

**SEC. 7. PRIVACY PROTECTIONS.**

(a) INFORMATION.—Information derived as a result of a national criminal fingerprint background check request under section 3 of the National Child Protection Act of 1993 (42 U.S.C. 5119a) shall not be adjusted, deleted, or altered in any way except as required by law for national security purposes.

**(b) DESIGNATED REPRESENTATIVE.—**

(1) IN GENERAL.—Each qualified entity (as defined in section 5 of the National Child Protection Act of 1993 (42 U.S.C. 5119c)) shall assign a representative in their respective organization to receive and process information requested under section 3 of the National Child Protection Act of 1993 (42 U.S.C. 5119a).

(2) DELETION OF INFORMATION.—Each representative assigned under paragraph (1) shall review the requested information and delete all information that is not needed by the requesting entity in making an employment decision.

(c) CRIMINAL PENALTIES.—Any person who knowingly releases information derived as a result of a national criminal fingerprint background check to any person other than the hiring authority or organizational leadership with the qualified entity shall be—

- (1) fined \$50,000 for each violation; or
- (2) imprisoned not more than 1 year.

**SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act—

- (1) \$100,000,000 for fiscal year 2004; and

(2) such sums as may be necessary for each of fiscal years 2005 through 2008.

(b) AVAILABILITY OF FUNDS.—Sums appropriated in accordance with this section shall remain available until expended.

Amend the title so as to read: “A bill to amend the National Child Protection Act of 1993, and for other purposes.”.

**SA 4997. Mr. REID (for Mr. SARBANES)** proposed an amendment to the bill S. 2239, to amend the National Housing Act to simplify the downpayment requirements for FHA mortgage insurance for single family homebuyers; as follows:

At the end, add the following:

**SEC. 4. INDEXING OF FHA MULTIFAMILY HOUSING LOAN LIMITS.**

(a) The National Housing Act (12 U.S.C. 1701 et seq.) is amended by inserting after section 206 the following new section 206A (12 U.S.C.) 1712A):

**“SEC. 206A. INDEXING OF FHA MULTIFAMILY HOUSING LOAN LIMITS.**

“METHOD OF INDEXING.—(a) The dollar amounts set forth in—

“(A) section 207(c)(3)(A) (12 U.S.C. 1713(c)(3)(A));

“(B) section 213(b)(2)(A) (12 U.S.C. 1715e(b)(2)(A));

“(C) section 220(d)(3)(B)(iii)(I) (12 U.S.C. 1715k(d)(3)(B)(iii)(I));

“(D) section 221(d)(3)(ii)(A) (12 U.S.C. 1715l(d)(3)(ii)(A));

“(E) section 221(d)(4)(ii)(A) (12 U.S.C. 1715l(d)(4)(ii)(A));

“(F) section 231(c)(2)(A) (12 U.S.C. 1715v(c)(2)(A)); and

“(G) section 234(e)(3)(A) (12 USC1715y(e)(3)(A))

(collectively hereinafter referred to as the “Dollar Amounts”) shall be adjusted annually (commencing in 2004) on the effective date of the Federal Reserve Board’s adjustment of the \$400 figure in the Home Ownership and Equity Protection Act of 1994 (HOEPA). The adjustment of the Dollar Amounts shall be calculated using the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) as applied

by the Federal Reserve Board for purposes of the above-described HOEPA adjustment.

(b) The Federal Reserve Board on a timely basis shall notify the Secretary, or his designee, in writing of the adjustment described in paragraph (a) and of the effective date of such adjustment in order to permit the Secretary to undertake publication in the Federal Register of corresponding adjustments to the Dollar Amounts. The dollar amount of any adjustment shall be rounded to the next lower dollar.”.

(b) TECHNICAL AND CONFERENCE CHANGES.—(1) Section 207(c)(3) of the National Housing Act (12 U.S.C. 1713(c)(3)) is amended—

(a) by inserting “(A)” after “(3)”;

(b) by striking “and except that the Secretary” through and including “in this paragraph” and inserting in lieu thereof: “(B) the Secretary may, by regulation, increase any of the dollar amount limitation in paragraph (A) (as such limitations may have been adjusted in accordance with Section 206A of this Act)”.

