quality or the wrongfulness of the acts. Mental disease or defect does not otherwise constitute a defense.

''(b) BURDEN OF PROOF.—The accused in a military commission under this chapter has the burden of proving the defense of lack of mental responsibility by clear and convincing evidence.

''(c) FINDINGS FOLLOWING ASSERTION OF DEFENSE.—Whenever lack of mental responsibility of the accused with respect to an offense is properly at issue in a military commission under this chapter, the military judge shall instruct the members of the commission as to the defense of lack of mental responsibility under this section and shall charge them to find the accused—

''(1) guilty;

''(2) not guilty; or

''(3) subject to subsection (d), not guilty by reason of lack of mental responsibility.

''(d) MAJORITY VOTE REQUIRED FOR FINDING.—The accused shall be found not guilty by reason of lack of mental responsibility under subsection (c)(3) only if a majority of the members present at the time the vote is taken determines that the defense of lack of mental responsibility has been established.

''§ 949l. Voting and rulings

''(a) VOTE BY SECRET WRITTEN BALLOT.—Voting by members of a military commission under this chapter on the findings and on the sentence shall be by secret written ballot.

''(b) RULINGS.—(1) The military judge in a military commission under this chapter shall rule upon all questions of law, including the admissibility of evidence and all interlocutory questions arising during the proceedings.

''(2) Any ruling made by the military judge upon a question of law or an interlocutory question (other than the factual issue of mental responsibility of the accused) is conclusive and constitutes the ruling of the military commission. However, a military judge may change his ruling at any time during the trial.

''(c) INSTRUCTIONS PRIOR TO VOTE.—Before a vote is taken of the findings of a military commission under this chapter, the military judge shall, in the presence of the accused and counsel, instruct the members as to the elements of the offense and charge the members—

''(1) that the accused must be presumed to be innocent until his guilt is established by legal and competent evidence beyond a reasonable doubt;

''(2) that in the case being considered, if there is a reasonable doubt as to the guilt of the accused, the doubt must be resolved in favor of the accused and he must be acquitted;

''(3) that, if there is reasonable doubt as to the degree of guilt, the finding must be in a lower degree as to which there is no reasonable doubt; and

''(4) that the burden of proof to establish the guilt of the accused beyond a reasonable doubt is upon the United States.

''§ 949m. Number of votes required

''(a) CONVICTION.—No person may be convicted by a military commission under this chapter of any offense, except as provided in section 949i(b) of this title or by concurrence of two-thirds of the members present at the time the vote is taken.

''(b) SENTENCES.—(1) No person may be sentenced by a military commission to suffer death, except insofar as—

''(A) the penalty of death is expressly authorized under this chapter or the law of war for an offense of which the accused has been found guilty;

''(B) trial counsel expressly sought the penalty of death by filing an appropriate notice in advance of trial;

''(C) the accused is convicted of the offense by the concurrence of all the members present at the time the vote is taken; and

''(D) all the members present at the time the vote is taken concur in the sentence of death.

''(2) No person may be sentenced to life imprisonment, or to confinement for more than 10 years, by a military commission under this chapter except by the concurrence of three-fourths of the members present at the time the vote is taken.

''(3) All other sentences shall be determined by a military commission by the concurrence of two-thirds of the members present at the time the vote is taken.

''(c) NUMBER OF MEMBERS REQUIRED FOR PENALTY OF DEATH.—(1) Except as provided in paragraph (2), in a case in which the penalty of death is sought, the number of members of the military commission under this chapter shall be not less than 12.

''(2) In any case described in paragraph (1) in which 12 members are not reasonably available because of physical conditions or military exigencies, the convening authority shall specify a lesser number of members for the military commission (but not fewer than 9 members), and the military commission may be assembled, and the trial held, with not fewer than the number of members so specified. In such a case, the convening authority shall make a detailed written statement, to be appended to the record, stating why a greater number of members were not reasonably available.

''§ 949n. Military commission to announce action

''A military commission under this chapter shall announce its findings and sentence to the parties as soon as determined.

''§ 949o. Record of trial

''(a) RECORD; AUTHENTICATION.—Each military commission under this chapter shall keep a separate, verbatim, record of the proceedings in each case brought before it, and the record shall be authenticated by the signature of the military judge. If the record cannot be authenticated by the military judge by reason of his death, disability, or absence, it shall be authenticated by the signature of the trial counsel or by a member of the commission if the trial counsel is unable to authenticate it by reason of his death, disability, or absence. Where appropriate, and as provided in regulations prescribed by the Secretary of Defense, the record of a military commission under this chapter may contain a classified annex.

''(b) COMPLETE RECORD REQUIRED.—A complete record of the proceedings and testimony shall be prepared in every military commission under this chapter.

''(c) PROVISION OF COPY TO ACCUSED.—A copy of the record of the proceedings of the military commission under this chapter shall be given the accused as soon as it is authenticated. If the record contains classified information, or a classified annex, the accused shall be given a redacted version of the record consistent with the requirements of section 949d of this title. Defense counsel shall have access to the unredacted record, as provided in regulations prescribed by the Secretary of Defense.

''SUBCHAPTER V—SENTENCES

''Sec.
''949s. Cruel or unusual punishments prohibited.
''949t. Maximum limits.
''949u. Execution of confinement.

''§ 949s. Cruel or unusual punishments prohibited

''Punishment by flogging, or by branding, marking, or tattooing on the body, or any other cruel or unusual punishment, may not be adjudged by a military commission under this chapter or inflicted under this chapter upon any person subject to this chapter. The use of irons, single or double, except for the purpose of safe custody, is prohibited under this chapter.

''§ 949t. Maximum limits

''The punishment which a military commission under this chapter may direct for an offense may not exceed such limits as the President or Secretary of Defense may prescribe for that offense.

''§ 949u. Execution of confinement

''(a) IN GENERAL.—Under such regulations as the Secretary of Defense may prescribe, a sentence of confinement adjudged by a military commission under this chapter may be carried into execution by confinement—

''(1) in any place of confinement under the control of any of the armed forces; or

''(2) in any penal or correctional institution under the control of the United States or its allies, or which the United States may be allowed to use.

''(b) TREATMENT DURING CONFINEMENT BY OTHER THAN THE ARMED FORCES.—Persons confined under subsection (a)(2) in a penal or correctional institution not under the control of an armed force are subject to the same discipline and treatment as persons confined or committed by the courts of the United States or of the State, District of Columbia, or place in which the institution is situated.

''SUBCHAPTER VI—POST-TRIAL PROCEDURE AND REVIEW OF MILITARY COMMISSIONS

''Sec.
''950a. Error of law; lesser included offense.
''950b. Review by the convening authority.
''950c. Appellate referral; waiver or withdrawal of appeal.
''950d. Appeal by the United States.
''950e. Rehearings.
''950f. Review by Court of Military Commission Review.
''950g. Review by the United States Court of Appeals for the District of Columbia Circuit and the Supreme Court.

''950h. Appellate counsel.
''950i. Execution of sentence; procedures for execution of sentence of death.
''950j. Finality or proceedings, findings, and sentences.

''§ 950a. Error of law; lesser included offense

''(a) ERROR OF LAW.—A finding or sentence of a military commission under this chapter may not be held incorrect on the ground of an error of law unless the error materially prejudices the substantial rights of the accused.

''(b) LESSER INCLUDED OFFENSE.—Any reviewing authority with the power to approve or affirm a finding of guilty by a military commission under this chapter may approve or affirm, instead, so much of the finding as includes a lesser included offense.

''§ 950b. Review by the convening authority

''(a) NOTICE TO CONVENING AUTHORITY OF FINDINGS AND SENTENCE.—The findings and sentence of a military commission under this chapter shall be reported in writing promptly to the convening authority after the announcement of the sentence.

''(b) SUBMITTAL OF MATTERS BY ACCUSED TO CONVENING AUTHORITY.—(1) The accused may submit to the convening authority matters for consideration by the convening authority with respect to the findings and the sentence of the military commission under this chapter.

''(2)(A) Except as provided in subparagraph (B), a submittal under paragraph (1) shall be made in writing within 20 days after the accused has been given an authenticated record of trial under section 949o(c) of this title.

''(B) If the accused shows that additional time is required for the accused to make a submittal under paragraph (1), the convening authority may, for good cause, extend the applicable period under subparagraph (A) for not more than an additional 20 days.

''(3) The accused may waive his right to make a submittal to the convening authority under paragraph (1). Such a waiver shall be made in writing and may not be revoked. For the purposes of subsection (c)(2), the time within which the accused may make a submittal under this subsection shall be deemed to have expired upon the submittal of a waiver under this paragraph to the convening authority.

''(c) ACTION BY CONVENING AUTHORITY.—(1) The authority under this subsection to modify the findings and sentence of a military commission under this chapter is a matter of the sole discretion and prerogative of the convening authority.

''(2)(A) The convening authority shall take action on the sentence of a military commission under this chapter.

''(B) Subject to regulations prescribed by the Secretary of Defense, action on the sentence under this paragraph may be taken only after consideration of any matters submitted by the accused under subsection (b) or after the time for submitting such matters expires, whichever is earlier.

''(C) In taking action under this paragraph, the convening authority may, in his sole discretion, approve, disapprove, commute, or suspend the sentence in whole or in part. The convening authority may not increase a sentence beyond that which is found by the military commission.

''(3) The convening authority is not required to take action on the findings of a military commission under this chapter. If the convening authority takes action on the findings, the convening authority may, in his sole discretion, may—

''(A) dismiss any charge or specification by setting aside a finding of guilty thereto; or

''(B) change a finding of guilty to a charge to a finding of guilty to an offense that is a lesser included offense of the offense stated in the charge.

''(4) The convening authority shall serve on the accused or on defense counsel notice of any action taken by the convening authority under this subsection.

''(d) ORDER OF REVISION OR REHEARING.—(1) Subject to paragraphs (2) and (3), the convening authority of a military commission under this chapter may, in his sole discretion, order a proceeding in revision or a rehearing.

''(2)(A) Except as provided in subparagraph (B), a proceeding in revision may be ordered by the convening authority if—

''(i) there is an apparent error or omission in the record; or

''(ii) the record shows improper or inconsistent action by the military commission with respect to the findings or sentence that can be rectified without material prejudice to the substantial rights of the accused.

''(B) In no case may a proceeding in revision—

''(i) reconsider a finding of not guilty of a specification or a ruling which amounts to a finding of not guilty;

''(ii) reconsider a finding of not guilty of any charge, unless there has been a finding of guilty under a specification laid under that charge, which sufficiently alleges a violation; or

''(iii) increase the severity of the sentence unless the sentence prescribed for the offense is mandatory.

''(3) A rehearing may be ordered by the convening authority if the convening authority disapproves the findings and sentence and states the reasons for disapproval of the findings. If the convening authority disapproves the finding and sentence and does not order a rehearing, the convening authority shall dismiss the charges. A rehearing as to the findings may not be ordered by the convening authority when there is a lack of sufficient evidence in the record to support the findings. A rehearing as to the sentence may be ordered by the convening authority if the convening authority disapproves the sentence.

''§ 950c. Appellate referral; waiver or withdrawal of appeal

''(a) AUTOMATIC REFERRAL FOR APPELLATE REVIEW.—Except as provided under subsection (b), in each case in which the final decision of a military commission (as approved by the convening authority) includes a finding of guilty, the convening authority shall refer the case to the Court of Military Commission Review. Any such referral shall be made in accordance with procedures prescribed under regulations of the Secretary.

''(b) WAIVER OF RIGHT OF REVIEW.—(1) In each case subject to appellate review under section 950f of this title, except a case in which the sentence as approved under section 950b of this title extends to death, the accused may file with the convening authority a statement expressly waiving the right of the accused to such review.

''(2) A waiver under paragraph (1) shall be signed by both the accused and a defense counsel.

''(3) A waiver under paragraph (1) must be filed, if at all, within 10 days after notice on the action is served on the accused or on defense counsel under section 950b(c)(4) of this title. The convening authority, for good cause, may extend the period for such filing by not more than 30 days.

''(c) WITHDRAWAL OF APPEAL.—Except in a case in which the sentence as approved under section 950b of this title extends to death, the accused may withdraw an appeal at any time.

''(d) EFFECT OF WAIVER OR WITHDRAWAL.—A waiver of the right to appellate review or the withdrawal of an appeal under this section bars review under section 950f of this title.

''§ 950d. Appeal by the United States

''(a) INTERLOCUTORY APPEAL.—(1) Except as provided in paragraph (2), in a trial by military commission under this chapter, the United States may take an interlocutory appeal to the Court of Military Commission Review of any order or ruling of the military judge that—

''(A) terminates proceedings of the military commission with respect to a charge or specification;

''(B) excludes evidence that is substantial proof of a fact material in the proceeding; or

''(C) relates to a matter under subsection (d), (e), or (f) of section 949d of this title or section 949j(c) of this title.

''(2) The United States may not appeal under paragraph (1) an order or ruling that is, or amounts to, a finding of not guilty by the military commission with respect to a charge or specification.

''(b) NOTICE OF APPEAL.—The United States shall take an appeal of an order or ruling under subsection (a) by filing a notice of appeal with the military judge within five days after the date of such order or ruling.

''(c) APPEAL.—An appeal under this section shall be forwarded, by means specified in regulations prescribed the Secretary of Defense, directly to the Court of Military Commission Review. In ruling on an appeal under this section, the Court may act only with respect to matters of law.

''(d) APPEAL FROM ADVERSE RULING.—The United States may appeal an adverse ruling on an appeal under subsection (c) to the United States Court of Appeals for the District of Columbia Circuit by filing a petition for review in the Court of Appeals within 10 days after the date of such ruling. Review under this subsection shall be at the discretion of the Court of Appeals.

''§ 950e. Rehearings

''(a) COMPOSITION OF MILITARY COMMISSION FOR REHEARING.—Each rehearing under this chapter shall take place before a military commission under this chapter composed of members who were not members of the military commission which first heard the case.

''(b) SCOPE OF REHEARING.—(1) Upon a rehearing—

''(A) the accused may not be tried for any offense of which he was found not guilty by the first military commission; and

''(B) no sentence in excess of or more than the original sentence may be imposed unless—

''(i) the sentence is based upon a finding of guilty of an offense not considered upon the merits in the original proceedings; or

''(ii) the sentence prescribed for the offense is mandatory.

''(2) Upon a rehearing, if the sentence approved after the first military commission was in accordance with a pretrial agreement and the accused at the rehearing changes his plea with respect to the charges or specifications upon which the pretrial agreement was based, or otherwise does not comply with pretrial agreement, the sentence as to those charges or specifications may include any punishment not in excess of that lawfully adjudged at the first military commission.

''§ 950f. Review by Court of Military Commission Review

''(a) ESTABLISHMENT.—The Secretary of Defense shall establish a Court of Military Commission Review which shall be composed of one or more panels, and each such panel shall be composed of not less than three appellate military judges. For the purpose of reviewing military commission decisions under this chapter, the court may sit in panels or as a whole in accordance with rules prescribed by the Secretary.

''(b) APPELLATE MILITARY JUDGES.—The Secretary shall assign appellate military

judges to a Court of Military Commission Review. Each appellate military judge shall meet the qualifications for military judges prescribed by section 948j(b) of this title or shall be a civilian with comparable qualifications. No person may be serve as an appellate military judge in any case in which that person acted as a military judge, counsel, or reviewing official.

''(c) CASES TO BE REVIEWED.—The Court of Military Commission Review, in accordance with procedures prescribed under regulations of the Secretary, shall review the record in each case that is referred to the Court by the convening authority under section 950c of this title with respect to any matter of law raised by the accused.

''(d) SCOPE OF REVIEW.—In a case reviewed by the Court of Military Commission Review under this section, the Court may act only with respect to matters of law.

''§ 950g. Review by the United States Court of Appeals for the District of Columbia Circuit and the Supreme Court

''(a) EXCLUSIVE APPELLATE JURISDICTION.—(1)(A) Except as provided in subparagraph (B), the United States Court of Appeals for the District of Columbia Circuit shall have exclusive jurisdiction to determine the validity of a final judgment rendered by a military commission (as approved by the convening authority) under this chapter.

''(B) The Court of Appeals may not review the final judgment until all other appeals under this chapter have been waived or exhausted.

''(2) A petition for review must be filed by the accused in the Court of Appeals not later than 20 days after the date on which—

''(A) written notice of the final decision of the Court of Military Commission Review is served on the accused or on defense counsel; or

''(B) the accused submits, in the form prescribed by section 950c of this title, a written notice waiving the right of the accused to review by the Court of Military Commission Review under section 950f of this title.

''(b) STANDARD FOR REVIEW.—In a case reviewed by it under this section, the Court of Appeals may act only with respect to matters of law.

''(c) SCOPE OF REVIEW.—The jurisdiction of the Court of Appeals on an appeal under subsection (a) shall be limited to the consideration of—

''(1) whether the final decision was consistent with the standards and procedures specified in this chapter; and

''(2) to the extent applicable, the Constitution and the laws of the United States.

''(d) SUPREME COURT.—The Supreme Court may review by writ of certiorari the final judgment of the Court of Appeals pursuant to section 1257 of title 28.

''§ 950h. Appellate counsel

''(a) APPOINTMENT.—The Secretary of Defense shall, by regulation, establish procedures for the appointment of appellate counsel for the United States and for the accused in military commissions under this chapter. Appellate counsel shall meet the qualifications for counsel appearing before military commissions under this chapter.

''(b) REPRESENTATION OF UNITED STATES.—Appellate counsel appointed under subsection (a)—

''(1) shall represent the United States in any appeal or review proceeding under this chapter before the Court of Military Commission Review; and

''(2) may, when requested to do so by the Attorney General in a case arising under this chapter, represent the United States before the United States Court of Appeals for the District of Columbia Circuit or the Supreme Court.

''(c) REPRESENTATION OF ACCUSED.—The accused shall be represented by appellate counsel appointed under subsection (a) before the Court of Military Commission Review, the United States Court of Appeals for the District of Columbia Circuit, and the Supreme Court, and by civilian counsel if retained by the accused. Any such civilian counsel shall meet the qualifications under paragraph (3) of section 949c(b) of this title for civilian counsel appearing before military commissions under this chapter and shall be subject to the requirements of paragraph (4) of that section.

''§ 950i. Execution of sentence; procedures for execution of sentence of death

''(a) IN GENERAL.—The Secretary of Defense is authorized to carry out a sentence imposed by a military commission under this chapter in accordance with such procedures as the Secretary may prescribe.

''(b) EXECUTION OF SENTENCE OF DEATH ONLY UPON APPROVAL BY THE PRESIDENT.—If the sentence of a military commission under this chapter extends to death, that part of the sentence providing for death may not be executed until approved by the President. In such a case, the President may commute, remit, or suspend the sentence, or any part thereof, as he sees fit.

''(c) EXECUTION OF SENTENCE OF DEATH ONLY UPON FINAL JUDGMENT OF LEGALITY OF PROCEEDINGS.—(1) If the sentence of a military commission under this chapter extends to death, the sentence may not be executed until there is a final judgment as to the legality of the proceedings (and with respect to death, approval under subsection (b)).

''(2) A judgment as to legality of proceedings is final for purposes of paragraph (1) when—

''(A) the time for the accused to file a petition for review by the Court of Appeals for the District of Columbia Circuit has expired and the accused has not filed a timely petition for such review and the case is not otherwise under review by that Court; or

''(B) review is completed in accordance with the judgment of the United States Court of Appeals for the District of Columbia Circuit and—

''(i) a petition for a writ of certiorari is not timely filed;

''(ii) such a petition is denied by the Supreme Court; or

''(iii) review is otherwise completed in accordance with the judgment of the Supreme Court.

''(d) SUSPENSION OF SENTENCE.—The Secretary of the Defense, or the convening authority acting on the case (if other than the Secretary), may suspend the execution of any sentence or part thereof in the case, except a sentence of death.

''§ 950k. Finality or proceedings, findings, and sentences

''(a) FINALITY.—The appellate review of records of trial provided by this chapter, and the proceedings, findings, and sentences of military commissions as approved, reviewed, or affirmed as required by this chapter, are final and conclusive. Orders publishing the proceedings of military commissions under this chapter are binding upon all departments, courts, agencies, and officers of the United States, except as otherwise provided by the President.

''(b) PROVISIONS OF CHAPTER SOLE BASIS FOR REVIEW OF MILITARY COMMISSION PROCEDURES AND ACTIONS.—Except as otherwise provided in this chapter and notwithstanding any other provision of law (including section 2241 of title 28 or any other habeas corpus provision), no court, justice, or judge shall have jurisdiction to hear or consider any claim or cause of action whatsoever, including any action pending on or filed after the date of the enactment of the Military Commissions Act of 2006, relating to the prosecution, trial, or judgment of a military commission under this chapter, including challenges to the lawfulness of procedures of military commissions under this chapter.

''SUBCHAPTER VII—PUNITIVE MATTERS

''Sec.
''950p. Statement of substantive offenses.
''950q. Principals.
''950r. Accessory after the fact.
''950s. Conviction of lesser included offense.
''950t. Attempts.
''950u. Solicitation.
''950v. Crimes triable by military commissions.
''950w. Perjury and obstruction of justice; contempt.

''§ 950p. Statement of substantive offenses

''(a) PURPOSE.—The provisions of this subchapter codify offenses that have traditionally been triable by military commissions. This chapter does not establish new crimes that did not exist before its enactment, but rather codifies those crimes for trial by military commission.

''(b) EFFECT.—Because the provisions of this subchapter (including provisions that incorporate definitions in other provisions of law) are declarative of existing law, they do not preclude trial for crimes that occurred before the date of the enactment of this chapter.

''§ 950q. Principals

''Any person is punishable as a principal under this chapter who—

''(1) commits an offense punishable by this chapter, or aids, abets, counsels, commands, or procures its commission;

''(2) causes an act to be done which if directly performed by him would be punishable by this chapter; or

''(3) is a superior commander who, with regard to acts punishable under this chapter, knew, had reason to know, or should have known, that a subordinate was about to commit such acts or had done so and who failed to take the necessary and reasonable measures to prevent such acts or to punish the perpetrators thereof.

''§ 950r. Accessory after the fact

''Any person subject to this chapter who, knowing that an offense punishable by this chapter has been committed, receives, comforts, or assists the offender in order to hinder or prevent his apprehension, trial, or punishment shall be punished as a military commission under this chapter may direct.

''§ 950s. Conviction of lesser included offense

''An accused may be found guilty of an offense necessarily included in the offense charged or of an attempt to commit either the offense charged or an attempt to commit either the offense charged or an offense necessarily included therein.

''§ 950t. Attempts

''(a) IN GENERAL.—Any person subject to this chapter who attempts to commit any offense punishable by this chapter shall be punished as a military commission under this chapter may direct.

''(b) SCOPE OF OFFENSE.—An act, done with specific intent to commit an offense under this chapter, amounting to more than mere preparation and tending, even though failing, to effect its commission, is an attempt to commit that offense.

''(c) EFFECT OF CONSUMMATION.—Any person subject to this chapter may be convicted of an attempt to commit an offense although it appears on the trial that the offense was consummated.

''§ 950u. Solicitation

''Any person subject to this chapter who solicits or advises another or others to commit one or more substantive offenses triable

by military commission under this chapter shall, if the offense solicited or advised is attempted or committed, be punished with the punishment provided for the commission of the offense, but, if the offense solicited or advised is not committed or attempted, he shall be punished as a military commission under this chapter may direct.

"§ 950v. Crimes triable by military commissions

''(a) DEFINITIONS AND CONSTRUCTION.—In this section:

''(1) MILITARY OBJECTIVE.—The term 'military objective' means—

''(A) combatants; and

''(B) those objects during an armed conflict—

''(i) which, by their nature, location, purpose, or use, effectively contribute to the opposing force's war-fighting or war-sustaining capability; and

''(ii) the total or partial destruction, capture, or neutralization of which would constitute a definite military advantage to the attacker under the circumstances at the time of the attack.

''(2) PROTECTED PERSON.—The term 'protected person' means any person entitled to protection under one or more of the Geneva Conventions, including—

''(A) civilians not taking an active part in hostilities;

''(B) military personnel placed hors de combat by sickness, wounds, or detention; and

''(C) military medical or religious personnel.

''(3) PROTECTED PROPERTY.—The term 'protected property' means property specifically protected by the law of war (such as buildings dedicated to religion, education, art, science or charitable purposes, historic monuments, hospitals, or places where the sick and wounded are collected), if such property is not being used for military purposes or is not otherwise a military objective. Such term includes objects properly identified by one of the distinctive emblems of the Geneva Conventions, but does not include civilian property that is a military objective.

''(4) CONSTRUCTION.—The intent specified for an offense under paragraph (1), (2), (3), (4), or (12) of subsection (b) precludes the applicability of such offense with regard to—

''(A) collateral damage; or

''(B) death, damage, or injury incident to a lawful attack.

''(b) OFFENSES.—The following offenses shall be triable by military commission under this chapter at any time without limitation:

''(1) MURDER OF PROTECTED PERSONS.—Any person subject to this chapter who intentionally kills one or more protected persons shall be punished by death or such other punishment as a military commission under this chapter may direct.

''(2) ATTACKING CIVILIANS.—Any person subject to this chapter who intentionally engages in an attack upon a civilian population as such, or individual civilians not taking active part in hostilities, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(3) ATTACKING CIVILIAN OBJECTS.—Any person subject to this chapter who intentionally engages in an attack upon a civilian object that is not a military objective shall be punished as a military commission under this chapter may direct.

''(4) ATTACKING PROTECTED PROPERTY.—Any person subject to this chapter who intentionally engages in an attack upon protected property shall be punished as a military commission under this chapter may direct.

''(5) PILLAGING.—Any person subject to this chapter who intentionally and in the absence of military necessity appropriates or seizes property for private or personal use, without the consent of a person with authority to permit such appropriation or seizure, shall be punished as a military commission under this chapter may direct.

''(6) DENYING QUARTER.—Any person subject to this chapter who, with effective command or control over subordinate groups, declares, orders, or otherwise indicates to those groups that there shall be no survivors or surrender accepted, with the intent to threaten an adversary or to conduct hostilities such that there would be no survivors or surrender accepted, shall be punished as a military commission under this chapter may direct.

''(7) TAKING HOSTAGES.—Any person subject to this chapter who, having knowingly seized or detained one or more persons, threatens to kill, injure, or continue to detain such person or persons with the intent of compelling any nation, person other than the hostage, or group of persons to act or refrain from acting as an explicit or implicit condition for the safety or release of such person or persons, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(8) EMPLOYING POISON OR SIMILAR WEAPONS.—Any person subject to this chapter who intentionally, as a method of warfare, employs a substance or weapon that releases a substance that causes death or serious and lasting damage to health in the ordinary course of events, through its asphyxiating, bacteriological, or toxic properties, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(9) USING PROTECTED PERSONS AS A SHIELD.—Any person subject to this chapter who positions, or otherwise takes advantage of, a protected person with the intent to shield a military objective from attack, or to shield, favor, or impede military operations, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(10) USING PROTECTED PROPERTY AS A SHIELD.—Any person subject to this chapter who positions, or otherwise takes advantage of the location of, protected property with the intent to shield a military objective from attack, or to shield, favor, or impede military operations, shall be punished as a military commission under this chapter may direct.

''(11) TORTURE.—

''(A) OFFENSE.—Any person subject to this chapter who commits an act specifically intended to inflict severe physical or mental pain or suffering (other than pain or suffering incidental to lawful sanctions) upon another person within his custody or physical control for the purpose of obtaining information or a confession, punishment, intimidation, coercion, or any reason based on discrimination of any kind, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(B) SEVERE MENTAL PAIN OR SUFFERING DEFINED.—In this section, the term 'severe mental pain or suffering' has the meaning given that term in section 2340(2) of title 18.

''(12) CRUEL OR INHUMAN TREATMENT.—

''(A) OFFENSE.—Any person subject to this chapter who commits an act intended to inflict severe or serious physical or mental pain or suffering (other than pain or suffering incidental to lawful sanctions), including serious physical abuse, upon another within his custody or control shall be punished, if death results to the victim, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to the victim, by such punishment, other than death, as a military commission under this chapter may direct.

