

(1) designates August 7, 2003, as "National Purple Heart Recognition Day";

(2) encourages all Americans to learn about the history of the Order of the Purple Heart for Military Merit and to honor its recipients; and

(3) requests that the President issue a proclamation calling on the people of the United States to conduct appropriate ceremonies, activities, and programs to demonstrate support for the Order of the Purple Heart for Military Merit.

AMENDMENTS SUBMITTED & PROPOSED

SA 4871. Mr. SPECTER submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq; which was ordered to lie on the table.

SA 4872. Mr. SPECTER submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, supra; which was ordered to lie on the table.

SA 4873. Mr. SPECTER submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, supra; which was ordered to lie on the table.

SA 4874. Mr. SPECTER submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, supra; which was ordered to lie on the table.

SA 4875. Mr. SPECTER submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, supra; which was ordered to lie on the table.

SA 4876. Mr. SPECTER submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, supra; which was ordered to lie on the table.

SA 4877. Mr. SPECTER submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, supra; which was ordered to lie on the table.

SA 4878. Mr. REID (for Mr. KERRY) proposed an amendment to the bill H.R. 3389, to reauthorize the National Sea Grant College Program Act, and for other purposes.

TEXT OF AMENDMENTS

SA 4871. Mr. SPECTER submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq; which was ordered to lie on the table; as follows:

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Authorization for the Use of Force Against Iraq Resolution of 2002."

SEC. 2.

The Senate finds that under United Nations Security Council Resolution 687 (1991), which effected a formal cease-fire following the Persian Gulf War, Iraq agreed to destroy or dismantle, under international supervision, its nuclear, chemical, and biological weapons programs (hereinafter in this joint resolution referred to as Iraq's "weapons of mass destruction program"), as well as its program to develop or acquire ballistic missiles with a range greater than 150 kilometers (hereafter in this joint resolution referred to as Iraq's "prohibited ballistic missile program"), and undertook unconditionally not to develop any such weapons thereafter.

On numerous occasions since 1991, the United Nations Security Council has re-

affirmed Resolution 687, most recently in Resolution 1284, which established a new weapons inspection regime to ensure Iraqi compliance with its obligations under Resolution 687;

On numerous occasions since 1991, the United States and the United Nations Security Council have condemned Iraq's failure to fulfill its obligations under Resolution 687 to destroy or dismantle its weapons of mass destruction program and its prohibited ballistic missile program;

Iraq under Saddam Hussein used chemical weapons in its war with Iran in the 1980s and against Kurdish population in northern Iraq in 1988;

Since 1990, the United States has considered Iraq to be a state sponsor of terrorism; Iraq's failure to comply with its international obligations to destroy or dismantle its weapons of mass destruction program and its prohibited ballistic missile program, its record of using weapons of mass destruction, its record of using force against neighboring states, and its support for international terrorism require a strong diplomatic, and if necessary, military response by the international community, led by the United States.

SEC. 3. AUTHORIZATION FOR THE USE OF UNITED STATES ARMED FORCES.

(a) AUTHORIZATION FOR THE USE OF FORCE.—The President, subject to subsection (b), is authorized to use United States Armed Forces—

(1) to enforce United Nations Security Council Resolution 687, and other resolutions approved by the Council which govern Iraqi compliance with Resolution 687, in order to secure the dismantlement or destruction of Iraq's weapons of mass destruction program and its prohibited ballistic missile program; or

(2) in the exercise of individual or collective self-defense, to defend the United States or allied nations against a grave threat posed by Iraq's weapons of mass destruction program and its prohibited ballistic missile program.

(b) REQUIREMENT FOR DETERMINATION THAT USE OF FORCE IS NECESSARY.—Before exercising the authority granted by subsection (a), the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—

(1) the United States has attempted to seek, through the United Nations Security Council, adoption of a resolution after September 12, 2002 under Chapter VII of the United Nations Charter authorizing the action described in subsection (a)(1), and such resolution has been adopted; or

(2) that the threat to the United States or allied nations posed by Iraq's weapons of mass destruction program and prohibited ballistic missile program is grave that the use of force is necessary pursuant to subsection (a)(2), notwithstanding the failure of the Security Council to approve a resolution described in paragraph (1).

SEC. 3. CONSULTATION AND REPORTS

(a) CONSULTATION.—The President shall keep Congress fully and currently informed on matters relevant to this joint resolution.

(b) INITIAL REPORT.—

(1) As soon as practicable, but not later than 30 days after exercising the authority under subsection 2(a), the President shall submit to Congress a report setting forth information—

(A) about the degree to which other nations will assist the United States in the use of force in Iraq;

(B) regarding measures the United States is taking, or preparing to take, to protect key allies in the region from armed attack by Iraq; and

(c) on planning to establish a secure environment in the immediate aftermath of the use of force (including estimated expenditures by the United States and allied nations), and, if necessary, prepare for the political and economic reconstruction of Iraq following the use of force.

(2) CLASSIFICATION OF REPORT.—The reported required by paragraph (1) may be submitted in classified form.

(c) SUBSEQUENT REPORTS.—Following transmittal of the report required by subsection (b), the President shall submit a report to Congress every 60 days thereafter on the status of United States diplomatic, military and reconstruction operations with respect to Iraq.

SEC. 4. WAR POWERS RESOLUTION REQUIREMENTS

(a) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that section 2 is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(b) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this resolution supercedes any requirement of the War Powers Resolution.

