

but meaningful thing we can do to make our current laws more effective and to give consumers and companies the help they need.

Mr. REID. Mr. President, I ask unanimous consent that the Kohl substitute amendment at the desk be agreed to, the bill, as amended, be read three times and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to this matter be printed in the RECORD.

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

The amendment (No. 4888) was agreed to, as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Product Packaging Protection Act of 2002".

#### SEC. 2. TAMPERING WITH CONSUMER PRODUCTS.

Section 1365 of title 18, United States Code, is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the following:

"(f)(1) Whoever, without the consent of the manufacturer, retailer, or distributor, intentionally tampers with a consumer product that is sold in interstate or foreign commerce by knowingly placing or inserting any writing in the consumer product, or in the container for the consumer product, before the sale of the consumer product to any consumer shall be fined under this title, imprisoned not more than 1 year, or both.

"(2) Notwithstanding the provisions of paragraph (1), if any person commits a violation of this subsection after a prior conviction under this section becomes final, such person shall be fined under this title, imprisoned for not more than 3 years, or both.

"(3) In this subsection, the term 'writing' means any form of representation or communication, including hand-bills, notices, or advertising, that contain letters, words, or pictorial representations."

The bill (H.R. 2621), as amended, was passed.

#### PRODUCT PACKAGING PROTECTION ACT OF 2001

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 152, S. 1233.

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

The legislative clerk read as follows:

A bill (S. 1233) to provide penalties for certain unauthorized writing with respect to consumer products.

There being no objection, the Senate proceeded to the consideration of the bill which had been reported from the Committee on the Judiciary, 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.]

#### SECTION 1. SHORT TITLE.

[This Act may be cited as the "Product Packaging Protection Act of 2001".

#### SEC. 2. TAMPERING WITH CONSUMER PRODUCTS.

[Section 1365 of title 18, United States Code, is amended—

[(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

[(2) by inserting after subsection (e) the following new subsection (f):

"(f)(1) Whoever, without the consent of the manufacturer, retailer, or authorized distributor, intentionally tampers with a consumer product that is sold in interstate or foreign commerce by knowingly placing or inserting any writing in the consumer product, or the container for the consumer product, before the sale of the consumer product to any consumer shall be fined under this title, imprisoned not more than three years, or both.

"[(2) As used in paragraph (1) of this subsection, the term 'writing' means any form of representation or communication, including handbills, notices, or advertising, that contain letters, words, or pictorial representations.".]

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Product Packaging Protection Act of 2001".

#### SEC. 2. TAMPERING WITH CONSUMER PRODUCTS.

Section 1365 of title 18, United States Code, is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the following:

"(f)(1) Whoever, without the consent of the manufacturer, retailer, or distributor, intentionally tampers with a consumer product that is sold in interstate or foreign commerce by knowingly placing or inserting any writing in the consumer product, or in the container for the consumer product, before the sale of the consumer product to any consumer shall be fined under this title, imprisoned not more than 3 years, or both.

"(2) In this subsection, the term 'writing' means any form of representation or communication, including handbills, notices, or advertising, that contain letters, words, or pictorial representations."

Mr. KOHL. Mr. President, today the Senate will pass the Product Packaging Protection Act of 2002. This bill will help prevent and punish a disturbing trend of product tampering—the placement of hate-filled literature into the boxes of cereal or food that millions of Americans bring home from the grocery store every day. I am pleased to have worked on this legislation with Senators HATCH, LEAHY, DEWINE, and DURBIN, as well as Chairman SENSENBRENNER, Congressman SCOTT, Congresswoman BALDWIN, and Congresswoman HART.

Too many Americans have recently opened groceries and found offensive, racist, anti-Semitic, pornographic and hateful leaflets. In the last few years, food manufacturers have received numerous complaints from consumers who report finding such literature. Hundreds more incidents have likely gone unreported. This behavior is outright shameful.

Unfortunately, when consumers or companies turn to the authorities, they cannot be helped. According to the FBI and the Food and Drug Administration's Office of Criminal Investigation, these actions are not covered by federal product tampering statutes. A loophole in Federal anti-tampering law allows it to go unpunished. And only a couple of state laws are in place. So, the Product Packaging Protection Act of 2002 will close this loophole in Fed-

eral product tampering law and protect consumers.

I am pleased that the Senate will pass this measure today. We hope that the House of Representatives will take up the legislation in a timely manner. Then, consumers will be able to rest a little easier when it comes to safety of the products they purchase at their local grocery store. The Product Packaging Protection Act is a small but meaningful thing we can do to make our current laws more effective and to give consumers and companies the help they need.

Mr. REID. Mr. President, I ask unanimous consent that the Kohl substitute amendment at the desk be agreed to, the committee substitute amendment be agreed to, as amended, the bill, as amended, be read a third time and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate and that any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 4889) was agreed to, as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Product Packaging Protection Act of 2002".