''(B) DEFINITIONS.—In this paragraph:

''(i) The term 'serious physical pain or suffering' means bodily injury that involves—

''(I) a substantial risk of death;

''(II) extreme physical pain;

''(III) a burn or physical disfigurement of a serious nature (other than cuts, abrasions, or bruises); or

''(IV) significant loss or impairment of the function of a bodily member, organ, or mental faculty.

''(ii) The term 'severe mental pain or suffering' has the meaning given that term in section 2340(2) of title 18.

''(iii) The term 'serious mental pain or suffering' has the meaning given the term 'severe mental pain or suffering' in section 2340(2) of title 18, except that—

''(I) the term 'serious' shall replace the term 'severe' where it appears; and

''(II) as to conduct occurring after the date of the enactment of the Military Commissions Act of 2006, the term 'serious and nontransitory mental harm (which need not be prolonged)' shall replace the term 'prolonged mental harm' where it appears.

''(13) INTENTIONALLY CAUSING SERIOUS BODILY INJURY.—

''(A) OFFENSE.—Any person subject to this chapter who intentionally causes serious bodily injury to one or more persons, including lawful combatants, in violation of the law of war shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(B) SERIOUS BODILY INJURY DEFINED.—In this paragraph, the term 'serious bodily injury' means bodily injury which involves—

''(i) a substantial risk of death;

''(ii) extreme physical pain;

''(iii) protracted and obvious disfigurement; or

''(iv) protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

''(14) MUTILATING OR MAIMING.—Any person subject to this chapter who intentionally injures one or more protected persons by disfiguring the person or persons by any mutilation of the person or persons, or by permanently disabling any member, limb, or organ of the body of the person or persons, without any legitimate medical or dental purpose, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does

not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(15) MURDER IN VIOLATION OF THE LAW OF WAR.—Any person subject to this chapter who intentionally kills one or more persons, including lawful combatants, in violation of the law of war shall be punished by death or such other punishment as a military commission under this chapter may direct.

''(16) DESTRUCTION OF PROPERTY IN VIOLATION OF THE LAW OF WAR.—Any person subject to this chapter who intentionally destroys property belonging to another person in violation of the law of war shall punished as a military commission under this chapter may direct.

''(17) USING TREACHERY OR PERFIDY.—Any person subject to this chapter who, after inviting the confidence or belief of one or more persons that they were entitled to, or obliged to accord, protection under the law of war, intentionally makes use of that confidence or belief in killing, injuring, or capturing such person or persons shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(18) IMPROPERLY USING A FLAG OF TRUCE.—Any person subject to this chapter who uses a flag of truce to feign an intention to negotiate, surrender, or otherwise suspend hostilities when there is no such intention shall be punished as a military commission under this chapter may direct.

''(19) IMPROPERLY USING A DISTINCTIVE EMBLEM.—Any person subject to this chapter who intentionally uses a distinctive emblem recognized by the law of war for combatant purposes in a manner prohibited by the law of war shall be punished as a military commission under this chapter may direct.

''(20) INTENTIONALLY MISTREATING A DEAD BODY.—Any person subject to this chapter who intentionally mistreats the body of a dead person, without justification by legitimate military necessity, shall be punished as a military commission under this chapter may direct.

''(21) RAPE.—Any person subject to this chapter who forcibly or with coercion or threat of force wrongfully invades the body of a person by penetrating, however slightly, the anal or genital opening of the victim with any part of the body of the accused, or with any foreign object, shall be punished as a military commission under this chapter may direct.

''(22) SEXUAL ASSAULT OR ABUSE.—Any person subject to this chapter who forcibly or with coercion or threat of force engages in sexual contact with one or more persons, or causes one or more persons to engage in sexual contact, shall be punished as a military commission under this chapter may direct.

''(23) HIJACKING OR HAZARDING A VESSEL OR AIRCRAFT.—Any person subject to this chapter who intentionally seizes, exercises unauthorized control over, or endangers the safe navigation of a vessel or aircraft that is not a legitimate military objective shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(24) TERRORISM.—Any person subject to this chapter who intentionally kills or inflicts great bodily harm on one or more protected persons, or intentionally engages in an act that evinces a wanton disregard for human life, in a manner calculated to influence or affect the conduct of government or civilian population by intimidation or coercion, or to retaliate against government conduct, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''(25) PROVIDING MATERIAL SUPPORT FOR TERRORISM.—

''(A) OFFENSE.—Any person subject to this chapter who provides material support or resources, knowing or intending that they are to be used in preparation for, or in carrying out, an act of terrorism (as set forth in paragraph (24)), or who intentionally provides material support or resources to an international terrorist organization engaged in hostilities against the United States, knowing that such organization has engaged or engages in terrorism (as so set forth), shall be punished as a military commission under this chapter may direct.

''(B) MATERIAL SUPPORT OR RESOURCES DEFINED.—In this paragraph, the term 'material support or resources' has the meaning given that term in section 2339A(b) of title 18.

''(26) WRONGFULLY AIDING THE ENEMY.—Any person subject to this chapter who, in breach of an allegiance or duty to the United States, knowingly and intentionally aids an enemy of the United States, or one of the co-belligerents of the enemy, shall be punished as a military commission under this chapter may direct.

''(27) SPYING.—Any person subject to this chapter who with intent or reason to believe that it is to be used to the injury of the United States or to the advantage of a foreign power, collects or attempts to collect information by clandestine means or while acting under false pretenses, for the purpose of conveying such information to an enemy of the United States, or one of the co-belligerents of the enemy, shall be punished by death or such other punishment as a military commission under this chapter may direct.

''(28) CONSPIRACY.—Any person subject to this chapter who conspires to commit one or more substantive offenses triable by military commission under this chapter, and who knowingly does any overt act to effect the object of the conspiracy, shall be punished, if death results to one or more of the victims, by death or such other punishment as a military commission under this chapter may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a military commission under this chapter may direct.

''§ 950w. Perjury and obstruction of justice; contempt

''(a) PERJURY AND OBSTRUCTION OF JUSTICE.—A military commission under this chapter may try offenses and impose such punishment as the military commission may direct for perjury, false testimony, or obstruction of justice related to military commissions under this chapter.

''(b) CONTEMPT.—A military commission under this chapter may punish for contempt any person who uses any menacing word, sign, or gesture in its presence, or who disturbs its proceedings by any riot or disorder.''.

(2) TABLES OF CHAPTERS AMENDMENTS.—The tables of chapters at the beginning of subtitle A, and at the beginning of part II of subtitle A, of title 10, United States Code, are each amended by inserting after the item relating to chapter 47 the following new item:

''47A. Military Commissions ..... 948a''.

(b) SUBMITTAL OF PROCEDURES TO CONGRESS.—Not later than 90 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 setting forth the procedures for military commissions prescribed under chapter 47A of title 10, United States Code (as added by subsection (a)).

SEC. 4. AMENDMENTS TO UNIFORM CODE OF MILITARY JUSTICE.

(a) CONFORMING AMENDMENTS.—Chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended as follows:

(1) APPLICABILITY TO LAWFUL ENEMY COMBATANTS.—Section 802(a) (article 2(a)) is amended by adding at the end the following new paragraph:

''(13) Lawful enemy combatants (as that term is defined in section 948a(2) of this title) who violate the law of war.''.

(2) EXCLUSION OF APPLICABILITY TO CHAPTER 47A COMMISSIONS.—Sections 821, 828, 848, 850(a), 904, and 906 (articles 21, 28, 48, 50(a), 104, and 106) are amended by adding at the end the following new sentence: ''This section does not apply to a military commission established under chapter 47A of this title.''.

(3) INAPPLICABILITY OF REQUIREMENTS RELATING TO REGULATIONS.—Section 836 (article 36(b)) is amended—

(A) in subsection (a), by inserting '', except as provided in chapter 47A of this title,'' after ''but which may not''; and

(B) in subsection (b), by inserting before the period at the end '', except insofar as applicable to military commissions established under chapter 47A of this title''.

(b) PUNITIVE ARTICLE OF CONSPIRACY.—Section 881 of title 10, United States Code (article 81 of the Uniform Code of Military Justice), is amended—

(1) by inserting ''(a)'' before ''Any person''; and

(2) by adding at the end the following new subsection:

''(b) Any person subject to this chapter who conspires with any other person to commit an offense under the law of war, and who knowingly does an overt act to effect the object of the conspiracy, shall be punished, if death results to one or more of the victims, by death or such other punishment as a court-martial or military commission may direct, and, if death does not result to any of the victims, by such punishment, other than death, as a court-martial or military commission may direct.''.

SEC. 5. TREATY OBLIGATIONS NOT ESTABLISHING GROUNDS FOR CERTAIN CLAIMS.

(a) IN GENERAL.—No person may invoke the Geneva Conventions or any protocols thereto in any habeas corpus or other civil action or proceeding to which the United States, or a current or former officer, employee, member of the Armed Forces, or other agent of the United States is a party as a source of rights in any court of the United States or its States or territories.

(b) GENEVA CONVENTIONS DEFINED.—In this section, the term ''Geneva Conventions'' means—

(1) the Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, done at Geneva August 12, 1949 (6 UST 3114);

(2) the Convention for the Amelioration of the Condition of the Wounded, Sick, and Shipwrecked Members of the Armed Forces at Sea, done at Geneva August 12, 1949 (6 UST 3217);

(3) the Convention Relative to the Treatment of Prisoners of War, done at Geneva August 12, 1949 (6 UST 3316); and

(4) the Convention Relative to the Protection of Civilian Persons in Time of War, done at Geneva August 12, 1949 (6 UST 3516).

SEC. 6. IMPLEMENTATION OF TREATY OBLIGATIONS.

(a) IMPLEMENTATION OF TREATY OBLIGATIONS.—

(1) IN GENERAL.—The acts enumerated in subsection (d) of section 2441 of title 18, United States Code, as added by subsection (b) of this section, and in subsection (c) of this section, constitute violations of common Article 3 of the Geneva Conventions prohibited by United States law.

(2) PROHIBITION ON GRAVE BREACHES.—The provisions of section 2441 of title 18, United States Code, as amended by this section, fully satisfy the obligation under Article 129 of the Third Geneva Convention for the United States to provide effective penal sanctions for grave breaches which are encompassed in common Article 3 in the context of an armed conflict not of an international character. No foreign or international source of law shall supply a basis for a rule of decision in the courts of the United States in interpreting the prohibitions enumerated in subsection (d) of such section 2441.

(3) INTERPRETATION BY THE PRESIDENT.—

(A) As provided by the Constitution and by this section, the President has the authority for the United States to interpret the meaning and application of the Geneva Conventions and to promulgate higher standards and administrative regulations for violations of treaty obligations which are not grave breaches of the Geneva Conventions.

(B) The President shall issue interpretations described by subparagraph (A) by Executive Order published in the Federal Register.

(C) Any Executive Order published under this paragraph shall be authoritative (except as to grave breaches of common Article 3) as a matter of United States law, in the same manner as other administrative regulations.

(D) Nothing in this section shall be construed to affect the constitutional functions and responsibilities of Congress and the judicial branch of the United States.

(4) DEFINITIONS.—In this subsection:

(A) GENEVA CONVENTIONS.—The term ''Geneva Conventions'' means—

(i) the Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, done at Geneva August 12, 1949 (6 UST 3217);

(ii) the Convention for the Amelioration of the Condition of the Wounded, Sick, and Shipwrecked Members of the Armed Forces at Sea, done at Geneva August 12, 1949 (6 UST 3217);

(iii) the Convention Relative to the Treatment of Prisoners of War, done at Geneva August 12, 1949 (6 UST 3316); and

(iv) the Convention Relative to the Protection of Civilian Persons in Time of War, done at Geneva August 12, 1949 (6 UST 3516).

(B) THIRD GENEVA CONVENTION.—The term ''Third Geneva Convention'' means the international convention referred to in subparagraph (A)(iii).

(b) REVISION TO WAR CRIMES OFFENSE UNDER FEDERAL CRIMINAL CODE.—

(1) IN GENERAL.—Section 2441 of title 18, United States Code, is amended—

(A) in subsection (c), by striking paragraph (3) and inserting the following new paragraph (3):

''(3) which constitutes a grave breach of common Article 3 (as defined in subsection (d)) when committed in the context of and in association with an armed conflict not of an international character; or''; and

(B) by adding at the end the following new subsection:

''(d) COMMON ARTICLE 3 VIOLATIONS.—

''(1) PROHIBITED CONDUCT.—In subsection (c)(3), the term 'grave breach of common Article 3' means any conduct (such conduct constituting a grave breach of common Article 3 of the international conventions done at Geneva August 12, 1949), as follows:

''(A) TORTURE.—The act of a person who commits, or conspires or attempts to commit, an act specifically intended to inflict severe physical or mental pain or suffering (other than pain or suffering incidental to lawful sanctions) upon another person within his custody or physical control for the purpose of obtaining information or a confession, punishment, intimidation, coercion, or any reason based on discrimination of any kind.

''(B) CRUEL OR INHUMAN TREATMENT.—The act of a person who commits, or conspires or attempts to commit, an act intended to inflict severe or serious physical or mental pain or suffering (other than pain or suffering incidental to lawful sanctions), including serious physical abuse, upon another within his custody or control.

''(C) PERFORMING BIOLOGICAL EXPERIMENTS.—The act of a person who subjects, or conspires or attempts to subject, one or more persons within his custody or physical control to biological experiments without a legitimate medical or dental purpose and in so doing endangers the body or health of such person or persons.

''(D) MURDER.—The act of a person who intentionally kills, or conspires or attempts to kill, or kills whether intentionally or unintentionally in the course of committing any other offense under this subsection, one or more persons taking no active part in the hostilities, including those placed out of combat by sickness, wounds, detention, or any other cause.

''(E) MUTILATION OR MAIMING.—The act of a person who intentionally injures, or conspires or attempts to injure, or injures whether intentionally or unintentionally in the course of committing any other offense under this subsection, one or more persons taking no active part in the hostilities, including those placed out of combat by sickness, wounds, detention, or any other cause, by disfiguring the person or persons by any mutilation thereof or by permanently disabling any member, limb, or organ of his body, without any legitimate medical or dental purpose.

''(F) INTENTIONALLY CAUSING SERIOUS BODILY INJURY.—The act of a person who intentionally causes, or conspires or attempts to cause, serious bodily injury to one or more persons, including lawful combatants, in violation of the law of war.

''(G) RAPE.—The act of a person who forcibly or with coercion or threat of force wrongfully invades, or conspires or attempts to invade, the body of a person by penetrating, however slightly, the anal or genital opening of the victim with any part of the body of the accused, or with any foreign object.

''(H) SEXUAL ASSAULT OR ABUSE.—The act of a person who forcibly or with coercion or threat of force engages, or conspires or attempts to engage, in sexual contact with one or more persons, or causes, or conspires or attempts to cause, one or more persons to engage in sexual contact.

''(I) TAKING HOSTAGES.—The act of a person who, having knowingly seized or detained one or more persons, threatens to kill, injure, or continue to detain such person or persons with the intent of compelling any nation, person other than the hostage, or group of persons to act or refrain from acting as an explicit or implicit condition for the safety or release of such person or persons.

''(2) DEFINITIONS.—In the case of an offense under subsection (a) by reason of subsection (c)(3)—

''(A) the term 'severe mental pain or suffering' shall be applied for purposes of paragraphs (1)(A) and (1)(B) in accordance with the meaning given that term in section 2340(2) of this title;

''(B) the term 'serious bodily injury' shall be applied for purposes of paragraph (1)(F) in accordance with the meaning given that term in section 113(b)(2) of this title;

''(C) the term 'sexual contact' shall be applied for purposes of paragraph (1)(G) in accordance with the meaning given that term in section 2246(3) of this title;

''(D) the term 'serious physical pain or suffering' shall be applied for purposes of paragraph (1)(B) as meaning bodily injury that involves—

''(i) a substantial risk of death;

''(ii) extreme physical pain;

''(iii) a burn or physical disfigurement of a serious nature (other than cuts, abrasions, or bruises); or

''(iv) significant loss or impairment of the function of a bodily member, organ, or mental faculty; and

''(E) the term 'serious mental pain or suffering' shall be applied for purposes of paragraph (1)(B) in accordance with the meaning given the term 'severe mental pain or suffering' (as defined in section 2340(2) of this title), except that—

''(i) the term 'serious' shall replace the term 'severe' where it appears; and

''(ii) as to conduct occurring after the date of the enactment of the Military Commissions Act of 2006, the term 'serious and nontransitory mental harm (which need not be prolonged)' shall replace the term 'prolonged mental harm' where it appears.

''(3) INAPPLICABILITY OF CERTAIN PROVISIONS WITH RESPECT TO COLLATERAL DAMAGE OR INCIDENT OF LAWFUL ATTACK.—The intent specified for the conduct stated in subparagraphs (D), (E), and (F) or paragraph (1) precludes the applicability of those subparagraphs to an offense under subsection (a) by reasons of subsection (c)(3) with respect to—

''(A) collateral damage; or

''(B) death, damage, or injury incident to a lawful attack.

''(4) INAPPLICABILITY OF TAKING HOSTAGES TO PRISONER EXCHANGE.—Paragraph (1)(I) does not apply to an offense under subsection (a) by reason of subsection (c)(3) in the case of a prisoner exchange during wartime.''.

(2) RETROACTIVE APPLICABILITY.—The amendments made by this subsection, except as specified in subsection (d)(2)(E) of section 2441 of title 18, United States Code, shall take effect as of November 26, 1997, as if enacted immediately after the amendments made by section 583 of Public Law 105–118 (as amended by section 4002(e)(7) of Public Law 107–273).

(c) ADDITIONAL PROHIBITION ON CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT.—

(1) IN GENERAL.—No individual in the custody or under the physical control of the United States Government, regardless of nationality or physical location, shall be subject to cruel, inhuman, or degrading treatment or punishment.

(2) CRUEL, INHUMAN, OR DEGRADING TREATMENT OR PUNISHMENT DEFINED.—In this subsection, the term ''cruel, inhuman, or degrading treatment or punishment'' means cruel, unusual, and inhumane treatment or punishment prohibited by the Fifth, Eighth, and Fourteenth Amendments to the Constitution of the United States, as defined in the United States Reservations, Declarations and Understandings to the United Nations Convention Against Torture and Other Forms of Cruel, Inhuman or Degrading

Treatment or Punishment done at New York, December 10, 1984.

(3) COMPLIANCE.—The President shall take action to ensure compliance with this subsection, including through the establishment of administrative rules and procedures.

SEC. 7. HABEAS CORPUS MATTERS.

(a) IN GENERAL.—Section 2241 of title 28, United States Code, is amended by striking both the subsection (e) added by section 1005(e)(1) of Public Law 109–148 (119 Stat. 2742) and the subsection (e) added by added by section 1405(e)(1) of Public Law 109–163 (119 Stat. 3477) and inserting the following new subsection (e):

''(e)(1) No court, justice, or judge shall have jurisdiction to hear or consider an application for a writ of habeas corpus filed by or on behalf of an alien detained by the United States who has been determined by the United States to have been properly detained as an enemy combatant or is awaiting such determination.

''(2) Except as provided in paragraphs (2) and (3) of section 1005(e) of the Detainee Treatment Act of 2005 (10 U.S.C. 801 note), no court, justice, or judge shall have jurisdiction to hear or consider any other action against the United States or its agents relating to any aspect of the detention, transfer, treatment, trial, or conditions of confinement of an alien who is or was detained by the United States and has been determined by the United States to have been properly detained as an enemy combatant or is awaiting such determination.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply to all cases, without exception, pending on or after the date of the enactment of this Act which relate to any aspect of the detention, transfer, treatment, trial, or conditions of detention of an alien detained by the United States since September 11, 2001.

SEC. 8. REVISIONS TO DETAINEE TREATMENT ACT OF 2005 RELATING TO PROTECTION OF CERTAIN UNITED STATES GOVERNMENT PERSONNEL.

(a) COUNSEL AND INVESTIGATIONS.—Section 1004(b) of the Detainee Treatment Act of 2005 (42 U.S.C. 2000dd–1(b)) is amended—

(1) by striking ''may provide'' and inserting ''shall provide'';

(2) by inserting ''or investigation'' after ''criminal prosecution''; and

(3) by inserting ''whether before United States courts or agencies, foreign courts or agencies, or international courts or agencies,'' after ''described in that subsection''.

(b) PROTECTION OF PERSONNEL.—Section 1004 of the Detainee Treatment Act of 2005 (42 U.S.C. 2000dd–1) shall apply with respect to any criminal prosecution that—

(1) relates to the detention and interrogation of aliens described in such section;

(2) is grounded in section 2441(c)(3) of title 18, United States Code; and

(3) relates to actions occurring between September 11, 2001, and December 30, 2005.

SEC. 9. REVIEW OF JUDGMENTS OF MILITARY COMMISSIONS.

Section 1005(e)(3) of the Detainee Treatment Act of 2005 (title X of Public Law 109–148; 119 Stat. 2740; 10 U.S.C. 801 note) is amended—

(1) in subparagraph (A), by striking ''pursuant to Military Commission Order No. 1. dated August 31, 2005 (or any successor military order)'' and inserting ''by a military commission under chapter 47A of title 10, United States Code'';

(2) by striking subparagraph (B) and inserting the following new subparagraph (B):

''(B) GRANT OF REVIEW.—Review under this paragraph shall be as of right.'';

(3) in subparagraph (C)—

(A) in clause (i)—

(i) by striking ''pursuant to the military order'' and inserting ''by a military commission''; and

(ii) by striking ''at Guantanamo Bay, Cuba''; and

(B) in clause (ii), by striking ''pursuant to such military order'' and inserting ''by the military commission''; and

(4) in subparagraph (D)(i), by striking ''specified in the military order'' and inserting ''specified for a military commission''.

SEC. 10. DETENTION COVERED BY REVIEW OF DECISIONS OF COMBATANT STATUS REVIEW TRIBUNALS OF PROPRIETY OF DETENTION.

Section 1005(e)(2)(B)(i) of the Detainee Treatment Act of 2005 (title X of Public Law 109–148; 119 Stat. 2742; 10 U.S.C. 801 note) is amended by striking ''the Department of Defense at Guantanamo Bay, Cuba'' and inserting ''the United States''. This shall become effective 2 days after the date of enactment.

SA 5039. Mr. FRIST proposed an amendment to amendment SA 5038 proposed by Mr. FRIST to the bill H.R. 6061, to establish operational control over the international land and maritime borders of the United States; as follows:

At the end of the amendment in the instructions:

Strike ''2 days'' and insert ''3 days''.

SA 5040. Mr. FRIST proposed an amendment to amendment SA 5039 proposed by Mr. FRIST to the amendment SA 5038 proposed by Mr. FRIST to the bill H.R. 6061, to establish operational control over the international land and maritime borders of the United States; as follows:

In the amendment:

Strike ''3 days'' and insert ''4 days.''

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a business meeting, off-the-floor, on the nomination of Mary Peters to be Secretary of Transportation on Monday, September 25, 2006 after the first roll-call vote.

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

SECURE FENCE ACT OF 2006—Resumed

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate come out of morning business and return to the pending bill.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 6061) to establish operational control over the international land and maritime borders of the United States.

Pending:

Frist amendment No. 5031, to establish the effective date.

Frist amendment No. 5032 (to amendment No. 5031), to amend the effective date.

AMENDMENT NO. 5031, WITHDRAWN

Mr. FRIST. Mr. President, I ask unanimous consent to withdraw amendment No. 5031.

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

AMENDMENT NO. 5036

Mr. FRIST. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. FRIST] proposes an amendment numbered 5036.

Mr. FRIST. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. FRIST. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 5037 TO AMENDMENT NO. 5036

Mr. FRIST. Mr. President, I send a second degree to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. FRIST] proposes an amendment numbered 5037 to amendment No. 5036.

Mr. FRIST. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the amendment, add the following:

This Act shall become effective 1 day after the date of enactment.

CLOTURE MOTION

Mr. FRIST. Mr. President, I now send a cloture motion to the desk on the pending first-degree amendment.

The PRESIDING OFFICER. The cloture motion having been presented under Rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the pending amendment No. 5036 to Calendar No. 615, H.R. 6061: a bill to establish operational control over the international land and maritime borders of the United States.

Bill Frist, Jim DeMint, Johnny Isakson, Craig Thomas, Jim Inhofe, Pat Roberts, Gordon Smith, Wayne Allard, John Ensign, Saxby Chambliss, Chris Bond, Conrad Burns, Norm Coleman, Mitch McConnell, Michael B. Enzi, Richard Shelby, John Thune.

CLOTURE MOTION

Mr. FRIST. I now send a cloture motion to the desk on the underlying bill.

The PRESIDING OFFICER. The cloture motion having been presented

under Rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Calendar No. 615, H.R. 6061, a bill to establish operational control over the international land and maritime borders of the United States.

Bill Frist, Lamar Alexander, Richard Burr, Gordon Smith, John Thune, Johnny Isakson, John Cornyn, Judd Gregg, Jim Inhofe, Saxby Chambliss, Sam Brownback, Tom Coburn, Jeff Sessions, Richard Shelby, Craig Thomas, Michael B. Enzi, Lisa Murkowski.

Mr. FRIST. I ask the mandatory quorum for both motions be waived.

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

MOTION TO COMMIT

Mr. FRIST. I move to commit the bill to the Judiciary Committee, with instructions to report back forthwith, with an amendment, and I send the motion to the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. FRIST] moves to commit the bill, H.R. 6061, to the Committee on the Judiciary, with instructions to report back forthwith, with an amendment.

Mr. FRIST. I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 5039

Mr. FRIST. I send a first-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. FRIST] proposes an amendment numbered 5039 to the instructions of the motion to commit.

Mr. FRIST. I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the amendment in the instructions:

Strike ''2 days'' and insert ''3 days''.

Mr. FRIST. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 5040 TO AMENDMENT NO. 5039

Mr. FRIST. Mr. President, I now send a second degree to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. FRIST] proposes an amendment numbered 5040 to amendment No. 5039.

Mr. FRIST. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

In the amendment strike ''3 days'' and insert ''4 days.''

Mr. FRIST. Mr. President, we can come back and comment on this, but what I have just done is put an amendment on the legislation. The military commission or Hamdan legislation—I have put that as an amendment on the border security fence bill. I say that just so our colleagues will understand the Democratic leader and I are working very hard to reach an agreement, and we are just about there. We need to talk to some more colleagues about how we will address the Hamdan legislation.

Because things are tight in terms of being able to finish the amount of business we need to do in the next 4 to 5 days, what we just went through was to set up a structure whereby we know we are going to be able to finish that. Again, our intent is to work out a plan to be able to address that legislation in a way that is agreeable to both sides. I think we should be able to do that tomorrow morning.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Mr. President, if I could just briefly respond, we would like to proceed as expeditiously as possible. We have been alerted by one of my Senators that the rule XIV legislation that was brought to the Senate late last week is different from the amendment that was filed tonight. So some of my folks are trying to figure out what has happened. We thought what was going to be filed as an amendment to this fence bill was the same piece of legislation that was rule XIVed. So we have now a rule XIV that has been sent up, and now we have this amendment. So that has created a little bit of confusion on our side.

But I also say this: I think we could work something out if we can get to the bill. When we start late in the session like this, any one Senator weighs about 1,000 pounds because any Senator can stop anything they want. So we have to make sure we can get to this. It takes all 100 Senators to agree that is the case. If we could proceed to it, it is my understanding the majority leader would allow a limited number of amendments. We could work on this tomorrow with some time agreements on it—agreements on both sides.

If this is not worked out, it is my understanding that what would happen is that on Wednesday there would be a cloture vote on this amendment dealing with Hamdan. That would occur on Wednesday, and then after that, amendments germane in nature would be in order if, in fact, the majority decided to allow any amendments to go forward.

So it appears to me the best chance for Senators on both sides to have an opportunity to offer amendments to Hamdan would be to move to it tomorrow. If we cannot do that, then we will have to see what happens with cloture. But I believe that is where we find ourselves tonight.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, that is exactly where we are. I think the good news is both sides recognize this is a very important issue before this body and before the American people and that we have had a lot of work on this bill to where I think—speaking of the Hamdan legislation—there is going to be very broad support. There are areas people have expressed concern about, and our intent is to work out a unanimous consent agreement hopefully early in the morning whereby we can address those with amendments.