SA 4872. Mr. SPECTER submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq; which was ordered to lie on the table; as follows:

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Authorization for Use of Force Against Iraq Resolution of 2002."

SEC. 2.

The Senate finds that—Under United Nations Security Council Resolution 687 (1991), which effected a formal cease-fire following the Persian Gulf War, Iraq agreed to destroy or dismantle, under international supervision, its nuclear, chemical, and biological weapons programs (hereafter in this joint resolution referred to as Iraq's "weapons of mass destruction program"), as well as its program to develop or acquire ballistic missiles with a range greater than 150 kilometers (hereafter in this joint resolution referred to as Iraq's "prohibited ballistic missile program"), and undertook unconditionally not to develop any such weapons thereafter.

On numerous occasions since 1991, the United Nations Security Council has reaffirmed Resolution 687, most recently in Resolution 1284, which established a new weapons inspection regime to ensure Iraqi compliance with its obligations under Resolution 687;

On numerous occasions since 1991, the United States and the United Nations Security Council have condemned Iraq's failure to fulfill its obligations under Resolution 687 to destroy or dismantle its weapons of mass destruction program and its prohibited ballistic missile program;

Iraq under Saddam Hussein used chemical weapons in its war with Iran in the 1980s and against the Kurdish population in northern Iraq in 1988;

Since 1990, the United States has considered Iraq to be a state sponsor of terrorism;

Iraq's failure to comply with its international obligations to destroy or dismantle its weapons of mass destruction program and its prohibited ballistic missile program, its record of using weapons of mass destruction, its record of using force against neighboring

states, and its support for international terrorism require a strong diplomatic, and if necessary, military response by the international community, led by the United States.

SEC. 2. AUTHORIZATION FOR THE USE OF UNITED STATES ARMED FORCES.

(a) AUTHORIZATION FOR THE USE OF FORCE.—The President, subject to subsection (b), is authorized to use United States Armed Forces

(1) to enforce United Nations Security Council Resolution 687, and other resolutions approved by the Council which govern Iraqi compliance with Resolution 687, in order to secure the dismantlement or destruction of Iraq's weapons of mass destruction program and its prohibited ballistic missile program; or

(2) in the exercise of individual or collective self-defense, to defend the United States or allied nations against a grave threat posed by Iraq's weapons of mass destruction program and its prohibited ballistic missile program.

(b) REQUIREMENT FOR DETERMINATION THAT USE OF FORCE IS NECESSARY.—Before exercising the authority granted by subsection (a), the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—

(1) the United States has attempted to seek, through the United Nations Security Council, adoption of a resolution after September 12, 2002 under Chapter VII of the United Nations Charter authorizing the action described in subsection (a)(1), and such resolution has been adopted; or

(2) that the threat of the United States or allied nations posed by Iraq's weapons of mass destruction program and prohibited ballistic missile program is so grave that the use of force is necessary pursuant to subsection (a)(2), notwithstanding the failure of the Security Council to approve a resolution described in paragraph (1).

SEC. 3. CONSULTATION AND REPORTS.

(a) CONSULTATION.—The President shall keep Congress fully and currently informed on matters relevant to this joint resolution.

(b) INITIAL REPORT.—

(1) As soon as practicable, but not later than 30 days after exercising the authority under subsection 2(a), the President shall submit to Congress a report setting forth information—

(A) about the degree to which other nations will assist the United States in the use of force in Iraq;

(B) regarding measures the United States is taking, or preparing to take, to protect key allies in the region from armed attack by Iraq; and

(C) on planning to establish a secure environment in the immediate aftermath of the use of force (including estimated expenditures by the United States and allied nations), and, if necessary, prepare for the political and economic reconstruction of Iraq following the use of force.

(2) CLASSIFICATION OF REPORT.—The report required by paragraph (1) may be submitted in classified form.

(c) SUBSEQUENT REPORTS.—Following transmittal of the report required by subsection (b), the President shall submit a report to Congress every 60 days thereafter on the status of United States diplomatic, military and reconstruction operations with respect to Iraq.

SEC. 4. WAR POWERS RESOLUTION REQUIREMENTS.

(a) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that section 2 is intended to constitute spe-

cific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(b) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this resolution supercedes any requirement of the War Powers Resolution.

SA 4873. Mr. SPECTER submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq; which was ordered to lie on the table; as follows:

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Authorization for the Use of Force Against Iraq Resolution of 2002."

SEC. 2.

The Senate finds that under United Nations Security Council Resolution 687 (1991), which effected a formal cease-fire following the Persian Gulf War, Iraq agreed to destroy or dismantle, under international supervision, its nuclear, chemical, and biological weapons programs (hereafter in this joint resolution referred to as Iraq's "weapons of mass destruction program"), as well as its program to develop or acquire ballistic missiles with a range greater than 150 kilometers (hereafter in this joint resolution referred to as Iraq's "prohibited ballistic missile program"), and undertook unconditionally not to develop any such weapons thereafter.

