

Whereas the United States needs to improve its air quality by reducing emissions from the millions of motor vehicles on the Nation's roads;

Whereas the United States needs to foster national expertise and technological advancement in cleaner alternative fuel vehicles;

Whereas the people of the United States need more choices in cleaner transportation;

Whereas the people of the United States need to know that alternative fuel vehicles are a positive choice for transportation; and

Whereas it is in the public interest of the United States to foster the support for new and existing technologies that offer more environmentally friendly transportation choices for the people of the United States during peacetime or wartime: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 11, 2002 as "National Alternative Fuel Vehicle Day";

(2) proclaims "National Alternative Fuel Vehicle Day" as a day to promote programs and activities that will lead to the greater use of cleaner transportation in the United States; and

(3) requests the President to issue a proclamation, calling upon interested organizations and the people of the United States—

(A) to promote programs and activities that take full advantage of the new and existing technologies in cleaner alternative fuel vehicles; and

(B) to foster public interest in the use of cleaner alternative fuel vehicles through the dissemination of information.

SENATE CONCURRENT RESOLUTION 101—EXTENDING BIRTHDAY GREETINGS AND BEST WISHES TO LIONEL HAMPTON ON THE OCCASION OF HIS 94TH BIRTHDAY

Mr. CRAIG submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 101

Whereas Lionel Hampton is regarded internationally as one of the greatest jazz musicians of all time and has shared his talents with the world for more than eight decades;

Whereas Lionel Hampton has consistently exemplified acceptance, tolerance, and the celebration of racial and cultural diversity, by being one of the first black musicians to perform in venues and events previously open only to white performers, including performances with the Benny Goodman Quartet from 1936-1940, and as the first black musician to perform for a presidential inauguration, that of Harry S. Truman in 1949;

Whereas Lionel Hampton has furthered the cause of cultural understanding and international communication, receiving a Papal Medallion from Pope Pius XII, the Israel Statehood Award, serving as a Goodwill Ambassador for the United States, and receiving the Honor Cross for Science and the Arts, First Class, one of Austria's highest decorations;

Whereas Lionel Hampton is one of the most recorded artists in the history of jazz;

Whereas Lionel Hampton has opened doors for aspiring musicians throughout the world, many of whom have established themselves as giants in the world of jazz, including Cat Anderson, Terrance Blanchard, Clifford Brown, Conte Candoli, Pete Candoli, Betty Carter, Ray Charles, Nat "King" Cole, Bing Crosby, Art Farmer, Carl Fontana, Aretha Franklin, Benny Golson, Al Grey, Slide Hampton, Joe Henderson, Quincy Jones, Bradford Marsalis, Wes Montgomery, James

Moody, Fats Navarro, Joe Newman, Nicholas Payton, Benny Powell, Buddy Tate, Clark Terry, Stanley Turrentine, Dinah Washington, and Joe Williams, among others;

Whereas Lionel Hampton has worked to perpetuate the art form of jazz by offering his talent, inspiration, and production acumen to the University of Idaho since 1983, and in 1985, when the University of Idaho named its school of music after him, Lionel Hampton became first jazz musician to have both a music school and a jazz festival named in his honor;

Whereas Lionel Hampton has received many national accolades, awards, and commemorations, including an American Jazz Masters Fellowship from the National Endowment for the Arts, Kennedy Center Honors, and a National Medal of Arts;

Whereas Lionel Hampton has received numerous awards and commendations by local and State governments and has received acknowledgment from hundreds of civic and performance groups;

Whereas Lionel Hampton's legacy of inspiration, education, and excellence will be perpetuated by the development of the Lionel Hampton Center at the University of Idaho, a facility that combines the finest in performance, scholarship, and research;

Whereas Lionel Hampton has made a difference in many lives by inspiring so many who have now become jazz greats, by reinforcing the importance of education at all levels, and by showing the world a way of life where love and talent are shared without reservation: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress, on behalf of the American people, extends its birthday greetings and best wishes to Lionel Hampton on the occasion of his 94th birthday.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3126. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 3525, to enhance the border security of the United States, and for other purposes; which was ordered to lie on the table.

SA 3127. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 3525, *supra*; which was ordered to lie on the table.

SA 3128. Mr. BYRD proposed an amendment to the bill H.R. 3525, *supra*.