Mr. REID. Mr. President, I would further say just briefly that, yes, we do have this matter before us. Is it what we want? The answer is, probably we think we could do better. That is why we would agree on this side to have a limited number of amendments and have this body decide whether the bill can be improved. We hope that can occur. As I have indicated in my previous statement, it all depends on how the other 98 Senators feel as to whether we can move forward short of cloture on Wednesday.

UNANIMOUS CONSENT REQUEST—S. 3709

Mr. FRIST. Mr. President, on another issue, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Democratic leader, the Senate proceed to the immediate consideration of Calendar No. 527, S. 3709, the U.S.-India nuclear bill.

I further ask consent that the managers' amendment at the desk be agreed to as original text for the purpose of further amendment and the only other amendments in order be FEINGOLD on Presidential certification, DORGAN on fissile material production, BOXER on Iran, REID on Yucca Mountain, CRAIG on Yucca Mountain, with no second-degree amendments in order, 1 hour of debate on each amendment, and 1 hour of general debate on the bill, all equally divided in the usual form.

I further ask consent that following disposition of amendments and the use or yielding back of time, the bill, as amended, be read a third time and the Senate proceed to the consideration of H.R. 5682, the House-passed companion, that all after the enacting clause be stricken and the text of S. 3709, as amended, be inserted in lieu thereof, and that the Senate then proceed to a vote on passage of H.R. 5682, as amended, with no intervening action or debate.

I further ask consent that following passage of the bill, the Senate insist upon its amendment and request a conference with the House, the Chair be authorized to appoint conferees, and S. 3709 be returned to the calendar.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, Mr. President. I received a rare personal telephone call today from Secretary Condoleezza Rice, which I appreciated. It was on this subject matter. I told her how I felt. I told her it is unfortunate that this legislation has been put aside since last July until today. I also told her that I personally support the legislation. I cosponsored it. I think it is important legislation.

I told her exactly what I told the majority leader and the Indian Foreign Minister last week; that is, I support this legislation and believe it is very important for the full Senate to act on it very quickly.

This legislation, I believe, is strongly supported by a sizable majority of the Senate. I canvased our side for amendments. We have a number of amendments that have been talked about. I think that is the universe of the amendments, with rare exception. I think these are manageable amendments. They are few in number. And I think we could complete this legislation very quickly. I have directed our floor staff to prepare a unanimous consent request to that effect.

We have a situation where the managers' amendment Senator LUGAR and Senator BIDEN have come up with—they have not been able to work this out, the two managers. These are two of the most senior Members of the Senate. I hope they can do that in the near future.

So I ask unanimous consent that the majority leader's request be modified as follows: that once the agreement has been reached on the managers' amendment, the Senate begin consideration of S. 3709 under the following limitations: that the managers' amendment be immediately agreed to for purposes of original text, that first-degree amendments deal with similar subject matter as contained in the bill, and that relevant second-degree amendments be in order.

Before the Chair puts the question, I would point out it would be my expectation we could finish this bill very quickly. I think we could finish it in 1 day. It might be a long day, but we could do that. I think we could do that. I think this is important enough that we should have a long day, if necessary, to do this and that agreements would be possible on each of our amendments. On every amendment we would offer, we would agree to a relatively short time limit.

The PRESIDING OFFICER. Is there objection to the modification?

Mr. FRIST. Mr. President, reserving the right to object, as the Democratic leader said, this is a critically important piece of legislation. That is why I wanted to bring it forward tonight and am pleased the Democratic leader so strongly supports the legislation. Our challenge will be to figure out how we can address it with the appropriate concerns. And I understand his statement on the managers' amendment of the chairman and ranking member, that there is a little more work that needs to be done.

Enactment of this legislation will create significant export opportunities for U.S. industry, with job creation, with thousands of new jobs created. There are some technical differences between the House and Senate bills that will have to be worked out in conference. Therefore, I do believe we should address this bill before we leave.

Mr. FRIST. Mr. President, right now, I will object to the modification of my unanimous consent request. After a brief discussion, we can come back and see if we are close to being able to take this to the floor under this time agreement, with these amendments. I think we ought to lock it down tonight. With that, I object to the modification.

The PRESIDING OFFICER. Objection is heard to the modification.

Is there objection to the original request?

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. DURBIN. Mr. President, will the majority leader yield for a question?

Mr. FRIST. First, let me go through the remaining business.

Mr. DURBIN. I will wait.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to executive session; provided further that the Agriculture Committee be discharged from further consideration of the nomination of Charles F. Connor, PN1911, to be a member of the board of directors of the Commodity Credit Corporation; provided further that the Senate proceed to its consideration, the nomination be confirmed, with the motion to reconsider laid upon the table, and the President be immediately notified of the Senate's action, and that the Senate resume legislative session.

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

The nomination considered and confirmed is as follows:

DEPARTMENT OF AGRICULTURE

Charles F. Conner, of Indiana, to be a Member of the Board of Directors of the Commodity Credit Corporation.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now return to legislative session.

OBSERVING GLOBAL FAMILY DAY

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 582, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 582) urging the people of the United States to observe Global Family Day and One Day of Peace and Sharing.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD as if read, without intervening action or debate.

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

The resolution (S. Res. 582) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 582

Whereas in 2005, the people of the world suffered many calamitous events, including devastation from tsunamis, terror attacks, wars, famines, genocides, hurricanes, earthquakes, political and religious conflicts, diseases, poverty, and rioting, all necessitating global cooperation, compassion, and unity previously unprecedented among diverse cultures, faiths, and economic classes;

Whereas grave global challenges in 2006 may require cooperation and innovative problem-solving among citizens and nations on an even greater scale;

Whereas, on December 15, 2000, Congress adopted Senate Concurrent Resolution 138, expressing the sense of Congress that the President of the United States should issue a proclamation each year calling upon the people of the United States and interested organizations to observe an international day of peace and sharing at the beginning of each year;

Whereas, in 2001, the United Nations General Assembly adopted Resolution 56/2, which invited "Member States, intergovernmental and non-governmental organizations and all the peoples of the world to celebrate One Day in Peace, 1 January 2002, and every year thereafter";

Whereas many foreign heads of State have recognized the importance of establishing Global Family Day, a special day of international unity, peace, and sharing, on the first day of each year; and

Whereas family is the basic structure of humanity, thus, we must all look to the stability and love within our individual families to create stability in the global community: Now therefore, be it

Resolved, That the Senate urgently requests—

(1) the people of the United States to observe Global Family Day and One Day of Peace and Sharing with appropriate activities stressing the need—

(A) to eradicate violence, hunger, poverty, and suffering; and

(B) to establish greater trust and fellowship among peace-loving countries and families everywhere; and

(2) that American businesses, labor organizations, and faith and civic leaders are urged to join in promoting appropriate activities for Americans and in extending appropriate greetings from the families of America to families in the rest of the world.

DESIGNATING SEPTEMBER AS ''NATIONAL YOUTH COURT MONTH''

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 583, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 583) designating September 2006 as ''National Youth Court Month.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

The resolution (S. Res. 583) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 583

Whereas a strong country begins with strong communities in which all citizens play an active role and invest in the success and future of the youth of the United States;

Whereas the fifth National Youth Court Month celebrates the outstanding achievement of youth courts throughout the country;

Whereas in 2005, more than 110,000 youths volunteered to hear more than 115,000 juvenile cases, and more than 20,000 adults volunteered to facilitate peer justice in youth court programs;

Whereas 1,158 youth court programs in 49 States and the District of Columbia provide restorative justice for juvenile offenders, resulting in effective crime prevention, early intervention and education for all youth participants, and enhanced public safety throughout the United States;

Whereas, by holding juvenile offenders accountable, reconciling victims, communities, juvenile offenders, and their families, and reducing caseloads for the juvenile justice system, youth courts address offenses that might otherwise go unaddressed until the offending behavior escalates and redirects the efforts of juvenile offenders toward becoming contributing members of their communities;

Whereas Federal, State, and local governments, corporations, foundations, service organizations, educational institutions, juvenile justice agencies, and individual adults support youth courts because youth court programs actively promote and contribute to building successful, productive lives and futures for the youth of the United States;

Whereas a fundamental correlation exists between youth service and lifelong adult commitment to and involvement in one's community;

Whereas volunteer service and related service learning opportunities enable young people to build character and develop and enhance life-skills, such as responsibility, decision-making, time management, teamwork, public speaking, and leadership, which prospective employers will value; and

Whereas participating in youth court programs encourages youth court members to become valuable members of their communities: Now, therefore, be it

Resolved, That the Senate designates September 2006 as ''National Youth Court Month''.

SENATE LEGAL COUNSEL AUTHORIZATION

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 584, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 584) to authorize the production of records, testimony, and legal representation.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, the Committee on Health, Education, Labor, and Pensions has received a request from the U.S. Attorney's Office for the District of Columbia for records of the committee and testimony by committee staff relevant to an investigation it is conducting into a Presidential nominee's financial disclosure to the committee during confirmation proceedings. The chair and ranking member of the committee would like to cooperate with this request.

Accordingly, in keeping with Senate rules and practice, this resolution would authorize the committee to produce documents for use in this investigation. The resolution would also authorize testimony by committee staff, with representation by the Senate Legal Counsel.

Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 584) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 584

Whereas, the United States Attorney's Office for the District of Columbia is conducting an investigation of the financial disclosures made by Dr. Lester Crawford to the Committee on Health, Education, Labor, and Pensions in connection with confirmation proceedings on Dr. Crawford's nomination to be Commissioner of the Food and Drug Administration;

Whereas, the Committee on Health, Education, Labor, and Pensions has received a request from the United States Attorney's Office for testimony of three employees of the Committee and for records of the Committee relevant to the investigation;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. 288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Committee on Health, Education, Labor, and Pensions is authorized to produce documents and committee staff are authorized to testify in these and related proceedings, except where a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent employees of the Committee on Health, Education, Labor, and Pensions in connection with the document production and testimony authorized in section one of this resolution.

SENSE OF THE CONGRESS THAT STATES SHOULD REQUIRE CANDIDATES FOR DRIVER'S LICENSES TO DEMONSTRATE ABILITY TO EXERCISE INCREASED CAUTION

Mr. FRIST. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further consideration and the Senate proceed to H. Con. Res. 235.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 235) expressing the sense of the Congress that States should require candidates for driver's licenses to demonstrate an ability to exercise greatly increased caution when driving in the proximity of a potentially visually impaired individual.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, and the motion to reconsider laid upon the table.

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

The concurrent resolution (H. Con. Res. 235) was agreed to.

The preamble was agreed to.

NATIONAL TRANSPORTATION SAFETY BOARD REAUTHORIZATION ACT OF 2006

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 613, S. 3679.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 3679) to authorize appropriations for the National Transportation Safety Board, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Commerce, Science, and Transportation with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

S. 3679

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

[SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

[(a) SHORT TITLE.—This Act may be cited as the ''National Transportation Safety Board Reauthorization Act of 2006''.

[(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

[Sec. 1. Short title; table of contents.
[Sec. 2. Reports.
[Sec. 3. Repeal of reimbursement for DOT inspector general services.
[Sec. 4. Contracting requirements for investigation services.
[Sec. 5. Technical corrections.
[Sec. 6. AMTRAK plan to assist families of passengers involved in rail passenger accidents.
[Sec. 7. Inspector General of the National Transportation Safety Board.
[Sec. 8. Audit procedures.
[Sec. 9. Authorization of appropriations.

[SEC. 2. REPORTS.

[(a) ANNUAL REPORTS.—

[(1) IN GENERAL.—Section 1117 of title 49, United States Code, is amended—

[(A) by striking ''and'' after the semicolon in paragraph (2);

[(B) by striking ''State.'' in paragraph (3) and inserting ''State;''; and

[(C) by adding at the end the following:

[''(4) a description of the activities and operations of the National Transportation Safety Board Academy during the prior calendar year;

[''(5) a list of accidents during the prior calendar year that the Board was required to investigate under section 1131 of this title but did not investigate, and an explanation of why they were not investigated; and

[''(6) a list of ongoing investigations that have exceeded the expected time allotted for completion by Board order and an explanation for the additional time required to complete each such investigation.''.

[(2) UTILIZATION PLAN.—

[(A) PLAN.—Within 90 days after the date of enactment of this Act, the National Transportation Safety Board shall—

[(i) develop a plan to achieve the self-sufficient operation of the National Transportation Safety Board Academy and utilize fully the Academy's facilities and resources;

[(ii) submit a draft of the plan to the Comptroller General for review and comment; and

[(iii) submit a draft of the plan to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure.

[(B) PLAN DEVELOPMENT CONSIDERATIONS.—The Board shall—

[(i) give consideration in developing the plan to subleasing the facility to another entity or other revenue-generating measures; and

[(ii) include in the plan a detailed financial statement that covers current Academy expenses and revenues and an analysis of the projected impact of the plan on the Academy's expenses and revenues.

[(C) REPORT.—Within 180 days after the date of enactment of this Act, the National Transportation Safety Board shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure that includes—

[(i) an updated copy of the plan;

[(ii) any comments and recommendations made by the Comptroller General pursuant to the Government Accountability Office's review of the draft plan; and

[(iii) a response to the Comptroller General's comments and recommendations, including a description of any modifications made to the plan in response to those comments and recommendations.

[(D) IMPLEMENTATION.—The plan shall be fully implemented within 2 years after the date of enactment of this Act.

[(b) DOT REPORT ON COMPLIANCE WITH RECOMMENDATIONS.—Within 90 days after the Secretary of Transportation submits a report under section 1135(d) of title 49, United States Code, the National Transportation Safety Board shall review the Secretary's report and transmit comments on the report to the Secretary, the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure.

[(c) TRANSPORTATION SAFETY REAUTHORIZATION RECOMMENDATIONS.—The Board shall, as appropriate, provide recommendations and comments to the Congress pertaining to pending transportation safety legislation.

[SEC. 3. REPEAL OF REIMBURSEMENT FOR DOT INSPECTOR GENERAL SERVICES.

[Section 1137 of title 49, United States Code, is amended by striking subsection (d).

[SEC. 4. CONTRACTING REQUIREMENTS FOR INVESTIGATION SERVICES.

[(a) IN GENERAL.—Section 1113(b) of title 49, United States Code, is amended—

[(1) by striking ''and'' after the semicolon in paragraph (1)(H);

[(2) by redesignating subparagraph (I) as subparagraph (J) in paragraph (1);

[(3) by inserting after subparagraph (H) of paragraph (1) the following:

['''(I) for an investigation under section 1131, enter into agreements or contracts without regard to any other provision of law requiring competition, if necessary to expedite the investigation; and''; and

[(4) by striking ''(1)(I)'' each place it appears in paragraph (2) and inserting ''(1)(J)''.

[(b) REPORT ON USAGE.—Section 1117 of title 49, United States Code, as amended by section 2, is further amended—

[(1) by striking ''and'' after the semicolon in paragraph (5);

[(2) by striking ''investigation.'' in paragraph (6) and inserting ''investigation; and''; and

[(3) by adding at the end the following:

[''(7) a description of each contract executed during the preceding calendar year under the authority of section 1113(b)(1)(I), and the rationale for dispensing with competition requirements with respect to each such contract.''.

[SEC. 5. TECHNICAL CORRECTIONS.

[(a) FUNCTIONAL UNIT FOR MARINE INVESTIGATIONS.—Section 1111(g) of title 49, United States Code, is amended by adding at the end the following:

[''(5) marine.''.

[(b) MARINE CASUALTY INVESTIGATIONS.—Section 1131(a)(1)(E) of title 49, United States Code, is amended—

[(1) by striking ''on the navigable waters or territorial sea of the United States,'' and inserting ''on the navigable waters, all internal waters, and the territorial sea of the United States,''; and

[(2) by inserting ''(as defined in section 2101(46))'' after ''vessel of the United States''.

[(c) REFERENCE TO DEPARTMENTAL AUTHORITY.—Section 1131(c)(1) of title 49, United States Code, is amended by inserting ''or the Secretary of the department in which the Coast Guard is operating'' after ''Transportation''.

[(d) APPOINTMENT OF MANAGING DIRECTOR.—Section 1111 of title 49, United States Code, is amended—

[(1) by striking paragraph (1) of subsection (e) and inserting the following:

[''(1) appoint and supervise officers and employees, other than regular and fulltime employees in the immediate offices of another member, necessary to carry out this chapter;'';

[(2) by redesignating paragraphs (2) and (3) of subsection (e) as paragraphs (3) and (4), respectively, and inserting after paragraph (1) the following:

[''(2) fix the pay of officers and employees necessary to carry out this chapter;'';

[(3) by redesignating subsection (i) as subsection (k); and

[(4) by inserting after subsection (h) the following:

[''(i) MANAGING DIRECTOR.—The Board shall have a Managing Director who shall be—

[''(1) appointed by the Chairman, in consultation with the Board; and

[''(2) approved by the Board, pursuant to a procedure developed and adopted by the Board.

[''(j) BOARD MEMBER STAFF.—Each member of the Board shall appoint and supervise regular and fulltime employees in his or her immediate office as long as any such employee has been approved for employment by the designated agency ethics official under the same guidelines that apply to all employees of the Board. The appointment authority provided by this subsection is limited to the number of fulltime equivalent positions, in addition to 1 senior professional staff at the GS–15 level and 1 administrative staff, allocated each member through the Board's annual budget and allocation process.''.

[(e) BOARD APPROVAL.—Section 1113(c) of title 49, United States Code, is amended by inserting ''The Board shall develop and approve a process for the Board's review and comment or approval of documents submitted to the President, Director of the Office of Management and Budget, or the Congress under this subsection.'' after ''Congress.''.

[(f) INVESTIGATION TRACKING SYSTEM.—Within 6 months after the date of enactment of this Act, the National Transportation Safety Board shall develop and implement a process or system available to all Board members that tracks the status and activities associated with all ongoing and pending investigations undertaken by the Board, including the expected completion date, staff assignments, and such other information as the Board may require for the investigations.

[(g) INVESTIGATIVE OFFICERS.—Section 1113 of title 49, United States Code, is amended by adding at the end thereof the following:

[''(h) INVESTIGATIVE OFFICERS.—The Board shall maintain at least 1 fulltime employee in each State located more than 1,000 miles from the nearest Board regional office to provide initial investigative response to accidents the Board is empowered to investigate under this chapter that occur in those States.''.

[SEC. 6. AMTRAK PLAN TO ASSIST FAMILIES OF PASSENGERS INVOLVED IN RAIL PASSENGER ACCIDENTS.

[(a) IN GENERAL.—Chapter 243 of title 49, United States Code, is amended by adding at the end the following:

["§ 24316. Plans to address needs of families of passengers involved in rail passenger accidents

[''(a) SUBMISSION OF PLAN.—Not later than 6 months after the date of the enactment of the Rail Security Act of 2005, Amtrak shall submit to the Chairman of the National Transportation Safety Board, the Secretary of Transportation, and the Secretary of Homeland Security a plan for addressing the needs of the families of passengers involved in any rail passenger accident involving an Amtrak intercity train and resulting in a loss of life.

[''(b) CONTENTS OF PLANS.—The plan to be submitted by Amtrak under subsection (a) shall include, at a minimum, the following:

[''(1) A process by which Amtrak will maintain and provide to the National Transportation Safety Board and the Secretary of Transportation, immediately upon request, a list (which is based on the best available information at the time of the request) of the names of the passengers aboard the train (whether or not such names have been verified), and will periodically update the list. The plan shall include a procedure, with respect to unreserved trains and passengers not holding reservations on other trains, for Amtrak to use reasonable efforts to ascertain the number and names of passengers aboard a train involved in an accident.

[''(2) A plan for creating and publicizing a reliable, toll-free telephone number within 4 hours after such an accident occurs, and for providing staff, to handle calls from the families of the passengers.

[''(3) A process for notifying the families of the passengers, before providing any public notice of the names of the passengers, by suitably trained individuals.

[''(4) A process for providing the notice described in paragraph (2) to the family of a passenger as soon as Amtrak has verified that the passenger was aboard the train (whether or not the names of all of the passengers have been verified).

[''(5) A process by which the family of each passenger will be consulted about the disposition of all remains and personal effects of the passenger within Amtrak's control; that any possession of the passenger within Amtrak's control will be returned to the family unless the possession is needed for the accident investigation or any criminal investigation; and that any unclaimed possession of a passenger within Amtrak's control will be retained by the rail passenger carrier for at least 18 months.

[''(6) A process by which the treatment of the families of nonrevenue passengers will be the same as the treatment of the families of revenue passengers.

[''(7) An assurance that Amtrak will provide adequate training to its employees and agents to meet the needs of survivors and family members following an accident.

[''(c) USE OF INFORMATION.—The National Transportation Safety Board, the Secretary of Transportation, and Amtrak may not release any personal information on a list obtained under subsection (b)(1) but may provide information on the list about a passenger to the family of the passenger to the extent that the Board or Amtrak considers appropriate.

[''(d) LIMITATION ON LIABILITY.—Amtrak shall not be liable for damages in any action brought in a Federal or State court arising out of the performance of Amtrak in preparing or providing a passenger list, or in providing information concerning a train reservation, pursuant to a plan submitted by Amtrak under subsection (b), unless such liability was caused by Amtrak's conduct.

[''(e) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section may be construed as limiting the actions that Amtrak may take, or the obligations that Amtrak may have, in providing assistance to the families of passengers involved in a rail passenger accident.

[''(f) FUNDING.—There shall be made available to the Secretary of Transportation for the use of Amtrak $500,000 for fiscal year 2007 to carry out this section. Amounts made available pursuant to this subsection shall remain available until expended.''.

[(b) CONFORMING AMENDMENT.—The chapter analysis for chapter 243 of title 49, United States Code, is amended by adding at the end the following:

[''24316. Plan to assist families of passengers involved in rail passenger accidents.''.

[SEC. 7. INSPECTOR GENERAL OF THE NATIONAL TRANSPORTATION SAFETY BOARD.

[(a) IN GENERAL.—Section 1137 of title 49, United States Code, is amended to read as follows:

[''§ 1137. Designation of the Department of Transportation Inspector General as Inspector General of the National Transportation Safety Board

[''(a) ESTABLISHMENT OF INSPECTOR GENERAL OF THE NATIONAL TRANSPORTATION SAFETY BOARD.—In order to promote economy, efficiency, and effectiveness in the administration of, and to prevent and detect fraud and abuse in the programs, operations, and activities of the National Transportation Safety Board, the Inspector General of the Department of Transportation shall serve as the Inspector General of the National Transportation Safety Board.

[''(b) AUTHORITY OF THE INSPECTOR GENERAL.—

[''(1) The Inspector General shall exercise such authority as provided by the Inspector General Act of 1978, and other applicable laws, over Board programs, operations and activities not directly associated with specific accident investigations or adjudications, including—

[''(A) financial management, property management, and business operations, including internal accounting and administrative control systems;

[''(B) information management and security, including privacy protection of personally identifiable information;

[''(C) resource management;

[''(D) workforce development;

[''(E) procurement and contracting planning, practices and policies;

[''(F) malfeasance in office by Board employees and contractors; and

[''(G) allegations of false statements, fraud, and other criminal activity within the jurisdiction of the Board.

[''(2) In consultation with the Senate Committee on Commerce, Science, and Transportation or the House Committee on Transportation and Infrastructure Committee, the Inspector General may conduct an audit, investigation, or other review on matters not described in subparagraphs (A) through (G) of paragraph (1).

[''(c) DUTIES.—In carrying out this section, the Inspector General shall—

[''(1) report directly to the Chairman of the Committee and ensure that the Chairman is kept fully and currently informed concerning fraud and other serious problems, abuses, and deficiencies relating to the administration of programs, operations, and activities of the Board;

[''(2) recommend to the Chairman corrective action concerning such problems, abuses, and deficiencies;

[''(3) report to the Chairman on the progress made in implementing such corrective action; and

[''(4) promptly notify the Chairman on any problems related to access for information or carrying out an audit or investigation.

[''(d) INFORMATION PROVIDED TO BOARD MEMBERS.—The Inspector General and Chairman shall ensure that all members of the Board are informed of major work in progress through regular and periodic briefings and, as appropriate, on a timelier basis for matters of a significant nature.

[''(e) AUTHORIZATION FOR APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Transportation for use by the Inspector General of the Department of Transportation such sums as may be necessary to cover expenses associated with activities pursuant to the authority exercised as the Inspector General of the Board. In the absence of an appropriation, the Inspector General and the Board shall have a reimbursable agreement to cover such expenses.''.

[(b) CONFORMING AMENDMENT.—The chapter analysis for chapter 11 of title 49, United States Code, is amended by striking the item relating to section 1137 and inserting the following:

[''1137. Designation of the Department of Transportation Inspector General as Inspector General of the National Transportation Safety Board.''.

[SEC. 8. AUDIT PROCEDURES.

[The National Transportation Safety Board, in consultation with the Inspector General, shall continue to develop and implement comprehensive internal audit controls for its operations. The audit controls shall, at a minimum, address Board asset management systems, including systems for accounting management, debt collection, travel, and property and inventory management and control.

[SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

[(a) IN GENERAL.—Section 1118(a) of title 49, United States Code, is amended—

[(1) by striking ''and'' after ''2005,''; and

[(2) by striking ''2006.'' and inserting ''2006, $79,594,000 for fiscal year 2007, and $84,382,432 for fiscal year 2008.''.

[(b) EMERGENCY FUND.—Section 1118(b) of title 49, United States Code, is amended to read as follows:

[''(b) EMERGENCY FUND.—There are authorized to be appropriated for necessary expenses of the Board, not otherwise provided for, for accident investigations amounts sufficient to maintain the emergency fund at a level not to exceed $4,000,000, such sums to remain available until expended.''.

[(c) FEES, REFUNDS, AND REIMBURSEMENTS.—

[(1) IN GENERAL.—Section 1118(c) of title 49, United States Code, is amended—

[(A) by striking ''ACADEMY.—'' and inserting ''FEES, REFUNDS, AND REIMBURSEMENTS.—'';

[(B) by striking paragraph (1) and redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively, and resetting each such paragraph 2 ems from the left margin;

[(C) by striking paragraph (1), as redesignated, and inserting the following:

[''(1) IN GENERAL.—The Board may impose and collect such fees, refunds, and reimbursements as it determines to be appropriate for services provided by or through the Board.'';

[(D) by striking ''fee'' the first place it appears in paragraph (2), as redesignated, and inserting ''fee, refund, or reimbursement''; and

[(E) by striking ''imposed;'' in subparagraphs (A) and (B) of paragraph (2), as redesignated, and inserting ''imposed or with which the refund or reimbursement is associated;''.

[(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 2005.

[(d) REPORT.—Section 1118(d) of title 49, United States Code, is repealed.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''National Transportation Safety Board Reauthorization Act of 2006''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Reports.
Sec. 3. Contracting requirements for investigation services.
Sec. 4. Technical corrections.
Sec. 5. AMTRAK plan to assist families of passengers involved in rail passenger accidents.

Sec. 6. Inspector General of the National Transportation Safety Board.
Sec. 7. Audit procedures.
Sec. 8. DOT Inspector General to investigate Central Artery project contractors and oversight agencies.
Sec. 9. Implementation of NTSB's ''Most Wanted Transportation Safety Improvements, 2006''.
Sec. 10. Authorization of appropriations.

SEC. 2. REPORTS.

(a) ANNUAL REPORTS.—

(1) IN GENERAL.—Section 1117 of title 49, United States Code, is amended—

(A) by striking ''and'' after the semicolon in paragraph (2);

(B) by striking ''State.'' in paragraph (3) and inserting ''State;''; and

(C) by adding at the end the following:

''(4) a description of the activities and operations of the National Transportation Safety Board Academy during the prior calendar year;

''(5) a list of accidents during the prior calendar year that the Board was required to investigate under section 1131 of this title but did not investigate, and an explanation of why they were not investigated; and

''(6) a list of ongoing investigations that have exceeded the expected time allotted for completion by Board order and an explanation for the additional time required to complete each such investigation.''.

(2) UTILIZATION PLAN.—

(A) PLAN.—Within 90 days after the date of enactment of this Act, the National Transportation Safety Board shall—

(i) develop a plan to achieve the self-sufficient operation of the National Transportation Safety Board Academy and utilize fully the Academy's facilities and resources;

(ii) submit a draft of the plan to the Comptroller General for review and comment; and

(iii) submit a draft of the plan to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure.