(2) Section 213(b)(2) of the National Housing Act (12 U.S.C. 1715e(b)(2)) is amended—

(a) by inserting “(A)” following “(2)”;

(b) by striking “Provided further, That” the first time that it occurs, through and including “contained in this paragraph” and inserting in lieu thereof: “(B)(I) the Secretary may, by regulation, increase any of the dollar amount limitations in paragraph (A) (as such limitations may have been adjusted in accordance with Section 206A of this Act)”;

(c) by striking “Provided further, That” the second time it occurs and inserting in lieu thereof: “; and (II)”;

(d) by striking “; And provided further, That” and inserting in lieu thereof: “; and (III)”;

(e) by striking “with this subsection without regard to the preceding proviso” at the end of that subsection and inserting in lieu thereof: “with this paragraph (B)(I).”.

(3) Section 220(d)(3)(B)(iii) of the National Housing Act (12 U.S.C. 1715k(d)(3)(B)(iii)) is amended—

(a) by inserting “(I)” following “(iii)”;

(b) by striking “design; and except that” and inserting in lieu thereof: “design; and (II)”;

(c) by striking “any of the foregoing dollar amount limitations contained in this clause” and inserting in lieu thereof: “any of the dollar amount limitations in subclause (B)(iii)(I) (as such limitations may have been adjusted in accordance with Section 206A of this Act)”;

(d) by striking “Provided, That” through and including “proviso” and inserting in lieu thereof: “with respect to dollar amount limitations applicable to rehabilitation projects described in subclause (II), the Secretary may, by regulation, increase the dollar amount limitations contained in subclause (B)(ii)(I) (as such limitations may have been adjusted in accordance with Section 206A of this Act)”;

(e) by striking “; Provided further,” and inserting in lieu thereof: “; (III)”;

(f) by striking “subparagraph” in the second proviso and inserting in lieu thereof “subclause (B)(iii)(I)”;

(g) in the last proviso, by striking “; And provided further, That” and all that follows through and including “this clause” and inserting in lieu thereof: “; (IV) with respect to rehabilitation projects involving not more than five family units, the Secretary may further increase any of the dollar limitations which would otherwise apply to such projects.”

(4) Section 221(d)(3)(ii) of the National Housing Act (12 U.S.C. 1715l(d)(3)(ii)) is amended—

(a) by inserting “(A)” following “(ii)”;

(b) by striking “; and except that” and all that follows through and including “in this clause” and inserting in lieu thereof: “; (B) the Secretary may, by regulation, increase any of the dollar amount limitations in paragraph (A) (as such limitations may have been adjusted in accordance with Section 206A of this Act)”;

(5) Section 221(d)(4)(ii) of the National Housing Act (12 U.S.C. 1715l(d)(4)(ii)) is amended—

(a) by inserting “(A)” following “(ii)”;

(b) by striking “; and except that” and all that follows through and including “in this clause” and inserting in lieu thereof: “; (B) the Secretary may, by regulation, increase any of the dollar limitations in paragraph (A) (as such limitations may have been adjusted in accordance with Section 206A of this Act)”.

(6) Section 231(c)(2) of the National Housing Act (12 U.S.C. 1715v(c)(2)) is amended—

(a) by inserting “(A)” following “(2)”;

(b) by striking “; and except that” and all that follows through and including “in this paragraph” and inserting in lieu thereof: “; (B) the Secretary may, by regulation, increase any of the dollar limitations in paragraph (A) (as such limitations may have been adjusted in accordance with Section 206A of this Act)”;

(c) by striking “; Provided, That” and all that follows through and including “of this section” and inserting in lieu thereof: “; (C) the Secretary may, by regulation, increase any of the dollar limitations in paragraph (A) (as such limitations may have been adjusted in accordance with section 206A of this Act)”.