#### SEC. 2. TAMPERING WITH CONSUMER PRODUCTS.

Section 1365 of title 18, United States Code, is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the following:

"(f)(1) Whoever, without the consent of the manufacturer, retailer, or distributor, intentionally tampers with a consumer product that is sold in interstate or foreign commerce by knowingly placing or inserting any writing in the consumer product, or in the container for the consumer product, before the sale of the consumer product to any consumer shall be fined under this title, imprisoned not more than 1 year, or both.

"(2) Notwithstanding the provisions of paragraph (1), if any person commits a violation of this subsection after a prior conviction under this section becomes final, such person shall be fined under this title, imprisoned for not more than 3 years, or both.

"(3) In this subsection, the term 'writing' means any form of representation or communication, including hand-bills, notices, or advertising, that contain letters, words, or pictorial representations."

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

The bill (S. 1233), as amended, was read the third time and passed.

#### PEACE CORPS CHARTER FOR THE 21ST CENTURY ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 700, S. 2667.

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

The legislative clerk read as follows:

A bill (S. 2667) to amend the Peace Corps Act to promote global acceptance of the

principles of international peace and non-violent coexistence among peoples of diverse cultures and systems of government, and for other purposes.

There being no objection, the Senate proceeded to the consideration of the bill, which had been reported from the Committee on Foreign Relations, 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]

#### **[SECTION 1. SHORT TITLE.]**

[(1) This Act may be cited as the "Peace Corps Charter for the 21st Century Act".]

#### **[SEC. 2. FINDINGS.]**

[Congress makes the following findings:

[(1) The Peace Corps was established in 1961 to promote world peace and friendship through the service of American volunteers abroad.

[(2) The three goals codified in the Peace Corps Act which have guided the Peace Corps and its volunteers over the years, can work in concert to promote global acceptance of the principles of international peace and nonviolent coexistence among peoples of diverse cultures and systems of government.

[(3) The Peace Corps has operated in 135 countries with 165,000 Peace Corps volunteers since its establishment.

[(4) The Peace Corps has sought to fulfill three goals, as follows: to help people in developing nations meet basic needs, to promote understanding of America's values and ideals abroad, and to promote an understanding of other peoples by Americans.

[(5) After more than 40 years of operation, the Peace Corps remains the world's premier international service organization dedicated to promoting grassroots development.

[(6) The Peace Corps remains committed to sending well trained and well supported Peace Corps volunteers overseas to promote world peace, friendship, and grassroots development.

[(7) The Peace Corps is an independent agency, and therefore no Peace Corps personnel or volunteers should have any relationship with any United States intelligence agency or be used to accomplish any other goal than the goals established by the Peace Corps Act.

[(8) The Crisis Corps has been an effective tool in harnessing the skills and talents for returned Peace Corps volunteers and should be expanded to utilize to the maximum extent the pool of talent from the returned Peace Corps volunteer community.

[(9) The Peace Corps is currently operating with an annual budget of \$275,000,000 in 70 countries with 7,000 Peace Corps volunteers.

[(10) There is deep misunderstanding and misinformation about American values and ideals in many parts of the world, particularly those with substantial Muslim populations, and a greater Peace Corps presence in such places could foster greater understanding and tolerance of those countries.

[(11) Congress has declared that the Peace Corps should be expanded to sponsor a minimum of 10,000 Peace Corps volunteers.

[(12) President George W. Bush has called for the doubling of the number of Peace Corps volunteers in service in a fiscal year to 15,000 volunteers in service by the end of fiscal year 2007.

[(13) Any expansion of the Peace Corps shall not jeopardize the quality of the Peace Corps volunteer experience, and therefore can only be accomplished by an appropriate increase in field and headquarters support staff.

[(14) It would be extremely useful for the Peace Corps to establish an office of strategic planning to evaluate existing programs and undertake long-term planning in order to facilitate the orderly expansion of the Peace Corps from its current size to the stated objective of 15,000 volunteers in the field by the end of fiscal year 2007.

[(15) The Peace Corps would benefit from the advice and council of a streamlined bipartisan National Peace Corps Advisory Council composed of distinguished returned Peace Corps volunteers.

#### **[SEC. 3. DEFINITIONS.]**

[In this Act:

[(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

[(2) **DIRECTOR.**—The term "Director" means the Director of the Peace Corps.

[(3) **PEACE CORPS VOLUNTEER.**—The term "Peace Corps volunteer" means a volunteer or a volunteer leader under the Peace Corps Act.

[(4) **RETURNED PEACE CORPS VOLUNTEER.**—The term "returned Peace Corps volunteer" means a person who has been certified by the Director as having served satisfactorily as a Peace Corps volunteer.

#### **[SEC. 4. RESTATEMENT OF INDEPENDENCE OF THE PEACE CORPS.]**

[(a) **IN GENERAL.**—Section 2A of the Peace Corps Act (22 U.S.C. 2501-1) is amended by adding at the end the following new sentence: "As an independent agency, all recruiting of volunteers shall be undertaken solely by the Peace Corps."