(B) PLAN DEVELOPMENT CONSIDERATIONS.—The Board shall—

(i) give consideration in developing the plan to subleasing the facility to another entity or other revenue-generating measures; and

(ii) include in the plan a detailed financial statement that covers current Academy expenses and revenues and an analysis of the projected impact of the plan on the Academy's expenses and revenues.

(C) REPORT.—Within 180 days after the date of enactment of this Act, the National Transportation Safety Board shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure that includes—

(i) an updated copy of the plan;

(ii) any comments and recommendations made by the Comptroller General pursuant to the Government Accountability Office's review of the draft plan; and

(iii) a response to the Comptroller General's comments and recommendations, including a description of any modifications made to the plan in response to those comments and recommendations.

(D) IMPLEMENTATION.—The plan shall be fully implemented within 2 years after the date of enactment of this Act.

(b) DOT REPORT ON COMPLIANCE WITH RECOMMENDATIONS.—Within 90 days after the Secretary of Transportation submits a report under section 1135(d) of title 49, United States Code, the National Transportation Safety Board shall review the Secretary's report and transmit comments on the report to the Secretary, the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure.

(c) TRANSPORTATION SAFETY REAUTHORIZATION RECOMMENDATIONS.—The Board shall, as appropriate, provide recommendations and comments to the Congress pertaining to pending transportation safety legislation.

SEC. 3. CONTRACTING REQUIREMENTS FOR INVESTIGATION SERVICES.

(a) IN GENERAL.—Section 1113(b) of title 49, United States Code, is amended—

(1) by striking ''and'' after the semicolon in paragraph (1)(H);

(2) by redesignating subparagraph (I) as subparagraph (J) in paragraph (1);

(3) by inserting after subparagraph (H) of paragraph (1) the following:

''(I) for an investigation under section 1131, enter into agreements or contracts without regard to any other provision of law requiring competition, if necessary to expedite the investigation; and''; and

(4) by striking ''(1)(I)'' each place it appears in paragraph (2) and inserting ''(1)(J)''.

(b) REPORT ON USAGE.—Section 1117 of title 49, United States Code, as amended by section 2, is further amended—

(1) by striking ''and'' after the semicolon in paragraph (5);

(2) by striking ''investigation.'' in paragraph (6) and inserting ''investigation; and''; and

(3) by adding at the end the following:

''(7) a description of each contract executed during the preceding calendar year under the authority of section 1113(b)(1)(I), and the rationale for dispensing with competition requirements with respect to each such contract.''.

SEC. 4. TECHNICAL CORRECTIONS.

(a) FUNCTIONAL UNIT FOR MARINE INVESTIGATIONS.—Section 1111(g) of title 49, United States Code, is amended by adding at the end the following:

''(5) marine.''.

(b) MARINE CASUALTY INVESTIGATIONS.—Section 1131(a)(1)(E) of title 49, United States Code, is amended—

(1) by striking ''on the navigable waters or territorial sea of the United States,'' and inserting ''on the navigable waters, all internal waters, and the territorial sea of the United States,''; and

(2) by inserting ''(as defined in section 2101(46))'' after ''vessel of the United States''.

(c) REFERENCE TO DEPARTMENTAL AUTHORITY.—Section 1131(c)(1) of title 49, United States Code, is amended by inserting ''or the Secretary of the department in which the Coast Guard is operating'' after ''Transportation''.

(d) APPOINTMENT OF MANAGING DIRECTOR.—Section 1111 of title 49, United States Code, is amended—

(1) by striking paragraph (1) of subsection (e) and inserting the following:

''(1) appoint and supervise officers and employees, other than regular and fulltime employees in the immediate offices of another member, necessary to carry out this chapter;'';

(2) by redesignating paragraphs (2) and (3) of subsection (e) as paragraphs (3) and (4), respectively, and inserting after paragraph (1) the following:

''(2) fix the pay of officers and employees necessary to carry out this chapter;'';

(3) by redesignating subsection (i) as subsection (k); and

(4) by inserting after subsection (h) the following:

''(i) MANAGING DIRECTOR.—The Board shall have a Managing Director who shall be—

''(1) appointed by the Chairman, in consultation with the Board; and

''(2) approved by the Board, pursuant to a procedure developed and adopted by the Board.

''(j) BOARD MEMBER STAFF.—Each member of the Board shall appoint and supervise regular and fulltime employees in his or her immediate office as long as any such employee has been approved for employment by the designated agency ethics official under the same guidelines that apply to all employees of the Board. The appointment authority provided by this subsection is limited to the number of fulltime equivalent positions, in addition to 1 senior professional staff at the GS-15 level and 1 administrative staff, allocated each member through the Board's annual budget and allocation process.''.

(e) BOARD APPROVAL.—Section 1113(c) of title 49, United States Code, is amended by inserting ''The Board shall develop and approve a process for the Board's review and comment or approval of documents submitted to the President, Director of the Office of Management and Budget, or the Congress under this subsection.'' after ''Congress.''.

(f) INVESTIGATION TRACKING SYSTEM.—Within 6 months after the date of enactment of this Act, the National Transportation Safety Board shall develop and implement a process or system available to all Board members that tracks the status and activities associated with all ongoing and pending investigations undertaken by the Board, including the expected completion date, staff assignments, and such other information as the Board may require for the investigations.

(g) INVESTIGATIVE OFFICERS.—Section 1113 of title 49, United States Code, is amended by adding at the end thereof the following:

''(h) INVESTIGATIVE OFFICERS.—The Board shall maintain at least 1 fulltime employee in each State located more than 1,000 miles from the nearest Board regional office to provide initial investigative response to accidents the Board is empowered to investigate under this chapter that occur in those States.''.

SEC. 5. AMTRAK PLAN TO ASSIST FAMILIES OF PASSENGERS INVOLVED IN RAIL PASSENGER ACCIDENTS.

(a) IN GENERAL.—Chapter 243 of title 49, United States Code, is amended by adding at the end the following:

''§24316. Plans to address needs of families of passengers involved in rail passenger accidents

''(a) SUBMISSION OF PLAN.—Not later than 6 months after the date of the enactment of the National Transportation Safety Board Reauthorization Act of 2006, Amtrak shall submit to the Chairman of the National Transportation Safety Board, the Secretary of Transportation, and the Secretary of Homeland Security a plan for addressing the needs of the families of passengers involved in any rail passenger accident involving an Amtrak intercity train and resulting in a loss of life.

''(b) CONTENTS OF PLANS.—The plan to be submitted by Amtrak under subsection (a) shall include, at a minimum, the following:

''(1) A process by which Amtrak will maintain and provide to the National Transportation Safety Board and the Secretary of Transportation, immediately upon request, a list (which is based on the best available information at the time of the request) of the names of the passengers aboard the train (whether or not such names have been verified), and will periodically update the list. The plan shall include a procedure, with respect to unreserved trains and passengers not holding reservations on other trains, for Amtrak to use reasonable efforts to ascertain the number and names of passengers aboard a train involved in an accident.

''(2) A plan for creating and publicizing a reliable, toll-free telephone number within 4 hours after such an accident occurs, and for providing staff, to handle calls from the families of the passengers.

''(3) A process for notifying the families of the passengers, before providing any public notice of the names of the passengers, by suitably trained individuals.

''(4) A process for providing the notice described in paragraph (2) to the family of a passenger as soon as Amtrak has verified that the passenger was aboard the train (whether or not the names of all of the passengers have been verified).

''(5) A process by which the family of each passenger will be consulted about the disposition of all remains and personal effects of the

passenger within Amtrak's control; that any possession of the passenger within Amtrak's control will be returned to the family unless the possession is needed for the accident investigation or any criminal investigation; and that any unclaimed possession of a passenger within Amtrak's control will be retained by the rail passenger carrier for at least 18 months.

''(6) A process by which the treatment of the families of nonrevenue passengers will be the same as the treatment of the families of revenue passengers.

''(7) An assurance that Amtrak will provide adequate training to its employees and agents to meet the needs of survivors and family members following an accident.

''(c) USE OF INFORMATION.—The National Transportation Safety Board, the Secretary of Transportation, and Amtrak may not release any personal information on a list obtained under subsection (b)(1) but may provide information on the list about a passenger to the family of the passenger to the extent that the Board or Amtrak considers appropriate.

''(d) LIMITATION ON LIABILITY.—Amtrak shall not be liable for damages in any action brought in a Federal or State court arising out of the performance of Amtrak in preparing or providing a passenger list, or in providing information concerning a train reservation, pursuant to a plan submitted by Amtrak under subsection (b), unless such liability was caused by Amtrak's conduct.

''(e) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section may be construed as limiting the actions that Amtrak may take, or the obligations that Amtrak may have, in providing assistance to the families of passengers involved in a rail passenger accident.

''(f) FUNDING.—There shall be made available to the Secretary of Transportation for the use of Amtrak $500,000 for fiscal year 2007 to carry out this section. Amounts made available pursuant to this subsection shall remain available until expended.''.

(b) CONFORMING AMENDMENT.—The chapter analysis for chapter 243 of title 49, United States Code, is amended by adding at the end the following:

''24316. Plan to assist families of passengers involved in rail passenger accidents.''.

SEC. 6. INSPECTOR GENERAL OF THE NATIONAL TRANSPORTATION SAFETY BOARD.

(a) IN GENERAL.—Section 1137 of title 49, United States Code, is amended to read as follows:

''§ 1137. Designation of the Department of Transportation Inspector General as Inspector General of the National Transportation Safety Board

''(a) ESTABLISHMENT OF INSPECTOR GENERAL OF THE NATIONAL TRANSPORTATION SAFETY BOARD.—In order to promote economy, efficiency, and effectiveness in the administration of, and to prevent and detect fraud and abuse in the programs, operations, and activities of the National Transportation Safety Board, the Inspector General of the Department of Transportation shall serve as the Inspector General of the National Transportation Safety Board.

''(b) AUTHORITY OF THE INSPECTOR GENERAL.—

''(1) The Inspector General shall exercise such authority as provided by the Inspector General Act of 1978, and other applicable laws, over Board programs, operations and activities not directly associated with specific accident investigations or adjudications, including—

''(A) financial management, property management, and business operations, including internal accounting and administrative control systems;

''(B) information management and security, including privacy protection of personally identifiable information;

''(C) resource management;

''(D) workforce development;

''(E) procurement and contracting planning, practices and policies;

''(F) malfeasance in office by Board employees and contractors; and

''(G) allegations of false statements, fraud, and other criminal activity within the jurisdiction of the Board.

''(2) In consultation with the Senate Committee on Commerce, Science, and Transportation or the House Committee on Transportation and Infrastructure Committee, the Inspector General may conduct an audit, investigation, or other review on matters not described in subparagraphs (A) through (G) of paragraph (1).

''(c) DUTIES.—In carrying out this section, the Inspector General shall—

''(1) report directly to the Chairman of the Committee and ensure that the Chairman is kept fully and currently informed concerning fraud and other serious problems, abuses, and deficiencies relating to the administration of programs, operations, and activities of the Board;

''(2) recommend to the Chairman corrective action concerning such problems, abuses, and deficiencies;

''(3) report to the Chairman on the progress made in implementing such corrective action; and

''(4) promptly notify the Chairman on any problems related to access for information or carrying out an audit or investigation.

''(d) INFORMATION PROVIDED TO BOARD MEMBERS.—The Inspector General and Chairman shall ensure that all members of the Board are informed of major work in progress through regular and periodic briefings and, as appropriate, on a timelier basis for matters of a significant nature.

''(e) AUTHORIZATION FOR APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Transportation for use by the Inspector General of the Department of Transportation such sums as may be necessary to cover expenses associated with activities pursuant to the authority exercised as the Inspector General of the Board. In the absence of an appropriation, the Inspector General and the Board shall have a reimbursable agreement to cover such expenses.''.

(b) CONFORMING AMENDMENT.—The chapter analysis for chapter 11 of title 49, United States Code, is amended by striking the item relating to section 1137 and inserting the following:

''1137. Designation of the Department of Transportation Inspector General as Inspector General of the National Transportation Safety Board''.

SEC. 7. AUDIT PROCEDURES.

The National Transportation Safety Board, in consultation with the Inspector General, shall continue to develop and implement comprehensive internal audit controls for its operations. The audit controls shall, at a minimum, address Board asset management systems, including systems for accounting management, debt collection, travel, and property and inventory management and control.

SEC. 8. DOT INSPECTOR GENERAL TO INVESTIGATE CENTRAL ARTERY PROJECT CONTRACTORS AND OVERSIGHT AGENCIES.

(a) IN GENERAL.—The Inspector General of the Department of Transportation shall investigate the contractors involved in the development and construction of the Central Artery tunnel project in Boston, Massachusetts, and the public agencies that oversaw their work, including the Massachusetts Turnpike Authority and the Federal Highway Administration.

(b) PRIORITIES AND PROCEDURE.—In carrying out the mandate provided by subsection (a), the Inspector General shall—

(1) oversee any investigations related to the collapse of ceiling plates in the tunnel on July 10, 2006;

(2) oversee a comprehensive review of the safety of the Central Artery project; and

(3) audit and investigate parties involved in the construction, maintenance, and oversight of the Central Artery project, including the Massachusetts Turnpike Authority and the Federal Highway Administration, in order to determine whether the collapse of ceiling plates in the tunnel on July 10, 2006, resulted from whether poor planning, development, construction, or other factors.

SEC. 9. IMPLEMENTATION OF NTSB'S "MOST WANTED TRANSPORTATION SAFETY IMPROVEMENTS, 2006".

Within 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure explaining why the Federal Aviation Administration has not implemented the aviation recommendations in the NTSB's ''Most Wanted Transportation Safety Improvements, 2006''.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—Section 1118(a) of title 49, United States Code, is amended—

(1) by striking ''and'' after ''2005,''; and

(2) by striking ''2006.'' and inserting ''2006, $79,594,000 for fiscal year 2007, and $84,382,432 for fiscal year 2008.''.

(b) EMERGENCY FUND.—Section 1118(b) of title 49, United States Code, is amended to read as follows:

''(b) EMERGENCY FUND.—There are authorized to be appropriated for necessary expenses of the Board, not otherwise provided for, for accident investigations amounts sufficient to maintain the emergency fund at a level not to exceed $4,000,000, such sums to remain available until expended.''.

(c) FEES, REFUNDS, AND REIMBURSEMENTS.—

(1) IN GENERAL.—Section 1118(c) of title 49, United States Code, is amended—

(A) by striking ''ACADEMY.—'' and inserting ''FEES, REFUNDS, AND REIMBURSEMENTS.—'';

(B) by striking paragraph (1) and redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively, and resetting each such paragraph 2 ems from the left margin;

(C) by striking paragraph (1), as redesignated, and inserting the following:

''(1) IN GENERAL.—The Board may impose and collect such fees, refunds, and reimbursements as it determines to be appropriate for services provided by or through the Board.'';

(D) by striking ''fee'' the first place it appears in paragraph (2), as redesignated, and inserting ''fee, refund, or reimbursement''; and

(E) by striking ''imposed;'' in subparagraphs (A) and (B) of paragraph (2), as redesignated, and inserting ''imposed or with which the refund or reimbursement is associated;''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 2005.

(d) REPORT.—Section 1118(d) of title 49, United States Code, is repealed.

Mr. FRIST. Mr. President, I ask unanimous consent that the committee-reported amendment be agreed to, the bill, as amended, be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The committee amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

RAILROAD RETIREMENT TECHNICAL IMPROVEMENT ACT OF 2006

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 630, H.R. 5074.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5074) to amend the Railroad Retirement Act of 1974 to provide for continued payment of railroad retirement annuities by the Department of the Treasury, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The bill (H.R. 5074) was ordered to be read a third time, was read the third time, and passed.

Mr. DURBIN. Mr. President, will the majority leader yield?

Mr. FRIST. I am happy to yield.

Mr. DURBIN. Mr. President, I would like to say to the majority leader by way of a question that I have been working with Senator CHAMBLISS, the chairman of the Agriculture Committee, on the reauthorization of the Commodity Futures Trading Commission, and we have worked out what I consider to be a fair apportionment of time and amendments. We have been ready to go, prepared, waiting for that propitious moment, hoping that the majority leader would smile our way and give us that opening, that hour or two to get this important legislation passed. I would like to ask the majority leader if he has been thinking about that.

Mr. FRIST. Mr. President, through the Chair, in fact, I will need to turn to the distinguished assistant leader as to how much time—I remember we had it locked down to an amount of time. It is about 7½ or 8 hours. We have a challenging week. We have to get to the DOD appropriations, we have to get to the Homeland Security appropriations, we need to get to the terrorist tribunal legislation, we need to get to the port security legislation, and we need to get to the border fence legislation. We will do our best. I do understand the importance of the legislation, and I want to congratulate the managers and the chairman and ranking member for their great work. I do understand the importance of it.

Mr. DURBIN. Mr. President, if I might ask again of the majority leader—I certainly understand this might not be the week, but I hope when we return you would consider putting this up soon. I appreciate it, and I am sure Senator CHAMBLISS does as well.

Mr. FRIST. Mr. President, I recognize the importance of the issue, and we are doing our best to get everything we possibly can done.

ORDERS FOR TUESDAY, SEPTEMBER 26, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:45 a.m. on Tuesday, September 26. I further ask that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to a period of morning business for up to an hour with the first 30 minutes under the control of the majority leader or his designee, and the final 30 minutes under the control of the Democratic leader or his designee; further, that following morning business, the Senate resume consideration of H.R. 6061, the Border Fence Act. Further, I ask unanimous consent that the Senate stand in recess from 12:30 until 2:15 to accommodate the Democratic policy luncheon; I further ask that it be in order to file first-degree amendments as provided for under rule XXII until the hour of 2:30 on Tuesday.

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

PROGRAM

Mr. FRIST. Mr. President, I just went through a host of issues that we need to consider over the course of this week and our intention to complete our work by Friday or Saturday. It is going to take cooperation, and everybody is working together, as the Democratic leader and I implied a few minutes ago, in how we will address the legislation surrounding the military tribunals. Again, we did file, or I just a few moments ago filed cloture on the Hamdan language as well as on the underlying border security bill. We will work, as we just discussed on the floor, very hard to come to an agreement on how we can address the Hamdan legislation with the appropriate number of amendments. The first of these votes would occur Wednesday morning, as the Democratic leader pointed out, and as I said earlier. If we are able to get an agreement, we could actually be voting tomorrow.

Mr. LEVIN. Will the majority leader yield for a question?

Mr. FRIST. I would be happy to.

Mr. LEVIN. Is the Hamdan language which has been filed in the amendment the same as the Hamdan language that was agreed upon by the three Republican Senators with the administration?

Mr. FRIST. Yes. Yes, it is. I think what the Democratic leader said is that there are some changes, but as to what was introduced—Friday, I believe? Friday—so there are some small changes in that, but it has been agreed to by all the parties concerned.

Mr. LEVIN. In your judgment there is no substantive change between that amendment and the language that was agreed upon?

Mr. FRIST. That is correct.

Mr. LEVIN. I thank the majority leader.

Mr. FRIST. The reason I am turning around is, as the Democratic leader said, people have been working very aggressively since the agreement was reached. And every change, we have really tried to go to both sides—to the House, to the Senate, to the administration—so that we can have as much agreement as we possibly can on this bill. So the changes that have been made have been minor, as just reported to me.

Mr. REID. Mr. President, if the majority leader would, when he completes the motion to close for the night—if he would allow the Senator from Illinois to speak for 15 minutes, prior to our going out?

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

Mr. REID. As in morning business.

ORDER FOR ADJOURNMENT

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order, following the remarks, up to 15 minutes, as in morning business, by our distinguished colleague from Illinois.

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

The Senator from Illinois.

HEARING ON THE IRAQ WAR

Mr. DURBIN. Mr. President, I thank the majority leader and the Democratic leader for their cooperation in asking for this short period of time.

Mr. President, today there was a hearing that was held by the Democratic Policy Conference under the chairmanship of Senator BYRON DORGAN of North Dakota. It was a historic hearing. It is rare for hearings to occur on Mondays. Usually the business of the Senate and House is concentrated on Tuesday, Wednesday, and Thursday. But this hearing was held on Monday in an effort, by the Democratic Policy Conference, to call witnesses before our Senate to discuss an issue which is on the mind of most Americans. That issue, of course, is the war in Iraq.

Senator DORGAN extended an invitation to this hearing to the Republican majority leader as well as the chairman of the Republican Conference, Senator KYL of Arizona, in an effort to have a bipartisan hearing on the war in Iraq. Unfortunately, neither of those Senators could attend. But Republican Congressman WALTER JONES of North Carolina did come over and join us in this hearing, so there was representation from the Republican House and Democratic Senators at this Democratic Policy Conference.

The reason I bring this to the attention of those who are following the business of the Senate is that I believe this hearing was historic. I believe it is

the first time since our invasion of Iraq that we had an opportunity to hear from generals and officers who were in Iraq, who worked on that war and were willing to give us a critique, an analysis of their experience and their view of where we are today.

MG John Batiste from the U.S. Army, retired; MG Paul Eaton, U.S. Army, retired; and COL Hammes of the U.S. Marine Corps, retired, came and testified about what has gone wrong in the war in Iraq and what we need to do from this time forward. One might think, if you listen to the talk shows, that this is common fare in the Senate, but it is not. In fact, it is one of the few times, if any, that we have allowed an oversight hearing on the policy in Iraq.

If you chart the history of this country through our great wars, starting with the Civil War and forward, it is not uncommon for this Congress, regardless of party, to bring the leaders in that war to Washington to ask them questions about the progress that is being made. But, sadly, since the invasion of Iraq, that has not been the course of action.

What we have found, time and time again, is that this Congress has called before it for testimony those at the highest levels of the administration. Of course, the Secretary of Defense, the Under Secretaries, and the generals in the highest command are brought forward. But we never reach the next tier and the next rank and the next level because the perspective changes. The perspective of these men who testified today was the perspective of those who had been in charge of important operations in Iraq and had the responsibility of carrying out a mission and protecting the lives of American soldiers that were at risk.

What they had to say was chilling. In stark testimony, each of these officers, now retired from service, having attended West Point and graduated, having attended Annapolis and graduated, said the first and highest priority that we had as a nation was to change the leadership at the Department of Defense. They felt the approach that is being taken by Secretary Rumsfeld and those in his close-knit team was inconsistent with success and victory in Iraq.

They told of their own personal experiences when they would question some of the decisions that were made by the administration and by Secretary Rumsfeld, only to find that they were ignored or shunned. These generals gave eye-opening testimony, testimony that I wish every Member of the Senate could have heard. These were good witnesses to call—good witnesses because the members of the Armed Services Committee should hear their testimony. All of the Senators should hear that testimony, when they talk about what we face.

When Colonel Hammes of the U.S. Marine Corps, now retired, said he expects the United States to be in Iraq for another decade, 10 years or more; when we hear from each of these officers that we have not provided the necessary troops in the field to accomplish our mission; when each of them reflects on our efforts to build the Iraqis into an army that can defend its own country and then says that the United States would not invest the resources to build the Iraqi Army at that critical moment in its history and now is paying a price for it—their testimony, which was covered by major news media, will be reported by some but should be reported to all the Members of the Senate.

We have a responsibility in the Senate and in the House. We serve as that third branch of Government with a checks and balances system to be involved in the appointment of judges but, yes, to serve in oversight of the executive branch.

Unfortunately, that has not been the case over the last 4 years during the course of this war. Very few, if any, Senators have stepped forward to question this administration's policy in Iraq. The Republican leaders in the Senate have not scheduled hearings with officers and former officers who could give us firsthand, candid, honest testimony about what is going right and what is going wrong. There is a fear in this administration of hearing unpopular expressions from those who have served in our military.

We owe it to our soldiers; we owe it to our Marines, our airmen, our sailors, and all who serve under America's flag, and we owe it to their families to ask the hard questions, to demand the answers from this administration.

Before the hearing today I contacted the Department of Defense for an update, an update on a very grim statistic. I asked how many American lives had been lost, our brave soldiers in Iraq. The number as of this morning: 2,702. Almost 20,000 have returned with serious injuries. We have spent over $325 billion on this war and continue to spend at the rate of $1.5 billion per week.

It is a grim reminder of what this war has cost, first and foremost in human life, but also in human suffering—the prayers and anxieties of American families, those who have returned with injuries that they will deal with for a lifetime, and for taxpayers across the country who have seen our national deficit reach record levels as this administration refuses to accept the honest assessment of the cost of this war and to tell the American people the sacrifices that must be made for us to come home with our mission truly accomplished: 2,702 of our soldiers.

That hearing was important. I am glad that Congressman WALTER JONES came over so that it was a bipartisan hearing. But it is time for more. It is time for us to bring those officers and soldiers before us who are living this war in Iraq to tell us what is really happening on the ground. If there are ripoffs and profiteering by Halliburton and other companies, we should all take that personally. It is not only taxpayers' money wasted, it is money that is not being spent for the defense of our troops. It is money that is being misused when it could be used better so that our troops could get their job done, and done more effectively.

When Colonel Hammes of the U.S. Marine Corps talks about the deterioration of production capacity in the United States, he marvels at that time in history when we were producing 4,000 planes a month, during World War II, and now we find, for the best armored vehicle that we need to move our troops, the best America can do is produce 48 a month? It is a good, valid question: why this war effort has not meant more dedication from our elected officials and the public sector as well as the private sector.

It is interesting that each of these military leaders pointed a finger at Congress and at political leaders as well. All the criticism was not reserved just for the Secretary of Defense and military planners who brought us into this war. They said to us in stark terms that we have not communicated to the American people what it will take to win. They believe, and I share their belief, that the American people, when challenged, will rise to the challenge. We have done it time and again throughout our history.

This hearing, which lasted a little over 2 hours, attracted a number of Senators and Congressman JONES from the House and should have taken place a long time ago. As Major General Batiste said—he has been out of the military after 30-plus years of service. He has been critical of what has happened. Today was the first time anyone had invited him to Capitol Hill to testify. We need to bring in these men and women who will share with us the responsibility of holding our Government and our leaders accountable in time of war.

When so many lives are at stake, when so much is at stake, this Congress has to rise to the challenge and rise to the occasion. Unfortunately, that has not occurred. We have done little or nothing when it comes to accountability for taxpayer dollars, for the course of this war and strategy, and most importantly for the lives that have been lost. We can do better.

We need a new direction when it comes to our policies in Iraq, a direction which doesn't call for immediate withdrawal but a direction which says there will come a day—and soon—when American troops can come home with their mission accomplished. And it is time for us to begin to initiate that conversation.

I thank Senator DORGAN for those who attended today. I think it was time well spent.

I hope, when we return after this election on November 7, we can in a bipartisan fashion have real oversight of this war, ask those important questions which our troops deserve to have

answered, ask the important questions our taxpayers need to have answered about the cost of this conflict, and ask those important questions as to how we can reach a time—and soon—when our soldiers can return home victorious, with their mission truly accomplished.

I yield the floor.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands in adjournment until 9:45 a.m. tomorrow.

Thereupon, the Senate, at 7:15 p.m., adjourned until Tuesday, September 26, 2006, at 9:45 a.m.

DISCHARGED NOMINATION

The Senate Committee on Agriculture, Nutrition, and Forestry was discharged from further consideration of the following nomination and the nomination was confirmed:

CHARLES F. CONNER, OF INDIANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION.

CONFIRMATIONS

Executive nominations confirmed by the Senate Monday, September 25, 2006:

DEPARTMENT OF AGRICULTURE

CHARLES F. CONNER, OF INDIANA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE COMMODITY CREDIT CORPORATION.

THE JUDICIARY

FRANCISCO AUGUSTO BESOSA, OF PUERTO RICO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF PUERTO RICO.

EXTENSIONS OF REMARKS

TRIBUTE TO JACOB SIEGERT

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. TANCREDO. Mr. Speaker, I rise today to pay tribute to one of my constituents, Mr. Jacob Siegert of Littleton, CO. Mr. Siegert has been accepted to the People to People World Leadership Forum here in our Nation's Capitol. This year marks the 50th anniversary of the People to People program founded by President Eisenhower in 1956.

Mr. Siegert has displayed academic excellence, community involvement and leadership potential. All students chosen for the program have been identified and nominated by educators.