On numerous occasions since 1991, the United Nations Security Council has reaffirmed Resolution 687, most recently in Resolution 1284, which established a new weapons inspection regime to ensure Iraqi compliance with its obligations under Resolution 687;

On numerous occasions since 1991, the United States and the United Nations Security Council have condemned Iraq's failure to fulfill its obligations under Resolution 687 to destroy or dismantle its weapons of mass destruction program and its prohibited ballistic missile program;

Iraq under Saddam Hussein used chemical weapons in its war with Iran in the 1980s and against the Kurdish population in northern Iraq in 1988;

Since 1990, the United States has considered Iraq to be a state sponsor of terrorism;

Iraq's failure to comply with its international obligations to destroy or dismantle its weapons of mass destruction program and its prohibited ballistic missile program, its record of using weapons of mass destruction, its record of using force against neighboring states, and its support for international terrorism require a strong diplomatic, and if necessary, military response by the international community, led by the United States.

SEC. 3. AUTHORIZATION FOR THE USE OF UNITED STATES ARMED FORCES.

(a) AUTHORIZATION FOR THE USE OF FORCE.—The President, subject to subsection (b), is authorized to use United States Armed Forces—

(1) to enforce United Nations Security Council Resolution 687, and other resolutions approved by the Council which govern Iraqi compliance with Resolution 687, in order to secure the dismantlement or destruction of Iraq's weapons of mass destruction program and its prohibited ballistic missile program; or

(2) in the exercise of individual or collective self-defense, to defend the United States or allied nations against a grave threat

posed by Iraq's weapons of mass destruction program and its prohibited ballistic missile program.

(b) REQUIREMENT FOR DETERMINATION THAT USE OF FORCE IS NECESSARY.—Before exercising the authority granted by subsection (a), the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—

(1) the United States has attempted to seek, through the United Nations Security Council, adoption of a resolution after September 12, 2002 under Chapter VII of the United Nations Charter authorizing the action described in subsection (a)(1), and such resolution has been adopted; or

(2) that the threat to the United States or allied nations posed by Iraq's weapons of mass destruction program and prohibited ballistic missile program is so grave that the use of force is necessary pursuant to subsection (a)(2), notwithstanding the failure of the Security Council to approve a resolution described in paragraph (1).

SEC. 3. CONSULTATION AND REPORTS

(a) CONSULTATION.—The President shall keep Congress fully and currently informed on matters relevant to this joint resolution.

(b) INITIAL REPORT.—

(1) As soon as practicable, but not later than 30 days after exercising the authority under subsection 2(a), the President shall submit to Congress a report setting forth information—

(A) about the degree to which other nations will assist the United States in the use of force in Iraq;

(B) regarding measures the United States is taking, or preparing to take, to protect key allies in the region from armed attack by Iraq; and

(C) on planning to establish a secure environment in the immediate aftermath of the use of force (including estimated expenditures by the United States and allied nations), and, if necessary, prepare for the political and economic reconstruction of Iraq following the use of force.

(2) CLASSIFICATION OF REPORT.—The report required by paragraph (1) may be submitted in classified form.

(c) SUBSEQUENT REPORTS.—Following transmittal of the report required by subsection (b), the President shall submit a report to Congress every 60 days thereafter on the status of United States diplomatic, military and reconstruction operations with respect to Iraq.

SEC. 4. WAR POWERS RESOLUTION REQUIREMENTS

(a) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that section 2 is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(b) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this resolution supercedes any requirement of the War Powers Resolution.

SA 4874. Mr. SPECTER submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq; which was ordered to lie on the table; as follows:

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Authorization for the Use of Force Against Iraq Resolution of 2002."

SEC. 2.

The Senate finds that under United Nations Security Council Resolution 687 (1991),

which effected a formal cease-fire following the Persian Gulf War, Iraq agreed to destroy or dismantle, under international supervision, its nuclear, chemical, and biological weapons programs (hereafter in this joint resolution referred to as Iraq's "weapons of mass destruction program"), as well as its program to develop or acquire ballistic missiles with a range greater than 150 kilometers (hereafter in this joint resolution referred to as Iraq's "prohibited ballistic missile program"), and undertook unconditionally not to develop any such weapons thereafter.

On numerous occasions since 1991, the United Nations Security Council has reaffirmed Resolution 687, most recently in Resolution 1284, which established a new weapons inspection regime to ensure Iraqi compliance with its obligations under Resolution 687.

On numerous occasions since 1991, the United States and the United Nations Security Council have condemned Iraq's failure to fulfill its obligations under Resolution 687 to destroy or dismantle its weapons of mass destruction program and its prohibited ballistic missile program;

Iraq under Saddam Hussein used chemical weapons in its war with Iran in the 1980s and against the Kurdish population in northern Iraq in 1988;

Since 1990, the United States has considered Iraq to be a state sponsor of terrorism.

Iraq's failure to comply with its international obligations to destroy or dismantle its weapons of mass destruction program and its prohibited ballistic missile program, its record of using weapons of mass destruction, its record of using force against neighboring states, and its support for international terrorism require a strong diplomatic, and if necessary, military response by the international community, led by the United States.

SEC. 2. AUTHORIZATION FOR THE USE OF UNITED STATES ARMED FORCES.

(a) AUTHORIZATION FOR THE USE OF FORCE.—The President, subject to subsection (b), is authorized to use United States Armed Forces—

(1) to enforce United Nations Security Council Resolution 687, and other resolutions approved by the Council which govern Iraqi compliance with Resolution 687, in order to secure the dismantlement or destruction of Iraq's weapons of mass destruction program and its prohibited ballistic missile program; or

(2) in the exercise of individual or collective self-defense, to defend the United States or allied nations against a grave threat posed by Iraq's weapons of mass destruction program and its prohibited ballistic missile program.