SA 3129. Mr. BREAUX submitted an amendment intended to be proposed by him to the bill S. 517, to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; which was ordered to lie on the table.

SA 3130. Mr. BREAUX submitted an amendment intended to be proposed by him to the bill S. 517, *supra*; which was ordered to lie on the table.

SA 3131. Mr. BIDEN submitted an amendment intended to be proposed by him to the bill H.R. 3525, to enhance the border security of the United States, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3126. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 3525, to enhance the border security of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 41, between lines 6 and 7, insert the following:

SEC. 403. PREARRIVAL MESSAGES FROM OTHER VESSELS DESTINED TO UNITED STATES PORTS.

(a) IN GENERAL.—Section 4(a)(5) of the Ports and Waterways Safety Act (33 U.S.C. 1223(a)(5)) is amended by striking paragraph (5) and inserting the following:

"(5)(A) may require the receipt of prearrival messages from any vessel destined for a port or place subject to the jurisdiction of the United States, not later than 96 hours before the vessel's arrival or such time as deemed necessary under regulations promulgated by the Secretary to provide any information that the Secretary determines is necessary for control of the vessel and the safety and security of the port, waterways, facilities, vessels, and marine environment, including—

"(i) the route and name of each port and each place of destination in the United States;

"(ii) the estimated date and time of arrival at each port or place;

"(iii) the name of the vessel;

"(iv) the country of registry of the vessel;

"(v) the call sign of the vessel;

"(vi) the International Maritime Organization (IMO) international number or, if the vessel does not have an assigned IMO international number, the official number of the vessel;

"(vii) the name of the registered owner of the vessel;

"(viii) the name of the operator of the vessel;

"(ix) the name of the classification society of the vessel;

"(x) a general description of the cargo on board the vessel;

"(xi) in the case of certain dangerous cargo—

"(I) the name and description of the dangerous cargo;

"(II) the amount of the dangerous cargo carried;

"(III) the stowage location of the dangerous cargo; and

"(IV) the operational condition of the equipment under section 164.35 of title 33 of the Code of Federal Regulations;

"(xii) the date of departure and name of the port from which the vessel last departed;

"(xiii) the name and telephone number of a 24-hour point of contact for each port included in the notice of arrival;

"(xiv) the location or position of the vessel at the time of the report;

"(xv) a list of crew members on board the vessel, including with respect to each crew member—

"(I) the full name;

"(II) the date of birth;

"(III) the nationality;

"(IV) the passport number or mariners document number; and

"(V) the position or duties;

"(xvi) a list of persons other than crew members onboard the vessel, including with respect to each such person—

"(I) the full name;

"(II) the date of birth;

"(II) the nationality; and

"(IV) the passport number; and

"(xvii) any other information required by the Secretary; and

"(B) any changes to the information required by subparagraph (A), except changes in the arrival or departure time of less than 6 hours, must be reported as soon as practicable but not less than 24 hours before entering the port of destination. The Secretary may deny entry of a vessel into the territorial sea of the United States if the Secretary has not received notification for the vessel in accordance with this paragraph."

(b) INAPPLICABILITY OF FREEDOM OF INFORMATION ACT.—Section 4 of the Ports and Waterways Safety Act (33 U.S.C. 1223), as amended by subsection (a), is further amended by adding at the end the following new subsection:

“(e) INFORMATION NOT SUBJECT TO FREEDOM OF INFORMATION ACT.—Section 552 of title 5, United States Code, does not apply to any information submitted under subsection (a)(5)(A).”

(c) RELATION TO THE PREARRIVAL MESSAGE REQUIREMENT.—Section 5 of the Ports and Waterways Safety Act (33 U.S.C. 1224) is amended by adding at the end the following new undesignated paragraph:

“Nothing in this section shall be construed to limit the Secretary’s authority to require information under section 4(a)(5) of this Act before a vessel’s arrival in a port or place that is subject to the jurisdiction of the United States.”

SEC. 404. SAFETY AND SECURITY OF PORTS AND WATERWAYS.

The Ports and Waterways Safety Act (33 U.S.C. 1221 et seq.) is amended—

(1) in section 2(a) (33 U.S.C. 1221 (a)), by striking “safety and protection of the marine environment” and inserting “safety, protection of the marine environment, and safety and security of United States ports and waterways”; and

(2) in section 5(a) (33 U.S.C. 1224(a)), by striking “safety and protection of the marine environment,” and inserting “safety, protection of the marine environment, and safety and security of United States ports and waterways.”