[(b) **DETAILS AND ASSIGNMENTS.**—Section 5(g) of the Peace Corps Act (22 U.S.C. 2504(g)) is amended by inserting after "Provided, That" the following: "such detail or assignment does not contradict the standing of Peace Corps volunteers as being independent from foreign policy-making and intelligence collection: *Provided further, That*".

#### **[SEC. 5. REPORTS TO CONGRESS.]**

[(a) **CONSULTATIONS AND REPORTS CONCERNING NEW INITIATIVES.**—Section 11 of the Peace Corps Act (22 U.S.C. 2510) is amended—

[(1) by inserting "(a) **ANNUAL REPORTS.**—" immediately before "The President shall transmit"; and

[(2) by adding at the end thereof the following:

["(b) **CONSULTATIONS AND REPORTS ON NEW INITIATIVES.**—Thirty days prior to implementing any new initiative, the Director shall consult with the Peace Corps National Advisory Council established in section 12 and shall submit to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a report describing the objectives that such initiative is intended to fulfill, an estimate of any costs that may be incurred as a result of the initiative, and an estimate of any impact on existing programs, including the impact on the safety of volunteers under this Act".]

[(b) **COUNTRY SECURITY REPORTS.**—Section 11 of the Peace Corps Act (22 U.S.C. 2510), as amended by subsection (a), is further amended by adding at the end the following:

["(c) **COUNTRY SECURITY REPORTS.**—The Director of the Peace Corps shall submit to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a report annually on the status of security procedures in any country in which the Peace Corps operates programs or is considering doing so. Each report shall include recommendations when appropriate as to whether security conditions would be en-

hanced by collocating volunteers with international or local nongovernmental organizations, or with the placement of multiple volunteers in one location.".]

[(c) **REPORT ON STUDENT LOAN FORGIVENESS PROGRAMS.**—Not later than 30 days after the date of enactment of this Act, the Director of the Peace Corps shall submit to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a report—

[(1) describing the student loan forgiveness programs currently available to Peace Corps volunteers upon completion of their service; and

[(2) comparing such programs with other Government-sponsored student loan forgiveness programs.

#### **[SEC. 6. SPECIAL VOLUNTEER RECRUITMENT AND PLACEMENT FOR COUNTRIES WHOSE GOVERNMENTS ARE SEEKING TO FOSTER GREATER UNDERSTANDING BY AND ABOUT THEIR CITIZENS.]**

[(a) **REPORT.**—Not later than 60 days after the date of enactment of this Act, the Director shall submit a report to the appropriate congressional committees describing the initiatives that the Peace Corps intends to pursue in order to solicit requests from eligible countries where the presence of Peace Corps volunteers would facilitate a greater understanding that there exists a universe of commonly shared human values and aspirations and would dispel unfounded fears and suspicion among peoples of diverse cultures and systems of government, including peoples from countries with substantial Muslim populations. Such report shall include—

[(1) a description of the recruitment strategies to be employed by the Peace Corps to recruit and train volunteers with the appropriate language skills and interest in serving in such countries; and

[(2) a list of the countries that the Director has determined should be priorities for special recruitment and placement of Peace Corps volunteers.

[(b) **USE OF RETURNED PEACE CORPS VOLUNTEERS.**—Notwithstanding any other provision of law, the Director is authorized and strongly urged to utilize the services of returned Peace Corps volunteers having language and cultural expertise, including those returned Peace Corps volunteers who may have served previously in countries with substantial Muslim populations, in order to open or reopen Peace Corps programs in such countries.

[(c) **ALLOCATION OF FUNDS.**—In addition to amounts authorized to be appropriated to the Peace Corps by section 11 for the fiscal years 2003, 2004, 2005, and 2006, there is authorized to be appropriated for the Peace Corps \$5,000,000 each such fiscal year solely for the recruitment, training, and placement of Peace Corps volunteers in countries whose governments are seeking to foster greater understanding by and about their citizens.

#### **[SEC. 7. GLOBAL INFECTIOUS DISEASES INITIATIVE.]**

[(a) **IN GENERAL.**—The Director, in cooperation with the Centers for Disease Control and Prevention, the National Institutes of Health, the World Health Organization and the Pan American Health Organization, local public health officials, shall develop a program of training for all Peace Corps volunteers in the areas of education, prevention, and treatment of infectious diseases in order to ensure that all Peace Corps volunteers make a contribution to the global campaign against such diseases.

[(b) **DEFINITIONS.**—In this section:

[(1) **AIDS.**—The term "AIDS" means the acquired immune deficiency syndrome.

[(2) HIV.—The term “HIV” means the human immunodeficiency virus, the pathogen that causes AIDS.

[(3) HIV/AIDS.—The term “HIV/AIDS” means, with respect to an individual, an individual who is infected with HIV or living with AIDS.

[(4) INFECTIOUS DISEASES.—The term “infectious diseases” means HIV/AIDS, tuberculosis, and malaria.

