

G. Woodson Home National Historic Site in the District of Columbia, and for other purposes, which had been reported from the Committee on Energy and Natural Resources, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

[Strike the part shown in black brackets and insert the part shown in italic.]

H.R. 1012

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 "Carter G. Woodson Home National Historic Site Establishment Act of 2003".]

SEC. 2. FINDINGS AND PURPOSE.

[(a) FINDINGS.—The Congress finds that:

[(1) Dr. Carter G. Woodson, considered the father of African-American history, founded in 1915 The Association for the Study of Negro Life and History, renamed as The Association for the Study of African-American Life and History.

[(2) Through the Association, Dr. Woodson, the son of slaves who earned a Ph.D. degree from Harvard University, dedicated his life to educating the American public about the extensive and positive contributions of African Americans to the Nation's history and culture.

[(3) Under Dr. Woodson's leadership, Negro History Week was designated in 1926. That designation has since evolved into Black History Month in February of each year.

[(4) The headquarters and operations of the Association was Dr. Woodson's home at 1538 Ninth Street, Northwest, Washington, D.C., where he lived from 1915 to 1950.

[(5) The Carter G. Woodson Home was designated as a National Historic Landmark in 1976 for its national significance in African-American cultural heritage.

[(6) A National Park Service study of the Carter G. Woodson Home dated June 2002, found that the Carter G. Woodson Home is suitable for designation as a unit of the National Park System, and is feasible for designation so long as property adjacent to the home is available for National Park Service administrative, curatorial, access, and visitor interpretative needs.

[(7) Establishment of the Carter G. Woodson Home National Historic Site would foster opportunities for developing and promoting interpretation of African-American cultural heritage throughout the Shaw area of Washington, D.C.

[(b) PURPOSE.—The purpose of this Act is to preserve, protect, and interpret for the benefit, education, and inspiration of present and future generations, the home of the pre-eminent historian and educator Dr. Carter G. Woodson, founder of the organization known today as The Association for the Study of African-American Life and History.

SEC. 3. DEFINITIONS.

[In this Act:

[(1) The term "Secretary" means the Secretary of the Interior.

[(2) The term "historic site" means the Carter G. Woodson Home National Historic Site.

[(3) The term "map" means the map entitled "Carter G. Woodson Home National Historic Site", numbered 876/82338 and dated February 10, 2003.

SEC. 4. CARTER G. WOODSON HOME NATIONAL HISTORIC SITE.

[(a) ESTABLISHMENT.—After the Secretary has acquired, or agreed to a long-term lease for, the majority of the property described in

subsection (b), the Secretary shall establish as a unit of the National Park System the Carter G. Woodson Home National Historic Site.

[(b) BOUNDARY.—The historic site shall consist of the property located at 1538 Ninth Street, Northwest, in the District of Columbia and three adjoining houses north of that address, as depicted on the map, if acquired or leased by the Secretary.

[(c) AVAILABILITY OF MAP.—The map shall be available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

[(d) ACQUISITION.—The Secretary may acquire lands or interests in lands, and improvements thereon, within the boundary of the historic site from willing owners by donation, purchase with donated or appropriated funds, or exchange.

[(e) ADMINISTRATION.—

[(1) IN GENERAL.—The Secretary shall administer the historic site in accordance with this Act and with laws generally applicable to units of the National Park System, including the Act of August 25, 1916 (commonly known as the National Park Service Organic Act; 16 U.S.C. 1 et seq.), and the Act of August 21, 1935 (commonly known as the Historic Sites, Buildings, and Antiquities Act; 16 U.S.C. 461 et seq.).

[(2) REHABILITATION AGREEMENT.—In order to achieve cost efficiencies in the restoration of property, the Secretary may enter into an agreement with the Shiloh Community Development Corporation for the purpose of rehabilitating the Carter G. Woodson Home and other property within the boundary of the historic site. The agreement may contain such terms and conditions as the Secretary deems appropriate.

[(3) OPERATION AGREEMENT.—In order to reestablish the historical connection between the home of Dr. Woodson and the association he founded and to facilitate interpretation of Dr. Woodson's achievements, the Secretary may enter into an agreement with The Association for the Study of African-American Life and History that allows the association to use a portion of the historic site for its own administrative purposes. The agreement may contain such terms and conditions as the Secretary deems appropriate.

[(4) COOPERATIVE AGREEMENTS.—The Secretary may enter into cooperative agreements with public and private entities for the purpose of fostering interpretation of African-American heritage in the Shaw area of Washington, D.C.

[(5) GENERAL MANAGEMENT PLAN.—The Secretary shall prepare a general management plan for the historic site within three years after funds are made available for that purpose.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Carter G. Woodson Home National Historic Site Act".

SEC. 2. DEFINITIONS.

