

from an Auction 35 winning bidder that has made the election described in section 1, the Commission shall refund deposit or downpayment made with respect to a winning bidder for the license that is the subject of the election.

SEC. 3. COMMISSION TO ISSUE PUBLIC NOTICE.

(a) PUBLIC NOTICE.—Within 5 days after the date of enactment of this Act, the Commission shall issue a public notice specifying the form and the process for the return of deposits and downpayments under section 2.

(b) TIME FOR ELECTION.—An election under this section is not valid unless it is made within 30 days after the date of enactment of this Act.

SEC. 4. WAIVER OF PAPERWORK REDUCTION ACT REQUIREMENTS.

Section 3507 of title 44, United States Code, shall not apply to the Commission's implementation of this Act.

SEC. 5. NO INFERENCE WITH RESPECT TO NEXTWAVE CASE.

It is the sense of the Congress that no inference with respect to any issue of law or fact in Federal Communications Commission v. NextWave Personal Communications, Inc., et al. (Supreme Court Docket No. 01-653) should be drawn from the introduction, amendment, defeat, or enactment of this Act.

SEC. 6. DEFINITIONS.

In this Act:

(1) AUCTION 35.—The term "Auction 35" means the C and F block broadband personal communications service spectrum auction of the Commission that began on December 1, 2000, and ended on January 6, 2001, insofar as that auction related to spectrum previously licensed to NextWave Personal Communications, Inc., NextWave Power Partners, Inc., or Urban Comm North Carolina, Inc.

(2) COMMISSION.—The term "Commission" means the Federal Communications Commission or a bureau or division thereof acting on delegated authority.

(3) WINNING BIDDER.—The term "winning bidder" means any person who is entitled under Commission order FCC 02-99 (released March 27, 2002), to a refund of a substantial portion of monies on deposit for spectrum formerly licensed to Nextwave and Urban Comm as defined in that order.

The bill (S. 2869), as amended, was read the third time and passed.

DAM SAFETY AND SECURITY ACT OF 2002

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to Calendar No. 617, H.R. 4727.

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

The legislative clerk read as follows:

A bill (H.R. 4727) to reauthorize the national dam safety program, and for other purposes.

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, 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 bill (H.R. 4727) was read the third time and passed.

NORTH AMERICAN WETLANDS CONSERVATION REAUTHORIZATION ACT

Mr. REID. Madam President, I ask unanimous consent the Senate proceed to Calendar No. 692, H.R. 3908.

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

The legislative clerk read as follows:

A bill (H.R. 3908) to reauthorize the North American Wetlands Conservation Act, and for other 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 amendments, as follows:

[Strike the parts shown in boldface brackets and insert the parts shown in italic.]

H.R. 3908

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 "North American Wetlands Conservation Reauthorization Act".

SEC. 2. AMENDMENT OF NORTH AMERICAN WETLANDS CONSERVATION ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the North American Wetlands Conservation Act (16 U.S.C. 4401 et seq.).

SEC. 3. FINDINGS AND STATEMENT OF PURPOSE.

(a) FINDING.—Section 2(a)(1) (16 U.S.C. 4401(a)(1)) is amended by striking "and other habitats" and inserting "and associated habitats".

(b) PURPOSES.—Section 2(b) (16 U.S.C. 4401(b)) is amended—

(1) in paragraph (1) by striking "and other habitats for migratory birds" and inserting "[and associated habitats for wetland dependent migratory birds] and habitats associated with wetland ecosystems";

(2) in paragraph (2) by inserting "wetland [dependent associated]" before "migratory bird"; and

(3) in paragraph (3)—

(A) by inserting "wetland [dependent] associated" before "migratory birds"; and

(B) by inserting ", the United States Shorebird Conservation Plan, the North American Waterbird Conservation Plan, the Partners In Flight Conservation Plans," after "North American Waterfowl Management Plan".

SEC. 4. DEFINITION OF WETLANDS CONSERVATION PROJECT.

Section 3(9) (16 U.S.C. 4402(9)) is amended—

(1) in subparagraph (A) by inserting "of a wetland ecosystem and associated habitat" after "including water rights"; and

(2) in subparagraph (B) by striking "and other habitat" and inserting "and associated habitat".

SEC. 5. REAUTHORIZATION.

Section 7(c) (16 U.S.C. 4406(c)) is amended by striking "not to exceed" and all that follows and inserting "not to exceed—

"(1) \$55,000,000 for fiscal year 2003;

"(2) \$60,000,000 for fiscal year 2004;

"(3) \$65,000,000 for fiscal year 2005;

"(4) \$70,000,000 for fiscal year 2006; and

"(5) \$75,000,000 for fiscal year 2007."

SEC. 6. ALLOCATION.