(b) REQUIREMENT FOR DETERMINATION THAT USE OF FORCE IS NECESSARY.—Before exercising the authority granted by subsection (a), the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—

(1) the United States has attempted to seek, through the United Nations Security Council, adoption of a resolution after September 12, 2002 under Chapter VII of the United Nations Charter authorizing the action described in subsection (a)(1), and such resolution has been adopted; or

(2) That the threat to the United States or allied nations posed by Iraq's weapons of mass destruction program and prohibited ballistic missile program is so grave that the use of force is necessary pursuant to subsection (a)(2), notwithstanding the failure of the Security Council to approve a resolution described in paragraph (1).

SEC. 3. CONSULTATION AND REPORTS.

(a) CONSULTATION.—The President shall keep Congress fully and currently informed on matters relevant to this joint resolution.

(b) INITIAL REPORT.—

(1) As soon as practicable, but not later than 30 days after exercising the authority under subsection 2(a), the President shall submit to Congress a report setting forth information—

(A) about the degree to which other nations will assist the United States in the use of force in Iraq;

(B) regarding measures the United States is taking, or preparing to take, to protect key allies in the region from armed attack by Iraq; and

(C) on planning to establish a secure environment in the immediate aftermath of the use of force (including estimated expenditures by the United States and allied nations), and, if necessary, prepare for the political and economic reconstruction of Iraq following the use of force.

(2) CLASSIFICATION OF REPORT.—The report required by paragraph (1) may be submitted in classified form.

(c) SUBSEQUENT REPORTS.—Following transmittal of the report required by subsection (b), the President shall submit a report to Congress every 60 days thereafter on the status of United States diplomatic, military and reconstruction operations with respect to Iraq.

SEC. 4. WAR POWERS RESOLUTION REQUIREMENTS.

(a) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that section 2 is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(b) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this resolution supersedes any requirement of the War Powers Resolution.

SA 4875. Mr. SPECTER submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq; which was ordered to lie on the table; as follows:

SECTION. 1. SHORT TITLE.

This Act may be cited as the "Authorization for the Use of Force Against Iraq Resolution of 2002."

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled,

SEC. 2.

The Senate finds that under United Nations Security Council Resolution 687 (1991), which effected a formal cease-fire following the Persian Gulf War, Iraq agreed to destroy or dismantle, under international supervision, its nuclear, chemical, and biological weapons programs (hereafter in this joint resolution referred to as Iraq's "weapons of mass destruction program"), as well as its program to develop or acquire ballistic missiles with a range greater than 150 kilometers (hereafter in this joint resolution referred to as Iraq's "prohibited ballistic missile program"), and undertook unconditionally not to develop any such weapons thereafter.

On numerous occasions since 1991, the United Nations Security Council has reaffirmed Resolution 687, most recently in Resolution 1284, which established a new weapons inspection regime to ensure Iraqi compliance with its obligations under Resolution 687;

On numerous occasions since 1991, the United States and the United Nations Security Council have condemned Iraq's failure to fulfill its obligations under Resolution 687 to destroy or dismantle its weapons of mass destruction program and its prohibited ballistic missile program;

Iraq under Saddam Hussein used chemical weapons in its war with Iran in the 1980s and

against the Kurdish population in northern Iraq in 1988;

Since 1990, the United States has considered Iraq to be a state sponsor of terrorism;

Iraq's failure to comply with its international obligations to destroy or dismantle its weapons of mass destruction program and its prohibited ballistic missile program, its record of using weapons of mass destruction, its record of using force against neighboring states, and its support for international terrorism, require a strong diplomatic, and if necessary, military response by the international community, led by the United States.

SEC. 3. AUTHORIZATION FOR THE USE OF UNITED STATES ARMED FORCES.

(a) AUTHORIZATION FOR THE USE OF FORCE.—The President, subject to subsection (b), is authorized to use United States Armed Forces—

(1) to enforce United Nations Security Council Resolution 687, and other resolutions approved by the Council which govern Iraqi compliance with Resolution 687, in order to secure the dismantlement or destruction of Iraq's weapons of mass destruction program and its prohibited ballistic missile program; or

(2) in the exercise of individual or collective self-defense, to defend the United States or allied nations against a grave threat posed by Iraq's weapons of mass destruction program and its prohibited ballistic missile program.

(b) REQUIREMENT FOR DETERMINATION THAT USE OF FORCE IS NECESSARY.—Before exercising the authority granted by subsection (a), the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—

(1) the United States has attempted to seek, through the United Nations Security Council, adoption of a resolution after September 12, 2002 under Chapter VII of the United Nations Charter authorizing the action described in subsection (a)(1), and such resolution has been adopted; or

(2) that the threat to the United States or allied nations posed by Iraq's weapons of mass destruction program and prohibited ballistic missile program is so grave that the use of force is necessary pursuant to subsection (a)(2), notwithstanding the failure of the Security Council to approve a resolution described in paragraph (1).

SEC. 3. CONSULTATION AND REPORTS.

(a) CONSULTATION.—The President shall keep Congress fully and currently informed on matters relevant to this joint resolution.

(b) INITIAL REPORT.—

(1) As soon as practicable, but not later than 30 days after exercising the authority under subsection 2(a), the President shall submit to Congress a report setting forth information—

(A) about the degree to which other nations will assist the United States in the use of force in Iraq;

(B) regarding measures the United States is taking, or preparing to take, to protect key allies in the region from armed attack by Iraq; and

(C) on planning to establish a secure environment in the immediate aftermath of the use of force (including estimated expenditures by the United States and allied nations), and, if necessary, prepare for the political and economic reconstruction of Iraq following the use of force.