As used in this Act:

(1) *CARTER G. WOODSON HOME.—The term "Carter G. Woodson Home" means the property located at 1538 Ninth Street, Northwest, in the District of Columbia, as depicted on the map.*

(2) *HISTORIC SITE.—The term "historic site" means the Carter G. Woodson Home National Historic Site.*

(3) *MAP.—The term "map" means the map entitled "Carter G. Woodson Home National Historic Site", numbered 876/82338-A and dated July 22, 2003.*

(4) *SECRETARY.—The term "Secretary" means the Secretary of the Interior.*

SEC. 3. CARTER G. WOODSON HOME NATIONAL HISTORIC SITE.

(a) *ESTABLISHMENT.—Upon acquisition by the Secretary of the Carter G. Woodson Home, or interests therein, the Secretary shall establish the historic site as a unit of the National Park System by publication of a notice to that effect in the Federal Register.*

(b) *ADDITIONS TO HISTORIC SITE.—*

(1) *IN GENERAL.—The Secretary may acquire any of the 3 properties immediately north of the Carter G. Woodson Home located at 1540, 1542, and 1544 Ninth Street, Northwest, described on the map as "Potential Additions to National Historic Site", for addition to the historic site.*

(2) *BOUNDARY REVISION.—Upon the acquisition of any of the properties described in paragraph (1), the Secretary shall revise the boundaries of the historic site to include the property.*

(c) *AVAILABILITY OF MAP.—The map shall be available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.*

(d) *ACQUISITION AUTHORITY.—The Secretary may acquire the Carter G. Woodson Home or any of the properties described in subsection (b)(1), including interests therein, and any improvements to the land by donation, purchase from a willing seller with donated or appropriated funds, or exchange.*

(e) *ADMINISTRATION.—(1) The Secretary shall administer the historic site in accordance with this Act and with laws generally applicable to units of the National Park System, including the Act of August 25, 1916 (16 U.S.C. 1, 2-4) and the Act of August 21, 1935 (16 U.S.C. 461 et seq.).*

(2) *GENERAL MANAGEMENT PLAN.—The Secretary shall prepare a general management plan for the historic site not later than three years after the date on which funds are made available for that purpose.*

SEC. 4. COOPERATIVE AGREEMENTS.

(a) *IN GENERAL.—The Secretary may enter into cooperative agreements with public or private entities to provide public interpretation and education of African-American heritage in the Shaw area of the District of Columbia.*

(b) *REHABILITATION.—In order to achieve cost efficiencies in the restoration of properties within the historic site, the Secretary may enter into an agreement with public or private entities to restore and rehabilitate the Carter G. Woodson Home and other properties within the boundary of the historic site, subject to such terms and conditions as the Secretary deems necessary.*

(c) *AGREEMENT WITH THE ASSOCIATION FOR THE STUDY OF AFRICAN-AMERICAN LIFE AND HISTORY.—In order to reestablish the historical connection between the Carter G. Woodson Home and the association Dr. Woodson founded, and to facilitate interpretation of Dr. Woodson's achievements, the Secretary may enter into an agreement with The Association for the Study of African-American Life and History that allows the association to use a portion of the historic site for its own administrative purposes. Such agreement shall ensure that the association's use of a portion of the historic site is consistent with the administration of the historic site, including appropriate public access and rent, and such other terms and conditions as the Secretary deems necessary.*

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

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

The committee amendment, in the nature of a substitute, was agreed to.

The bill (H.R. 1012), as amended, was read the third time and passed.

CAPTIVITY WILDLIFE SAFETY ACT

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of H.R. 1006, which is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows: A bill (H.R. 1006) to amend the Lacey Act Amendments of 1981 to further the conservation of certain wildlife species.

There being no objection, the Senate proceeded to consider the bill.

Mr. ENSIGN. I ask unanimous consent that the Inhofe amendment at the desk be adopted, the bill, as amended, be read the third time and passed, the motions to reconsider be laid upon the table en bloc, and that any statements relating to the bill be printed in the RECORD.

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

The amendment (No. 2215) was agreed to, as follows:

On page 2, strike lines 11 through 14 and insert the following:

“(g) PROHIBITED WILDLIFE SPECIES.—The term ‘prohibited wildlife species’ means any live species of lion, tiger, leopard, cheetah, jaguar, or cougar or any hybrid of such species.”

On page 3, line 1, strike ‘live animal of a’.

On page 3, strike lines 20 through 22 and insert the following:

“(A) is licensed or registered, and inspected, by the Animal and Plant Health Inspection Service or any other Federal agency with respect to that species;

On page 4, line 12, insert ‘listed in section 2(g)’ after ‘animals’.

On page 4, line 14, insert ‘listed in section 2(g)’ after ‘animals’.

On page 5, line 3, strike the quotation marks and the following period.

On page 5, between lines 3 and 4, insert the following:

“(5) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out subsection (a)(2)(C) \$3,000,000 for each of fiscal years 2004 through 2008.”

The bill (H.R. 1006), as amended, was read the third time and passed.