#### **[SEC. 8. PEACE CORPS ADVISORY COUNCIL.]**

[Section 12 of the Peace Corps Act (22 U.S.C. 2511; relating to the Peace Corps National Advisory Council) is amended—

[(1) by amending subsection (b)(2)(D) to read as follows:

[(“(D) make recommendations for utilizing the expertise of returned Peace Corps volunteers in fulfilling the goals of the Peace Corps.”;

[(2) in subsection (c)—

[(A) by striking paragraph (1);

[(B) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively;

[(C) in paragraph (1) (as so redesignated)—

[(i) in subparagraph (A)—

[(I) by striking “fifteen” and inserting “seven”;

[(II) by striking the second sentence and inserting the following: “All of the members shall be former Peace Corps volunteers, and not more than four shall be members of the same political party.”;

[(ii) by amending subparagraph (D) to read as follows:

[(“(D) The members of the Council shall be appointed to 2-year terms.”;

[(iii) by striking subparagraphs (B), (E), and (H); and

[(iv) by redesignating subparagraphs (C), (D), (F), (G), and (I) as subparagraphs (B), (C), (D), (E), and (F), respectively;

[(3) by amending subsection (g) to read as follows:

[(“(g) CHAIR.—The President shall designate one of the voting members of the Council as Chair, who shall serve in that capacity for a period not to exceed two years.”;

[(4) by amending subsection (h) to read as follows:

[(“(h) MEETINGS.—The Council shall hold a regular meeting during each calendar quarter at a date and time to be determined by the Chair of the Council.”; and

[(5) by amending subsection (i) to read as follows:

[(“(i) REPORT.—Not later than July 30, 2003, and annually thereafter, the Council shall submit a report to the President and the Director of the Peace Corps describing how the Council has carried out its functions under subsection (b)(2).”.

#### **[SEC. 9. READJUSTMENT ALLOWANCES.]**

[The Peace Corps Act is amended—

[(1) in section 5(c) (22 U.S.C. 2504(c)), by striking “\$125” and inserting “\$275”; and

[(2) in section 6(1) (22 U.S.C. 2505(1)), by striking “\$125” and inserting “\$275”.

#### **[SEC. 10. PROGRAMS AND PROJECTS OF RETURNED PEACE CORPS VOLUNTEERS TO PROMOTE THE GOALS OF THE PEACE CORPS.]**

[(a) PURPOSE.—The purpose of this section is to provide support for returned Peace Corps volunteers to develop programs and projects to promote the objectives of the Peace Corps, as set forth in section 2 of the Peace Corps Act.

[(b) GRANTS TO CERTAIN NONPROFIT CORPORATIONS.—

[(1) GRANT AUTHORITY.—To carry out the purpose of this section, and subject to the availability of appropriations, the Director of the Corporation for National and Community Service shall award grants on a competitive basis to private nonprofit corporations that are established in the District of

Columbia for the purpose of serving as incubators for returned Peace Corps volunteers seeking to use their knowledge and expertise to undertake community-based projects to carry out the goals of the Peace Corps Act.

[(2) ELIGIBILITY FOR GRANTS.—To be eligible to compete for grants under this section, a nonprofit corporation must have a board of directors composed of returned Peace Corps volunteers with a background in community service, education, or health. The director of the corporation (who may also be a board member of the nonprofit corporation) shall also be a returned Peace Corps volunteer with demonstrated management expertise in operating a nonprofit corporation. The stated purpose of the nonprofit corporation shall be to act solely as an intermediary between the Corporation for National and Community Service and individual returned Peace Corps volunteers seeking funding for projects consistent with the goals of the Peace Corps. The nonprofit corporation may act as the accountant for individual volunteers for purposes of tax filing and audit responsibilities.

[(c) GRANT REQUIREMENTS.—Such grants shall be made pursuant to a grant agreement between the Director and the nonprofit corporation that requires that—

[(1) grant funds will only be used to support programs and projects described in subsection (a) pursuant to proposals submitted by returned Peace Corps volunteers (either individually or cooperatively with other returned volunteers);

[(2) the nonprofit corporation give consideration to funding individual projects or programs by returned Peace Corps volunteers up to \$100,000;

[(3) not more than 20 percent of funds made available to the nonprofit corporation will be used for the salaries, overhead, or other administrative expenses of the nonprofit corporation; and

[(4) the nonprofit corporation will not receive grant funds under this section for more than two years unless the corporation has raised private funds, either in cash or in kind for up to 40 percent of its annual budget.

[(d) FUNDING.—Of the funds available to the Corporation for National and Community Service for fiscal year 2003 or any fiscal year thereafter, not to exceed \$10,000,000 shall be available for each such fiscal year to carry out the grant program established under this section.

[(e) STATUS OF THE FUND.—Nothing in this section shall be construed to make any nonprofit corporation supported under this section an agency or establishment of the United States Government or to make the members of the board of directors or any officer or employee of such corporation an officer or employee of the United States.

[(f) FACTORS IN AWARDED GRANTS.—In determining the number of private nonprofit corporations to award grants to in any fiscal year, the Director should balance the number of organizations against the overhead costs that divert resources from project funding.