(2) CLASSIFICATION OF REPORT.—The report required by paragraph (1) may be submitted in classified form.

(c) **SUBSEQUENT REPORTS.**—Following transmittal of the report by subsection (b), the President shall submit a report to Congress every 60 days thereafter on the status of United States diplomatic, military and reconstruction operations with respect to Iraq.

SEC. 4. WAR POWERS RESOLUTION REQUIREMENTS.

(a) **SPECIFIC STATUTORY AUTHORIZATION.**—Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that section 2 is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(b) **APPLICABILITY OF OTHER REQUIREMENTS.**—Nothing in this resolution supercedes any requirement of the War Powers Resolution.

SA 4876. Mr. SPECTER submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45, to authorize the use of United States Armed Forces against Iraq; which was ordered to lie on the table; as follows:

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Authorization for the Use of Force Against Iraq Resolution of 2002.”

SEC. 2.

The Senate finds that under United Nations Security Council Resolution 687 (1991), which effected a formal cease-fire following the Persian Gulf War, Iraq agreed to destroy or dismantle, under international supervision, its nuclear, chemical, and biological weapons programs (hereafter in this joint resolution referred to as Iraq’s “weapons of mass destruction program”), as well as its program to develop or acquire ballistic missiles with a range greater than 150 kilometers (hereafter in this joint resolution referred to as Iraq’s “prohibited ballistic missile program”), and undertook unconditionally not to develop any such weapons thereafter.

On numerous occasions since 1991, the United Nations Security Council has reaffirmed Resolution 687, most recently in Resolution 1284, which established a new weapons inspection regime to ensure Iraqi compliance with its obligations under Resolution 687.

On numerous occasions since 1991, the United States and the United Nations Security Council have condemned Iraq’s failure to fulfill its obligations under Resolution 687 to destroy or dismantle its weapons of mass destruction program and its prohibited ballistic missile program;

Iraq under Saddam Hussein used chemical weapons in its war with Iran in the 1980s and against the Kurdish population in northern Iraq in 1988;

Since 1990, the United States has considered Iraq to be a state sponsor of terrorism;

Iraq’s failure to comply with its international obligations to destroy or dismantle its weapons of mass destruction program and its prohibited ballistic missile program, its record of using weapons of mass destruction, its record of using force against neighboring states, and its support for international terrorism require a strong diplomatic, and if necessary, military response by the international community, led by the United States.

SECTION 3. AUTHORIZATION FOR THE USE OF UNITED STATES ARMED FORCES.

(a) **AUTHORIZATION FOR THE USE OF FORCE.**—The President, subject to subsection (b), is authorized to use United States Armed Forces—

(1) to enforce United Nations Security Council Resolution 687, and other resolutions approved by the Council which govern Iraqi compliance with Resolution 687, in order to secure the dismantlement or destruction of Iraq’s weapons of mass destruction program and its prohibited ballistic missile program; or

(2) in the exercise of individual or collective self-defense, to defend the United States or allied nations against a grave threat posed by Iraq’s weapons of mass destruction program and its prohibited ballistic missile program.

(b) **REQUIREMENT FOR DETERMINATION THAT USE OF FORCE IS NECESSARY.**—Before exercising the authority granted by subsection (a), the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—

(1) the United States has attempted to seek, through the United Nations Security Council, adoption of a resolution after September 12, 2002 under Chapter VII of the United Nations Charter authorizing the action described in subsection (a)(1), and such resolution has been adopted; or

(2) that the threat to the United States or allied nations posed by Iraq’s weapons of mass destruction program and prohibited ballistic missile program is so grave that the use of force is necessary pursuant to subsection (a)(2), notwithstanding the failure of the Security Council to approve a resolution described in paragraph (1).

SEC. 3. CONSULTATION AND REPORTS.

(a) **CONSULTATION.**—The President shall keep Congress fully and currently informed on matters relevant to this joint resolution.

(b) **INITIAL REPORT.**—

(1) As soon as practicable, but no later than 30 days after exercising the authority under subsection 2(a), the President shall submit to Congress a report setting forth information—

(A) about the degree to which other nations will assist the United States in the use of force in Iraq;

(B) regarding measures the United States is taking, or preparing to take, to protect key allies in the region from armed attack by Iraq; and

(C) on planning to establish a secure environment in the immediate aftermath of the use of force (including estimated expenditures by the United States and allied nations), and, if necessary, prepare for the political and economic reconstruction of Iraq following the use of force.

(2) **CLASSIFICATION OF REPORT.**—The report required by paragraph (1) may be submitted in classified form.

(c) **SUBSEQUENT REPORTS.**—Following transmittal of the report required by subsection (b), the President shall submit a report to Congress every 60 days thereafter on the status of United States diplomatic, military and reconstruction operations with respect to Iraq.

SEC. 4. WAR POWERS RESOLUTION REQUIREMENTS.

(a) **SPECIFIC STATUTORY AUTHORIZATION.**—Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that section 2 is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(b) **APPLICABILITY OF OTHER REQUIREMENTS.**—Nothing in this resolution supercedes any requirement of the War Powers Resolution.

