

colleagues to act quickly on this bill. We must not miss out on this opportunity to serve America's veterans and their families by ensuring that they receive the excellent medical care they deserve.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

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 "Denver Veterans Affairs Medical Center Transfer to Fitzsimons Act of 2001".

SEC. 2. AUTHORIZATION OF MAJOR MEDICAL FACILITY PROJECT TO FACILITATE TRANSFER OF DENVER DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER, COLORADO.

(a) **AUTHORIZATION.**—The Secretary of Veterans Affairs may carry out a major medical facility project, in the amount appropriated for the project pursuant to the authorization of appropriations in subsection (b), for purposes of the transfer of the Denver Department of Veterans Affairs Medical Center, Colorado, from its current location in Denver, Colorado, to the site of the former Fitzsimons Army Medical Center, Aurora, Colorado.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary of Veterans Affairs for the Construction, Major Projects, account such sums as may be necessary for the project authorized by subsection (a).

(c) **TRANSFER OF MEDICAL CENTER.**—(1) Upon completion of the major medical facility project authorized by subsection (a), the Secretary shall transfer the Denver Department of Veterans Affairs Medical Center to the facility constructed pursuant to that authorization.

(2) Amounts for the cost of the transfer authorized by paragraph (1) shall be derived from amounts in the Construction, Major Projects, account for a category of activity not specific to a project that are available for obligation.

(d) **REPORT ON TRANSFER COSTS.**—Not later than 60 days before awarding the contract for the major medical facility project authorized by subsection (a), the Secretary shall submit to the appropriate congressional committees a report on the estimated cost of the transfer of the Denver Department of Veterans Affairs Medical Center under subsection (c).

(e) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term "appropriate congressional committees" means the following:

(1) The Committees on Veterans' Affairs and Appropriations of the Senate.

(2) The Committees on Veterans' Affairs and Appropriations of the House of Representatives.

AMENDMENTS SUBMITTED & PROPOSED

SA 1527. Mr. THOMPSON proposed an amendment to the bill S. 149, to provide authority to control exports, and for other purposes.

SA 1528. Mr. CRAIG (for himself, Mr. CRAPO, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 149, supra; which was ordered to lie on the table.

SA 1529. Mr. KYL proposed an amendment to the bill S. 149, supra.

SA 1530. Mr. SARBANES (for himself, Mr. GRAMM, Mr. ENZI, and Mr. JOHNSON) proposed an amendment to the bill S. 149, supra.

SA 1531. Mr. ALLEN submitted an amendment intended to be proposed by him to the bill H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table.

SA 1532. Mr. REID (for Mr. LOTT) proposed an amendment to the bill H.R. 1885, to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings, and for other purposes.

TEXT OF AMENDMENTS

SA 1527. Mr. THOMPSON proposed an amendment to the bill S. 149, to provide authority to control exports, and for other purposes; as follows:

On page 197, line 15, strike "substantially inferior" and insert "not of comparable quality".

SA 1528. Mr. CRAIG (for himself, Mr. CRAPO, and Mr. HATCH) submitted an amendment intended to be proposed by him to the bill S. 149, to provide authority to control exports, and for other purposes; which was ordered to lie on the table; as follows:

Insert at the appropriate place the following:

SEC. XXX. SENSE OF THE SENATE REGARDING THE REPUBLIC OF KOREA'S IMPROPER BAILOUT OF HYNIX SEMICONDUCTOR.

(a) **FINDINGS.**—Congress finds that—

(1) the Government of the Republic of Korea over many years has supplied aid to the Korean semiconductor industry enabling that industry to be the Republic of Korea's leading exporter;

(2) this assistance has occurred through a coordinated series of government programs and policies, consisting of preferential access to credit, low-interest loans, government grants, preferential tax programs, government inducement of private sector loans, tariff reductions, and other measures;

(3) in December 1997, the United States, the International Monetary Fund (IMF), other foreign government entities, and a group of international financial institutions assembled an unprecedented \$58,000,000,000 financial package to prevent the Korean economy from declaring bankruptcy;

(4) as part of that rescue package, the Republic of Korea agreed to put an end to corporate cronyism, and to overhaul the banking and financial sectors;

(5) Korea also pledged to permit and require banks to run on market principles, to allow and enable bankruptcies and workouts to occur rather than bailouts, and to end subsidies;

(6) the Republic of Korea agreed to all of these provisions in the Stand-by Arrangement with the IMF dated December 3, 1997;

(7) section 602 of the Foreign Operations, Export Financing, and Related Agencies Appropriations Act, 1999, as enacted by section 101(d) of Division A of the Omnibus Consolidated and Emergency Supplemental Appropriations Act (Public Law 105-277; 112 Stat. 2681-220) specified that the United States would not authorize further IMF payments to Korea unless the Secretary of the Treasury certified that the provisions of the IMF Standby Arrangement were adhered to;

(8) the Secretary of the Treasury certified to Congress on December 11, 1998, and July 2, 1999 that the Stand-by Arrangement was being adhered to, and assured Congress that consultations had been held with the Government of the Republic of Korea in connection with the certifications;

(9) the Republic of Korea has acceded to the World Trade Organization, and to the Agreement of Subsidies and Countervailing Measures (as defined in section 101(d)(12) of the Uruguay Round Agreements Act);

(10) the Agreement on Subsidies and Countervailing Measures specifically prohibits export subsidies, and makes actionable other subsidies bestowed upon a specific enterprise that causes adverse effects.