(7) Section 234(e)(3) of the National Housing Act (12 U.S.C. 1715y(e)(3)) is amended—

(a) by inserting “(A)” following “(3)”;

(b) by replacing “\$38,025” and “\$42,048”; “\$42,120” with “\$48,481”; “\$50,310” with “\$58,469”; “\$62,010” with “\$74,840”; “\$70,200” with “\$83,375”; “\$43,875” with “\$44,250”; “\$49,140” with “\$50,724”; “\$60,255” with “\$61,680”; “\$75,465” with “\$79,793”; and “\$85,328” with “\$87,588”;

(c) by striking “; except that each” and all that follows through and including “contained in this paragraph” and inserting in lieu thereof: “; (B) the Secretary may, by regulation, increase any of the dollar limitations in paragraph (A) (as such limitations may have been adjusted in accordance with Section 206A of this Act)”.

**AUTHORITY FOR COMMITTEES TO MEET****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 17, 2002 at 10:00 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.

**GREAT LAKES LEGACY ACT OF 2001**

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of calendar 704, H.R. 1070.

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

The legislative clerk read as follows:

A bill (H.R. 1070) to amend the Federal Water Pollution Control Act to make grants for remediation of sediment contamination in areas of concern and to authorize assistance for research and development of innovative technologies for such purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Environment and Public Works with an amendment, as follows:

(The part of the bill intended to be stricken is shown in black brackets and the part of the bill intended to be inserted is shown in *italic*.)

H.R. 1070

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Great Lakes Legacy Act of 2002”.

#### SEC. 2. REMEDIATION OF SEDIMENT CONTAMINATION IN AREAS OF CONCERN IN THE GREAT LAKES.

[Section 118(c) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)) is amended by adding at the end the following:

“(12) REMEDIATION OF SEDIMENT CONTAMINATION IN AREAS OF CONCERN.—

“(A) IN GENERAL.—In accordance with this paragraph, the Administrator, acting through the Great Lakes National Program Office and in coordination with the Office of Research and Development, may carry out qualified projects.

“(B) QUALIFIED PROJECT.—In this paragraph, a qualified project is a project to be carried out in an area of concern located wholly or in part in the United States that—

“(i) monitors or evaluates contaminated sediment;

“(ii) subject to subparagraph (D), implements a plan to remediate contaminated sediment; or

“(iii) prevents further or renewed contamination of sediment.

“(C) PRIORITY.—In selecting projects to carry out under this paragraph, the Administrator shall give priority to a project that—

“(i) constitutes remedial action for contaminated sediment;

“(ii) has been identified in a Remedial Action Plan submitted pursuant to paragraph (3) and is ready to be implemented; or

“(iii) will use an innovative approach, technology, or technique that may provide greater environmental benefits or equivalent environmental benefits at a reduced cost.

“(D) LIMITATION.—The Administrator may not carry out a project under this paragraph for remediation of contaminated sediments located in an area of concern—

“(i) if an evaluation of remedial alternatives for the area of concern has not been conducted, including a review of the short-term and long-term effects of the alternatives on human health and the environment; or

“(ii) if the Administrator determines that the area of concern is likely to suffer significant further or renewed contamination from existing sources of pollutants causing sediment contamination following completion of the project.

“(E) NON-FEDERAL MATCHING REQUIREMENT.—

“(i) IN GENERAL.—The non-Federal share of the cost of a project carried out under this paragraph shall be not less than 35 percent.

“(ii) IN-KIND CONTRIBUTIONS.—The non-Federal share of the cost of a project carried out under this paragraph may include the value of in-kind services contributed by a non-Federal sponsor, including any in-kind service performed under an administrative order on consent or judicial consent decree, but not including any in-kind services performed under a unilateral administrative order or court order.

“(iii) OPERATION AND MAINTENANCE.—The non-Federal share of the cost of the operation and maintenance of a project carried out under this paragraph shall be 100 percent.

“(F) MAINTENANCE OF EFFORT.—The Administrator may not carry out a project under this paragraph unless the non-Federal sponsor enters into such agreements with the Administrator as the Administrator may require to ensure that the non-Federal sponsor will maintain its aggregate expenditures from all other sources for remediation programs in the area of concern in which the project is located at or above the average level of such expenditures in its 2 fiscal years preceding the date on which the project is initiated.

“(G) COORDINATION.—In carrying out projects under this paragraph, the Administrator shall coordinate with the Secretary of the Army, and with the Governors of States in which the projects are located, to ensure that Federal and State assistance for remediation in areas of concern is used as efficiently as possible.