SA 4877. Mr. SPECTER submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 45,

to authorize the use of United States Armed Forces against Iraq; which was ordered to lie on the table, as follows:

Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Authorization for the Use of Force Against Iraq Resolution of 2002.”

SEC. 2.

The Senate Finds that under United Nations Security Council Resolution 687 (1991), which effected a formal cease-fire following the Persian Gulf War, Iraq agreed to destroy or dismantle, under international supervision, its nuclear, chemical, and biological weapons programs (hereafter in this joint resolution referred to as Iraq’s “weapons of mass destruction program”), as well as its program to develop or acquire ballistic missiles with a range greater than 150 kilometers (hereafter in this joint resolution referred to as Iraq’s “prohibited ballistic missile program”), and undertook unconditionally not to develop any such weapons thereafter.

On numerous occasions since 1991, the United Nations Security Council has reaffirmed Resolution 687, most recently in Resolution 1284, which established a new weapons inspection regime to ensure Iraqi compliance with its obligations under Resolution 687;

On numerous occasions since 1991, the United States and the United Nations Security Council have condemned Iraq’s failure to fulfill its obligations under Resolution 687 to destroy or dismantle its weapons of mass destruction program and its prohibited ballistic missile program;

Iraq under Saddam Hussein used chemical weapons in its war with Iran in the 1980s and against the Kurdish population in northern Iraq in 1988;

Since 1990, the United States has considered Iraq to be a state sponsor of terrorism;

Iraq’s failure to comply with its international obligations to destroy or dismantle its weapons of mass destruction program and its prohibited ballistic missile program, its record of using weapons of mass destruction, its record of using force against neighboring states, and its support for international terrorism require a strong diplomatic, and if necessary, military response by the international community, led by the United States.

SEC. 3. AUTHORIZATION FOR THE USE OF UNITED STATES ARMED FORCES.

(a) **AUTHORIZATION FOR THE USE OF FORCE.**—the President, subject to subsection (b), is authorized to use United States Armed Forces.

(1) to enforce United Nations Security Council Resolution 687, and other resolutions approved by the Council which govern Iraqi compliance with Resolution 687, in order to secure the dismantlement or destruction of Iraq’s weapons of mass destruction program and its prohibited ballistic missile program; or

(2) in the exercise of individual or collective self-defense, to defend the United States or allied nations against a grave threat posed by Iraq’s weapons of mass destruction program and its prohibited ballistic missile program.

(b) **REQUIREMENT FOR DETERMINATION THAT USE OF FORCE IS NECESSARY.**—Before exercising the authority granted by subsection (a), the President shall make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—

(1) the United States has attempted to seek, through the United Nations Security Council, adoption of a resolution after September 12, 2002 under Chapter VII of the

United Nations Charter authorizing the action described in subsection (a)(1), and such resolution has been adopted; or

(2) that the threat to the United States or allied nations posed by Iraq's weapons of mass destruction program and prohibited ballistic missile program is so grave that the use of force is necessary pursuant to subsection (a)(2), notwithstanding the failure of the Security Council to approve a resolution described in paragraph (1).

SEC. 3. CONSULTATION AND REPORTS.

(a) CONSULTATION.—The President shall keep Congress fully and currently informed on matters relevant to this joint resolution.

(b) INITIAL REPORT.—

(1) As soon as practicable, but not later than 30 days after exercising the authority under subsection 2(a), the President shall submit to Congress a report setting forth information—

(A) about the degree to which other nations will assist the United States in the use of force in Iraq;

(B) regarding measures the United States is taking, or preparing to take, to protect key allies in the region from armed attack by Iraq; and

(C) on planning to establish a secure environment in the immediate aftermath of the use of force (including estimated expenditures by the United States and allied nations), and, if necessary, prepare for the political and economic reconstruction of Iraq following the use of force.

(2) CLASSIFICATION OF REPORT.—The report required by paragraph (1) may be submitted in classified form.

(c) SUBSEQUENT REPORTS.—Following transmittal of the report required by subsection (b), the President shall submit a report to Congress every 60 days thereafter on the status of United States diplomatic, military and reconstruction operations with respect to Iraq.

SEC. 4. WAR POWERS RESOLUTION REQUIREMENTS.

(a) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that section 2 is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(b) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this resolution superseded any requirement of the War Powers Resolution.

SA 4878. Mr. REID (for Mr. KERRY) proposed an amendment to the bill H.R. 3389, to reauthorize the National Sea Grant College Program Act, and for other purposes; as follows:

Strike out all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Sea Grant College Program Act Amendments of 2002".

SEC. 2. AMENDMENTS TO FINDINGS.

Section 202(a)(6) of the National Sea Grant College Program Act (33 U.S.C. 1121(a)(6)) is amended by striking the period at the end and inserting ", including strong collaborations between Administration scientists and scientists at academic institutions."

SEC. 3. REQUIREMENTS APPLICABLE TO NATIONAL SEA GRANT COLLEGE PROGRAM.

(a) QUADRENNIAL STRATEGIC PLAN.—Section 204 (c)(1) of the National Sea Grant College Program Act (33 U.S.C. 1123(c)(1)) is amended to read as follows:

"(1) The Secretary, in consultation with the panel, sea grant colleges, and sea grant institutes, shall develop at least every 4 years a strategic plan that establishes prior-

ities for the national sea grant college program, provides an appropriately balanced response to local, regional, and national needs, and is reflective of integration with the relevant portions of the strategic plans of the Department of Commerce and of the Administration."