On page 41, line 7, strike “SEC. 403.” and insert “SEC. 405.”

SA 3127. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 3525, to enhance the border security of the United States, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 29, strike line 1 and all that follows through line 8 on page 30 and insert the following:

SEC. 304. TERRORIST LOOKOUT COMMITTEES.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of State shall establish within each United States Embassy a Terrorist Lookout Committee, which shall include the head of the political section and senior representatives of all United States law enforcement agencies, and the intelligence community, under the authority of the chief of mission.

(2) CHAIR AND VICE CHAIR OF COMMITTEES.—Each committee established under subsection (a) shall be chaired by the respective deputy chief of mission, with the head of the consular section as vice chair.

(b) MEETINGS.—Each committee established under subsection (a) shall meet at least monthly and shall maintain records of its meetings. Upon the completion of its meeting, such committee shall report to the Department of State all names submitted for inclusion in the visa lookout system.

(c) CERTIFICATION.—If no names are submitted upon completion of a meeting under subsection (b), the chair of the committee that held the meeting shall certify to the Secretary of State, subject to potential application of the Accountability Review Board provisions of title III of the Omnibus Diplomatic Security and Antiterrorism Act of 1986, that none of the relevant sections of the United States Embassy had knowledge of the identity of any individual eligible for inclusion in the visa lookout system for possible terrorist activity.

(d) REPORT.—The Secretary of State shall submit a report on a quarterly basis to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives on the status of the committees established under subsection (a).

SA 3128. Mr. BYRD proposed an amendment to the bill H.R. 3525, to enhance the border security of the United States, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. ____ . CERTIFICATION REGARDING FORCED LABOR.

(a) SHORT TITLE.—This section may be cited as the “Labor Certification Act of 2002”.

(b) CERTIFICATION REQUIRED.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Secretary of the Treasury shall require that any person importing goods into the United States provide a certificate to the United States Customs Service that the goods being imported comply with the provisions of section 307 of the Tariff Act of 1930 (19 U.S.C. 1307) and that no part of the goods were made with prison, forced, or indentured labor, or with labor performed in any type of involuntary situation.

(2) DEFINITIONS.—In this section:

(A) GOODS.—For purposes of this section, the term “goods” includes goods, wares, articles, and merchandise mined, produced, or manufactured wholly or in part in any foreign country.

(B) INVOLUNTARY SITUATION.—The term “involuntary situation” includes any situation where work is performed on an involuntary basis, whether or not it is performed in a penal institution, a re-education through labor program, a pre-trial detention facility, or any similar situation.

(C) PRISON, FORCED, OR INDENTURED LABOR.—The term “prison, forced, or indentured labor” includes any labor performed for which the worker does not offer himself voluntarily.

(c) INSPECTION OF CERTAIN FACILITIES.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the President shall renegotiate and enter into a new agreement with the People’s Republic of China, concerning inspection of facilities in the People’s Republic of China suspected of using forced labor to make goods destined for export to the United States. The agreement shall supercede the 1992 Memorandum of Understanding and 1994 Statement of Cooperation, and shall provide that within 30 days of making a request to the Government of the People’s Republic of China, United States officials be allowed to inspect all types of detention facilities in the People’s Republic of China that are suspected of using forced labor to mine, produce, or manufacture goods destined for export to the United States, including prisons, correctional facilities, re-education facilities, and work camps. The agreement shall also provide for concurrent investigations and inspections if more than 1 facility or situation is involved.

(2) FORCED LABOR.—For purposes of this subsection, the term “forced labor” means convict or prison labor, forced labor, indentured labor, or labor performed in any type of involuntary situation.

(d) AUTHORIZATION OF CUSTOMS PERSONNEL.—Section 3701 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 is amended by striking “for fiscal year 1999” and inserting “for each of fiscal years 2002 and 2003”.

SA 3129. Ms. SNOWE submitted an amendment intended to be proposed by him to the bill S. 517, to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 17, between lines 6 and 7, insert the following:

SEC. ____ . CREDIT FOR ELECTRICITY PRODUCED FROM BLACK LIQUOR GASIFICATION.