“(H) AUTHORIZATION OF APPROPRIATIONS.—

“(i) IN GENERAL.—In addition to other amounts authorized under this section, there is authorized to be appropriated to carry out this paragraph \$50,000,000 for each of fiscal years 2003 through 2007.

“(ii) AVAILABILITY.—Funds appropriated under clause (i) shall remain available until expended.”.

#### SEC. 3. RELATIONSHIP TO FEDERAL AND STATE AUTHORITIES.

[Section 118(g) of the Federal Water Pollution Control Act (33 U.S.C. 1268) is amended—

“(1) by striking “construed to affect” and inserting the following: “construed—

“(1) to affect”;

“(2) by striking the period at the end and inserting “; or”;

“(3) by adding at the end the following:

“(2) to affect any other Federal or State authority that is being used or may be used to facilitate the cleanup and protection of the Great Lakes.”; and

“(4) by aligning the remainder of the text of paragraph (1) (as designated by paragraph (1) of this section) with paragraph (2) (as added by paragraph (3) of this section).

#### SEC. 4. RESEARCH AND DEVELOPMENT PROGRAM.

“(a) IN GENERAL.—In coordination with other Federal and local officials, the Administrator of the Environmental Protection Agency is authorized to conduct research on the development and use of innovative approaches, technologies, and techniques for the remediation of sediment contamination in areas of concern in the Great Lakes.

“(b) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—In addition to amounts authorized under other laws, there is authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2003 through 2007.

“(2) AVAILABILITY.—Funds appropriated under paragraph (1) shall remain available until expended.”

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Great Lakes and Lake Champlain Program Act of 2002”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—GREAT LAKES

Sec. 101. Short title.

Sec. 102. Report on remedial action plans.

Sec. 103. Remediation of sediment contamination in areas of concern in the Great Lakes.

Sec. 104. Relationship to existing Federal and State laws and international agreements.

Sec. 105. Authorization of appropriations.

#### TITLE II—LAKE CHAMPLAIN

Sec. 201. Short title.

Sec. 202. Lake Champlain basin program.

Sec. 203. Lake Champlain watershed, Vermont and New York.

#### TITLE III—MISCELLANEOUS

Sec. 301. Phase II storm water program.

#### TITLE I—GREAT LAKES

##### SEC. 101. SHORT TITLE.

This title may be cited as the “Great Lakes Legacy Act of 2002”.

##### SEC. 102. REPORT ON REMEDIAL ACTION PLANS.

Section 118(c)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)(3)) is amended by adding at the end the following:

“(E) REPORT.—Not later than 1 year after the date of enactment of this subparagraph, the Administrator shall submit to Congress a report on such actions, time periods, and resources as are necessary to fulfill the duties of the Agency relating to oversight of Remedial Action Plans under—

“(i) this paragraph; and

“(ii) the Great Lakes Water Quality Agreement.”.

##### SEC. 103. REMEDIATION OF SEDIMENT CONTAMINATION IN AREAS OF CONCERN IN THE GREAT LAKES.

Section 118(c) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)) is amended by adding at the end the following:

“(12) REMEDIATION OF SEDIMENT CONTAMINATION IN AREAS OF CONCERN.—

“(A) DEFINITION OF QUALIFIED PROJECT.—In this paragraph, the term “qualified project” means a project, to be carried out in an area of concern located wholly or in part in the United States, to—

“(i) monitor or evaluate contaminated sediment, including conducting a site characterization;

“(ii) remediate contaminated sediment (including disposal of the contaminated sediment); or

“(iii) prevent further or renewed contamination of sediment.

“(B) PROJECTS.—The Administrator, acting through the Program Office and in coordination with the Office of Research and Development of the Agency, may carry out qualified projects under this paragraph.

“(C) PRIORITY.—In carrying out this paragraph, the Administrator shall give priority to a qualified project that—

“(i) consists of remedial action for contaminated sediment;

“(ii) has been identified in a Remedial Action Plan that is—

“(I) submitted under paragraph (3); and

“(II) ready to be implemented;

“(iii) will use an innovative approach, technology, or technique for remediation; or

“(iv) includes remediation to be commenced not later than 1 year after the receipt of funds for the project.