(b) PROGRAM EVALUATION AND RATING.—

(1) EVALUATION AND RATING REQUIREMENT.—Section 204(d)(3)(A) of the National Sea Grant College Program Act (33 U.S.C. 1123(d)(3)(A)) is amended to read as follows:

"(A)(i) evaluate the performance of the programs of sea grant colleges and sea grant institutes, using the priorities, guidelines, and qualifications established by the Secretary under subsection (c), and determine which of the programs are the best managed and carry out the highest quality research, education, extension, and training activities; and

"(ii) rate the programs according to their relative performance (as determined under clause (i) into no less than 5 categories, with each of the 2 best-performing categories containing no more than 25 percent of the programs;"

(2) REVIEW OF EVALUATION AND RATING PROCESS.—(A) After 3 years after the date of the enactment of this Act, the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere, shall contract with the National Academy of Sciences—

(i) to review the effectiveness of the evaluation and rating system under the amendment made by paragraph (1) in determining the relative performance of programs of sea grant colleges and sea grant institutes;

(ii) to evaluate whether the sea grant programs have improved as a result of the evaluation process; and

(iii) to make appropriate recommendations to improve the overall effectiveness of the evaluation process.

(B) The National Academy of Sciences shall submit a report to the Congress on the findings and recommendations of the panel under subparagraph (A) by not later than 4 years after the date of the date of the enactment of this Act.

(c) ALLOCATION OF FUNDING.—Section 204(d)(3)(B) of the National Sea Grant College Program Act (33 U.S.C. 1123(d)(3)(B)) is amended by striking "and" after the semicolon at the end of clause (ii) and by adding at the end the following:

"(iv) encourage and promote coordination and cooperation between the research, education, and outreach programs of the Administration and those of academic institutions; and"

SEC. 4. COST SHARE.

Section 205(a) of the National Sea Grant College Program Act (33 U.S.C. 1124(a)) is amended by striking "section 204(d)(6)" and inserting "section 204(c)(4)(F)".

SEC. 5. FELLOWSHIPS.

(a) ENSURING EQUAL ACCESS.—Section 208(a) of the National Sea Grant College Program Act (33 U.S.C. 1127(a)) is amended by adding at the end the following: "The Secretary shall strive to ensure equal access for minority and economically disadvantaged students to the program carried out under this subsection. Not later than 1 years after the date of the enactment of the National Sea Grant College Program Amendments of 2002, and every 2 years thereafter, the Secretary shall submit a report to the Congress describing the efforts by the Secretary to ensure equal access for minority and economically disadvantaged students to the program carried out under this subsection, and the results of such efforts."

(b) POSTDOCTORAL FELLOWS.—Section 208(c) of the National Sea Grant College Program Act (33 U.S.C. 1127(c)) is repealed.

SEC. 6. TERMS OF MEMBERSHIP FOR SEA GRANT REVIEW PANEL.

Section 209(c)(2) of the National Sea Grant College Program Act (33 U.S.C. 1128(c)(2)) is amended by striking the first sentence and inserting the following: "The term of office of a voting member of the panel shall be 3 years for a member appointed before the date of enactment of the National Sea Grant College Program Act Amendments of 2002, and 4 years for a member appointed or reappointed after the date of enactment of the National Sea Grant College Program Act Amendments of 2002. The Director may extend the term of office of a voting member of the panel appointed before the date of enactment of the National Sea Grant College Program Act Amendments of 2002 by up to 1 year."

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

Subsections (a), (b), and (c) of section 212 of the National Sea Grant College Program Act (33 U.S.C. 1131) are amended to read as follows:

"(a) AUTHORIZATION.—

"(1) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out this title—

"(A) \$60,000,000 for fiscal year 2003;

"(B) \$75,000,000 for fiscal year 2004;

"(C) \$77,500,000 for fiscal year 2005;

"(D) \$80,000,000 for fiscal year 2006;

"(E) \$82,500,000 for fiscal year 2007; and

"(F) \$85,000,000 for fiscal year 2008.

"(2) PRIORITY ACTIVITIES.—In addition to the amounts authorized under paragraph (1), there are authorized to be appropriated for each of fiscal years 2003 through 2008—

"(A) \$5,000,000 for competitive grants for university research on the biology and control of zebra mussels and other important aquatic nonnative species;

"(B) \$5,000,000 for competitive grants for university research on oyster diseases, oyster restoration, and oyster-related human health risks;

"(C) \$5,000,000 for competitive grants for university research on the biology, prevention, and forecasting of harmful algal blooms, including *Pfiesteria piscicida*; and

"(D) \$3,000,000 for competitive grants for fishery extension activities conducted by sea grant colleges or sea grant institutes to enhance, and not supplant, existing core program funding.

"(b) LIMITATIONS.—

"(1) ADMINISTRATION.—There may not be used for administration of programs under this title in a fiscal year more than 5 percent of the lesser of—

"(A) the amount authorized to be appropriated under this title for the fiscal year; or

"(B) the amount appropriated under this title for the fiscal year.

"(2) USE FOR OTHER OFFICES OR PROGRAMS.—Sums appropriated under the authority of subsection (a)(2) shall not be available for administration of this title by the National Sea Grant Office, for any other Administration or department program, or for any other administrative expenses.