(a) IN GENERAL.—Section 45(c)(1) (defining qualified energy resources), as amended by this Act, is amended by striking “and” at the end of subparagraph (F), by striking the period at the end of subparagraph (G) and inserting “, and”, and by adding at the end the following new subparagraph:

“(H) black liquor gasification.”

(b) QUALIFIED FACILITY.—Section 45(c)(3) (relating to qualified facility), as amended by this Act, is amended by adding at the end the following new subparagraph:

“(G) BLACK LIQUOR GASIFICATION FACILITY.—In the case of a facility using black liquor gasification to produce electricity, the term ‘qualified facility’ means any facility owned by the taxpayer which is originally placed in service after date of the enactment of this subparagraph and before January 1, 2007.”

(c) DEFINITION.—Section 45(c), as amended by this Act, is amended by redesignating paragraph (8) as paragraph (9) and by inserting after paragraph (7) the following new paragraph:

“(8) BLACK LIQUOR GASIFICATION.—The term ‘black liquor gasification’ means electric power generated by the conversion of black liquor biomass to gas.”

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to electricity sold after the date of the enactment of this Act, in taxable years ending after such date.

SA 3130. Mr. BREAUX submitted an amendment intended to be proposed by him to the bill S. 517, to authorize funding the Department of Energy to enhance its mission areas through technology transfer and partnerships for fiscal years 2002 through 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 73, between lines 2 and 3, insert the following:

SEC. ____ . CREDIT FOR TAXPAYERS OWNING COMMERCIAL POWER TAKEOFF VEHICLES.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 (relating to business-related credits), as amended by this Act, is amended by adding at the end the following new section:

“SEC. 45K. COMMERCIAL POWER TAKEOFF VEHICLES CREDIT.

“(a) GENERAL RULE.—For purposes of section 38, the amount of the commercial power takeoff vehicles credit determined under this section for the taxable year is \$250 for each qualified commercial power takeoff vehicle owned by the taxpayer as of the close of the calendar year in which or with which the taxable year of the taxpayer ends.

“(b) DEFINITIONS.—For purposes of this section—

“(1) QUALIFIED COMMERCIAL POWER TAKEOFF VEHICLE.—The term ‘qualified commercial power takeoff vehicle’ means any highway vehicle described in paragraph (2) which is propelled by any fuel subject to tax under

section 4041 or 4081 if such vehicle is used in a trade or business or for the production of income (and is licensed and insured for such use).

“(2) HIGHWAY VEHICLE DESCRIBED.—A highway vehicle is described in this paragraph if such vehicle is—

“(A) designed to engage in the daily collection of refuse or recyclables from homes or businesses and is equipped with a mechanism under which the vehicle's propulsion engine provides the power to operate a load compactor, or

“(B) designed to deliver ready mixed concrete on a daily basis and is equipped with a mechanism under which the vehicle's propulsion engine provides the power to operate a mixer drum to agitate and mix the product en route to the delivery site.

“(C) EXCEPTION FOR VEHICLES USED BY GOVERNMENTS, ETC.—No credit shall be allowed under this section for any vehicle owned by any person at the close of a calendar year if such vehicle is used at any time during such year by—

“(1) the United States or an agency or instrumentality thereof, a State, a political subdivision of a State, or an agency or instrumentality of one or more States or political subdivisions, or

“(2) an organization exempt from tax under section 501(a).

“(d) DENIAL OF DOUBLE BENEFIT.—The amount of any deduction under this subtitle for any tax imposed by subchapter B of chapter 31 or part III of subchapter A of chapter 32 for any taxable year shall be reduced (but not below zero) by the amount of the credit determined under this subsection for such taxable year.

“(e) TERMINATION.—This section shall not apply with respect to any calendar year after 2004.”

(b) CREDIT MADE PART OF GENERAL BUSINESS CREDIT.—Subsection (b) of section 38 (relating to general business credit), as amended by this Act, is amended by striking “plus” at the end of paragraph (22), by striking the period at the end of paragraph (23) and inserting “, plus”, and by adding at the end the following new paragraph:

“(24) the commercial power takeoff vehicles credit under section 45K(a).”

(c) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1, as amended by this Act, is amended by adding at the end the following new item:

“Sec. 45K. Commercial power takeoff vehicles credit.”