Mr. Speaker, I would like to join in paying tribute to Jacob Siegert, and wish him the best in all his future endeavors.

IN HONOR OF GRAFTECH INTERNATIONAL

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of GrafTech International upon the celebration of its 50th anniversary.

Beginning in 1956, GrafTech, with its global headquarters in Parma, OH, has led its industry in research, development and testing of graphite and carbon science. Through GrafTech's 50 years of dedicated work, the company boasts nearly 700 patents and new technologies. In 2003, GrafTech was named a National Chemical Landmark for its work on the discovery and development of carbon fibers. This great research scopes the discovery of carbon fibers to new graphite materials for fuel cells.

GrafTech has been recognized 11 times as the recipient of the R&D 100 awards. GrafTech employs 3,800 workers in 13-state-of-the-art manufacturing facilities spanning 4 continents and serving over 80 countries. With its global headquarters located in Parma, OH, and more than 100 years of manufacturing excellence in Lakewood, OH, GrafTech International provides nearly 300 jobs for the area and has been recognized for significant job creation in Northeast Ohio. I am proud that this great company is located in my congressional district.

Mr. Speaker and colleagues, please join me in honor and recognition of the 50-year anniversary of GrafTech International. GrafTech has served as a pioneer in its industry. I wish GrafTech International continued years of success and offer my thanks in providing many northeast Ohioans with a great workplace.

RECOGNIZING NATIONAL ASSISTED LIVING WEEK AND THE EMPLOYEES AND RESIDENTS OF PICKERING MANOR

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. FITZPATRICK of Pennsylvania. Mr. Speaker, I rise today to recognize National Assisted Living Week as a time to honor the doctors, employees and the residents they serve in assisted living facilities across the county. This year's theme of "Hearts In Harmony," properly expresses the shared desire of everyone in the assisted living community to deliver care in a respectful and loving manner to the residents and the families they serve.

Today, I want to take a moment to honor the great work that the nurses and staff of Pickering Manor, an independent living facility in Newtown, PA, do every day to honor this theme and enhance the lives of senior citizens throughout my district.

Pickering Manor was opened in 1963 through the great generosity of H. Russell Pickering, who bequeathed his residence fortune for the creation of a facility to serve the older citizens of Newtown, PA, and its surrounding communities. This unique non-profit facility is located in historic Newtown in beautiful Bucks County, PA, and is owned and operated by the Community Welfare Council of Newtown. Even after extensive growth, Pickering Manor continues to be funded solely by its residents and contributions from individuals, businesses and organizations throughout the community.

It is easy to see that Pickering Manor takes great pride in its ability to provide a comfortable and friendly atmosphere throughout its full spectrum of services, which ranges from independent living to highly skilled nursing. The facility provides its residents with a variety of independent living choices. Pickering Manor offers 24 apartments and 10 landscaped cottages for its residents to choose from. This variety, combined with its well manicured grounds and a multitude of activities ensures that Pickering Manor's residents have a beautiful place to live and interact with friends and family.

The generosity of H. Russell Pickering in bequeathing his home and his treasure to create a place where his neighbors could call home is a testament to the American character and our ideals of compassion and civic involvement. His legacy lives on at Pickering Manor.

The idea that we may need long-term or personal care as we get older is not something many of us think about on a day-to-day basis. However, it is something we must all plan for as we grow older. It is good to know that there are places like Pickering Manor and the people who staff it that embody the idea of this year's theme and the ideals behind National Assisted Living Week.

HONORING ALL AMERICAN POST COMMANDER THOMAS RONAYNE

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. ISRAEL. Mr. Speaker, I rise today to commend the dedication of my constituent, Thomas Ronayne. As commander of Post 1469 in Huntington Station, he has devoted himself to the betterment of life for veterans on Long Island. In fact, the Veterans of Foreign Wars of the United States honored Thomas Ronayne as an All American Post Commander last month. This is one of the most esteemed titles within the Veterans of Foreign Wars organization.

Commander Ronayne is one of only 101 VFW post commanders around the world to be designated with this prestigious honor. With his hard work ethic, Ronayne has increased membership and services provided at Post 1469 in Huntington Station, NY. I am pleased to say that he has also contributed to the flourishing involvement in VFW programs on Long Island.

It is an honor to have All American Commander Thomas Ronayne working and living in the Second Congressional District of New York. He has dedicated his entire life to serving his country and I am grateful for his service. We should all be so lucky to have citizens like Thomas Ronayne in our districts.

I hope you will join me in applauding Commander Ronayne for his dedication to the VFW, his country and particularly Post 1469.

TRIBUTE TO GEORGE SILVESTRI

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. RYAN of Ohio. Mr. Speaker, I rise today to pay respect and tribute to Mr. George Silvestri, who passed away on July 6 at the age of 87.

George Silvestri was born in Youngstown, OH in 1919 and graduated from East High School. After high school George served in the U.S. Army under General Patton for 4 years and earned the rank of sergeant in the U.S. Army Corps of Engineers. After his discharge in 1945, he returned home to Youngstown and soon after married Elvira DeCato.

George applied his experience serving his country to serving the Mahoning Valley by forming a construction company with his brothers, Frank and Anthony. The Silvestri Brothers Construction Company later expanded to a number of different companies that focused on a wider range of development and construction.

These construction companies contributed to some of the most well known projects in the 17th District, such as the Delphi Packard plant

in Warren, the GM Assembly plant in Lordstown, and General Electric in Ravenna. In addition to these sites, the Silvestri Brothers's companies were instrumental in developing and building interstates and expressways throughout the Mahoning Valley, as well as western Pennsylvania.

Aside from these larger endeavors, Mr. Silvestri and his brothers developed sewer and water line projects, as well as residential development in and around the Youngstown area. This small- and large-scale infrastructure was crucial to the growing economy of the Mahoning Valley. His companies laid not only the foundation for businesses and transportation throughout the 17th District, but also for future entrepreneurs in the Mahoning Valley.

A member of the Ohio Contractors Association, the Trumbull County Builders Association, and the National Italian American Federation, George Silvestri retired in 1984. Mr. Silvestri's legacy in the Mahoning Valley will live on through his work and the many people who have benefited from his contributions. I am honored to have represented George Silvestri and he will be missed.

TRIBUTE TO SYDNEY STREICHER

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. TANCREDO. Mr. Speaker, I rise today to pay tribute to one of my constituents, Ms. Sydney Streicher of Centennial, CO. Ms. Streicher has been accepted to the People to People World Leadership Forum here in our Nation's Capitol. This year marks the 50th anniversary of the People to People program founded by President Eisenhower in 1956.

Ms. Streicher has displayed academic excellence, community involvement and leadership potential. All students chosen for the program have been identified and nominated by educators.

Mr. Speaker, I would like to join in paying tribute to Ms. Streicher, and wish her the best in all her future endeavors.

IN HONOR AND RECOGNITION OF YES! ON ITS 10TH ANNIVERSARY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Yes! A Journal of Positive Futures, as it celebrates 10 years of innovative journalism exploring the possibilities for peace and environmental justice in our world. Yes! is more than just a magazine, it is a catalyst for positive social action, encouraging its readers to actively take part in the global movement for a more harmonious and sustainable world.

Yes! magazine is a quarterly journal produced by the Positive Futures Network, a nonprofit organization dedicated to the collective power of individual and community efforts worldwide to bring healing, justice, and peace to all sectors of our society. In 1996 Yes! Magazine was founded to promote the belief that profound change is needed to save our society from an unsustainable path. Printed on recycled paper and available online, this ad-free alternative news source embodies the sustainable and inclusive lifestyle it advocates. Distributed worldwide, Yes! Magazine is a growing phenomenon that has tripled its subscriptions in the past 3 years alone. In 2001, Yes! A Journal of Positive Futures received the Utne Magazines Alternative Press Award for Best Cultural Coverage.

In addition to saying "No!" to the dominant trends of violence and oppression, this journal shouts a resounding "Yes!"for creative and constructive alternatives. Each issue addresses a specific concern within the fields of social, economic, and environmental justice, identifying innovative scientific and cultural solutions. Yes! Magazine serves as a tool to unite the activists of different peace movements by reporting on the grassroots efforts of ordinary individuals creating extraordinary transformations across the board and challenging readers with a call to action.

Mr. Speaker and colleagues, please join me in honor and tribute to Yes! A Journal of Positive Futures for 10 years of meaningful journalism proving that peace is not only possible, but practical as well.

RECOGNIZING THE 60TH ANNIVERSARY OF THE CENTRAL BUCKS COUNTY CHAMBER OF COMMERCE

HON. MICHAEL G. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize the 60th anniversary of the Central Bucks County Chamber of Commerce. Since its establishment in 1946, the Central Bucks Chamber has served a vibrant community of small businesses and it has helped promote an atmosphere that has made Southeast Pennsylvania one of the best areas for economic investment in the State of Pennsylvania.

The Central Bucks Chamber was founded in 1946 by a group of 12 area businessmen. In 1971, with great foresight, they hired an ad man from New York, Don F. Whitney, to serve as their Executive Director. Don Whitney not only brought his experience in advertising to bear to heighten the profile of Central Bucks to businesses, but he also brought his love for Bucks County, his new home.

With an outsider's eye and an insider's love of the region, Don F. Whitney, forged over a unique vision of the Chamber over 27 years, growing the Chamber from its original 12 members to over 2,600 businesses.

Today, with a membership of 2,600 and growing, the Central Bucks Chamber is second only in the region after the Greater Philadelphia Chamber of Commerce. The Central Bucks Chamber of Commerce continues to forge strong alliances between business and culture, profit and non-profit, and between established and emerging businesses. This synergy provides a dynamic mission for the Chamber's membership and they continue to exceed expectations.

To do business in Bucks County, membership in the Central Bucks Chamber of Commerce is an essential and powerful tool. With each new membership added to its rolls, the Central Bucks Chamber of Commerce will continue to create the foundation for a successful business environment in Bucks County, assuring economic opportunity, jobs and a better life for all of its residents.

Congratulations on 60 wonderful years.

REMEMBERING U.S. ARMY SPC JOSE L. RUIZ

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. ISRAEL. Mr. Speaker, U.S. Army SPC Jose L. Ruiz made the ultimate sacrifice for his country on August 15, 2005 while conducting security operations in Mosul, Iraq. SPC Ruiz who served in the Army's 3rd Battalion, 21st Infantry Regiment, 1st Brigade, 25th Infantry Division, also known as the Stryker Brigade Team, was killed by enemy forces using small arms fire shot from a passing vehicle. Brave Americans like SPC Ruiz are the reason that our country has been able to overcome adversity throughout its history.

SPC Ruiz was inspired to join the military following the attacks by terrorists on our Nation on September 11, 2001. In a phone conversation with his wife shortly before his death, SPC Ruiz said that he felt like he had fulfilled his duty as a soldier and was proud to be defending his country. Sadly, SPC Ruiz was scheduled to return home just 6 weeks after his death.

Raised in Brentwood, New York, SPC Ruiz went on to graduate from Brentwood High School in my district and then the New York Institute of Technology before joining the Army. Ruiz was devoted to his education, his family and his country.

The courage of SPC Ruiz is a testament to the dedication of our young soldiers. He is survived by his parents, Eduardo and Juliana King, his wife of 6 years Alexa, and his baby daughter, Liana. I would like to extend my deepest sympathies to his family and thank SPC Ruiz for his selfless devotion to our Nation.

PERSONAL EXPLANATION

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. RYAN of Ohio. Mr. Speaker, on rollcall No. 461, on Ordering the Previous Question providing for the consideration of the bills (H.R. 4830) Border Tunnel Prevention Act of 2006, (H.R. 6094) Community Protection Act of 2006 and (H.R. 6095) Immigration Law Enforcement Act of 2006, I am not recorded, due to an injury I sustained the night of September 19, 2006 and my subsequent visit to the hospital this morning. Had I been present, I would have voted "nay."

Mr. Speaker, on rollcall No. 462, on Agreeing to the Resolution providing for the consideration of the bills (H.R. 4830) Border Tunnel Prevention Act of 2006, (H.R. 6094) Community Protection Act of 2006 and (H.R. 6095)

Immigration Law Enforcement Act of 2006, I am not recorded, due to an injury I sustained the night of September 19, 2006 and my subsequent visit to the hospital this morning. Had I been present, I would have voted "nay."

Mr. Speaker, on rollcall No. 463, on motion to suspend the rules and pass the Military Personnel Financial Services Protection Act, I am not recorded, due to an injury I sustained the night of September 19, 2006 and my subsequent visit to the hospital this morning. Had I been present, I would have voted "aye."

TRIBUTE TO MOLLY LONNEMAN

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. TANCREDO. Mr. Speaker, I rise today to pay tribute to one of my constituents, Ms. Molly Lonneman of Littleton, CO. Ms. Lonneman has been accepted to the People to People World Leadership Forum here in our Nation's capital. This year marks the 50th anniversary of the People to People program founded by President Eisenhower in 1956.

Ms. Lonneman has displayed academic excellence, community involvement and leadership potential. All students chosen for the program have been identified and nominated by educators.

Mr. Speaker, I would like to join in paying tribute to Molly Lonneman, and wish her the best in all her future endeavors.

IN HONOR OF THE LIFE OF ROBERT WOODWORTH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in admiration and remembrance of my cherished friend, Robert T. Woodworth—devoted father, grandfather, brother, uncle, friend, United States veteran and long-time community activist.

Mr. Woodworth was born in Cleveland to loving parents. His father drove streetcars in the city and his mother was a loving housewife. With extended family nearby, he learned early on the significance of family and community.

As a young adult, Mr. Woodworth enlisted in the United States Air Force, giving him the opportunity to travel the world. The languages he learned and friends that he made never left him, transcending time and distance. He spoke fluent German, Spanish and French and always remained closely connected to friends living in faraway lands.

Mr. Woodworth's warm demeanor and quick smile easily drew others to him. His unwavering belief in community service and volunteerism was illuminated throughout Cleveland's Westside, especially within our democratic process, where his grassroots involvement constantly affected our neighborhoods in a positive way. His leadership and diligence had been key in several political races, including his role as campaign manager for then council candidate Nelson Cintron. Councilman Cintron became the first Hispanic councilman in Cleveland's history. I had the opportunity to work with Mr. Woodworth in his role as a Ward 14 and precinct leader. He also played an active role in my first election to Congress in 1996 and in my subsequent reelection campaigns.

Mr. Speaker and colleagues, please join me in recognition, gratitude and celebration of Robert T. Woodworth, for his civic activism that uplifted our entire Westside Cleveland community. His unwavering commitment to his family, friends and community, enriched and inspired all throughout our Cleveland community and far beyond.

IMMIGRATON LAW ENFORCEMENT ACT OF 2006

SPEECH OF

HON. JIM KOLBE

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 2006

Mr. KOLBE. Mr. Speaker, I rise today for the second consecutive week to remind the House that the time has passed for half measures on immigration reform.

None of the bills we debate today will secure our border unless they are coupled with a more comprehensive approach. Some of them are good bills and should be part of wider legislation to secure the border and make our immigration system work. But on their own, these proposals fall short because they only look at the enforcement side of the equation. Put them together with the bill we passed last week, add the enforcement-only package we passed in December, and throw in any other enforcement measures that you like and I promise you that all of them, collectively, won't win the fight against illegal immigration.

Without a total fix—one that gets at the root of the problem—we will continue to see people finding a way to get into the United States in pursuit of jobs and a better way of life. Fences won't stop them. And stopgap measures by this body will not stop them.

The Senate majority leader has said that there isn't even time to take up all these half-measures in the other chamber; it is highly doubtful that any of these will become law.

Mr. Speaker, let us put away these half measures and go to conference with the Senate on the bill this chamber passed—H.R. 4437—and the bill the Senate passed—S. 2611. We need a comprehensive fix to the problem and that means dealing with all parts of it, not just criminal aliens and the end of "catch and release." Those are all part of the solution, but on their own, they fall short. Without a guest worker program and a recognition of the 12 million undocumented immigrants living in our midst, we will only exacerbate the problem.

So what are we really debating here? Nothing. We've sent a bill to the Senate, and they've sent a bill back to us. The time for playing games is past. The American people want action—they want a solution that works.

Let's negotiate with the Senate and find a comprehensive solution that will secure our borders once and for all. Let us reject these piecemeal bills and do what's right for the American people; let us go to conference with the Senate on H.R. 4437 and S. 2611.

TRIBUTE TO HANNAH MARCH

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. TANCREDO. Mr. Speaker, I rise today to pay tribute to one of my constituents, Ms. Hannah March of Littleton, Colorado. Ms. March has been accepted to the People to People World Leadership Forum here in our Nation's Capital. This year marks the 50th anniversary of the People to People program founded by President Eisenhower in 1956.

Ms. March has displayed academic excellence, community involvement, and leadership potential. All students chosen for the program have been identified and nominated by educators.

Mr. Speaker, I would like to join in paying tribute to Hannah March, and wish her the best in all her future endeavors.

HONORING HOWARD A. FROMSON AS HE CELEBRATES HIS 85TH BIRTHDAY

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Ms. DELAURO. Mr. Speaker, it is with great pleasure that I rise today to join the many family and friends who have gathered to celebrate the 85th birthday of our dear friend, Howard A. Fromson. Inventor, artist, and philanthropist, Howard has spent a lifetime enriching the lives of others. He has and continues to make outstanding contributions to our community and society.

The founder and CEO of Anocoil Corporation, Howard's entrepreneurial and innovative spirit has ensured that his company remains at the forefront of lithographic plate technology. He is credited with conceiving and patenting the universally used silicated anodized lithographic printing plate—used in commercial and newspaper printing throughout the world. Under his leadership, Anocoil has become and remains North America's largest independent manufacturer of lithograph plates, providing products and services to a variety of leading publishers in North and South America, Europe, and Asia. Founding the company in 1957, Howard has never left behind his inventive nature. As an inventor in electrochemistry and process metallurgy, Howard holds more than 100 U.S. and foreign patents in his field.

Throughout his life, Howard has made many contributions through his professional career, however, he has also brought joy and wonder to our communities through his artistic and philanthropic work as well. His artistic works which marry sculpture form and function are displayed in museums throughout Connecticut including the Wadsworth Museum of Art and the New Britain Museum of American Art. In fact, a pair of his tetra chairs is part of the planned Lincoln sculpture walk along the Connecticut River in Hartford.

Howard has always believed in the importance of giving back to the community which is why he established the Howard A. Fromson Foundation. A strong supporter of public education, he created the Fromson Scholars Program which has helped send over 400 teachers from Connecticut to the Taft School to

study science, math, computer applications, and foreign language. This program has allowed hundreds of our teachers to improve their own skills which have been of great benefit to the thousands of students they have and will continue to instruct. In addition to these educational initiatives, Howard, both through the Foundation and personally, has generously supported cultural and health institutions throughout the Greater Hartford Area. His outstanding efforts on behalf of our teachers and public education system were recognized by both the Connecticut Commissioner of Education and the Connecticut State Board of Education and in 2002 he was honored by the Hartford Business Journal with their Accolades Award for Individual Giving.

I have often said that our communities would not be the same without those individuals who selflessly dedicate their time and energies to making them better places to live and work—individuals like Howard Fromson who has quietly touched the lives of many and made all the difference in our community. I consider myself fortunate to call him my friend and I know that sentiment is shared by many. Today, as he celebrates his 85th birthday, he also reflects on a lifetime of invaluable contributions and endless generosity—a legacy which is sure to inspire others. It is with my heartfelt congratulations and warmest wishes that I join his wife, Sandy; his children, Michele, Michael, Timothy, and Brett; his seven grandchildren; family and friends in this wondrous celebration.

PERSONAL EXPLANATION

HON. CURT WELDON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. WELDON of Pennsylvania. Mr. Speaker, on rollcall No. 468 I was on the floor for this vote and others in series. My vote on H.R. 6095, Immigration Law Enforcement Act of 2006, did not register. I would have voted ''yea.''

IMMIGRATION LAW ENFORCEMENT ACT OF 2006

SPEECH OF

HON. STEVE KING

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 2006

Mr. KING of Iowa. Mr. Speaker, I rise in support of the Immigration Law Enforcement Act of 2006. This bill reaffirms the inherent authority of State and local law enforcement to voluntarily investigate, identify, apprehend, arrest, detain and transfer to federal custody aliens in the U.S. in order to assist in the enforcement of the immigration laws.

Presently, many cities are enacting so-called ''sanctuary'' policies, which prohibit local police from asking about a person's immigration status or reporting illegal aliens who commit crimes to immigration authorities for deportation. Passed in 1996, the Illegal Immigration Reform and Immigrant Responsibility Act forbids localities from preventing their police officers from asking for or reporting immigration information to the Federal Government. Existing federal law says:

> Notwithstanding any other provision of Federal, State or local law, a Federal, State, or local government entity or official may not prohibit or in any way restrict any government entity or official from sending to or receiving information regarding the citizenship or immigration status, lawful or unlawful, of any individual.

Despite this ban, some cities continue to prohibit their officers from asking about immigration status or providing information to the Federal Government. Make no mistake about it: This is a situation of local governments blatantly violating Federal law.

As a result, U.S. taxpayers pay to incarcerate illegal alien prisoners who are later released back onto the streets. Sanctuary policies tie the hands of local law enforcement officers and keep illegal aliens who commit crimes in our country, rather than deporting criminals according to U.S. law. These sanctuary policies have disastrous consequences.

Our State and local governments serve as the front line of defense against terrorism and criminal aliens. Every murder, every rape, every violent gang crime committed against Americans by illegal aliens is an utterly preventable crime. If we better enforce our immigration laws to keep criminals out, we will save lives. We must use the law enforcement resources we have, at every level, to enforce our laws, with the end result of making our Nation a safer place for our grandchildren to grow up in.

HONORING THE 100TH ANNIVERSARY OF THE FIRST PRESBYTERIAN CHURCH OF GRANITE CITY

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing the 100th Anniversary of the First Presbyterian Church of Granite City, Illinois.

In 1906, a major earthquake rocked San Francisco, President Theodore Roosevelt became the first American to win the Nobel Peace Prize, the Dow Industrial Average closed above 100 for the first time and the Wright brothers received a patent for their flying machine. Also in 1906, a growing group of Christians who had been meeting weekly in a local school organized the First Presbyterian Church of Granite City.

From the initial 25 members, the congregation had grown to 112 when the first service was held on Easter Sunday, April 15, 1906. The coming years would see continued growth, both in the size of the congregation and in the physical facilities. The church, on 2160 Delmar, in Granite City, was completed in 1916 and an educational wing was added in 1930.

Also, in 1930, a new organ was installed. That organ was replaced in 1951 and again in 1961. Music has always played an important part in the life of the First Presbyterian Church and that was further enhanced with the creation of two paid positions of organist and choir director in 1942. In 1993, the Grand Concert Series was instituted which allowed the Church to extend its musical gifts to the community at large.

The 1990s saw even more changes for the First Presbyterian Church. A fire, in 1994, caused extensive damage and made it necessary to move services to a nearby church while the church could be restored. The resulting renovation brought about not only a beautiful new sanctuary but also a spirit of renewal for the church family. This spirit was further enhanced as First Presbyterian merged with Mitchell Presbyterian in 1998.

As the First Presbyterian Church has weathered the changes of the past 100 years, so has the neighboring community. In response to the changing conditions, First Presbyterian has initiated and joined in a number of programs to expand their ministry. A Vacation Bible School, summer drama camp, and an association with the United Congregations of Metro-East are but a few examples of this community outreach.

As much as they celebrate their past, the congregation of First Presbyterian Church looks forward to the future. Their strong commitment to their faith, their families and their community enables them to constantly strive for new ways to fulfill their mission, ''Bringing People to Christ.''

Mr. Speaker, I ask my colleagues to join me in honoring the 100th anniversary of the First Presbyterian Church of Granite City and to wish the best to them for many years to come.

CHÁVEZ: OUTRAGEOUS AND OUTLANDISH

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. FRANK of Massachusetts. Mr. Speaker, the Boston Globe Editorial on Friday, September 22, accurately describes the antics of Venezuelan President Chávez at the U.N. He was simultaneously outrageous and outlandish, using the great forum of the U.N. General Assembly for a semi-coherent diatribe. He gave a clear example of why his support in elections in Latin America has been toxic to those who've received it. Recently, in Peru and in Mexico, being tied to Chávez by their opponents, accurately or not, was very damaging to presidential candidates.

I hope Americans will also make it clear to Chávez that his crudity and disrespect for democracy will find little support here.

DEVIL IN DISGUISE

> The Bush Administration deserves to be criticized for many of its foreign policies, but Hugo Chávez is not the one to do it. By his intemperate and foolish remarks at the United Nations Wednesday and his continuing support for authoritarian regimes, the Venezuelan president has forfeited his claim to leadership in world affairs.
>
> ''The devil came here yesterday,'' Chávez said in reference to President Bush's speech of the day before. Chávez made the sign of the cross and engaged in other theatrics to provoke his audience of the U.N. General Assembly. George Bush was reelected with 50.7 percent of the vote in 2004 after a vigorously fought, unfettered campaign, and he will leave office without a fuss in 2009 after eight years. Bush can be called many things but not the ultimate embodiment of evil.

Chávez has been brandishing anti-Americanism ever since he became president in 1998. He intensified his denunciation of the Bush administration after a failed coup in 2002, which he believed Washington had fomented. Venezuela, with its vast oil reserves, has benefited greatly from the surge in oil prices since 2001. Chávez is criticizing the leading force behind a world economic system that has enriched his country and enhanced his power.

Were Chávez really concerned with the oppressed of the world, he would not consort with Kim Jong Il and Bashir Assad, who have continued their fathers' repressive regimes in North Korea and Syria. Nor would he have created an informal alliance with antidemocratic Iran, or extended a lifeline to Fidel Castro in Cuba, or visited Iraq in 2000 to support Saddam Hussein. If the United States opposes a dictator, Chávez backs him.

This monotone foreign policy, combined with his outburst this week, undercuts Venezuela's campaign for the Latin American seat on the U.N. Security Council, which will be decided by a two-thirds majority of the General Assembly on Oct. 16. The Security Council has important votes coming up in the next year, on sanctions against Iran and action to stop genocide in Darfur, among others. Venezuela, under the leadership of Chávez, would not make a positive contribution.

Deprived of an international forum, Chávez would have more time to spend on his reelection campaign. It ought to be as freely contested as the 2004 race between Bush and John F. Kerry. And if Chávez wins on Dec. 3, he ought to devote his six-year term to solving the great recurring problem of Venezuela: How a country endowed with such natural wealth can leave almost half its people in utter poverty. Chávez would earn more enduring fame by leading Venezuela out of this resource trap.

HONORING MARY ELIZA MAHONEY, AMERICA'S FIRST PROFESSIONALLY TRAINED AFRICAN-AMERICAN NURSE

SPEECH OF

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 19, 2006

Mr. RANGEL. Madam Speaker, I rise today to join my colleagues in honoring Mary Eliza Mahoney who was the first African-American registered nurse in the United States. She was a visionary, a leader, and because of her dedication and untiring will to encourage future generations, would become an inspiration to thousands of men and women of color who work diligently every day in the field of nursing.

Mary Mahoney's interest in the nursing profession began when she was just a young girl. She worked for fifteen years at the New England Hospital for Women and Children (now Dimock Community Health Center) in Roxbury, Massachusetts as a nurse's assistant, but this would not be her only occupation. She also worked as a cook, a janitor, and a washerwoman. In 1878, at the age of 33, she was admitted as a student into the hospital's nursing program established by Dr. Marie Zakrzewska. Sixteen months later, she was one of four who completed the course.

After graduation she worked primarily as a private duty nurse for the next 30 years all over the Eastern Seaboard of the United States. At the culmination of her nursing career, she was the director of an orphanage in Long Island, New York, a position she held for 10 years.

In 1896, Mahoney became one of the first African-American members of the predominantly white American Nurses Association (ANA). However, recognizing the need for nurses to work together to improve the status of African Americans in the profession, she helped to establish the National Association of Colored Graduate Nurses (NACGN). This was important in many ways. It was because of her inspiring efforts and unselfish devotion to caring for others that helped make it possible for nurses to be received at the White House by President Warren G. Harding. Mahoney also gave the welcoming address at the first convention of the NACGN and served as the association's national chaplain.