[(g) CONGRESSIONAL OVERSIGHT.—Grant recipients under this section shall be subject to the appropriate oversight procedures of Congress.

#### **[SEC. 11. AUTHORIZATION OF APPROPRIATIONS.]**

[(a) IN GENERAL.—Section 3(b)(1) of the Peace Corps Act (22 U.S.C. 2502(b)(1)) is amended—

[(1) by striking “2002, and” and inserting “2002.”; and

[(2) by inserting before the period the following: “, \$465,000,000 for fiscal year 2004, \$500,000,000 for fiscal year 2005, \$560,000,000 for fiscal year 2006, and \$560,000,000 for fiscal year 2007”.

[(b) INCREASE IN PEACE CORPS VOLUNTEER STRENGTH.—Section 3(c) of the Peace Corps

Act (22 U.S.C. 2502(c)) is amended by adding the following new subsection at the end thereof:

[(“(d) In addition to the amounts authorized to be appropriated in this section, there are authorized to be appropriated such additional sums as may be necessary to achieve a volunteer corps of 15,000 as soon as practicable taking into account the security of volunteers and the effectiveness of country programs.”.]

#### **SECTION 1. SHORT TITLE.**

*This Act may be cited as the “Peace Corps Charter for the 21st Century Act”.*

#### **SEC. 2. FINDINGS.**

*Congress makes the following findings:*

(1) *The Peace Corps was established in 1961 to promote world peace and friendship through the service of American volunteers abroad.*

(2) *The three goals codified in the Peace Corps Act which have guided the Peace Corps and its volunteers over the years, can work in concert to promote global acceptance of the principles of international peace and nonviolent coexistence among peoples of diverse cultures and systems of government.*

(3) *The Peace Corps has operated in 135 countries with 165,000 Peace Corps volunteers since its establishment.*

(4) *The Peace Corps has sought to fulfill three goals, as follows: to help people in developing nations meet basic needs, to promote understanding of America's values and ideals abroad, and to promote an understanding of other peoples by Americans.*

(5) *After more than 40 years of operation, the Peace Corps remains the world's premier international service organization dedicated to promoting grassroots development.*

(6) *The Peace Corps remains committed to sending well trained and well supported Peace Corps volunteers overseas to promote peace, friendship, and international understanding.*

(7) *The Peace Corps is an independent agency, and therefore no Peace Corps personnel or volunteers should be used to accomplish any other goal than the goals established by the Peace Corps Act.*

(8) *The Crisis Corps has been an effective tool in harnessing the skills and talents for returned Peace Corps volunteers and should be expanded to utilize to the maximum extent the talent pool of returned Peace Corps volunteers.*

(9) *The Peace Corps is currently operating with an annual budget of \$275,000,000 in 70 countries with 7,000 Peace Corps volunteers.*

(10) *There is deep misunderstanding and misinformation about American values and ideals in many parts of the world, particularly those with substantial Muslim populations, and a greater Peace Corps presence in such places could foster greater understanding and tolerance.*

(11) *Congress has declared that the Peace Corps should be expanded to sponsor a minimum of 10,000 Peace Corps volunteers.*

(12) *President George W. Bush has called for the doubling of the number of Peace Corps volunteers in service.*

(13) *Any expansion of the Peace Corps shall not jeopardize the quality of the Peace Corps volunteer experience, and therefore can only be accomplished by an appropriate increase in field and headquarters support staff.*

(14) *In order to ensure that proposed expansion of the Peace Corps preserves the integrity of the program and the security of volunteers, the integrated Planning and Budget System supported by the Office of Planning and Policy Analysis should continue its focus on strategic planning.*

(15) *A streamlined, bipartisan National Peace Corps Advisory Council composed of distinguished returned Peace Corps volunteers and other individuals, with diverse backgrounds and expertise, can be a source of ideas and suggestions that may be useful to the Director of the*

Peace Corps as he discharges his duties and responsibilities as head of the agency.

### SEC. 3. DEFINITIONS.

In this Act:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(2) **DIRECTOR.**—The term “Director” means the Director of the Peace Corps.

(3) **PEACE CORPS VOLUNTEER.**—The term “Peace Corps volunteer” means a volunteer or a volunteer leader under the Peace Corps Act.

(4) **RETURNED PEACE CORPS VOLUNTEER.**—The term “returned Peace Corps volunteer” means a person who has been certified by the Director as having served satisfactorily as a Peace Corps volunteer.

### SEC. 4. RESTATEMENT OF INDEPENDENCE OF THE PEACE CORPS.

(a) **IN GENERAL.**—Section 2A of the Peace Corps Act (22 U.S.C. 2501–1) is amended by adding at the end the following new sentence: “As an independent agency, all recruiting of volunteers shall be undertaken primarily by the Peace Corps.”

(b) **DETAILS AND ASSIGNMENTS.**—Section 5(g) of the Peace Corps Act (22 U.S.C. 2504(g)) is amended by inserting after “Provided, That” the following: “such detail or assignment does not contradict the standing of Peace Corps volunteers as being independent: Provided further, That”.