PRESERVING INDEPENDENCE OF FINANCIAL INSTITUTION EXAMINATIONS ACT OF 2003

Mr. ENSIGN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1947, which was introduced earlier today.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows: A bill (S. 1947) to prohibit the offer of credit by a financial institution to a financial institution examiner, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. HATCH. Mr. President, I rise to join my friend and distinguished colleague, Senator LEAHY, in the introduction of the Preserving Independence of Financial Institution Examiners Act of 2003. This bill modifies two criminal statutes, sections 212 and 213 of title 18 of the United States Code, which impose criminal penalties on bank examiners who are offered, or who accept, a loan or gratuity from a financial institution they are examining. These revisions are needed to reflect the changes in our national banking system.

When originally enacted, the criminal statutes were designed to ensure that bank examiners were not subjected to undue and improper influences from the subject banks. With the increased consolidation and globalization of the banking industry, it is difficult in today's banking economy for examiners, particularly those who examine credit card banks, to obtain nationally available credit cards. The statutes, which were originally enacted in 1948, include no exception for routine, ordinary business transactions that were never intended to fall within the ambit of the statutes. The proposed legislation provides an exception to the statutes for bank examiners who hold everyday credit cards and residential home mortgage loans from the banks they are examining. The exceptions are narrow and the purposes of the statutes to prohibit such conflicts of interest will remain intact.

I want to thank Senator LEAHY for his willingness to address this problem. I urge my colleagues to support this measure and quickly pass it.

Mr. LEAHY. Mr. President, today's passage of the Preserving Independence of Financial Examinations Act of 2003 is an example of solid, efficient bipartisan work on a needed legislative reform. I am pleased to have seen its passage so swiftly through the U.S. Senate and I thank my friend from Utah, Senator HATCH, for his assistance and advice.

The bill provides a logical and necessary modification to important, but outdated, criminal statutes originally written to ensure the objectivity and integrity of financial institution examinations. Sections 212 and 213 of title 18 of the United States Code, first drafted in 1948, appropriately provide criminal penalties for bank examiners who are offered, or who accept, a loan or gratuity from the financial institution they are examining. This bill exempts from the law's reach ordinary credit card and residential home mortgage loans sought and held by bank examiners in their everyday lives.

Several factors supported the proposed blanket credit card and residential loan exceptions. Most important, consolidation within the banking industry made it increasingly difficult for examiners to obtain nationally available credit cards and mortgage loans and for the banking agencies to assign examiners to work.

The Leahy-Hatch bill strictly defines the circumstances under which the exceptions to the criminal statute apply with a keen eye on preserving the independence of financial institution examinations and the original legislative intent of the statute.

I thank Senator HATCH for his assistance in this bill forward and making it possible for bank examiners to engage in arms-length and routine business transactions without fear of prosecution. I also thank our friends in the banking agencies, including the Federal Reserve Bank, the Office of Thrift

Supervision and the Federal Deposit Insurance Corporation for bringing this important issue to our attention.

Mr. ENSIGN. Mr. President, I further ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, with no intervening action or debate; and that any statements relating to this measure be printed in the RECORD.

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

The bill (S. 1947) was read the third time and passed, as follows:

S. 1947

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 ‘Preserving Independence of Financial Institution Examinations Act of 2003’.

SEC. 2. OFFER AND ACCEPTANCE OF CREDIT.

(a) IN GENERAL.—Title 18, United States Code, is amended by striking sections 212 and 213 and inserting the following:

“§ 212. Offer of loan or gratuity to financial institution examiner

“(a) IN GENERAL.—Except as provided in subsection (b), whoever, being an officer, director or employee of a financial institution, makes or grants any loan or gratuity, to any examiner or assistant examiner who examines or has authority to examine such bank, branch, agency, organization, corporation, association, or institution—

“(1) shall be fined under this title, imprisoned not more than 1 year, or both; and

“(2) may be fined a further sum equal to the money so loaned or gratuity given.

“(b) REGULATIONS.—A Federal financial institution regulatory agency may prescribe regulations establishing additional limitations on the application for and receipt of credit under this section and on the application and receipt of residential mortgage loans under this section, after consulting with each other Federal financial institution regulatory agency.

“(c) DEFINITIONS.—In this section:

“(1) EXAMINER.—The term ‘examiner’ means any person—

“(A) appointed by a Federal financial institution regulatory agency or pursuant to the laws of any State to examine a financial institution; or

“(B) elected under the law of any State to conduct examinations of any financial institutions.

“(2) FEDERAL FINANCIAL INSTITUTION REGULATORY AGENCY.—The term ‘Federal financial institution regulatory agency’ means—

“(A) the Office of the Comptroller of the Currency;

“(B) the Board of Governors of the Federal Reserve System;

“(C) the Office of Thrift Supervision;

“(D) the Federal Deposit Insurance Corporation;

“(E) the Federal Housing Finance Board;

“(F) the Farm Credit Administration;

“(G) the Farm Credit System Insurance Corporation; and

“(H) the Small Business Administration.

“(3) FINANCIAL INSTITUTION.—The term ‘financial institution’ does not include a credit union, a Federal Reserve Bank, a Federal home loan bank, or a depository institution holding company.

“(4) LOAN.—The term ‘loan’ does not include any credit card account established under an open end consumer credit plan or a loan secured by residential real property