Mahoney's life of tending to the needs of the sick ended with her death on January 4, 1926. She was indeed an icon in the nursing profession, bringing to light the hard work, sacrifice, and commitment that nurses put forth everyday.

My sister Frances was a nurse for many years before retiring, and I saw the hard work, the sacrifice, and long hours of commitment that she gave to this notable profession. She made me appreciate even more what nurses do and how they are a vital and valued part of the healthcare industry.

Mary Mahoney advanced the nursing profession and was not afraid to confront issues that affect nurses. She was a woman of superlatively high standards, complete integrity, and boundless enthusiasm for whatever task she took in hand. It was because of the life she lived and her outstanding contributions to nursing, that The Mary Mahoney Medal was established in her honor posthumously by the NACGN in 1936. In 1976, she would be further remembered by being inducted into the Nursing Hall of Fame.

Madam Speaker, let us honor this woman of courage and faith by passing this resolution.

TRIBUTE TO BERTHA GARDNER BYNUM

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to an ordinary woman, who has led an extraordinary life. Mrs. Bertha Gardner Bynum turned 107 years old on September 15th, and I ask you to join me in celebrating her long and wonderful life.

Bertha Gardner was born on September 15, 1899 in the Privateer area of Clarendon County, South Carolina. She attended St. James and Bracey Schools. However, the State of South Carolina didn't make the educating of young African American children a priority in the early 20th century. Consequently, when they had exhausted what little formal education that was available to them, Bertha and her siblings had to find work as sharecroppers on local farms to help out the family.

Her family eventually moved to nearby Sumter to find a better life, but Bertha dreamed of much more. Bertha left South Carolina and moved to New York, where she did domestic work. She was later blessed with her only child, Elizabeth Gardner Nelson.

Bertha returned to Sumter and on January 20, 1943 she married Simon Bynum. After Simon's death, Bertha led the life of a very independent woman. She lived alone and traveled almost everywhere she went on foot. She became a member of Jehovah Baptist Church, and later transferred to Salem Baptist. There she served as a member of the Usher Board, and is presently recognized as the Mother of Salem Baptist Church. However, declining health has prevented her from attending in recent years.

Blessed with a long life, Mrs. Bynum has struggled through adversity and witnessed extraordinary changes in the world around her. Today she continues to read her bible and shares advice with all that will listen. She is the last survivor of her 13 siblings and lives with her daughter and son-in-law where she is surrounded by the love of five generations of her extended family.

Mr. Speaker, I ask you to join me today in sending best wishes and Godspeed to the matriarch of the Gardner family. She has shown a true devotion to her faith and her family, and is a living legacy. She deserves our deepest respect and admiration.

HONORING THE SHENENDEHOWA HIGH SCHOOL COLOR GUARD

HON. JOHN E. SWEENEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. SWEENEY. Mr. Speaker, I would like to take this opportunity to honor the young women of the Shenendehowa High School's Color Guard for their second place finish at the Scholastic Open Class Winter Guard 2006 World Championship in Dayton, Ohio. This accomplishment reflects the immeasurable amount of time and effort that each member of the team made in order to succeed. Their triumphant endeavor is a tribute to the dedication of the team, their training staff, and their families.

Competitive Color Guards provide an educational experience through a combination of sport and performing arts. The experience promotes perseverance and teamwork, which will be beneficial to the performers throughout their lives. The talented young women comprising this accomplished team are: Amelia Allen; Lauren Anderson; Larissa Krushelnytsky; Beth Murphy; Leah Homing; Taylor Nelson; Amanda Lesniewski; Ali Kawola; Sarah Ozols; Carolyn Drislane; Lauren Drislane; Faith Beidl; Kim Cologgi; Kaitlin Lacey; Casey Breen; Jessica Young; Samantha Lovering.

The success of this devoted team is also due to the hard work and commitment of their Director, Scott Snell and Show Designer, Jeff Namian as well as the rest of the staff, including: Jennifer Lawrence; Christine Mertes; Gretchen Shyne; Bill Ryan; Patrick Leombrone; Nick Charles; Sonya Balaban.

It is my privilege to recognize the Shenendehowa Color Guard for their achievement. Their ability to come together as a group of individuals and finish at the top of a world-class event is inspiring. On behalf of the

United States Congress, I offer my heartfelt congratulations and wish the entire team the best of luck and continued success in the future.

WELCOME TO THE PRESIDENT OF THE REPUBLIC OF KAZAKHSTAN

HON. CHRIS CANNON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. CANNON. Mr. Speaker, the President of the Republic of Kazakhstan, His Excellency Nursultan Nazarbayev, will arrive on an official visit to the United States on September 27, 2006, and it is my honor to welcome this distinguished leader to Washington.

After the collapse of the Soviet Union in 1991, President Nazarbayev inherited a weak economy and the world's fourth largest nuclear arsenal. While Kazakhstan could have become an immediate nuclear superpower and resolved its economic concerns through military might, President Nazarbayev instead chose a path that included economic and democratic reforms, and Kazakhstan is now one of the most stable and prosperous nations in Central Asia.

For the past six years, Kazakhstan has enjoyed a 10 percent annual growth in its GDP. Kazakhstan also became the first country in the Commonwealth of Independent States to be granted market economy status by the United States. Today, more than 300 US companies account for the largest share of Foreign Direct Investment in Kazakhstan.

By 2015, Kazakhstan is expected to be one of the top ten oil producers and exporters in the world, with reserves comparable to Kuwait's. Now more than ever we need a reliable energy partner which has proven to be a friend and ally of the United States. It is appropriate now for the United States to deepen our strategic partnership with Kazakhstan.

President Nazarbayev's visit is timely. During the course of his visit, it is my hope that we will use this opportunity to set a long-term agenda for closer cooperation with Kazakhstan.

This year, Kazakhstan will celebrate its 15th anniversary of independence, and I join my colleagues in congratulating the people and government on this important occasion. Kazakhstan's path to democracy and independence has not been easy, but its progress is impressive.

I commend President Nazarbayev for his leadership and friendship with the United States, and I remain committed to furthering our partnership.

TRIBUTE TO JOHN MARSH

HON. RICHARD W. POMBO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. POMBO. Mr. Speaker, I rise today to recognize John Marsh, an important figure in the history of the Nation, California, and California's 11th District. This Sunday marks the 150th anniversary of this early pioneer's death at the hand of bandits.

The legacy of John Marsh is storied. He was one of the first educated Americans to settle in the far west and was dedicated to bringing more settlers into the region. Born in 1799 in Salem, Massachusetts, he received a bachelor's degree at Harvard University in 1823. Between 1828 and 1832, Marsh studied medicine under an army physician.

Marsh arrived in Los Angeles, CA on Feb. 4, 1836. He worked as a self-appointed doctor and was paid in cowhides. Traveling to northern California, he bought a tract of land in 1837 measuring 17,000 acres. He named the land Ranchos Los Meganos, which means ''sand dunes.'' This land included parts of what is currently Contra Costa County and the northern San Joaquin Valley. He had an adobe house built on his property and would treat explorers as they came by. His payment was in heads of cattle, which increased his cattle stock to 6,000, and his settlement grew quite prosperous.

Years before the 1849 gold rush, Marsh sent out letters to his friends in Missouri, calling them to come out and enjoy California's environment. These letters were published in many Missouri newspapers and in 1841 30 travelers from that state visited his ranch. Other letters wherein Marsh gave accurate details about the land potential of California reached the governor of Michigan.

During the Mexican-American war, Marsh opposed any military endeavors in order for America to gain land. However, he supported the ideals of Manifest Destiny and peaceful westward expansion into Mexico's territory. In order to accomplish this, he continued to write letters and send maps to encourage settlers to come into the area and promote the annexation of California into the United States.

During the gold rush, Marsh was able to sell off some of his 6,000 head cattle to feed miners coming into the area. He also found gold himself near the Yuba River before the incoming rush of miners.

In 1851 he married a schoolteacher named Abigail Smith Tuck, who gave birth to his daughter Alice. He started construction on a Gothic-style manor made entirely out of stone that included a 65-foot tower. He had it built for $20,000 and it was completed in 1856, after the death of Abigail. On September 24, 1856 Marsh was murdered by three bandits on the road to San Francisco.

The Marsh House still stands as a tribute to Marsh's contributions. Marsh's pioneer spirit helped make California and the Nation what it is today, and on the anniversary of his death, I honor his legacy.

COMMUNITY PROTECTION ACT OF 2006

SPEECH OF

HON. BRIAN P. BILBRAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 2006

Mr. BILBRAY. Mr. Speaker, I rise in strong support of H.R. 6094, the Community Protection Act of 2006. Right now, the government is releasing numerous rapists, child molesters, murders and other dangerous illegal aliens onto our streets. The Department of Homeland Security's Inspector General said that in the first six months of 2005, more than 696 high-risk aliens were released.

This act will ensure that these dangerous illegal immigrants will not be released back into society. If we are to address the public safety concerns created by our Nation's lax illegal immigration policies, then we must adopt new procedures to will expedite the removal of dangerous criminals.

Of the 55,322 illegal alien criminals found in 2005, about 24 percent were arrested on drug offenses, 15 percent for property-related offenses and about 12 percent were arrested for more serious crimes such as murder, robbery, assault, and sexually related crimes. Even more troubling is the fact that the 55,322 illegal alien criminals committed a total of 700,000 crimes or 13 crimes each. These repeat offenders pose a serious threat to the safety and security of our country.

H.R. 6094 will give the Department of Homeland Security the authority to get these criminals off of our streets and out of our country. One of the key provisions of this bill addresses the problems created by illegal immigrants who belong to violent gangs. In the last decade, the U.S. has experienced a dramatic increase in the number and size of transnational street gangs. These gangs have held entire communities hostage with their violence and our current laws don't do enough to stop these gang members from crossing our border.

The Community Protection Act designates these violent gang members as an inadmissible class—expanding the authority of Homeland Security officials to detain and deport alien gang members. These are common sense provisions that should have adopted years ago. We now have the opportunity to do the right thing and pass this bill that will help combat the violence created from criminal aliens.

TRIBUTE TO MR. ADAN GUTIERREZ

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. CUELLAR. Mr. Speaker, I rise today to honor Mr. Adan Gutierrez, the local columnist for the Zapata County News, one of the largest community newspapers in Zapata County.

Adan Gutierrez was born on August 29th, 1946, in the City of Zapata in the State of Texas. He currently resides in the City of Zapata as one of its most involved members of the community. He served proudly in the United States Army for ten years, and shortly after being honorably discharged, started working at the local library in 1984. His passion for literature was evident and helped him become the Assistant Librarian in less than two years. He was on his way to a higher administrative position within the Library when he suffered from a brain aneurysm in 1993.

But this did not slow him down; instead, it made him even more involved in the community through his frequent correspondence with the editor of the Zapata County News regarding current news events. Due to the quality of his writing, he was invited to become a regular columnist for the Zapata County News in writing about the history of Zapata County, cultural local events, and other social events. He presently is teaching conversational Spanish

at the Zapata County Public Library to residents of the community. It is said of Mr. Gutierrez's involvement with the Zapata County News by his fellow peers that "Adan has a conversation with Zapata County every Thursday morning and we really enjoy it." One can only wish to have the extent of local community impact that Mr. Gutierrez has and I commend him for it.

Mr. Speaker, I am honored to have had this time to recognize Mr. Adan Gutierrez.

HONORING ROUND ROCK CHRISTIAN ACADEMY

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. CARTER. Mr. Speaker, I would like to take this opportunity to recognize the successes and achievements of the Round Rock Christian Academy located in Round Rock, Texas. Established in 1975, the Round Rock Christian Academy exemplifies excellence in education and moral character development. It continues to produce outstanding young adults imbued with the high Christian values through active participation in intellectual, physical, spiritual, and social activities.

The Round Rock Christian Academy maintains a low student-to-teacher ratio and demands significant teaching experience and high standards from its teachers. As evidence to the impact of its high teaching and moral standards, since its inception, the academy has produced numerous National Merit Scholars and its students consistently test two grades above the national average. The academy possesses a strong parent education program and ranks among the very best in athletics and fine arts programs.

In fact, as testimony to the success of the Round Rock Christian Academy's faculty and family support, 100 percent of the graduating seniors of the Class of 2006 are college bound. This is truly a commendable achievement for any school and speaks volumes of the dedication that the Round Rock Christian Academy has toward the future of its students and the future of the next generation citizens of America.

PERSONAL EXPLANATION

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Ms. ESHOO. Mr. Speaker, I was not present during rollcall vote No. 465 on September 21, 2006.

On rollcall vote No. 465, I would have voted "no".

REMEMBERING THE HONORABLE JOEL T. BROYHILL

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. WOLF. Mr. Speaker, I come to the House floor today to share some sad news. One of Virginia's great public servants—former 10th District Congressman Joel T. Broyhill, a resident of Arlington, Virginia—died this past weekend.

It could be said that this region of Virginia was shaped in many ways by the life of Congressman Broyhill. He laid the foundation for major transportation projects, including the Metrorail system, Washington Dulles International Airport, and the Woodrow Wilson Bridge.

Congressman Broyhill dedicated most of his life to serving his country. He was born in Hopewell, Virginia, on November 4, 1919. He attended Fork Union Military Academy and then attended George Washington University. He also received an honorary doctorate degree from Georgetown University.

Mr. Broyhill worked at his father's real estate company, M.T. Broyhill & Sons, which was a business his family began in Hopewell. The family later relocated to northern Virginia when Congressman Broyhill was growing up.

Before coming to Congress, Congressman Broyhill had a distinguished military career in the U.S. Army. He entered the U.S. Army in 1942 as an enlisted man and served in the European Theater during World War II in the 106th Infantry Division.

He fought in the Battle of the Bulge at the age of 25 and was taken prisoner and held in a German POW camp. After six months in captivity, he saw a chance to escape. He and another American soldier hid under some hay in a barn, hoping that the Germans would not come through the barn looking for them and thrusting their bayonets into the hay. Fortunately, the Germans did not find them, and Mr. Broyhill made his escape. He rejoined advancing American forces and was released from active duty in 1945 as a captain of infantry.

After the war, he resumed his family's real estate pursuits and in 1952, the same year that President Dwight D. Eisenhower was elected, Mr. Broyhill was elected to the 83rd Congress from the 10th District of Virginia and to the 10 succeeding Congresses, serving for 22 years.

I feel a special connection with Mr. Broyhill because I represent Virginia's 10th District today. Although the district has gone through a number of changes over the years, it was Congressman Broyhill who led the way. He was the first Member of Congress to represent the 10th District, Virginia's newest congressional district at that time.

He began his congressional career and service as a member of the House committees on Post Office and Civil Service and the District of Columbia, and later became a member of the Ways and Means Committee. Congressman Broyhill was known for being a strong advocate for Federal and postal workers and for the postal service.

It was appropriate that in the year 2000, Congress passed legislation I introduced which was signed into law naming the central mail processing facility for Northern Virginia in Merrifield in honor of Joel T. Broyhill.

Congressman Broyhill served the people of Virginia honorably and was especially known for the way he took care of his constituents' needs. According to the Almanac of American Politics in 1972, and I quote, "There were few offices that took care of constituents' needs and complaints with more efficiency." Mr. Broyhill estimated that he had helped more than 100,000 residents of Virginia's 10th District during his more than 20 years in office. I still hear people today say "Congressman Broyhill helped me."

The almanac also describes Congressman Broyhill as one who, and I quote, "should be credited with voting his conscience."

We salute today the life and dedicated public service of Joel T. Broyhill and offer our condolences to his three daughters, Nancy, Jeanne and Jane Anne; his stepdaughter, Kimi, and his wife of 25 years, Suzanne (Suzy). He also has four grandchildren: Meredith and Maureen, who are fraternal twins; Lindsey, and Kathleen, and three great-grandchildren: Molly, Jack, and Kara.

TRIBUTE TO FORT LEONARD WOOD AND PULASKI COUNTY, MISSOURI

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. SKELTON. Mr. Speaker, let me take this means to recognize the people of Fort Leonard Wood and Pulaski County, Missouri, for their commitment to improving the quality of life for military personnel.

In a recent study conducted by Expansion Management magazine and the Office of the Deputy Undersecretary of Defense for Military Communities and Family Policy, Fort Leonard Wood and Pulaski County ranked third among 126 civilian communities in the quality of life that they provide to military families. The "2006 Military Communities of Excellence" study compared the quality of life among these civilian communities in areas that include: public schools, housing affordability, standard of living, recreation and leisure, health care, crime and safety, spouse employment opportunities, continuing educational opportunities, affordable childcare, traffic and commuting, commercial air service, and Department of Defense Quality of Life legislative issues. It is also worth noting that Pulaski County placed third in the "Top 10 Metros Overall Quality of Life, Communities with Military Populations over 20,000".

Mr. Speaker, Fort Leonard Wood and Pulaski County, Missouri have dedicated valuable resources and time to earn this recognition. I know the Members of House will join me in recognizing this outstanding achievement.

INTRODUCTION OF THE VETERANS CORPORATION REAUTHORIZATION AND ENHANCEMENT ACT

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mrs. DAVIS of California. Mr. Speaker, I rise today to introduce legislation on behalf of America's veterans seeking to start and operate their own businesses.

Along with my colleagues Mr. EVANS from Illinois and Ms. HERSETH from South Dakota, I offer The Veterans Corporation Reauthorization and Enhancement Act of 2006 to ensure

our veterans have access to the training, the assistance, and the capital to start and manage a business.

Congress passed The Veterans Entrepreneurship and Small Business Development Act of 1999 establishing the National Veterans Business Development Corporation to provide all of these crucial aspects of entrepreneurship to veterans.

As a result of that landmark legislation, the Veterans Corporation has provided training to over 8,000 veterans and has helped over 550 veterans start businesses during 2006 alone.

Unfortunately, Congress has yet to reauthorize the Veterans Corporation, leaving its funding in question each year.

It was an honor to offer an amendment to the Science, State, Justice, Commerce, and Related Agencies Appropriations Act for 2007 (H.R. 5672) in June increasing its funding to $1.5 million for the next fiscal year.

Now, I join with Mr. EVANS and Ms. HERSETH to introduce legislation ensuring funding for this worthy program through 2012.

By passing this legislation, we can make sure our brave service members returning from Iraq and Afghanistan will have access to entrepreneurship training.

Those who are courageously fighting abroad deserve the opportunity to start a business and achieve that aspect of the American Dream.

Mr. Speaker, I urge you to act on this legislation and encourage business ownership for veterans.

COMMUNITY PROTECTION ACT OF 2006

SPEECH OF

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 21, 2006

Mr. LANGEVIN. Mr. Speaker, today I rise to call on my colleagues in Congress to refocus their efforts on comprehensive immigration reform. What we need is not to debate and pass a bunch of bills that duplicate legislation already passed by the House—legislation that has little chance of passage in the Senate. What we need is to get back on track with what the bipartisan 9/11 Commission has repeatedly called for—comprehensive immigration reform. Only when we enact comprehensive reform will we be truly effective in securing our Nation's borders.

Today we are considering three bills, which do little to fix our Nation's illegal immigration problems. We need to do more, and we need to do it in a sensible, bipartisan and comprehensive fashion. The American people expect Congress to secure our borders, and that extends to understanding who currently resides in our country and why they are here. Just as importantly, in considering border security legislation, we need to focus on securing weapons of mass destruction to ensure they do not make their way through our ports of entry. I find it redundant and unnecessary that we are going back to consider legislation that has already been passed by this body when there is so much unfinished business we ought to be focusing on.

We need to focus on ''smart security'' and develop a comprehensive plan. I continue to support the Kolbe-Flake-Gutierrez bill, which is a broad and multi-faceted approach to securing our borders. Under this legislation, we would hire and train more border patrol agents to secure our borders, improve our surveillance technology, and require employers to verify the status of their employees. This proactive approach ensures we keep those wishing to harm us out of our country and allows us to ascertain precisely who is in our country and why they are here.

We also need to refocus our efforts on monitoring exactly which materials come through our borders. As the lead Democrat on the Subcommittee for the Prevention of Nuclear and Biological Attack, I have called for the installation of radiation portal monitors at designated ports of entry to screen all inbound cargo for radiological or nuclear materials. I am dedicated to ensuring we have this important technology at every entry point.

However, instead of addressing these real problems, the Republican leadership has chosen to bring up legislation that we have already passed—not because they want a solution to our immigration problem, but because they need to distract the American public from their inability to accomplish any real reforms. My Democratic colleagues and I have fought for increased funding for more border patrol agents, detention beds, and immigration and customs agents, but Republicans have voted against those efforts 10 times.

I call on my colleagues to refocus their efforts to enact a comprehensive immigration plan. Time in the 109th Congress is quickly running out, and we are doing our country a disservice when we focus on political rhetoric instead of real solutions. It is time to get back on track with what the bipartisan 9/11 Commission has tasked us with—comprehensive reform.

HONORING THE LIFE OF REV. J. BAZZEL MULL

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. DUNCAN. Mr. Speaker, Rev. J. Bazzel Mull, a true Tennessee legend and Southern gospel icon, passed away on September 5 at the age of 91.

Just five days later, he and his beloved wife, Elizabeth, would have celebrated their 62nd anniversary.

No couple could have been more loyal to each other than they were, and Rev. Mull's most famous line was ''ain't that right, Mrs. Mull?''

Rev. Mull served God and the people of East Tennessee throughout his life.

He brought enjoyment to millions through his television programs, his radio stations, and his live gospel music shows.

Through all this, as well as his personal testimony, cheerfully overcoming blindness, he led countless numbers to a closer walk with Jesus Christ.

He had a great sense of humor and once told me on his TV program that no one should be a mugwump. He said that was ''a fellow with his mug on one side of the fence and his wump on the other.''

This Nation is a better place today because of the life of Rev. J. Bazzel Mull.

I would like to call to the attention of my colleagues and other readers of the RECORD the story by Doug Mason which was published in the Knoxville News Sentinel on September 6.

[From KnoxNews, Sept. 6, 2006]

SOUTHERN GOSPEL MUSIC ICON DIES AT 91

(By Doug Mason)

''Ain't that right, Mizz Mull?''

The Rev. J. Bazzel Mull, who died Tuesday at age 91, may be the most quoted man in East Tennessee.

For 60 years, his gravel-truck voice was a staple of regional radio and TV, and his familiar query to his wife and ''Mull Singing Convention'' co-host was a much-mimicked catchphrase to generations of East Tennesseans.

Elizabeth Mull was best known as ''Mizz Mull'' or ''Lady Mull'' to listeners of the ''Mull Singing Convention'' broadcasts. The couple would have celebrated their 62nd anniversary on Sunday.

J. Bazzel Mull (the ''J'' stood for Jacob) was born Oct. 4, 1914, in Burke County, N.C. He began preaching in 1939 and moved to Knoxville in 1942, where he began a radio program on radio station WROL–AM. Later, he was heard on WNOX–AM.

The Rev. Mull owned several East Tennessee radio stations during his long career. At the time of his death, he was the owner of gospel radio station WJBZ, Praise 96.3, in Knoxville.

''The Mull Singing Convention,'' which moved to television in 1956, is still broadcast at 7 a.m. Sundays on WVLT, Channel 8. The program was seen on WBIR, Channel 10, before moving a few years ago to WVLT.

''The Mull Singing Convention'' celebrated its 50th anniversary in August. The Rev. Mull's grandson, Doug Hutchison, said the program is confirmed as the longest-running locally produced television show in the United States.

Elizabeth Mull and daughter Charlotte Mull Hutchison now host the program. The Rev. Mull withdrew from the TV show, and from his Sunday evening preaching service on WJBZ, after suffering a stroke about nine months ago.

Hutchison said his grandfather's stroke brought on dementia. Several other strokes followed, including one about a week and a half ago that left the Rev. Mull unresponsive. He was moved from the hospital to a nursing home, where he died at 4:30 a.m. Tuesday.

The Rev. Mull was a businessman who promoted Southern gospel music concerts and published and distributed a series of six ''Mull's Singing Convention'' songbooks. The latest hymnal was published as ''Number 7'' in the series, even though it followed edition No. 5.

''He didn't like the number 6,'' said Hutchison, who explained that he doesn't know why (perhaps it was because 666 is the biblical Mark of the Beast).

''For a blind man to achieve as much as he did, he was bound to have some eccentricities,'' said Hutchison, who manages WJBZ and the other Mull family enterprises.

The Rev. Mull lost his sight at 11 months old, the result of falling into an open-pit fire.

''Through his 20s he could tell daylight from dark,'' Hutchison said. ''But from his early 30s on, he was completely blind.''

Hutchison said that many people didn't realize his grandfather was blind. In public, he wore oversized glasses with thick lenses—possibly to obscure the fact that he often had his eyelids closed during his TV broadcasts, Hutchison theorized.

''He was never one to bring to the forefront his handicap,'' the grandson said. ''I talk to people still today that did not know he was blind.''

Elizabeth Mull—who met her future husband at a church revival in Lenoir City—was ''100 percent his eyes,'' Hutchison said.

''Everywhere they went, she drove him; she led him everywhere.'' She also read the Bible to the Rev. Mull.

As a young man, it was sometimes Hutchison's job to guide his grandfather to the microphone to emcee the gospel concerts he promoted.

During the 1970s and early '80s, the Rev. Mull presented 60 to 75 concerts a year throughout the Southeast, Hutchison said.

More recently, ''Mull Singing Convention'' concerts have been limited to two per year at Governor's Palace in Sevierville.

During his broadcast heyday in the 1960s and '70s, the Rev. Mull was heard on a network of powerful radio stations that carried his preaching and concerts coast-to-coast.

Family vacations were rare, said Hutchison, who said his grandfather ''believed in work.''

Once, however, the family took a trip to the Bahamas, and a waiter at a restaurant instantly recognized the Rev. Mull's voice when he ordered a meal. The Bahamian was a regular listener to the ''Mull Singing Convention,'' which reached the islands via New Orleans radio station WWL.

J. Bazzel and Elizabeth Mull were inducted into the Gospel Music Association Gospel Music Hall of Fame and the Southern Gospel Music Association's Southern Gospel Hall of Fame.

The Rev. Mull presented top Southern gospel acts at his concerts, including fellow Hall of Fame members the Chuck Wagon Gang. Hutchison said his grandfather discovered the group, moving it from Texas to Knoxville.

Like his good friend Cas Walker, the millionaire grocer and politician who died in 1998 at age 96, the Rev. Mull truly achieved the status of icon in his home region.

Most longtime Knoxvillians have a J. Bazzel Mull story to tell, or at least have uttered a gravelly ''Ain't that right, Mizz Mull?'' at some point in their lives.

The Rev. Mull had personality, his grandson said. ''He loved to laugh and he loved to preach. And he would mix the two. He'd tell a joke to break the ice, then he would preach to you before you knew what happened.''

That voice the Rev. Mull's extended neighbors knew so well and loved to imitate was naturally his own, his grandson said. ''He never smoked; he never drank, nothing. That was just his voice. And it was very distinctive.''

WJBZ will pay tribute to the Rev. Mull all this week. Listeners and gospel music artists will share their memories on air.

The funeral service will be Thursday at Mann Heritage Chapel, 6200 Kingston Pike.

Receiving of friends will be 2–4 p.m. and 5–8 p.m., with a service following. The Revs. Mike Ramage and Dino Bray will officiate.

The burial service will be 11 a.m. Friday in Lenoir City. Internment will be at Lakeview Cemetery at Lenoir City Park.

''Its hard to be sad for him at 91,'' Hutchison said of his grandfather's death. ''The sorrow is for us, the joy is for him. He can see now and the first thing he had ever seen was the face of Jesus.''

TRIBUTE TO OBERLIN COLLEGE

HON. STEPHANIE TUBBS JONES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mrs. JONES of Ohio. Mr. Speaker, I rise today to congratulate Oberlin College and its distinguished African American alumni during the October 6–8, 2006 reunion of the Oberlin College Alumni Association's affiliate group, the Oberlin Alumni Association of African Ancestry. The reunion entitled, ''And We Rise! . . . Celebrating over 170 years of the Black Presence at Oberlin College,'' acknowledges the historic and present contributions of Oberlin College and its illustrious African American alumni toward the establishment of a world and a nation based upon the principles of social and economic justice.