### SEC. 5. REPORTS AND CONSULTATIONS.

(a) **ANNUAL REPORTS; CONSULTATIONS ON NEW INITIATIVES.**—Section 11 of the Peace Corps Act (22 U.S.C. 2510) is amended by striking the section heading and the text of section 11 and inserting the following:

#### “SEC. 11. ANNUAL REPORTS; CONSULTATIONS ON NEW INITIATIVES.

“(a) **ANNUAL REPORTS.**—The Director shall transmit to Congress, at least once in each fiscal year, a report on operations under this Act. Each report shall contain information—

“(1) describing efforts undertaken to improve coordination of activities of the Peace Corps with activities of international voluntary service organizations, such as the United Nations volunteer program, and of host country voluntary service organizations, including—

“(A) a description of the purpose and scope of any development project which the Peace Corps undertook during the preceding fiscal year as a joint venture with any such international or host country voluntary service organizations; and

“(B) recommendations for improving coordination of development projects between the Peace Corps and any such international or host country voluntary service organizations;

“(2) describing—

“(A) any major new initiatives that the Peace Corps has under review for the upcoming fiscal year, and any major initiatives that were undertaken in the previous fiscal year that were not included in prior reports to the Congress;

“(B) the rationale for undertaking such new initiatives;

“(C) an estimate of the cost of such initiatives; and

“(D) the impact on the safety of volunteers;

“(3) describing in detail the Peace Corp’s plans for doubling the number of volunteers from 2002 levels, including a five-year budget plan for reaching that goal; and

“(4) describing standard security procedures for any country in which the Peace Corps operates programs or is considering doing so, as well as any special security procedures contemplated because of changed circumstances in specific countries, and assessing whether security conditions would be enhanced—

“(A) by collocating volunteers with international or local nongovernmental organizations; or

“(B) with the placement of multiple volunteers in one location.

“(b) **CONSULTATIONS ON NEW INITIATIVES.**—The Director of the Peace Corps should consult with the appropriate congressional committees with respect to any major new initiatives not previously discussed in the latest annual report submitted to Congress under subsection (a) or in budget presentations. Wherever possible, such consultations should take place prior to the initiation of such initiatives, but in any event as soon as practicable thereafter.”

(b) **ONE TIME REPORT ON STUDENT LOAN FORGIVENESS PROGRAMS.**—Not later than 30 days after the date of enactment of this Act, the Director shall submit to the appropriate congressional committees a report—

(1) describing the student loan forgiveness programs currently available to Peace Corps volunteers upon completion of their service; and

(2) comparing such programs with other Government-sponsored student loan forgiveness programs; and

(3) recommending any additional student loan forgiveness programs which could attract more applicants from more low and middle income applicants facing high student loan obligations.

### SEC. 6. SPECIAL VOLUNTEER RECRUITMENT AND PLACEMENT FOR COUNTRIES WHOSE GOVERNMENTS ARE SEEKING TO FOSTER GREATER UNDERSTANDING BETWEEN THEIR CITIZENS AND THE UNITED STATES.

(a) **REPORT.**—Not later than 60 days after the date of enactment of this Act, the Director shall submit a report to the appropriate congressional committees describing the initiatives that the Peace Corps intends to pursue with eligible countries where the presence of Peace Corps volunteers would facilitate a greater understanding that there exists a universe of commonly shared human values and aspirations. Such report shall include—

(1) a description of the recruitment strategies to be employed by the Peace Corps to recruit and train volunteers with the appropriate language skills and interest in serving in such countries; and

(2) a list of the countries that the Director has determined should be priorities for special recruitment and placement of Peace Corps volunteers.

(b) **USE OF RETURNED PEACE CORPS VOLUNTEERS.**—Notwithstanding any other provision of law, the Director is authorized and strongly urged to utilize the services of returned Peace Corps volunteers having language and cultural expertise, including those returned Peace Corps volunteers who may have served previously in countries with substantial Muslim populations, in order to open or reopen Peace Corps programs in such countries.

### SEC. 7. GLOBAL INFECTIOUS DISEASES INITIATIVE.

(a) **IN GENERAL.**—The Director, in cooperation with international public health experts such as the Centers for Disease Control and Prevention, the National Institutes of Health, the World Health Organization, the Pan American Health Organization, and local public health officials shall develop a program of training for all Peace Corps volunteers in the areas of education, prevention, and treatment of infectious diseases in order to ensure that all Peace Corps volunteers make a contribution to the global campaign against such diseases.

(b) **DEFINITIONS.**—In this section:

(1) **AIDS.**—The term “AIDS” means the acquired immune deficiency syndrome.

(2) **HIV.**—The term “HIV” means the human immunodeficiency virus, the pathogen that causes AIDS.

(3) **HIV/AIDS.**—The term “HIV/AIDS” means, with respect to an individual, an individual who is infected with HIV or living with AIDS.