"(c) DISTRIBUTION OF FUNDS.—In any fiscal year in which the appropriations made under subsection (a)(1) exceed the amounts appropriated for fiscal year 2003 for the purposes described in such subsection, the Secretary shall distribute any excess amounts (except amounts used for the administration of the sea grant program) to any combination of the following:

"(1) sea grant programs, according to their rating under section 204(d)(3)(A);

"(2) national strategic investments authorized under section 204(b)(4);

"(3) a college, university, institution, association, or alliance for activities that are necessary for it to be designated as a sea grant college or sea grant institute;

"(4) a sea grant college or sea grant institute designated after the date of enactment

of the National Sea Grant College Program Act Amendments of 2002 but not yet evaluated under section 204(d)(3)(A)."

SEC. 8. ANNUAL REPORT ON PROGRESS IN BECOMING DESIGNATED AS SEA GRANT COLLEGES AND SEA GRANT INSTITUTES.

Section 207 of the National Sea Grant college Program Act (16 U.S.C. 1126) is amended by adding at the end the following:

"(e) ANNUAL REPORT ON PROGRESS.—

"(1) REPORT REQUIREMENT.—The Secretary shall report annually to the Committee on Resources and the Committee on Science of the House of Representatives, and to the Committee on Commerce, Science, and Transportation of the Senate, on efforts and progress made by colleges, universities, institutions, associations, and alliances to become designated under this section as sea grant colleges or sea grant institutes, including efforts and progress made by sea grant institutes in being designated as sea grant colleges.

"(2) TERRITORIES AND FREELY ASSOCIATED STATES.—The report shall include description of—

"(A) efforts made by colleges, universities, associations, institutions, and alliances in United States territories and freely associated States to develop the expertise necessary to be designated as a sea grant institute or sea grant college;

"(B) the administrative, technical, and financial assistance provided by the Secretary to those entities seeking to be designated; and

"(C) the additional actions or activities necessary for those entities to meet the qualifications for such designation under subsection (a)(1)."

SEC. 9. COORDINATION.

Not later than February 15 of each year, the Under Secretary of Commerce for Oceans and Atmosphere and the Director of the National Science Foundation shall jointly submit to the Committees on Resources and Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on how the oceans and coastal research activities of the National Oceanic and Atmospheric Administration, including the Coastal Ocean Program and the National Sea Grant College Program, and of the National Science Foundation will be coordinated during the fiscal year following the fiscal year in which the report is submitted. The report shall describe in detail any overlapping ocean and coastal research interests between the agencies and specify how such research interests will be pursued by the programs in a complementary manner.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON INDIAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, October 10, 2002, at 11 a.m. in Room 485 of the Russell Senate Office Building to conduct a hearing on S. 2986, a bill to provide for and approve the settlement of certain land claims of the Bay Mills Indian Community, Michigan.

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

COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to

meet during the session of the Senate on Thursday, October 10, 2002 at 10 a.m. to hold an open hearing with the House Permanent Select Committee on Intelligence concerning the Joint Inquiry into the events of September 11, 2001.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, October 10, 2002 at 5 p.m. to hold a closed Conference on the FY 03 Intelligence Authorization bill with the House Permanent Select Committee on Intelligence.

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

SUBCOMMITTEE ON PERSONNEL

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, October 10, 2002, at 9:30 a.m., in open session to receive testimony regarding the Department of Defense's inquiry into Project 112/Shipboard Hazard and Defense (SHAD) tests.

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

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Andrew Morrison, a State Department fellow on the staff of the Committee on Foreign Relations, be granted the privilege of the floor during consideration of S.J. Res. 45.

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

Mr. CARPER. Mr. President, I ask unanimous consent that privilege of the floor be granted to Jessica Hafer, a member of my staff, during debate on this resolution.

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

MAKING FURTHER CONTINUING APPROPRIATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.J. Res. 122 received from the House, which is now at the desk.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 122) making further continuing appropriations for the fiscal year 2003, and for other purposes.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. REID. Mr. President, I ask unanimous consent that the joint resolution be read three times, passed, and the motion to reconsider be laid upon the table, with no intervening action or debate.

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

The joint resolution (H.J. Res. 122) was read the third time and passed.

PATSY TAKEMOTO MINK

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.J. Res. 113, which has been received from the House and is now at the desk.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 113) recognizing the contributions of Patsy Takemoto Mink.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. REID. I ask unanimous consent that the joint resolution be read three times, passed, the motion to reconsider be laid upon the table, the preamble be agreed to, and that any statements relating thereto be printed in the RECORD, with no intervening action or debate.

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

The joint resolution (H.J. Res. 113) was read the third time and passed.

The preamble was agreed to.

MEASURE PLACED ON THE CALENDAR—H.R. 5427

Mr. REID. Mr. President, H.R. 5427 is at the desk and due for its second reading; is that right?

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. I ask that H.R. 5427 be read a second time, but I also object to any further proceedings.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 5427) to designate the Federal building located at Fifth and Richardson Avenues in Roswell, New Mexico, as the "Joe Skeen Federal Building".

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

MEASURE READ THE FIRST TIME—H.R. 4968

Mr. REID. Mr. President, it is my understanding that H.R. 4968, which has been received from the House, is now at the desk.

The PRESIDING OFFICER. The Senator is correct.

Mr. REID. I ask for its first reading.

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

The legislative clerk read as follows:

A bill (H.R. 4968) to provide for the exchange of certain lands in Utah.

Mr. REID. I ask for its second reading but object to my own request on behalf of a number of my colleagues.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.