(11) Hynix Semiconductor is a major exporter of semiconductor products from the Republic of Korea to the United States; and

(12) the Republic of Korea has now engaged in a massive \$5,000,000,000 bailout of Hynix Semiconductor which contravenes the commitments the Government of the Republic of Korea made to the IMF, the World Trade Organization and in other agreements, and the understandings and certifications made to Congress under the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999:

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that—

(1) The Secretary of the Treasury, the Secretary of Commerce, and the United States Trade Representative should forthwith request consultations with the Republic of Korea under Article 4 and Article 7 of the Agreement on Subsidies and Countervailing Measures of the World Trade Organization, and take immediately such other actions as are necessary to assure that the improper bailout by the Republic of Korea is stopped, and its effects fully offset or reversed;

(2) the relationship between the United States and Republic of Korea has been and will continue to be harmed significantly by the bailout of a major exporter of products from Korea to the United States;

(3) the Republic of Korea should end immediately the bailout of Hynix Semiconductor;

(4) the Republic of Korea should comply immediately with its commitments to the IMF, with its trade agreements, and with the assurances it made to the Secretary of the Treasury; and

(5) the United States Trade Representative and the Secretary of Commerce should monitor and report to Congress on steps that have been taken to end this bailout and reverse its effects.

SA 1529. Mr. KYL proposed an amendment to the bill S. 149, to provide authority to control exports, and for other purposes; as follows:

On page 296, strike line 1 through line 7 and insert the following:

"(3) **REFUSAL BY COUNTRY.**—If the country in which the end-user is located refuses to allow post-shipment verification of a controlled item, the Secretary may deny a license for the export of that item, any substantially identical or directly competitive item or class of items, any item that the Secretary determines to be of equal or greater sensitivity than the controlled item, or any controlled item for which a determination has not been made pursuant to section 211 to all end-users in that country until such post-shipment verification is allowed."

SA 1530. Mr. SARBANES (for himself, Mr. GRAMM, Mr. ENZI, and Mr. JOHNSON) proposed an amendment to the bill S. 149, to provide authority to control exports, and for other purposes; as follows:

On page 193, line 10, strike "party" and insert "person".

On page 193, line 16, strike "party" and insert "person".

On page 205, line 7, after "competition" insert ", including imports of manufactures goods".

On page 222, line 6, strike "Crime" and insert "In order to promote respect for fundamental human rights, crime".

On page 223, line 3, strike "The" and insert "Except as herein provided, the".

On page 223, line 9, after the period, insert the following: "The provisions of subsection (a) shall apply with respect to exports of any of the items identified in subsection (c)."

On page 223, between lines 9 and 10, insert the following:

(c) REPORT.—Notwithstanding the provisions of section 602 or any other confidentiality requirements, the Secretary shall include in the annual report submitted to Congress pursuant to section 701 a report describing the aggregate number of licenses approved during the preceding calendar year for the export of any items listed in the following paragraphs identified by country and control list number:

(1) Serrated thumbcuffs, leg irons, thumbscrews, and electro-shock stun belts.

(2) Leg cuffs, thumbcuffs, shackle boards, restraint chairs, straitjackets, and plastic handcuffs.

(3) Stun guns, shock batons, electric cattle prods, immobilization guns and projectiles, other than equipment used exclusively to treat or tranquilize animals and arms designed solely for signal, flare, or saluting use.

(4) Technology exclusively for the development or production of electro-shock devices.

(5) Pepper gas weapons and saps.

(6) Any other item or technology the Secretary determines is a specially designed instrument of torture or is especially susceptible to abuse as an instrument of torture.

On page 226, line 8, insert "and" after "title:".

On page 226, strike lines 9 through 22 and insert the following:

(i) upon receipt of completed application—
(I) ensure that the classification stated on the application for the export items is correct;

(II) refer the application, through the use of a common data-base or other means, and all information submitted by the applicant, and all necessary recommendations and analyses by the Secretary to the Secretary of Defense, the Secretary of State, and the heads of any other departments and agencies the Secretary considers appropriate; or
(III) return the application if a license is not required.

On page 296, line 13, strike "parties" and insert "persons".

On page 296, line 11, after "necessary" insert ", to be available until expended,".

On page 296, line 20, after "necessary" insert ", to be available until expended,".

On page 297, line 20, after "\$5,000,000" insert ", to be available until expended,".

On page 298, line 12, after "necessary" insert ", to be available until expended,".

On page 300, line 12, after "\$2,000,000" insert ", to be available until expended,".

On page 300, line 14, after "\$2,000,000" insert ", to be available until expended,".