“(D) LIMITATIONS.—The Administrator may not carry out a qualified project described in clause (ii) or (iii) of subparagraph (A)—

“(i) that is located in an area of concern that the Administrator determines is likely to suffer significant further or renewed sediment contamination from sources of pollutants after the completion of the qualified project; or

“(ii) at a site that has not had a thorough site characterization.

“(E) NON-FEDERAL MATCHING REQUIREMENT.—

“(i) IN GENERAL.—The non-Federal share of the cost of a qualified project carried out under this paragraph shall be not less than 35 percent.

“(ii) IN-KIND CONTRIBUTIONS.—The non-Federal share of the cost of a qualified project carried out under this paragraph may include the value of in-kind services contributed by a non-Federal sponsor.

“(iii) OPERATION AND MAINTENANCE.—The non-Federal share of the cost of the operation and maintenance of a qualified project carried out under this paragraph shall be 100 percent.

“(F) COORDINATION.—In carrying out qualified projects under this paragraph, the Administrator shall coordinate with the Secretary of the Army, and with the Governors of States in which qualified projects assisted under this paragraph are located, to ensure that Federal and State assistance for remediation in areas of concern is used as efficiently as practicable.

“(G) AUTHORIZATION OF APPROPRIATIONS.—

“(i) IN GENERAL.—In addition to other amounts authorized to be appropriated under this section, there is authorized to be appropriated to carry out this paragraph \$50,000,000 for each of fiscal years 2004 through 2008.

“(ii) AVAILABILITY.—Funds appropriated under clause (i) shall remain available until expended.

“(13) RESEARCH AND DEVELOPMENT PROGRAM.—

“(A) IN GENERAL.—The Administrator, in coordination with other Federal and local officials, shall conduct research on the development and use of innovative approaches, technologies, and techniques for the remediation of sediment contamination in areas of concern in the Great Lakes.

“(B) AUTHORIZATION OF APPROPRIATIONS.—

“(i) IN GENERAL.—In addition to amounts authorized to be appropriated under other law, there is authorized to be appropriated to carry out this paragraph \$2,000,000 for each of fiscal years 2004 through 2008.

“(ii) AVAILABILITY.—Funds appropriated under clause (i) shall remain available until expended.

“(14) PUBLIC INFORMATION PROGRAM.—

“(A) IN GENERAL.—The Administrator, acting through the Program Office and in coordination with the Office of Research and Development of the Agency, States, Indian tribes, local governments, and other entities, may carry out a public information program to provide—

“(i) information relating to the remediation of contaminated sediment to the public in areas of concern that are—

“(I) located wholly within the United States;

or

“(II) shared with Canada; and

“(ii) local coordination and organization in those areas.

“(B) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this paragraph \$5,000,000 for each of fiscal years 2004 through 2008.”.

#### SEC. 104. RELATIONSHIP TO EXISTING FEDERAL AND STATE LAWS AND INTERNATIONAL AGREEMENTS.

Section 118(g) of the Federal Water Pollution Control Act (33 U.S.C. 1268(g)) is amended by inserting “, including the cleanup and protection of the Great Lakes” after “Lakes”.

#### SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

Section 118(h) of the Federal Water Pollution Control Act (33 U.S.C. 1268(h)) is amended by striking the first sentence and inserting the following: “There is authorized to be appropriated to carry out this section \$40,000,000 for each of fiscal years 2004 through 2008.”.

### TITLE II—LAKE CHAMPLAIN

#### SEC. 201. SHORT TITLE.

This title may be cited as the “Daniel Patrick Moynihan Lake Champlain Basin Program Act of 2002”.

#### SEC. 202. LAKE CHAMPLAIN BASIN PROGRAM.

Title I of the Federal Water Pollution Control Act is amended by striking section 120 (33 U.S.C. 1270) and inserting the following:

#### “SEC. 120. LAKE CHAMPLAIN BASIN PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) COMMITTEE.—The term ‘Committee’ means the steering committee of the program comprised of representatives of Federal, State, and local governments and other persons, as specified in the Plan.

“(2) LAKE CHAMPLAIN BASIN.—

“(A) IN GENERAL.—The term ‘Lake Champlain basin’ means all water and land resources in the United States in the drainage basin of Lake Champlain.