Section 8(a) (16 U.S.C. 4407(a)) is amended—

(1) in paragraph (1)—

(A) by striking "(but at least 50 per centum and not more than 70 per centum thereof)" and inserting "[but at least 25 percent and not more than 50 percent thereof]" (but at least 30 percent and not more than 60 percent); and

(B) by striking "4 per centum" and inserting "4 percent"; and

(2) in paragraph (2) by striking "(but at least 30 per centum and not more than 50 per centum thereof)" and inserting "[but at least 50 percent and not more than 75 percent thereof]" (but at least 40 percent and not more than 70 percent)".

SEC. 7. CLARIFICATION OF NON-FEDERAL SHARE OF THE COST OF APPROVED WETLANDS CONSERVATION PROJECTS.

Section 8(b) (16 U.S.C. 4407(b)) is amended by striking so much as precedes the second sentence and inserting the following:

"(b) COST SHARING.—(1) Except as provided in paragraph (2), as a condition of providing assistance under this Act for any approved wetlands conservation project, the Secretary shall require that the portion of the costs of the project paid with amounts provided by non-Federal United States sources is equal to at least the amount allocated under subsection (a) that is used for the project.

"(2) Federal moneys allocated under subsection (a) may be used to pay 100 percent of the costs of such projects located on Federal lands and waters, including the acquisition of inholdings within such lands and waters.

"(3)".

SEC. 8. TECHNICAL CORRECTIONS.

(a) The North American Wetlands Conservation Act is amended as follows:

(1) In section 2(a)(10) (16 U.S.C. 4401(a)(10)), by inserting "of 1973" after "Species Act".

(2) In section 2(a)(12) (16 U.S.C. 4401(a)(12)), by inserting "and in 1994 by the Secretary of Sedesol for Mexico" after "United States".

[(2)] (3) In section 3(2) (16 U.S.C. 4402(2)), by striking "Committee on Merchant Marine and Fisheries of the United States House of Representatives" and inserting "Committee on Resources of the House of Representatives".

[(3)] (4) In section 3(5) (16 U.S.C. 4402(5)), by inserting "of 1973" after "Species Act".

(5) In section 3(6) (16 U.S.C. 4402(6)), by inserting after "1986" the following: ", and by the Secretary of Sedesol for Mexico in 1994, and subsequent dates".

[(4)] (6) In section 4(a)(1)(B) (16 U.S.C. 4403(a)(1)(B)), by striking "section 3(2)(B)" and inserting "section 3(g)(2)(B)".

[(5)] (7) In section 4(c) (16 U.S.C. 4403(c)), in the matter preceding paragraph (1), by striking "Commission" and inserting "Council".

[(6)] (8) In section 5(a)(5) (16 U.S.C. 4404(a)(5)), by inserting "of 1973" after "Species Act".

(9) In section 5(b) (16 U.S.C. 4404(b)), by striking "by January 1 of each year," and inserting "each year".

(10) In section 5(d) (16 U.S.C. 4404(d)), by striking "one Council member" and inserting "2 Council members".

[(7)] (11) In section 5(f) (16 U.S.C. 4404(f)), by striking "subsection (d)" and inserting "subsection (e)".

[(8)] (12) In section 10(1)(C) (16 U.S.C. 4409(1)(C)), by striking "western hemisphere pursuant to section 17 of this Act" and inserting "Western Hemisphere pursuant to section 16".

[(9)] (13) In section 10(1)(D) (16 U.S.C. 4409(1)(D)), by striking the period and inserting "and".

[(10)] (14) In section 16(a) (16 U.S.C. 4413), by striking "western hemisphere" and inserting "Western Hemisphere".

(b)(1) Section 112(1) of Public Law 101-593 (104 Stat. 2962) is amended by striking "and before the period".

(2) Paragraph (1) of this subsection shall be effective on and after the effective date of section 112(1) of Public Law 101-593 (104 Stat. 2962).

SEC. 9. CHESAPEAKE BAY INITIATIVE.

Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; Public Law 105-312) is amended by striking "2003" and inserting "2008".

Mr. REID. I ask unanimous consent that the committee reported amendments be agreed to; the bill, as amended, be read three times and passed; the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The committee amendments were agreed to.

The bill (H.R. 3908), as amended, was read the third time and passed.

NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 2002

Mr. REID. I ask unanimous consent the HELP Committee be discharged from further consideration of H.R. 4664 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 4664) to authorize appropriations for fiscal years 2003, 2004, and 2005 for the National Science Foundation, and for other purposes.

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

Mr. KENNEDY. Madam President, I am pleased the Senate will consider and pass today, the National Science Foundation Doubling Act. This bill is the product of extensive bipartisan, bicameral negotiations among the House of Representatives Committee on Science, the Senate Committee on Health, Education, Labor, and Pensions, and the Senate Committee on Commerce, Science, and Transportation. It is based on S. 2817, which I introduced with Senator HOLLINGS, Senator MIKULSKI, and Senator BOND. I commend them, together with Senator GREGG, Senator MCCAIN, House Science Committee Chairman BOEHLERT, Congressman NICK SMITH, and Congressman RALPH HALL for their leadership in crafting this important legislation.