(d) REGULATIONS.—Not later than January 1, 2005, the Secretary of the Treasury, in consultation with the Secretary of Energy, shall by regulation provide for the method of determining the exemption from any excise tax imposed under section 4041 or 4081 of the Internal Revenue Code of 1986 on fuel used through a mechanism to power equipment attached to a highway vehicle as described in section 45K(b)(2) of such Code, as added by subsection (a).

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 3131. Mr. BIDEN submitted an amendment intended to be proposed by him to the bill H.R. 3525, to enhance the border security of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE VII—COPS REAUTHORIZATION

SEC. 701. SHORT TITLE.

This title may be cited as the “Providing Reliable Officers, Technology, Education, Community Prosecutors, and Training In Our Neighborhoods Act of 2002” or “PROTECTION Act”.

SEC. 702. PROVIDING RELIABLE OFFICERS, TECHNOLOGY, EDUCATION, COMMUNITY PROSECUTORS, AND TRAINING IN OUR NEIGHBORHOOD INITIATIVE.

(a) COPS PROGRAM.—Section 1701(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(a)) is amended by—

(1) inserting “and prosecutor” after “increase police”; and

(2) inserting “to enhance law enforcement access to new technologies, and” after “presence.”

(b) HIRING AND REDEPLOYMENT GRANT PROJECTS.—Section 1701(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B)—

(i) by inserting after “Nation” the following: “, or pay overtime to existing career law enforcement officers to the extent that such overtime is devoted to community policing efforts”; and

(ii) by striking “and” at the end;

(B) in subparagraph (C), by—

(i) striking “or pay overtime”; and

(ii) striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(D) promote higher education among in-service State and local law enforcement officers by reimbursing them for the costs associated with seeking a college or graduate school education.”; and

(2) in paragraph (2) by striking all that follows SUPPORT SYSTEMS.—” and inserting “Grants pursuant to—

“(A) paragraph (1)(B) for overtime may not exceed 25 percent of the funds available for grants pursuant to this subsection for any fiscal year;

“(B) paragraph (1)(C) may not exceed 20 percent of the funds available for grants pursuant to this subsection in any fiscal year; and

“(C) paragraph (1)(D) may not exceed 5 percent of the funds available for grants pursuant to this subsection for any fiscal year.”.

(c) ADDITIONAL GRANT PROJECTS.—Section 1701(d) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(d)) is amended—

(1) in paragraph (2)—

(A) by inserting “integrity and ethics” after “specialized”; and

(B) by inserting “and” after “enforcement officers”; and

(2) in paragraph (7) by inserting “school officials, religiously-affiliated organizations,” after “enforcement officers”; and

(3) by striking paragraph (8) and inserting the following:

“(8) establish school-based partnerships between local law enforcement agencies and local school systems, by using school resource officers who operate in and around elementary and secondary schools to serve as a law enforcement liaison with other Federal, State, and local law enforcement and regulatory agencies, combat school-related crime and disorder problems, gang membership and criminal activity, firearms and explosives-related incidents, illegal use and possession of alcohol, and the illegal possession, use, and distribution of drugs;”

(4) in paragraph (10) by striking “and” at the end;

(5) in paragraph (11) by striking the period that appears at the end and inserting “; and”; and

(6) by adding at the end the following:

“(12) develop and implement innovative programs (such as the TRIAD program) that bring together a community's sheriff, chief of police, and elderly residents to address the public safety concerns of older citizens.”.

(d) TECHNICAL ASSISTANCE.—Section 1701(f) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(f)) is amended—

(1) in paragraph (1)—

(A) by inserting “use up to 5 percent of the funds appropriated under subsection (a) to” after “The Attorney General may”; and

(B) by inserting at the end the following: “In addition, the Attorney General may use up to 5 percent of the funds appropriated under subsection (d), (e), and (f) for technical assistance and training to States, units of local government, Indian tribal governments, and to other public and private entities for those respective purposes.”;

(2) in paragraph (2) by inserting “under subsection (a)” after “the Attorney General”; and

(3) in paragraph (3)—

(A) by striking “the Attorney General may” and inserting “the Attorney General shall”; and

(B) by inserting “regional community policing institutes” after “operation of”; and

(C) by inserting “representatives of police labor and management organizations, community residents,” after “supervisors.”.