“(B) INCLUSIONS.—The term ‘Lake Champlain basin’ includes—

“(i) Clinton, Essex, Franklin, Hamilton, Warren, and Washington counties in the State of New York; and

“(ii) Addison, Bennington, Caledonia, Chittenden, Franklin, Grand Isle, Lamoille, Orange, Orleans, Rutland, and Washington counties in the State of Vermont.

“(3) PLAN.—The term ‘Plan’ means the plan entitled ‘Opportunities for Action: An Evolving Plan for the Future of the Lake Champlain Basin’, approved by Lake Champlain Steering Committee on January 30, 2002, that describes the actions necessary to protect and enhance the environmental integrity and the social and economic benefits of the Lake Champlain basin.

“(4) PROGRAM.—The term ‘program’ means the Lake Champlain Basin Program established by subsection (b)(1).

“(b) ESTABLISHMENT.—

“(1) IN GENERAL.—There is established a program to be known as the ‘Lake Champlain Basin Program’.

“(2) PURPOSES.—The purposes of the program are—

“(A) to protect and enhance the environmental integrity and social and economic benefits of the Lake Champlain basin; and

“(B) to achieve the environmental goals described in the Plan, including—

“(i) the reduction of phosphorous inputs to Lake Champlain from point sources and nonpoint sources so as to—

“(I) promote a healthy and diverse ecosystem; and

“(II) provide for sustainable human use and enjoyment of Lake Champlain;

“(ii) the reduction of toxic contamination, such as contamination by mercury and polychlorinated biphenyls, to protect public health and the ecosystem of the Lake Champlain basin;

“(iii) the control of the introduction, spread, and impacts of nonnative nuisance species to preserve the integrity of the ecosystem of the Lake Champlain basin;

“(iv) the minimization of risks to humans from water-related health hazards in the Lake Champlain basin, including through the protection of sources of drinking water in the Lake Champlain basin;

“(v) the restoration and maintenance of a healthy and diverse community of fish and wildlife in the Lake Champlain basin;

“(vi) the protection and restoration of wetland, streams, and riparian habitat in the Lake Champlain basin, including functions and values provided by those areas;

“(vii) the management of Lake Champlain, including shorelines and tributaries of Lake Champlain, to achieve—

“(I) the protection of natural and cultural resources of Lake Champlain; and

“(II) the maintenance of recreational uses of Lake Champlain;

“(viii) the protection of recreation and cultural heritage resources of the Lake Champlain basin;

“(ix) the continuance of the Lake Champlain long-term water quality and biological monitoring program; and

“(x) the promotion of healthy and diverse economic activity and sustainable development principles in the Lake Champlain basin.

“(c) IMPLEMENTATION.—The Committee, in consultation with appropriate heads of Federal agencies, shall implement the program.

“(d) REVISION OF PLAN.—At least once every 5 years, the Committee shall review and, as necessary, revise the Plan.

“(e) GRANTS.—

“(1) IN GENERAL.—Subject to paragraph (2), the Administrator may, in consultation with the Committee, make grants, for the purpose of implementing the management strategies contained in the Plan, to—

“(A) State, interstate, and regional water pollution control agencies; and

“(B) public or nonprofit agencies, institutions, and organizations.

“(2) COST SHARING.—The Federal share of the cost of any activity carried out using funds from a grant provided under this subsection shall not exceed 75 percent.

“(3) ADDITIONAL REQUIREMENTS.—The Administrator may establish such additional requirements for the administration of grants provided under this subsection as the Administrator determines to be appropriate.

“(f) COORDINATION OF FEDERAL PROGRAMS.—

“(1) AGRICULTURE.—The Secretary of Agriculture shall support the implementation of the program by providing financial and technical assistance relating to best management practices for controlling nonpoint source pollution, particularly with respect to preventing pollution from agricultural activities.

“(2) INTERIOR.—

“(A) GEOLOGICAL SURVEY.—The Secretary of the Interior, acting through the United States Geological Survey, shall support the implementation of the program by providing financial, scientific, and technical assistance and applicable watershed research, such as—

“(i) stream flow monitoring;

“(ii) water quality monitoring;

“(iii) evaluation of effectiveness of best management practices;

“(iv) research on the transport and final destination of toxic chemicals in the environment; and

“(v) development of an integrated geographic information system for the Lake Champlain basin.