We commend Oberlin College for its remarkable role in fostering higher education among African Americans and we encourage Oberlin's African American alumni to keep engaged with their alma mater to ensure that future generations will have educational access to develop the skills needed to address the complex challenges that face our people and our Nation in the days ahead.

RESOLUTION TO CALL FOR INTER-RELIGIOUS UNDERSTANDING AND DIALOGUE

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce a resolution calling on the people of the world and their religious and political leaders to work towards ecumenical understanding and interfaith dialogue.

Usually, it is not my habit to address religious issues on the floor. I strongly believe in a person's right to religious freedom, as well as the separation of church and state. However, due to recent incidents in various parts of the world I am deeply concerned about the apparent lack of religious respect and tolerance. Therefore, I could not stand by without introducing this resolution.

Not just Christians and Jews, but also Muslims, Buddhists, Hindus and the followers of many other religions believe in values like peace, respect, tolerance and dignity. These are values that bring people together and enable us to build responsible and solid communities. I strongly believe that this is what religion is, or should be about. People all over the world share these universal values.

While few religious leaders and scholars would doubt the commonalities that exist among the various religious groups, the followers of these religions unfortunately struggle in their effort to peacefully coexist. It is my impression that too often, the differences in belief are stressed instead of their common grounds. Too frequently, religious feelings get hurt—sometimes intentionally, but more often, unintentionally.

In the last few weeks, we have again witnessed a lack of mutual understanding and misled reaction. These recent events have shown that even religious leaders are sometimes prone to lacking the adequate sensitivity in dealing with other people's beliefs. The reaction to this incident on the other hand was definitely disproportional, which indicates that the situation was used for political reasons.

The specific incident I am referring to is this: His Holiness Pope Benedict's debatable statement about the prophet Muhammad at a German university two weeks ago and the following unrest in parts of the Arab world. The subsequent unrest resulted in the murder of a nun in Somalia and the burning of churches in the Gaza Strip.

Mr. Speaker, I am deeply concerned that many regions of this world are suffering from the effects of armed conflicts with religious aspects. I believe that the differences of faith are not the real reason for these conflicts. As a matter of fact, religious differences are actually exploited to convince people to participate in primarily political conflicts.

Given the fact that most religions share basic values, it is most unfortunate that religious people can be played off against each other so easily. One possible reason for this may be that people do not know enough about other people's beliefs.

This resolution encourages the peoples of the world and their political leaders, including the ones in our country, to learn about their neighbor's beliefs.

I am convinced that religious and spiritual understanding plays a positive role in facilitating trust and overcoming political differences.

Mr. Speaker, this resolution expresses our assistance for all projects that support a productive and constructive inter-faith dialogue. I know that there are people here in the States and in many other countries of the world, working hard on this issue. I am aware of the fact that some of them risk their political and social credibility or even their lives. All of them deserve our deepest recognition.

Moreover, I want us to urge political and religious leaders, and all peoples of the world, to move forward in a conciliatory spirit, to deal with religious matters in a responsible and balanced way, and to focus on their common grounds.

We all know that there will be no peace among the nations without peace among the religions, and we also know that there will be no peace among the religions without a dialogue among the religions. To support this dialogue and to show that we are conscious of its importance, I ask you to support this resolution.

A TRIBUTE TO HOLY FAMILY CATHOLIC COMMUNITY

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. SCHIFF. Mr. Speaker, I rise today to honor the Holy Family Catholic Community parish in Glendale, California. In 2007, Holy Family will celebrate its 100th anniversary.

Holy Family Catholic Community was founded in 1907, in Glendale, California by Father James O'Neal. The parish originally consisted of only 15 members, who met for weekly services in residential homes. Today, the parish proudly counts over 4,000 families in its membership.

The Holy Family Catholic Community is committed to emphasizing education for the young people of the community. The parish operates both a high school and a grammar school, and hosts annual fundraising events in order to fund quality education for its students. For over a decade, Holy Family High School has sent 100 percent of its graduating seniors

on to college. Over 45 percent of Holy Family High School students receive tuition scholarships from the parish, allowing them to take advantage of the excellent educational opportunities provided by the school.

The Holy Family parish has been served by many distinguished and dedicated pastors throughout its history. From 1975 to 1995, the community was served by Monsignor Arthur J. Lirette who has also acted as Chaplain for the Glendale Police Department, State Chaplain of the Knights of Columbus, and Episcopal Vicar of the San Fernando Region. Since 1995, Father Joseph P. Shea has served as head pastor of Holy Family, following a six-year stint as the Director of the Office of Vocations for the Archdiocese of Los Angeles.

To celebrate the occasion of its centennial, the Holy Family parish has undertaken a mission of spiritual and physical renewal. The theme of the anniversary celebration is ''Jubilee,'' in honor of an ancient Judeo-Christian tradition, in which all people cooperate to restore the world to its original state of justice, equality and beauty. Jubilee years mark a time of renewal, fellowship, and forgiveness. The Holy Family parish will be participating in a series of spiritual retreats, as well as renovating its church building, in honor of this tradition.

I am proud to recognize the centennial celebration of the Holy Family Catholic Community in Glendale, California, and I ask all Members to join me today in honoring this parish.

APPLING COUNTY, GEORGIA, RECREATION DEPARTMENT'S 14 AND UNDER BOYS ALL-STAR BASEBALL TEAM—STATE CHAMPIONS

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. KINGSTON. Mr. Speaker, the Appling County, GA Recreation Department's 14 and Under Junior Boys All-Star team (Hunter Williams, Tate Carter, Joseph Livingston, Colby Griffin, Michael Norris, Todd Hagen, Kyle Hardwick, Ryne Powers, Tyler Avera, Zack Griffis, Ryan Taylor, Cale Turner, Scott Fariss, Kasey Kersey, Coach Jeff Williams, Coach Jay Powers) traveled to Fitzgerald, GA on July 12th to participate in the 2006 BGPA Junior Boys Class ''C'' State Tournament.

The 4-day tournament was a double elimination tournament. The first game, Appling had to play Union County from District 7. Appling jumped on them quickly and ''Run-ruled'' them in five innings, with a 9 to 0 final score. That moved Appling on to play Thursday against Adel-Cook County from District 3. Appling played the whole game behind until the bottom of the seventh inning, when it tied the game up and forced it into extra innings. In the eighth inning, Appling scored one run to end the game. That moved Appling on to play for the undefeated game against Bowdon County from District 4 on Friday morning.

Bowdon beat Appling in 2005 for the championship, but this time would be a different story. The game began with Appling scoring 1 run in the top of the first inning. Neither team scored in the second inning, and in the third inning, Appling scored 1 and held Bowdon scoreless. In the fourth inning, neither team scored, so after four innings the score was 2 to 0 in favor of Appling. In the top of the fifth inning, Appling scored three runs and when Bowdon got up to bat, they scored four runs, making the score 5 to 4. The sixth inning went scoreless, and then Bowdon scored 1 run in the seventh inning to tie the game. The Bowdon team had the bases loaded with no outs, but Appling County fought on and kept them from scoring another run. The game went into extra innings, and in the top of the eighth inning, Appling scored 3 runs. Bowdon then came in to bat in the bottom of the eighth and went scoreless—making Appling the State Champions! It was an enjoyable tournament and the Appling County Recreation Department is very proud of the team.

TRIBUTE TO LEE COLLEGE

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. PAUL. Mr. Speaker, residents of Chambers County and Baytown, in my Congressional district, who currently lack high-speed internet access, will soon be able to obtain an extremely reliable high-speed internet service comparably priced to DSL. This is due to the efforts of a consortium consisting of Lee College, Chambers County, Chambers Liberty Counties Navigation District, East Chambers Independent School District, and Trinity Bay Conservation District.

The consortium began working on the project in 2000, after the Telecommunications Infrastructure Fund board authorized Community Network Grants in order to fund internet access for undersevered areas. Lee College applied for a $500,000 grant on behalf of the consortium. The consortium was one of the few groups that were awarded the full grant of $550,000—the amount applied for plus a 10% match by the consortium.

Among the technical challenges fadng the consortium was constructing four 150-foot towers, wiring ten buildings, and coordinating with the governmental agencies involved. Once those challenges where resolved, the consortium faced the challenge of finding a company to maintain the system. Fortunately, the consortium was able to contract with TeleShare Communications Services.

TeleShare was looking for opportunities to expand, and, according to Mark Ocker, TeleShare's president,'' . . . the opportunity to use an existing network by partnering with Chambers County and Lee College came up, and it proved to be a great match for both TeleShare and the consortium.''

I am pleased to take this opportunity to extend my congratulations and thanks to Lee College and all the members of the consortium for their efforts to improve the lives of the residents of Chambers County and Baytown.

INTRODUCTION OF THE MOBILE WORKFORCE STATE INCOME TAX FAIRNESS AND SIMPLIFICATION ACT OF 2006

HON. CHRIS CANNON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. CANNON. Mr. Speaker, I rise today to introduce the Mobile Workforce State Income Tax Fairness and Simplification Act of 2006. The issues addressed by this legislation impact many thousands of individuals and businesses every year in our country. My purpose in introducing this bill is to begin a discussion on these important issues.

In today's economy, many individuals are required to travel outside of their state of residence to engage in business. Most of these trips are for a brief duration as the employee works in a non-resident state for a short time and then returns to his/her state of residence. Despite the brief presence these individuals may have in non-resident states, many states impose a personal income tax on individuals and a corresponding withholding obligation on employers. States currently have widely inconsistent standards for such individuals to file non-resident personal income tax returns, and inconsistent requirements for employers to withhold income taxes on these employees.

Concerns have been raised that the vast majority of individuals are not aware of these varied state filing requirements. Concerns have also been raised that many employers do not have payroll systems that track employee travel and are consequently required to incur extraordinary and inappropriate expenses to attempt to comply with these various withholding requirements.

A uniform, fair and easily administrable law to address these issues, including appropriate de minimis rules would appear to ensure that the correct amount of income tax is paid without placing an undue burden on individuals or employers. Any solution to these issues would continue to provide full taxation of an individual's wages in a resident state to the extent the resident state determines to impose an income tax on its residents.

INTRODUCTION OF THE ENHANCED OPTIONS FOR RURAL HEALTH CARE ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. PAUL. Mr. Speaker, on Thursday, September 21, I introduced the Enhanced Options for Health Care Act (H.R. 6154). This legislation allows critical access hospitals to use beds designated for critical access use, but currently not being used for that purpose, for assisted living services financed by private payments.

This bill will help improve the financial status of small rural hospitals and extend the health care options available to people living in rural areas without increasing federal expenditures. Currently, fear that rural hospitals will lose critical access status if beds designated for critical access are used for another purpose is

causing rural hospitals to allow beds not needed for a critical access purpose to remain unused. This deprives rural hospitals of a much-needed revenue stream and deprives residents of rural areas of access to needed health care services.

My colleagues may be interested to know that the idea for this bill comes from Marcella Henke, an administrator of Jackson County Hospital, a critical access hospital in my congressional district. Ms. Henke conceived of this idea as a way to meet the increasing demand for assisted living services in rural areas and provide hospitals with a profitable way use beds not being used for critical access purposes. I urge my colleagues to embrace this practical way of strengthening rural health care without increasing federal expenditures by cosponsoring the Enhanced Options for Rural Health Care Act (H.R. 6154).

ON THE FIFTH ANNIVERSARY OF SEPTEMBER 11, 2001

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. MEEHAN. Mr. Speaker, I rise to recognize Ms. Leslie Blair and the hundreds of other individuals from Massachusetts who lost loved ones on September 11, 2001. This September 11th, I attended an event at the Massachusetts State House with Ms. Blair and other families who lost loved ones on September 11, 2001 to commemorate and celebrate their lives. The day of remembrance and reflection was filled with heart wrenching testimonials of loss, powerful tributes to inspirational courage, and life affirming stories of love and family. Ms. Blair's testimonial about her sister, Susan Leigh Blair, was truly moving.

Mr. Speaker, I ask unanimous consent to include Ms. Blair's remarks in the CONGRESSIONAL RECORD.

Good morning. My name is Leslie Blair. My sister Susan Leigh Blair was one of the beautiful faces you just saw in that extraordinarily moving tribute video. Sue was killed on September 11, 2001, as she went about her normal routine on an exceptionally beautiful Tuesday in the South Tower of the World Trade Center.

That video is such a moving tribute to the beautiful souls we lost on horrible and hateful day. Now I have seen a lot of beautiful memorials to the tragedy of September 11, but in static, granite ways, they tend to honor the memory of a day where nearly 3000 vibrant individuals died. This video montage honors the lives, not the deaths, of our loved ones. In those faces, we see the joy of today. And in those eyes, we see the promise for tomorrow, a tomorrow that never came, and a promise that could not be fulfilled.

My son, Nicolas is three. He and I watched this video together, and he asked me what it was. Looking at the smiles, the celebrations, the graduations and weddings, the sun and the sea, the embraces, the families, he looked at all of these lives, and he said, ''It's too much.'' And as you and I know too well, the loss of one is too much. This video memorializes the loss, not just of individuals, but their lives, their promises, their hopes and their joy, and it's just too much.

I was asked to speak today about the value of one life and what one life means—how powerful and impactful one life can be. And like you, I know what I have lost because Susan isn't here. But magnify that loss by all of the families and friends and factor in thousands of coworkers and clients from a today five years ago, and then somehow add in the tomorrows that will never come, and I mean, our country, our world has truly suffered an amazing blow by not having them here. What have we lost as a society because just one of these beautiful smiling faces is no longer here? That is a big question. Let me tell you how I tried to answer it.

I started off by reading recent commentary by some of today' s most intelligent economists, authors, politicians, sociologists. Surely the war on terror, the unease and unrest, the social upheaval can somehow be related to our loss. But that didn't seem to answer my question very well. So I turned to the great philosophers and thinkers from a world before 9/11 to see how they had answered that question. The meaning of life—very academic and metaphysical, but, in fact, not very helpful in answering my question.

Then, I looked through my copy of the Portraits of 9/11 book—a consolidation of many of the NY Times obituaries. Certainly we lost smart, successful people in the prime years of their contributions to the world. We lost bankers, investment brokers, insurance executives, servicemen and women, rescue workers, flight crew, corporate management, consultants, technicians, hockey scouts. To lose the brightest, most productive individuals in a society certainly has an economic impact, a social impact. But that didn't seem to answer the question either.

Then I looked my copy of We Remember, a compilation of tributes from Mass 9/11 Fund members, from us. There I found the heart wrenching loss of children, spouses, siblings, parents, friends, and more photos of life and love. I tried, but I couldn't read it cover to cover. So I flipped around. I landed on Capt. John Ogonowski's tribute, and in there, John's family included a poem by Bessie Anderson Stanley. In 1904, Bessie entered a magazine contest and won $250—so maybe not a great thinker of her time, but her definition of success started to get at what we lost.

He has achieved success who has lived well, laughed often, and loved much; who has enjoyed the trust of pure women, the respect of intelligent men and the love of little children; who has filled his niche and accomplished his task; who has left the world better than he found it, whether an improved poppy, a perfect poem, or a rescued soul; who has always looked for the best in others and given them the best he had; whose life was an inspiration; whose memory a benediction.

And I read the rest of John's pages, and I read Ann's pages, and Ace's pages, and Fred's pages, and Betty's pages, and Robin's pages, and it was easier to read more and more pages of these beautiful people whose lives, by Mrs. Stanley's definition were clearly successful. Their lives inspired others and their memories have been a blessing to those who loved them.

And I read the little booklet in front where I found pages of scholarships and funds, awards, forums, lectures, and music. These beautiful souls, through the inspiration and blessing of their living, of having been here and made a mark, these people are still contributing to society today. They are no longer corporate executives or technicians or bankers, or hockey scouts but through their memory and in honor of their lives, we are able to perpetuate their success.

My sister's scholarship rewards teachers so that her passionate commitment to children and her unfulfilled dream of teaching can live on. Mark Bavis' foundation provides college funding and leadership training. Todd Hill's scholarship awards sportsmanship and perseverance. The list goes on. Surely the promise of Susan and Mark and Todd has not died.

So at this point in my research, I abandoned my original question, because inspired by these individuals and how much they were loved and how unique they were and how their promises could be fulfilled, I think I found a more important question. If we, as individuals, incorporate the spirit of our loved ones, their vibrancy, their vitality, their potential, their love, can we not change the world? Can we not increase the potential we had before 9/11 by carrying the potential of our loved ones in our hearts and in our lives and in our own successes?

We all know, too well, the devastating impact of a few evil individuals. But we, as individuals, can and are counteracting that evil impact. In honor of those vibrant successful lives, we can make a more significant impact on society, in our communities, our schools, our businesses, by our own individual actions.

And I think back to that video, the smiles of a today that has passed and the hope for a tomorrow that will never come. And I remember the success described by Mrs. Stanley. Surely our loved ones left a mark on the world in their own right. And we, by loving them and remembering them, make their mark deeper. And we, by doing that, make our own mark. Honoring the characteristics that we loved about them and carrying those characteristics into our today's, do we not carry our loved ones into the future? We have the opportunity today to continue their success. And despite our loss, or maybe because of it, we have the opportunity to live our individual lives successfully, as if tomorrow may never come. Individually, yes, together certainly, we can leave the world better than we found it, as they did. And we can give their promise for tomorrow, through our own promise, to those who love us.

SENIOR CITIZENS DEMAND AFFORDABLE DRUG COVERAGE ON DONUT HOLE DAY

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Ms. SCHAKOWSKY. Mr. Speaker, I rise in recognition of last Friday, September 22, ''Donut Hole'' Day. Donut Hole Day was not a happy day but a marker to remind policymakers about the problems that the Part D plan is imposing on America's seniors and people with disabilities this year.

September 22 was the day when the average person with Medicare fell into the Part D donut hole—a black hole of coverage for those whose annual drug costs fall between $2,250 and $5,100. The donut hole is a $2,850 gap in coverage when people with private Part D plans continue to pay insurance

premiums even though they receive no coverage. September 22 was also the day that senior citizens and persons with disabilities came together in events across the country to demand an affordable drug benefit in Medicare.

Nearly 7 million senior citizens and people with disabilities are expected to enter the donut hole. A Kaiser Family Foundation study estimates that, of the people who will fall into the donut hole, 1.9 million (28 percent) have incomes less than 150 percent of poverty; 2.9 million (42 percent) are in fair or poor health; and 3.8 million (55 percent) are women.

The donut hole is an unprecedented phenomenon. This type of coverage gap is not found in the Federal Employees Health Benefits plan or in any other private plan. It is an insurance mechanism especially crafted for people with Medicare.

An analysis from an August report from the Center for Economic and Policy Research concludes that if Medicare had been allowed to negotiate drug prices in the same way as the Veterans Administration, the savings would have been more than enough to eliminate the donut hole gap in coverage. In fact, the close to $50 billion that could be saved in the first full year of the program is more than twice the size of the donut hole.

The real winners in the Part D program are the drug and insurance companies. In a report released this week by the Committee on Government Reform Democratic staff shows that profits grew by over $8 billion (27 percent) for the ten largest pharmaceutical manufacturers in the first half of this year.

The losers in the Part D program are people with Medicare. The prices charged by the top Part D plans in my Congressional District were 79 percent higher than the prices negotiated by the Federal government. A recent Merrill Lynch analysis found that in 2006 prices for popular brand-name drugs had increased by 8.6 percent over the last year, twice as fast as the overall information rate.

The donut hole puts seniors and people disabilities' health at grave risk. A New England Journal of Medicine study found that seniors' behaviors change when faced with a prescription drug benefit cap after which they have to pay the full costs of their drugs—and the donut hole is a cap. The study found that found that seniors who confront a cap are more likely to skip doses of treatments, less likely to visit hospital emergency departments, and, sadly, sometimes more likely to die sooner. Their annual mortality rate was 22 percent higher than those without such a cap on benefits.

Representatives MARION BERRY of Arkansas, TOM ALLEN of Maine and I introduced H.R. 752, the Prescription Drug Savings and Choice Act, which would take Medicare in a new direction by siding with senior citizens and people with disabilities—not the drug companies. This bill would give people with Medicare the choice of enrolling in a Medicare-administered drug benefit and we would force drug companies to lower their prices by requiring Medicare to negotiate for deep discounts. The savings could be used to fill the donut hole.

Ms. Pauline Metzger-Aronson wrote to me earlier this year to tell me that she fell into the donut hole in June. She will pay a monthly premium for the rest of the year, although she will not receive any benefits because she will not climb out of the donut hole. She told me that the saying, "As you amble through life, whatever be your goal: Keep your eye on the donut and not upon the hole" had new meaning because "some of us seniors have reached the point where the donut is gone and we are now forced to look into the hole." H.R. 752 would help Ms. Metzger-Aronson and many others. It is a step in the right direction which will put America's seniors and people with disabilities first. I urge my colleagues to support this important legislation.

HONORING GEORGIA HOUSING WEEK

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. KINGSTON. Mr. Speaker, today marks the end of Public Housing Week in the State of Georgia. I would like to commend those who work hard every day to ensure that our fellow Georgians have safe and affordable housing. The following proclamation was issued at the Capitol building in Atlanta, Georgia last week, and I would like to submit it for the RECORD.

PROCLAMATION

The Federal Public Housing Program was initiated under the U.S. Housing Act of 1937 as part of the Nation's New Deal Initiative, and has provided housing for millions of Americans since the outset of this program.

Georgia, being the first State in the Nation to construct Public Housing for its citizens under the Federal Public Housing Program, continues to be a leader of this industry and recognized across the country for its excellence in providing decent, safe, and affordable housing for Georgia's citizens.

The Georgia Association of Housing and Redevelopment Authorities and the U.S. Department of Housing and Urban Development work in partnership to provide public housing for over 110,000 families in the State of Georgia, as well as local jobs, economic opportunity, family services, and neighborhood revitalization for the majority of Georgia cities through their local housing authorities.

Governor Sonny Perdue of the State of Georgia proclaims September 19th through the 26th as Public Housing Week in Georgia. I encourage all citizens to express their appreciation for the commitment and the service of those in the Public Housing Industry within the State of Georgia.

CONGRATULATING ARAGON HIGH SCHOOL ON THE COMPLETION OF ITS MODERNIZATION PROGRAM

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 25, 2006

Mr. LANTOS. Mr. Speaker, I rise today to commemorate the passage of an important bond issue, Measure D, and the improvements it has made in the San Mateo Union High School District. Voters in my district saw a great opportunity to advance our community and overwhelmingly approved a $137.5 million bond measure. Combining this bond measure with other resources the district undertook a $234.5 million capital improvement program. Some of these funds were dedicated for new construction and modernization of Aragon High School. The community will be celebrating the completion of this project with a ribbon cutting ceremony on October 28, 2006.

Aragon High School has been a California Distinguished School since 1988 and has many accomplishments. It is one of only three high schools in the County to have earned and improved an 800 Academic Performance Index Score (API) on the Standardized Testing and Reporting (STAR) tests. Soon after the passage of the bond issue, Aragon High School was the first in the district to provide Advanced Placement (AP) courses that have challenged students dedicated to academics and has encouraged the professional development of California AP teachers.

Aragon High School's developments have encouraged others outside the County as well. The school's demonstration of a commitment to reform necessary for academic success has led to Aragon's participation in the New American High School initiative for school reform, receiving a $40,000 grant tied to middle and elementary feeder schools. The capital improvement program and the school's dedication to academic success have helped to ensure students' acceptance into the most prestigious colleges and universities in America with 57% of the Class of 2006 accepted to four year colleges. These graduates earn nearly $2 million annually through scholarships and grants.

Beyond academics, Aragon High School can boast of extra-curricular programs that have been improved with the passage of Measure D. Students of Aragon High School participate in award winning vocal and instrumental music programs, including performances of the band at Carnegie Hall in New York, an invitation with the Boston Pops Symphony, and the honor to represent California and the United States at the 2008 Olympics in Beijing.

The Measure D modernization and new construction program at Aragon High School is made possible by the Board of Trustees, joined by community leaders, elected officials, parents, school staff, and the public at large that volunteered and helped pass this bond issue and do what is best for the youth attending schools in the community.

The San Mateo Union School District has been and is devoted to its academics and voters within the County. The people of the community have contributed to these successes by voting on Measure D and by dedicating themselves in the classrooms. I commend them for their efforts that have provided a safe and modern teaching and learning facility in San Mateo County.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, September 26, 2006 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

SEPTEMBER 27

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine the nominations of Christopher A. Padilla, of the District of Columbia, to be an Assistant Secretary of Commerce, and Bijan Rafiekian, of California, to be a Member of the Board of Directors of the Export-Import Bank of the United States.

SD–538

Commerce, Science, and Transportation

Business meeting to consider pending calendar business.

SR–253

Homeland Security and Governmental Affairs

To hold hearings to examine new technologies to improve care for people with diabetes and reduce the burden on the health care system, focusing on the development of an artificial pancreas.

SD–342

Energy and Natural Resources

Public Lands and Forests Subcommittee

To hold hearings to examine S. 3599, to establish the Prehistoric Trackways National Monument in the State of New Mexico, S. 3794, to provide for the implementation of the Owyhee Initiative Agreement, S. 3854, to designate certain land in the State of Oregon as wilderness, H.R. 3603, to promote the economic development and recreational use of National Forest System lands and other public lands in central Idaho, to designate the Boulder-White Cloud Management Area to ensure the continued management of certain National Forest System lands and Bureau of Land Management lands for recreational and grazing use and conservation and resource protection, to add certain National Forest System lands and Bureau of Land Management lands in central Idaho to the National Wilderness Preservation System, and H.R. 5025, to protect for future generations the recreational opportunities, forests, timber, clean water, wilderness and scenic values, and diverse habitat of Mount Hood National Forest, Oregon.

SD–628

Armed Services

Readiness and Management Support Subcommittee

To hold hearings to examine United States policy and practice with respect to the use of riot control agents by the U.S. Armed Forces, followed by a closed session in SR–222.

SR–232A

2 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine Federal efforts to protect children from commercial sexual exploitation, focusing on international initiatives to combat child pornography and trafficking.

2200–RHOB

2:30 p.m.

Health, Education, Labor, and Pensions

Bioterrorism and Public Health Preparedness Subcommittee

To hold hearings to examine measures to improve emergency medical care.

SD–430

Foreign Relations

To hold hearings to examine the nominations of Frank Baxter, of California, to be Ambassador to the Oriental Republic of Uruguay, and Charles L. Glazer, of Connecticut, to be Ambassador to the Republic of El Salvador.

SD–419

Intelligence

To receive a closed briefing regarding intelligence matters.

SH–219

3 p.m.

Judiciary

Immigration, Border Security and Citizenship Subcommittee

To hold an oversight hearing to examine United States refugee admissions and policy.

SD–226

SEPTEMBER 28

9:30 a.m.

Armed Services

To hold hearings to examine issues relating to military voting and the Federal Voting Assistance Program.

SH–216

Environment and Public Works

Superfund and Waste Management Subcommittee

To hold hearings to examine S. 3871, to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system.

SD–406

9:45 a.m.

Foreign Relations

To hold hearings to examine the situation in Darfur, focusing on prospects for peace.

SD–419

10 a.m.

Commerce, Science, and Transportation

Aviation Subcommittee

To hold hearings to examine new aircraft in the National Airspace System.

SR–253

Banking, Housing, and Urban Affairs

Business meeting to mark up an original bill entitled ''Technical Corrections to the Public Transportation Portion to SAFETEA'', and S. 2657, to extend the Iran and Libya Sanctions Act of 1996.

SD–538

Budget

To hold hearings to examine the state of the economy.

SD–608

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To resume hearings to examine the National Capital Region's strategic security plan, focusing on the ability of the responsible Federal, state and local government agencies of the National Capital Region to respond to a terrorist attack or natural disaster, including the coordination efforts within the region.

SD–342

2:30 p.m.

Finance

Long-term Growth and Debt Reduction Subcommittee

To hold hearings to examine America's public debt.

SD–215

Intelligence

To hold closed hearings to examine intelligence matters.