(4) **INFECTIOUS DISEASES.**—The term “infectious diseases” means HIV/AIDS, tuberculosis, and malaria.

### SEC. 8. PEACE CORPS ADVISORY COUNCIL.

Section 12 of the Peace Corps Act (22 U.S.C. 2511; relating to the Peace Corps National Advisory Council) is amended—

(1) by amending subsection (b)(2)(D) to read as follows:

“(D) make recommendations for utilizing the expertise of returned Peace Corps volunteers in fulfilling the goals of the Peace Corps.”;

(2) in subsection (c)—

(A) in paragraph (2)(A)—

(i) in the first sentence, by striking “fifteen” and inserting “seven”; and

(ii) by striking the second sentence and inserting the following: “Four of the members shall be former Peace Corps volunteers, at least one of whom shall have been a former staff member abroad or in the Washington headquarters, and not more than four shall be members of the same political party.”;

(B) by amending subparagraph (D) to read as follows:

“(D) The members of the Council shall be appointed to 2-year terms.”;

(C) by striking subparagraphs (B) and (H); and

(D) by redesignating subparagraphs (C), (D), (E), (F), (G), and (I) as subparagraphs (B), (C), (D), (E), (F), and (G), respectively;

(3) by amending subsection (g) to read as follows:

“(g) **CHAIR.**—The President shall designate one of the voting members of the Council as Chair, who shall serve in that capacity for a period not to exceed two years.”;

(4) by amending subsection (h) to read as follows:

“(h) **MEETINGS.**—The Council shall hold a regular meeting during each calendar quarter at a date and time to be determined by the Chair of the Council.”; and

(5) by amending subsection (i) to read as follows:

“(i) **REPORT.**—Not later than July 30, 2003, and annually thereafter, the Council shall submit a report to the President and the Director of the Peace Corps describing how the Council has carried out its functions under subsection (b)(2).”

### SEC. 9. READJUSTMENT ALLOWANCES.

The Peace Corps Act is amended—

(1) in section 5(c) (22 U.S.C. 2504(c)), by striking “\$125” and inserting “\$275”; and

(2) in section 6(1) (22 U.S.C. 2505(1)), by striking “\$125” and inserting “\$275”.

### SEC. 10. PROGRAMS AND PROJECTS OF RETURNED PEACE CORPS VOLUNTEERS TO PROMOTE THE GOALS OF THE PEACE CORPS.

(a) **PURPOSE.**—The purpose of this section is to provide support for returned Peace Corps volunteers to develop and carry out programs and projects to promote the third purpose of the Peace Corps Act, as set forth in section 2(a) of that Act (22 U.S.C. 2501(a)), by promoting a better understanding of other peoples on the part of the American people.

(b) **GRANTS TO CERTAIN NONPROFIT CORPORATIONS.**—

(1) **GRANT AUTHORITY.**—To carry out the purpose of this section, and subject to the availability of appropriations, the Chief Executive Officer of the Corporation for National and Community Service (referred to in this section as the “Corporation”) shall award grants on a competitive basis to private nonprofit corporations for the purpose of enabling returned Peace Corps volunteers to use their knowledge and expertise to develop and carry out the programs and projects described in subsection (a).

(2) **PROGRAMS AND PROJECTS.**—Such programs and projects may include—

(A) educational programs designed to enrich the knowledge and interest of elementary school and secondary school students in the geography and cultures of other countries where the volunteers have served;

(B) projects that involve partnerships with local libraries to enhance community knowledge about other peoples and countries; and

(C) audio-visual projects that utilize materials collected by the volunteers during their service that would be of educational value to communities.

(3) **ELIGIBILITY FOR GRANTS.**—To be eligible to compete for grants under this section, a nonprofit corporation shall have a board of directors composed of returned Peace Corps volunteers with a background in community service, education, or health. The nonprofit corporation shall meet all appropriate Corporation management requirements, as determined by the Corporation.

(c) **GRANT REQUIREMENTS.**—Such grants shall be made pursuant to a grant agreement between the Corporation and the nonprofit corporation that requires that—

(1) the grant funds will only be used to support programs and projects described in subsection (a) pursuant to proposals submitted by returned Peace Corps volunteers (either individually or cooperatively with other returned volunteers);

(2) the nonprofit corporation will give consideration to funding individual programs or projects by returned Peace Corps volunteers, in amounts of not more than \$100,000, under this section;

(3) not more than 20 percent of the grant funds made available to the nonprofit corporation will be used for the salaries, overhead, or other administrative expenses of the nonprofit corporation;

(4) the nonprofit corporation will not receive grant funds for programs or projects under this section for a third or subsequent year unless the nonprofit corporation makes available, to carry out the programs or projects during that year, non-Federal contributions—

(A) in an amount not less than \$2 for every \$3 of Federal funds provided through the grant; and

(B) provided directly or through donations from private entities, in cash or in kind, fairly evaluated, including plant, equipment, or services; and

(5) the nonprofit corporation shall manage, monitor, and submit reports to the Corporation on each program or project for which the nonprofit corporation receives a grant under this section.