“(B) FISH AND WILDLIFE.—The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service and in cooperation with the Committee, shall support the implementation of the program by—

“(i) supporting the protection and restoration of wetland, streams, aquatic, and riparian habitat;

“(ii) supporting restoration of interjurisdictional fisheries and declining aquatic species in the Lake Champlain watershed through—

“(I) propagation of fish in hatcheries; and

“(II) continued advancement in fish culture and aquatic species management technology;

“(iii) supporting the control and management of aquatic nuisance species that have adverse effects on—

“(I) fisheries; or

“(II) the form, function, or structure of the ecosystem of the Lake Champlain basin;

“(iv) providing financial and technical assistance in accordance with the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.) to private landowners seeking to improve fish and wildlife habitat, a goal of which is—

“(I) restoration of full function to degraded habitat;

“(II) enhancement of specific habitat functions; or

“(III) establishment of valuable fish and wildlife habitat that did not previously exist on a particular parcel of real property; and

“(v) taking other appropriate action to assist in implementation of the Plan.

“(C) NATIONAL PARKS.—The Secretary of the Interior, acting through the Director of the National Park Service, shall support the implementation of the program by providing, through the use of funds in the National Recreation and Preservation Appropriation account of the National Park Service, financial and technical assistance for programs concerning cultural heritage, natural resources, recreational resources, or other programs consistent with the mission of the National Park Service that are associated with the Lake Champlain basin, as identified in the Plan.

“(3) COMMERCE.—The Secretary of Commerce, acting through the Under Secretary for Oceans and Atmosphere, shall support the implementation of the program by providing financial and technical assistance, through the national sea grant program of the Department of Commerce, for—

“(A) research;

“(B) management of fisheries and other aquatic resources;

“(C) related watershed programs; and

“(D) other appropriate action to assist in implementation of the Plan.

“(g) NO EFFECT ON OTHER AUTHORITY.—Nothing in this section affects the authority of—

“(1) any Federal or State agency; or

“(2) any international entity relating to Lake Champlain established by an international agreement to which the United States is a party.

“(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$11,000,000 for each of fiscal years 2003 through 2007, of which—

“(1) \$5,000,000 shall be made available to the Administrator;

“(2) \$3,000,000 shall be made available to the Secretary of the Interior;

“(3) \$1,000,000 shall be made available to the Secretary of Commerce; and

“(4) \$2,000,000 shall be made available to the Secretary of Agriculture.”.

#### SEC. 203. LAKE CHAMPLAIN WATERSHED, VERMONT AND NEW YORK.

Section 542 of the Water Resources Development Act of 2000 (114 Stat. 2671) is amended—

(1) in subsection (a)—

(A) by striking “(a)” and all that follows through “(A) the land areas” and inserting the following:

“(a) DEFINITION OF LAKE CHAMPLAIN WATERSHED.—In this section, the term ‘Lake Champlain watershed’ means—

“(1) the land areas”;

(B) by striking “(B)(i) the” and inserting the following:

“(2)(A) the”;

(C) by striking “(ii) the” and inserting the following:

“(B) the”;

(D) in paragraph (2)(A) (as redesignated by subparagraph (B)), by inserting “Hamilton,” after “Franklin,”; and

(E) in paragraph (2)(B) (as redesignated by subparagraph (C)), by striking “clause (i)” and inserting “subparagraph (A)”;

(2) in subsections (b) through (e), by striking “critical restoration” each place it appears and inserting “ecosystem restoration”;

(3) in subsection (b)—

(A) in the subsection heading, by striking “CRITICAL RESTORATION PROJECTS” and inserting “ECOSYSTEM RESTORATION PROGRAM”;

(B) in paragraph (1), by striking “participate in” and inserting “provide design and construction assistance to non-Federal interests for”; and

(C) in paragraph (2)—

(i) by striking “A” and inserting “An”; and

(ii) in subparagraph (E), by inserting before the period at the end the following: “, including remote sensing and the development of a geographic information system for the Lake Champlain basin by the Cold Regions Research and Engineering Laboratory”;

(4) in subsection (c)—

(A) by striking “assistance for a” and inserting “design and construction assistance for an”; and