On page 311, strike lines 2 through 4 and insert the following: "other export authorization (or recordkeeping or reporting requirements), enforcement activity, or other operations under the Export Administration Act of 1979, under this Act, or under the Export".

On page 311, line 14, insert "by an employee or officer of the Department of Commerce" after "investigation".

On page 315, strike lines 6 through 10 and insert the following: (1), except that no civil

penalty may be imposed on an officer or employee of the United States, or any department or agency thereof, without the concurrence of the department or agency employing such officer or employee. Sections 503 (e), (g), (h), and (i) and 507 (a), (b), and (c) shall apply to actions to impose civil penalties under this paragraph. At the request of the Secretary, a department or agency employing an officer or employee found to have violated paragraph (1) shall deny that officer or employee access to information exempt from disclosure under this section. Any officer or employee who commits a violation of paragraph (1) may also be removed from office or employment by the employing agency.

On page 315, line 11, insert the following:
SEC. 603. AGRICULTURAL COMMODITIES, MEDICINE, MEDICAL DEVICES.

(a) APPLICABILITY OF TRADE SANCTIONS REFORM AND EXPORT ENHANCEMENT ACT OF 2000.—Nothing in this Act authorizes the exercise of authority contrary to the provisions of the Trade Sanctions Reform and Export Enhancement Act of 2000 (Public Law 106-387; 114 Stat. 1549, 549A-45) applicable to exports of agricultural commodities, medicine, or medical devices.

(b) TITLE II LIMITATION.—Title II does not authorize export controls on food.

(c) TITLE III LIMITATION.—Except as set forth in section 906 of the Trade Sanctions Reform and Export Enhancement Act of 2000, title III does not authorize export controls on agricultural commodities, medicine, or medical devices unless the procedures set forth in section 903 of such Act are complied with.

(d) DEFINITION.—In this section, the term "food" has the same meaning as that term has under section 201(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(f)).

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On page 324, strike lines 1 through 4 and redesignate paragraphs (14) and (15) accordingly.

Beginning on page 324, line 21, strike all through page 325, line 5, and insert the following:

(j) CIVIL AIRCRAFT EQUIPMENT.—Notwithstanding any other provision of law, any product that is standard equipment, certified by the Federal Aviation Administration, in civil aircraft, and is an integral part of such aircraft, shall be subject to export control only under this Act. Any such product shall not be subject to controls under section 38(b)(2) of the Arms Export Control Act (22 U.S.C. 2778(b)).

On page 325, between lines 5 and 6, insert the following:

(k) CIVIL AIRCRAFT SAFETY.—Notwithstanding any other provision of law, the Secretary may authorize, on a case-by-case basis, exports and reexports of civil aircraft equipment and technology that are necessary for compliance with flight safety requirements for commercial passenger aircraft. Flight safety requirements are defined as airworthiness directives issued by the Federal Aviation Administration (FAA) or equipment manufacturers' maintenance instructions or bulletins approved or accepted by the FAA for the continued airworthiness of the manufacturers' products.

On page 325, line 6, strike "(k)" and insert "(l)".

SA 1531. Mr. ALLEN submitted an amendment intended to be proposed by him to the bill H.R. 2500, making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 2002, and for other purposes; which was ordered to lie on the table; as follows:

On page 35, line 8, after the semicolon insert the following: "of which \$500,000 shall be available for the Learning for Life Program conducted by the Boy Scouts of the National Capital Area;".

SA 1532. Mr. REID (for Mr. LOTT) proposed an amendment to the bill H.R. 1885, to expand the class of beneficiaries who may apply for adjustment of status under section 245(i) of the Immigration and Nationality Act by extending the deadline for classification petition and labor certification filings, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Section 245(i) Extension Act of 2001".

SEC. 2. EXTENSION OF DEADLINE.

(a) IN GENERAL.—Section 245(i)(1) of the Immigration and Nationality Act (8 U.S.C. 1255(i)(1)) is amended—

(1) is subparagraph (B)—

(A) in clause (i), by striking "on or before April 30, 2001; or" and inserting "on or before the earlier of April 30, 2002, and the date that is 120 days after the date on which the Attorney General first promulgates final or interim final regulations to carry out the Section 245(i) Extension Act of 2001; or"; and

(B) in clause (ii), by striking "on or before such date; and" and inserting "on or before the earlier date described in clause (i);";

(2) in subparagraph (C), by adding "and" at the end; and

(3) by inserting after subparagraph (C) the following:

"(D) who, in the case of a beneficiary of a petition for classification, or an application for labor certification, described in subparagraph (B) that was filed after April 30, 2001, demonstrates that the familial relationship existed before August 15, 2001, or the application for labor certification that is the basis of such petition for classification was filed before August 15, 2001;".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of the Legal Immigration Family Equity Act (114 Stat. 2762A-345), as enacted into law by section 1(a)(2) of Public Law 106-553.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, September 6 at 9:30 a.m. in closed session to mark up the Department of Defense authorization Act for fiscal year 2002.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on Brian Jones, of California, to be General Counsel, Department of Education during the session of the Senate on Thursday, September 6, 2001. At 10:00 a.m.

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