(d) **STATUS OF THE FUND.**—Nothing in this section shall be construed to make any nonprofit corporation supported under this section an agency or establishment of the Federal Government or to make the members of the board of directors or any officer or employee of such nonprofit corporation an officer or employee of the United States.

(e) **FACTORS IN AWARDED GRANTS.**—In determining the number of nonprofit corporations to receive grants under this section for any fiscal year, the Corporation—

(1) shall take into consideration the need to minimize overhead costs that direct resources from the funding of programs and projects; and

(2) shall seek to ensure a broad geographical distribution of grants for programs and projects under this section.

(f) **CONGRESSIONAL OVERSIGHT.**—Grant recipients under this section shall be subject to the appropriate oversight procedures of Congress.

(g) **FUNDING.**—

(1) **IN GENERAL.**—There is authorized to be appropriated to carry out this section \$10,000,000. Such sum shall be in addition to funds made available to the Corporation under Federal law other than this section.

(2) **AVAILABILITY.**—Amounts appropriated pursuant to paragraph (1) are authorized to remain available until expended.

## SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

Section 3(b)(1) of the Peace Corps Act (22 U.S.C. 2502(b)(1)) is amended—

(1) by striking “2002, and” and inserting “2002,”; and

(2) by inserting before the period the following: “, \$465,000,000 for fiscal year 2004,

\$500,000,000 for fiscal year 2005, \$560,000,000 for fiscal year 2006, and \$560,000,000 for fiscal year 2007”.

Mr. REID. Mr. President, I note that Senator DODD is the sponsor of this legislation. He was in the Peace Corps, so it is totally appropriate that this matter would be sponsored by him as the lead sponsor.

I ask unanimous consent that the committee substitute amendment be agreed to, the bill, as amended, be read a third time and passed, and that the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements to this matter be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The bill (S. 2667), as amended, was read the third time and passed.

## ESTABLISHING NEW NON-IMMIGRANT CLASSES FOR BORDER COMMUTER STUDENTS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 4967, 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. 4967) to establish new non-immigrant classes for border commuter students.

There being no objection, the Senate proceeded to the consideration of the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (H.R. 4967) was read the third time and passed.

## AUTHORIZING REPRESENTATION BY SENATE LEGAL COUNSEL

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to the consideration of S. Res. 343, submitted earlier today by the two leaders.

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

The legislative clerk read as follows:

A resolution (S. Res. 343) to authorize representation by the Senate Legal Counsel in *Newdow v. Eagen*, et al.

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

Mr. DASCHLE. Mr. President, this resolution concerns a civil action commenced in the United States District Court for the District of Columbia against Secretary Jeri Thomson, Financial Clerk Timothy Wineman, their

counterparts in the House of Representatives, the Congress, and the United States.

The plaintiff in this case, Mr. Michael Newdow, is the individual challenging the constitutionality of the Pledge of Allegiance in California. Mr. Newdow alleges in this action that the disbursement of public funds to the offices of the congressional chaplains violates the First and Fifth Amendments to the Constitution, and Article VI.

Both the United States Supreme Court and the United States Court of Appeals for the District of Columbia Circuit have already established the constitutionality of the congressional chaplaincies, which date from 1789. In the landmark Supreme Court decision *Marsh v. Chambers*, 463 U.S. 783 (1983), the Supreme Court unequivocally rejected a challenge to the constitutionality of Nebraska's legislative chaplain. It stated that given the “unambiguous and unbroken history” of legislative chaplains, the “practice of opening legislative sessions with prayer has become part of the fabric of our society” and is not “an ‘establishment’ of religion or a step toward establishment; it is simply a tolerable acknowledgement of beliefs widely held among the people of this country.” Id. at 792. Several months later, the United States Court of Appeals for the District of Columbia Circuit, sitting en banc, dismissed a constitutional challenge to the Congressional chaplains. *Murray v. Buchanan*, 720 F.2d 689 (D.C. Cir. 1983) (en banc). It stated that the Supreme Court “answered the question presented in *Marsh* with unmistakable clarity: The ‘practice of opening each legislative day with a prayer by chaplain paid by the State [does not] violate[] the Establishment Clause of the First Amendment.’” Id. at 690 (quoting *Marsh*, 463 U.S. at 784).

This resolution authorizes the Senate legal counsel to represent Secretary Thompson and Mr. Wineman to seek dismissal of this action.

Mr. REID. Mr. President, I ask unanimous consent the resolution and the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements in relation thereto be printed in the RECORD.

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

The resolution (S. Res. 343) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

### S. RES. 343

Whereas, Secretary Jeri Thomson and Financial Clerk Timothy Wineman have been named as defendants in the case of *Newdow v. Eagen*, et al., Case No. 1:02CV01704, now pending in the United States District Court for the District of Columbia; and

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to represent officers and employees of the Senate in civil actions with respect to their official responsibilities: Now, therefore, be it