SH–219

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S10051–S10107

Measures Introduced: Three bills and four resolutions were introduced, as follows: S. 3932–3934, S. Res. 582–584, and S. Con. Res. 118. **Page S10072**

Measures Reported:

S. 3879, to implement the Convention on Supplementary Compensation for Nuclear Damage, with amendments. (S. Rept. No. 109–346)

S. 2348, to amend the Atomic Energy Act of 1954 to require a licensee to notify the Atomic Energy Commission, and the State and county in which a facility is located, whenever there is an unplanned release of fission products in excess of allowable limits, with an amendment in the nature of a substitute. (S. Rept. No. 109–347)

S. 3771, to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act, with an amendment in the nature of a substitute. **Page S10071**

Measures Passed:

Global Family Day: Senate agreed to S. Res. 582, urging the people of the United States to observe Global Family Day and One Day of Peace and Sharing. **Page S10099**

National Youth Court Month: Senate agreed to S. Res. 583, designating September 2006 as ''National Youth Court Month''. **Page S10100**

Senate Document Production Authority: Senate agreed to S. Res. 584, to authorize the production of records, testimony, and legal representation. **Page S10100**

Drivers' License Requirement: Committee on Commerce, Science, and Transportation was discharged from further consideration of H. Con. Res. 235, expressing the sense of the Congress that States should require candidates for driver's licenses to demonstrate an ability to exercise greatly increased caution when driving in the proximity of a potentially visually impaired individual, and the resolution was then agreed to. **Page S10100**

National Transportation Safety Board Reauthorization Act: Senate passed S. 3679, to authorize appropriations for the National Transportation Safety Board, after agreeing to the committee amendment in the nature of a substitute. **Pages S10100–14**

Railroad Retirement Technical Improvement Act: Senate passed H.R. 5074, to amend the Railroad Retirement Act of 1974 to provide for continued payment of railroad retirement annuities by the Department of the Treasury, clearing the measure for the President. **Page S10105**

Secure Fence Act: Senate resumed consideration of H.R. 6061, to establish operational control over the international land and maritime borders of the United States, taking action on the following amendments proposed thereto: **Pages S10097–98**

Withdrawn:

Frist Amendment No. 5031, to establish the effective date. **Page S10097**

Pending:

Frist Amendment No. 5036, to establish military commissions. **Page S10097**

Frist Amendment No. 5037 (to Amendment No. 5036), to establish the effective date. **Page S10097**

Motion to commit the bill to the Committee on the Judiciary, with instructions to report back forthwith, with an amendment. **Page S10098**

Frist Amendment No. 5038 (to the instructions of the motion to commit H.R. 6061 to the Committee on the Judiciary), to establish military commissions.

Frist Amendment No. 5039 (to the instructions of the motion to commit H.R. 6061 to the Committee on the Judiciary), to establish the effective date. **Page S10098**

Frist Amendment No. 5040 (to Amendment No. 5039), to amend the effective date. **Page S10098**

A motion was entered to close further debate on Frist Amendment No. 5036 (listed above) and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Wednesday, September 27, 2006. **Page S10097**

A motion was entered to close further debate on the bill and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a

vote on cloture will occur on Wednesday, September 27, 2006. **Pages S10097–98**

During consideration of this measure today, the following action also occurred:

Frist Amendment No. 5032 (to Amendment No. 5031), to amend the effective date, fell when Frist Amendment No. 5031 (listed above) was withdrawn. **Page S10097**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:45 a.m., on Tuesday, September 26, 2006; provided further, that it be in order to file first degree amendments as provided for under rule XXII until 2:30 p.m. on Tuesday, September 26, 2006. **Page S10105**

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 87 yeas (Vote No. EX. 253), Francisco Augusto Besosa, of Puerto Rico, to be United States District Judge for the District of Puerto Rico. **Pages S10066–67, S10107**

Charles F. Conner, of Indiana, to be a Member of the Board of Directors of the Commodity Credit Corporation. (Prior to this action, Committee on Agriculture, Nutrition and Forestry was discharged from further consideration). **Pages S10099, S10107**

Messages From the House: **Page S10070**

Measures Placed on Calendar: **Page S10070**

Enrolled Bills Presented: **Page S10070**

Executive Communications: **Pages S10070–71**

Petitions and Memorials: **Page S10071**

Executive Reports of Committees: **Page S10071**

Additional Cosponsors: **Pages S10072–73**

Statements on Introduced Bills/Resolutions: **Pages S10073–75**

Additional Statements: **Page S10069**

Amendments Submitted: **Pages S10075–97**

Authorities for Committees to Meet: **Page S10097**

Record Votes: One record vote was taken today. (Total—253) **Page S10067**

Adjournment: Senate convened at 2 p.m., and adjourned at 7:15 p.m., until 9:45 a.m., on Tuesday, September 26, 2006. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S10105.)

Committee Meetings

(Committees not listed did not meet)

NOMINATION

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the nomination of Mary E. Peters, of Arizona, to be Secretary of Transportation.

HABEAS CORPUS REVIEW

Committee on the Judiciary: Committee concluded a hearing to examine proposals to limit Guantanamo detainees' access to habeas corpus review, after receiving testimony from Lieutenant Commander Charles D. Swift, USN, Judge Advocate General Corps; Rear Admiral John D. Hutson, USN (Ret.), Franklin Pierce Law Center, Concord, New Hampshire; Thomas P. Sullivan, Jenner and Block, Chicago, Illinois; and Bruce Fein, Fein and Fein, David B. Rivkin, Jr., Baker and Hostetler, LLP, and Bardford A. Berenson, Sidley Austin, LLP, all of Washington, D.C.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 16 public bills, H.R. 6159–6174; and 4 resolutions, H.J. Res. 97; H. Con. Res. 479–480; and H. Res. 1040 were introduced. **Pages H7348–49**

Additional Cosponsors: **Page H7349**

Reports Filed: Reports were filed today as follows:

H.R. 2134, to establish the Commission to Study the Potential Creation of a National Museum of the American Latino Community to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino Community in Washington, DC, with an amendment (H. Rept. 109–584, Pt. 2);

H.R. 4942, to establish a capability and office to promote cooperation between entities of the United States and its allies in the global war on terrorism for the purpose of engaging in cooperative endeavors focused on the research, development, and commercialization of high-priority technologies intended to

detect, prevent, respond to, recover from, and mitigate against acts of terrorism and other high consequence events and to address the homeland security needs of Federal, State, and local governments, with an amendment (H. Rept. 109–674);

H.R. 2840, to amend title 5, United States Code, to require that agencies, in promulgating rules, take into consideration the impact of such rules on the privacy of individuals, with an amendment (H. Rept. 109–675);

Conference report on H.R. 5631, making appropriations for the Department of Defense for the fiscal year ending September 30, 2007 (H. Rept. 109–676);

H.R. 6054, to amend title 10, United States Code, to authorize trial by military commission for violations of the law of war, with amendments (H. Rept. 109–664, Pt. 2);

H. Res. 1037, waiving points of order against the conference report to accompany the bill (H.R. 5631) making appropriations for the Department of Defense for the fiscal year ending September 30, 2007 (H. Rept. 109–677);

H. Res. 1038, providing for consideration of H.R. 2679, to amend the Revised Statutes of the United States to eliminate the chilling effect on the constitutionally protected expression of religion by State and local officials that results from the threat that potential litigants may seek damages and attorney's fees (H. Rept. 109–678);

H. Res. 1039, providing for consideration of S. 403, to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions (Rept. 109–679); and

H.R. 5825, to update the Foreign Intelligence Surveillance Act of 1978, with amendments (H. Rept. 109–680, Pts. 1 and 2).

Pages H6996–H7309, H7347–48

Speaker: Read a letter from the Speaker wherein he appointed Representative Petri to act as Speaker pro tempore for today. **Page H6935**

Recess: The House recessed at 12:31 p.m. and reconvened at 2 p.m. **Page H6935**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Lower Farmington River and Salmon Brook Wild and Scenic River Study Act: H.R. 1344, amended, to amend the Wild and Scenic Rivers Act to designate a segment of the Farmington River and Salmon Brook in the State of Connecticut for study for potential addition to the National Wild and Scenic Rivers System; **Pages H6937–38**

Authorizing the National Park Service to pay for services rendered by subcontractors under a General Services Administration Indefinite Deliver/Indefinite Quantity Contract issued for work to be completed at the Grand Canyon National Park: H.R. 3961, to authorize the National Park Service to pay for services rendered by subcontractors under a General Services Administration Indefinite Deliver/Indefinite Quantity Contract issued for work to be completed at the Grand Canyon National Park; **Page H6938**

Southern Nevada Readiness Center Act: H.R. 4382, to provide for the conveyance of certain land in Clark County, Nevada, for use by the Nevada National Guard; **Pages H6938–39**

Water Resources Research Act Amendments of 2006: H.R. 4588, amended, to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under the Water Resources Research Act of 1984; **Pages H6939–40**

Oregon Water Resources Management Act of 2006: H.R. 5079, amended, to provide for the modification of an amendatory repayment contract between the Secretary of the Interior and the North Unit Irrigation District; **Pages H6940–41**

Agreed to amend the title so as to read: "To update the management of Oregon water resources, and for other purposes.". **Page H6941**

Ice Age Floods National Geologic Trail Designation Act of 2005: H.R. 383, amended, to designate the Ice Age Floods National Geologic Trail; **Pages H6941–42**

Agreed to amend the title so as to read: "To designate the Ice Age Floods National Geologic Route, and for other purposes.". **Page H6942**

Jean Lafitte National Historical Park and Preserve Boundary Adjustment Act of 2005: H.R. 1515, amended, to adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana; **Pages H6942–43**

National Historic Preservation Act Amendments of 2006: H.R. 5861, amended, to amend the National Historic Preservation Act; **Pages H6945–46**

Amending Public Law 106–348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States: H.R. 4275, to amend Public Law 106–348 to extend the authorization for establishing a memorial in the District of

Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States; **Pages H6946–48**

Authorizing the Secretary of Interior to convey to The Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. certain Federal land associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as an historical interpretive site along the trail: H.R. 3871, amended, to authorize the Secretary of Interior to convey to The Missouri River Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. certain Federal land associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as an historical interpretive site along the trail; **Pages H6948–49**

River Raisin National Battlefield Study Act: H.R. 5132, amended, to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including in the National Park System certain sites in Monroe County, Michigan, relating to the Battles of the River Raisin during the War of 1812; **Pages H6949–50**

Mississippi River Trail Study Act: H.R. 1796, to amend the National Trails System Act to designate the route of the Mississippi River from its headwaters in the State of Minnesota to the Gulf of Mexico for study for potential addition to the National Trails System as a national scenic trail, national historic trail, or both; **Pages H6950–51**

Piedras Blancas Historic Light Station Outstanding Natural Area Act of 2005: H.R. 3534, to designate the Piedras Blancas Light Station and the surrounding public land as an Outstanding Natural Area to be administered as a part of the National Landscape Conservation System; **Pages H6951–52**

Authorizing salary adjustments for Justices and judges of the United States for fiscal year 2007: H.R. 5454, to authorize salary adjustments for Justices and judges of the United States for fiscal year 2007; **Pages H6961–62**

Copyright Royalty Judges Program Technical Corrections Act: H.R. 1036, to amend title 17, United States Code, to make technical corrections relating to Copyright Royalty Judges. The House concur in Senate amendment—clearing the measure for the President; **Pages H6962–63**

Trademark Dilution Revision Act of 2006: H.R. 683, to amend the Trademark Act of 1946 with respect to dilution by blurring or tarnishment. The House concur in Senate amendment—clearing the measure for the President; **Pages H6963–65**

Proud to Be an American Citizen Act: H.R. 5323, amended, to require the Secretary of Homeland Security to provide for ceremonies on or near Independence Day for administering oaths of allegiance to legal immigrants whose applications for naturalization have been approved; **Pages H6971–72**

General Services Administration Modernization Act: H.R. 2066, to amend title 40, United States Code, to establish a Federal Acquisition Service, to replace the General Supply Fund and the Information Technology Fund with an Acquisition Services Fund. The House concur in Senate amendments—clearing the measure for the President; **Pages H6972–73**

2005 District of Columbia Omnibus Authorization Act: H.R. 3508, to authorize improvements in the operation of the government of the District of Columbia. The House concur in Senate amendment—clearing the measure for the President; **Pages H6973–80**

Designating the facility of the United States Postal Service located at 200 Lawyers Road, NW in Vienna, Virginia, as the "Captain Christopher Petty Post Office Building": H.R. 6102, amended, To designate the facility of the United States Postal Service located at 200 Lawyers Road, NW in Vienna, Virginia, as the "Captain Christopher Petty Post Office Building", by a ⅔ yea-and-nay vote of 383 yeas to 1 nay, Roll No. 473; **Pages H6980–81, H6995**

Designating the facility of the United States Postal Service located at 350 Uinta Drive in Green River, Wyoming, as the "Curt Gowdy Post Office Building": H.R. 5224, to designate the facility of the United States Postal Service located at 350 Uinta Drive in Green River, Wyoming, as the "Curt Gowdy Post Office Building"; **Page H6981**

Congratulating The Professional Golfers' Association of America on its 90th anniversary and commending the members of The Professional Golfers' Association of America and The PGA Foundation for the charitable contributions they provide to the United States: H. Con. Res. 471, to congratulate The Professional Golfers' Association of America on its 90th anniversary and commending the members of The Professional Golfers' Association of America and The PGA Foundation for the charitable contributions they provide to the United States; **Pages H6981–83**

Supporting the goals and ideals of Pancreatic Cancer Awareness Month: H. Res. 745, to support the goals and ideals of Pancreatic Cancer Awareness Month; **Pages H6983–84**

Designating the facility of the United States Postal Service located at 7172 North Tongass Highway, Ward Cove, Alaska, as the "Alice R. Brusich Post Office Building": S. 1275, to designate the facility of the United States Postal Service located at 7172 North Tongass Highway, Ward Cove, Alaska, as the "Alice R. Brusich Post Office Building"—clearing the measure for the President;

Pages H6984–85

Designating the facility of the United States Postal Service located on Lindbald Avenue, Girdwood, Alaska, as the "Dorothy and Connie Hibbs Post Office Building": S. 1323, to designate the facility of the United States Postal Service located on Lindbald Avenue, Girdwood, Alaska, as the "Dorothy and Connie Hibbs Post Office Building"—clearing the measure for the President;

Page H6985

Supporting the goals and ideals of National Myositis Awareness Day: H. Res. 974, to support the goals and ideals of National Myositis Awareness Day;

Pages H6985–86

Designating the facility of the United States Postal Service located at 8801 Sudley Road in Manassas, Virginia, as the "Harry J. Parrish Post Office": S. 2690, to designate the facility of the United States Postal Service located at 8801 Sudley Road in Manassas, Virginia, as the "Harry J. Parrish Post Office"—clearing the measure for the President;

Pages H6984, H6986

Designating the facility of the United States Postal Service located at 1501 South Cherrybell Avenue in Tucson, Arizona, as the "Morris K. 'Mo' Udall Post Office Building": H.R. 5857, to designate the facility of the United States Postal Service located at 1501 South Cherrybell Avenue in Tucson, Arizona, as the "Morris K. 'Mo' Udall Post Office Building"; **Pages H6986–87**

Designating the facility of the United States Postal Service located at 29–50 Union Street in Flushing, New York, as the "Dr. Leonard Price Stavisky Post Office": H.R. 5923, to designate the facility of the United States Postal Service located at 29–50 Union Street in Flushing, New York, as the "Dr. Leonard Price Stavisky Post Office";

Pages H6987–88

Urging the President to appoint a Presidential Special Envoy for Sudan: H.R. 992, amended, to urge the President to appoint a Presidential Special Envoy for Sudan; **Pages H6988–93**

Darfur Peace and Accountability Act of 2006: H.R. 3127, to impose sanctions against individuals responsible for genocide, war crimes, and crimes against humanity, to support measures for the protection of civilians and humanitarian operations, and to support peace efforts in the Darfur region of Sudan. The House concur in Senate amendment—clearing the measure for the President; **Page H7313–19**

Commending the people of Montenegro on the conduct of the referendum on independence, welcoming United States recognition of the sovereignty and independence of the Republic of Montenegro, and welcoming Montenegrin membership in the United Nations and other international organizations: H. Res. 965, amended, to commend the people of Montenegro on the conduct of the referendum on independence, welcoming United States recognition of the sovereignty and independence of the Republic of Montenegro, and welcoming Montenegrin membership in the United Nations and other international organizations; **Pages H7319–21**

Recognizing the 185th anniversary of the independence of Peru on July 28, 2006: H. Res. 940, amended, to recognize the 185th anniversary of the independence of Peru on July 28, 2006; and

Page H7322

Recognizing the accomplishments of the American Council of Young Political Leaders for providing 40 years of international exchange programs, increasing international dialogue, and enhancing global understanding, and commemorating its 40th anniversary: H. Con. Res. 430, to recognize the accomplishments of the American Council of Young Political Leaders for providing 40 years of international exchange programs, increasing international dialogue, and enhancing global understanding, and commemorating its 40th anniversary.

Pages H7323–24

SUSPENSIONS—Failed: The House failed to agree to suspend the rules and pass the following measures:

New Hampshire Wilderness Act of 2006: H.R. 5059, to designate the Wild River Wilderness in the White Mountain National Forest in the State of New Hampshire, by a 2/3 yea-and-nay vote of 223 yeas to 167 nays, Roll No. 471; and

Pages H6943–44, H6993–94

New Hampshire Wilderness Act of 2006: H.R. 5062, to designate as wilderness certain National Forest System land in the State of New Hampshire, by a ⅔ yea-and-nay vote of 220 yeas to 169 nays, Roll No. 472. **Pages H6944–45, H6994–95**

SUSPENSIONS—Proceedings Postponed: The House completed debate on the following measures under suspension of the rules. Further consideration of the measures is expected to resume at a later date:

Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATFE) Modernization and Reform Act of 2006: H.R. 5092, amended, to modernize and reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives; **Pages H6953–61, H6993**

Private Property Rights Implementation Act of 2006: H.R. 4772, amended, to simplify and expedite access to the Federal courts for injured parties whose rights and privileges under the United States Constitution have been deprived by final actions of Federal agencies or other government officials or entities acting under color of State law; **Pages H6965–71, H6993**

Urging the President to appoint a Presidential Special Envoy for Sudan: H. Res. 992, amended, to urge the President to appoint a Presidential Special Envoy for Sudan; **Pages H6988–93**

Calling on the President to take immediate steps to help improve the security situation in Darfur, Sudan, with a specific emphasis on civilian protection: H. Res. 723, amended, to call on the President to take immediate steps to help improve the security situation in Darfur, Sudan, with a specific emphasis on civilian protection; **Pages H7309–13**

Commending the United Kingdom for its efforts in the War on Terror: H.R. 989, amended, to commend the United Kingdom for its efforts in the War on Terror; and **Pages H7324–25**

Affirming support for the sovereignty and security of Lebanon and the Lebanese people: H. Res. 1017, amended, to affirm support for the sovereignty and security of Lebanon and the Lebanese people. **Pages H7325–28**

Correcting the enrollment of H.R. 3127: The House agreed by unanimous consent to H. Con. Res. 480, to correct the enrollment of H.R. 3127. **Page H6993**

Discharge Petition: Representative Barrow moved to discharge the Committee on Rules from the consideration of H. Res. 998, providing for consideration of H.R. 5099, to provide disaster assistance to agricultural producers for crop and livestock losses.

Senate Messages: Message received from the Senate and messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages H7321.

Senate Referrals: S. 3679 was referred to the Committee on Transportation and Infrastructure; and S. Con. Res. 116, S. 2562 and S. 3850 were held at the desk. **Page H7346**

Quorum Calls—Votes: Three yea-and-nay votes developed during the proceedings today and appear on pages H6993–94, H6994–95, and H6995. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:59 p.m.

Committee Meetings

CHILD INTERSTATE ABORTION NOTIFICATION ACT

Committee on Rules: Granted, by voice vote, a closed rule providing 1 hour of debate in the House on S. 403, to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute printed in the Rules Committee report shall be considered as adopted. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Sensenbrenner.

VETERANS' MEMORIAL, BOY SCOUTS, PUBLIC SEALS, AND OTHER PUBLIC EXPRESSIONS OF RELIGION PROTECTION ACT OF 2006

Committee on Rules: Granted, by voice vote, a closed rule providing for 1 hour of debate in the House on H.R. 2679, to amend the Revised Statutes of the United States to eliminate the chilling effect on the constitutionally protected expression of religion by State and local officials that results from the threat that potential litigants may seek damages and attorney's fees, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute as reported by the Committee on the Judiciary shall be considered as adopted. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Representative Smith of Texas.

CREDIT RATING AGENCY REFORM ACT OF 2006

Committee on Rules: Testimony was heard from Representative Baker of Louisiana but action was deferred on S. 3850, Credit Rating Agency Reform Act of 2006.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2007—CONFERENCE REPORT

Committee on Rules: Granted, by voice vote, a rule waiving all points of order against the conference report to accompany H.R. 5631, Department of Defense Appropriations Act, 2007, and against its consideration. The rule provides that the conference report shall be considered as read. Testimony was heard from Representative C.W. Bill Young of Florida.

Joint Meetings

APPROPRIATIONS—DEPARTMENT OF HOMELAND SECURITY

Conferees agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 5441, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D 908)

S. 3534, to amend the Workforce Investment Act of 1998 to provide for a YouthBuild program. Signed on September 22, 2006. (Public Law 109–281).

COMMITTEE MEETINGS FOR TUESDAY, SEPTEMBER 26, 2006

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold a closed briefing on the situation in Afghanistan, 4:30 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine implications of the New Basel Capital Accord designed to bring order to international capital markets, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: with the Committee on Foreign Relations, to hold joint hearings to examine International Polar Year, 3:15 p.m., SR–253.

Committee on Environment and Public Works: business meeting to consider H.R.1463, to designate a portion of the Federal building located at 2100 Jamieson Avenue, in Alexandria, Virginia, as the ''Justin W. Williams United States Attorney's Building'', and the nominations of Roger Romulus Martella, Jr., of Virginia, to be an Assistant Administrator, and Alex A. Beehler, of Maryland, to be Inspector General, both of the Environmental Protection Agency, William H. Graves, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority, and Brigadier General Bruce Arlan Berwick, United States Army, Colonel Gregg F. Martin, United States Army, Brigadier General Robert Crear, United States Army, and Rear Admiral Samuel P. De Bow, Jr., NOAA, each to be a Member of the Mississippi River Commission, and other pending committee business, 2:15 p.m., S–216, Capitol.

Committee on Finance: Subcommittee on Health Care, to hold hearings to examine health savings accounts, 2:30 p.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine a new initiative to combat child hunger, 9 a.m., SD–419.

Full Committee, with the Committee on Commerce, Science, and Transportation, to hold joint hearings to examine International Polar Year, 3:15 p.m., SR–253.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine the Federal government's implementation of pay for performance systems for its senior executives, focusing on the regulatory structure for the systems, the agency certification process, and the effectiveness of the role of the Office of Personnel Management in evaluating and monitoring these systems, 10:45 a.m., SD–342.

Subcommittee on Federal Financial Management, Government Information, and International Security, to hold hearings to examine uncollected taxes and issues of transparency relating to deconstructing the tax code, focusing on the 2006 updated estimate of the tax gap by the IRS, examine IRS efforts to close the tax gap as well as legislative solutions to increase taxpayer compliance, and explore the transparency of the tax code, 2:30 p.m., SD–342.

Committee on the Judiciary: to hold hearings to examine issues relating to illegal insider trading, focusing on the scope of the problem and is there adequate criminal enforcement, 9:30 a.m., SD–226.

Full Committee, business meeting to consider the nominations of Terrence W. Boyle, of North Carolina, and William James Haynes II, of Virginia, each to be a United States Circuit Judge for the Fourth Circuit, Kent A. Jordan, of Delaware, to be United States Circuit Judge for the Third Circuit, Peter D. Keisler, of Maryland, to be United States Circuit Judge for the District of Columbia Circuit, William Gerry Myers III, of Idaho, to be United States Circuit Judge for the Ninth Circuit, Nora Barry Fischer, to be United States District Judge for the Western District of Pennsylvania, Gregory Kent Frizzell, to be United States District Judge for the Northern District of Oklahoma, Marcia Morales Howard, to be United States District Judge for the Middle District of Florida, John Alfred Jarvey, to be United States District Judge for the Southern District of Iowa, Sara Elizabeth Lioi, to be United States District Judge for the Northern District of Ohio, and Lisa Godbey Wood, to be United States District Judge for the Southern District of Georgia, 2:30 p.m., SD–226.

Full Committee, to hold hearings to examine the nominations of Vanessa Lynne Bryant, to be United States District Judge for the District of Connecticut, and

Michael Brunson Wallace, of Mississippi, to be United States Circuit Judge for the Fifth Circuit, 3:30 p.m., SD–226.

Committee on Veterans' Affairs: to hold hearings to examine the nomination of Robert T. Howard, of Virginia, to be an Assistant Secretary of Veterans Affairs (Information and Technology); to be followed by a business meeting off the floor after the first roll call vote, to consider the nomination of Mr. Howard, 10 a.m., SR–418.

House

Committee on Agriculture, Subcommittee on Livestock and Horticulture, hearing to review federal farm policy affecting the specialty crop industry, 9:30 a.m., 1300 Longworth.

Committee on Armed Services, Subcommittee on Terrorism, Unconventional Threats and Capabilities and the Subcommittee on Readiness, joint hearing on Alternative Energy and Energy Efficiency Programs of the Department of Defense, 2 p.m., 2118 Rayburn.

Committee on Education and the Workforce, Subcommittee on 21st Century Competitiveness, hearing entitled ''The Internet and the College Campus: How the Entertainment Industry and Higher Education Are Working To Combat Illegal Piracy,'' 11 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection, hearing on Editing Hollywood's Editors: Cleaning Flicks for Families, 2 p.m., 2322 Rayburn.

Subcommittee on Oversight and Investigations, hearing entitled ''Sexual Exploitation of Children Over the Internet: The Face of a Child Predator and Other Issues,'' 10 a.m., 2123 Rayburn.

Committee on Government Reform, hearing entitled ''Medical Device Safety: How FDA Regulates the Reprocessing of Supposedly Single-Use Devices, '' 10:30 a.m., 2154 Rayburn.

Subcommittee on National Security, Emerging Threats and International Relations, hearing entitled ''Weapons of Mass Destruction: Reviving Disarmament,'' 1 p.m., 2247 Rayburn.

Subcommittee on Regulatory Affairs, hearing entitled ''H.R. 5242, Small Business Paperwork Amnesty Act,'' 2 p.m., 2203 Rayburn.

Committee on Homeland Security, hearing entitled ''The Department of Homeland Security: Major Initiatives for 2007 and Beyond,'' 10 a.m., 311 Cannon.

Committee on International Relations, briefing and hearing on Enhancing the Global Fight To End Human Trafficking, 10 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, hearing on H.R. 6101, Legal Services Corporation Improvement Act, 2 p.m., 2141 Rayburn.

Committee on Resources, Subcommittee on Water and Power, hearing on the following bills: H.R. 5110, More Water and More Energy Act of 2006; H.R. 5786, South Orange County Recycled Water Enhancement Act; and H.R. 5987, to provide for a feasibility study of alternatives to augment the water supplies of the Central Oklahoma Master Conservancy District and cities served by the District, 1 p.m., 1324 Longworth.

Committee on Rules, to consider H.R. 6166, Military Commissions Act of 2006, 3 p.m., H–313 Capitol.

Committee on Science, Subcommittee on Space and Aeronautics, to continue hearings on The National Academy of Sciences' Decadal Plan for Aeronautics: A Blueprint for NASA? 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, oversight hearing on the National Academy of Science Icebreaker Report, 1 p.m., 2167 Rayburn.

Committee on Ways and Means, Subcommittee on Select Revenue Measures, hearing on Member Proposals on Tax Issues Introduced in the 109th Congress, 10 a.m., B–318 Rayburn.

Permanent Select Committee on Intelligence, executive, hearing on the DNI's Intelligence Collection Architecture, 1:45 p.m., H–405 Capitol.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine the Shanghai Cooperation Organization and its impact on United States interests in Central Asia, 3 p.m., SD–538.

Next Meeting of the SENATE

9:45 a.m., Tuesday, September 26

Senate Chamber

Program for Tuesday: After the transaction of any morning business (not to extend beyond 1 hour), Senate will continue consideration of H.R. 6061, Secure Fence Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m. Tuesday, September 26

House Chamber

Program for Tuesday: To be announced.

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