(B) in paragraph (2), by inserting “ecosystem restoration or” after “form of”;

(5) in subsection (d)—

(A) by striking “(d)” and all that follows through “(A) IN GENERAL.—A” and inserting the following:

“(d) CRITERIA FOR ELIGIBILITY.—

“(1) IN GENERAL.—An”; and

(B) by striking “(B) SPECIAL” and inserting the following:

“(2) SPECIAL”; and

(6) in subsection (e)—

(A) in paragraph (1)—

(i) by striking “to a” and inserting “to an”;

(ii) by striking “project,” and inserting “project (which assistance may include the provision of funds through the Lake Champlain Basin Program),”; and

(iii) by striking “agreement that shall require the non-Federal interest” and inserting the following: “agreement that is in accordance with section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d–5b) and under which the non-Federal interest agrees”;

(B) in paragraph (2)(C), by striking “50” and inserting “100”; and

(C) by adding at the end the following:

“(3) CREDIT FOR AGRICULTURAL CONSERVATION.—Funds provided to a non-Federal interest under the conservation reserve enhancement program of the Department of Agriculture announced on May 27, 1998 (63 Fed. Reg. 28965), or the wetlands reserve program under subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837 et seq.), for use in carrying out a project under the Plan shall be credited toward the non-Federal share of the cost of the project if the Secretary of Agriculture certifies that those funds may be used for the purpose of the project under the Plan.”.

#### TITLE III—MISCELLANEOUS

##### SEC. 301. PHASE II STORM WATER PROGRAM.

Notwithstanding any other provision of law, for fiscal year 2003, funds made available to carry out nonpoint source management programs under section 319 of the Federal Water Pollution Control Act (33 U.S.C. 1329) in a State may, at the option of the State, be used to carry out projects and activities in the State relating to the development or implementation of phase II of the storm water program of the Environmental Protection Agency established by the final rule entitled “National Pollutant Discharge Elimination System—Regulations for Revision of the Water Pollution Control Program Addressing Storm Water Discharges”, promulgated by the Administrator of the Environmental Protection Agency on December 8, 1999 (64 Fed. Reg. 68722).

Amend the title so as to read: “An Act to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to provide assistance for remediation of sediment contamination in areas of concern, to authorize assistance for research and development of innovative technologies for such remediation, and to amend the Federal Water Pollution Control Act and the Water Resources Development Act of 2000 to modify provisions relating to the Lake Champlain basin, and for other purposes.”.

Mr. REID. Mr. President, I understand Senator JEFFORDS and Senator SMITH of New Hampshire have a substitute amendment at the desk. I ask unanimous consent the amendment be considered and agreed to, the committee-reported substitute amendment, as amended, be agreed to, the bill, as amended, be read three times and passed, and the motion to reconsider be laid upon the table with any statements being printed in the RECORD without intervening action or debate.

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

The amendment (No. 4892) was agreed to.

(The amendment is printed in today's RECORD under “Text of Amendments.”)

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

The bill (H.R. 1070), as amended, was read the third time and passed.

To title amendment was agreed to.

#### TO AMEND THE DISTRICT OF COLUMBIA RETIREMENT PROTECTION ACT OF 1997

Mr. REID. I ask unanimous consent we proceed to the consideration of H.R. 5205.

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

The legislative clerk read as follows:

A bill (H.R. 5205) to amend the District of Columbia Retirement Protection Act of 1997 to permit the Secretary of the Treasury to use estimated amounts in determining the service longevity component of the Federal benefit payment required to be paid under such Act to certain retirees of the Metropolitan Police Department of the District of Columbia.

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

Mr. REID. I ask unanimous consent that the bill be read three times, passed, the motion to reconsider be laid upon the table, there be no intervening action or debate, and any statements be printed in the RECORD.

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

The bill (H.R. 5205) was read the third time and passed.

#### AUTHORIZING PRINTING OF SENATE RULES AND MANUAL

Mr. REID. I ask that the Senate proceed to the consideration of S. Res. 349, submitted earlier today by Senator DODD.

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

The legislative clerk read as follows:

A resolution (S. Res. 349) to authorize printing of revised edition of Senate Rules and Manual.