NSF performs two key functions for the federal government and the broader research community. It supports basic research and development in math, science, engineering, and technology, and it promotes math and science learning at every level, from K-12 through post-graduate education.

Few people realize how influential NSF has been to their daily lives. NSF has funded basic research leading to the creation of doppler weather radar, retail bar codes, speech recognition software, magnetic resonance imaging machines, and even World Wide Web browsers, such as Netscape and Microsoft's Internet Explorer. NSF education initiatives of the late 1980s

were the forerunners of the standards-based school reform movement embraced throughout the Nation today and most recently in the new No Child Left Behind Act governing nearly all federal elementary and secondary education programs.

We can and should build on NSF's record in improving the lives of millions of Americans. The 20th Century was the era of the industrial age, and the 21st Century will be the era of information technology and the life sciences.

The bill before us doubles NSF's budget authority over the next five years. It matches the growth of the National Institutes of Health over the last five years. We double budget authority for research and development in the physical sciences and theoretical mathematics, because they support advances in the health sciences and because they are valuable in their own right.

I am particularly proud that the legislation before us authorizes a new secondary school systemic initiative at NSF that will develop model school reforms to improve high school student math and science performance and better prepare all students for college-level and technical work. For too long, federal policy has paid scant attention to the needs of secondary school students. Senator JEFFORDS and I have been working extensively in this area. I commend him for his leadership and look forward to continued work with him on the needs of secondary students.

The bill before us supports model math and science partnerships between institutions of higher education and local school districts to improve the knowledge and teaching techniques of current and future math and science teachers. The math and science partnership provisions are based on proposals offered by the Administration, Senator FRIST, Senator ROBERTS, Senator ROCKEFELLER, and Senator BINGAMAN. They track a strong body of educational research that emphasizes the importance of training math and science teachers to improve student performance in those important subject areas.

This legislation supports institutions of higher education in increasing the number of students, particularly women and minorities, who study toward and obtain degrees in science, math, engineering, and technology. Senator LIEBERMAN, Senator MIKULSKI, and Senator BOND are leaders on this issue, and I commend them as well. We have an economic need and a national security imperative to increase the number and quality of students studying science, math, engineering, and technology at the post-secondary level.

Finally, the bill before us reforms NSF's program on major research and facilities equipment, to help prioritize projects and guard against cost overruns and approval of proposals that have not received adequate analysis.

This is an area of concern for Senator CLINTON, Senator BOND, and Senator MIKULSKI, and I commend them for this initiative. Quality and merit should be the touchstones of our Nation's investment in the sciences.

The National Science Foundation Doubling Act is a thoughtful piece of bipartisan legislation that prepares us for the future. I urge my colleagues to support it.

Mr. HOLLINGS. Madam President, today, the Senate will pass legislation that authorizes the doubling of the National Science Foundation budget by fiscal year 2007. As you all know, NSF is the nation's premier federal science agency that invests in basic research across all disciplines. We rely on NSF research to open new frontiers of science, and I am proud that we can pass this important legislation today.

We have approached this legislation in concert with our friends on the Health, Labor, Education, and Pensions Committee, Senators KENNEDY and GREGG. Once again, it has been a pleasure to work with Chairman BOEHLERT and ranking member RALPH HALL of the House Science Committee. Obviously, we could not have produced this product without Senator MCCAIN, Senator ROCKEFELLER, and the other members of the Commerce Committee. We were also pleased to work with our friends, Senators BOND and MIKULSKI, who have been leaders on the NSF.

This doubling bill is vital. The Hart-Rudman Commission on National Security, and former speaker Newt Gingrich, warned that our failure to invest in science and to reform math and science education was the second biggest threat to our national security. NSF is well positioned to address this threat. After all, NSF invests in math and science education from kindergarten all the way through to the post-doctoral level and beyond. This bill allows the Foundation to increase that investment, while reaffirming our commitment to women, minorities, and people with disabilities. These under-represented groups, together, make up more than half of our nation's work force and are only increasing. Letting these groups fall by the wayside would not only threaten our economic competitiveness, but also our national security.

It is often said that more than one-half of our nation's economic growth since World War I has stemmed from technology driven by science. Let me give just one example of how NSF's investments can spur our economy. NSF is the leading agency in the National Nanotechnology Initiative.

Nanotechnology—which is the science of manipulating matter at the atomic and molecular level—will cut across every scientific discipline, including materials and manufacturing, healthcare and medicine, energy and the environment, agriculture, biotechnology, information technology, and national security. Worldwide, the market for nanotechnology is expected