(e) TECHNOLOGY AND PROSECUTION PROGRAMS.—Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd) is amended by—

(1) striking subsection (k);

(2) redesignating subsections (f) through (j) as subsections (g) through (k); and

(3) striking subsection (e) and inserting the following:

“(e) LAW ENFORCEMENT TECHNOLOGY PROGRAM.—Grants made under subsection (a) may be used to assist police departments, in employing professional, scientific, and technological advancements that will help them—

“(1) improve police communications through the use of wireless communications, computers, software, videocams, databases and other hardware and software that allow law enforcement agencies to communicate more effectively across jurisdictional boundaries and effectuate interoperability;

“(2) develop and improve access to crime solving technologies, including DNA analysis, photo enhancement, voice recognition, and other forensic capabilities; and

“(3) promote comprehensive crime analysis by utilizing new techniques and technologies, such as crime mapping, that allow law enforcement agencies to use real-time crime and arrest data and other related information—including non-criminal justice data—to improve their ability to analyze, predict, and respond pro-actively to local crime and disorder problems, as well as to engage in regional crime analysis.

“(f) COMMUNITY-BASED PROSECUTION PROGRAM.—Grants made under subsection (a) may be used to assist State, local or tribal prosecutors' offices in the implementation of community-based prosecution programs that build on local community policing efforts. Funds made available under this subsection may be used to—

“(1) hire additional prosecutors who will be assigned to community prosecution programs, including programs that assign prosecutors to handle cases from specific geographic areas, to address specific violent crime and other local crime problems (including intensive illegal gang, gun and drug enforcement projects and quality of life initiatives), and to address localized violent and other crime problems based on needs identified by local law enforcement agencies, community organizations, and others;

“(2) redeploy existing prosecutors to community prosecution programs as described in paragraph (1) of this section by hiring victim and witness coordinators, paralegals, community outreach, and other such personnel; and

“(3) establish programs to assist local prosecutors’ offices in the implementation of programs that help them identify and respond to priority crime problems in a community with specifically tailored solutions.

At least 75 percent of the funds made available under this subsection shall be reserved for grants under paragraphs (1) and (2) and of those amounts no more than 10 percent may be used for grants under paragraph (2) and at least 25 percent of the funds shall be reserved for grants under paragraphs (1) and (2) to units of local government with a population of less than 50,000.”.

(f) **RETENTION GRANTS.**—Section 1703 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd-2) is amended by inserting at the end the following:

“(d) **RETENTION GRANTS.**—The Attorney General may use no more than 50 percent of the funds under subsection (a) to award grants targeted specifically for retention of police officers to grantees in good standing, with preference to those that demonstrate financial hardship or severe budget constraint that impacts the entire local budget and may result in the termination of employment for police officers funded under subsection (b)(1).”.

(g) **DEFINITIONS.**—

(1) **CAREER LAW ENFORCEMENT OFFICER.**—Section 1709(1) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd-8) is amended by inserting after “criminal laws” the following “including sheriffs deputies charged with supervising offenders who are released into the community but also engaged in local community policing efforts.”.

(2) **SCHOOL RESOURCE OFFICER.**—Section 1709(4) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd-8) is amended—

(A) by striking subparagraph (A) and inserting the following:

“(A) to serve as a law enforcement liaison with other Federal, State, and local law enforcement and regulatory agencies, to address and document crime and disorder problems including gangs and drug activities, firearms and explosive-related incidents, and the illegal use and possession of alcohol affecting or occurring in or around an elementary or secondary school;”;

(B) by striking subparagraph (E) and inserting the following:

“(E) to train students in conflict resolution, restorative justice, and crime awareness, and to provide assistance to and coordinate with other officers, mental health professionals, and youth counselors who are responsible for the implementation of prevention/intervention programs within the schools;”;

(C) by adding at the end the following:

“(H) to work with school administrators, members of the local parent teacher association, community organizers, law enforcement, fire departments, and emergency medical personnel in the creation, review, and implementation of a school violence prevention plan;

“(I) to assist in documenting the full description of all firearms found or taken into custody on school property and to initiate a firearms trace and ballistics examination for each firearm with the local office of the Bureau of Alcohol, Tobacco, and Firearms;

“(J) to document the full description of all explosives or exposure devices found or

taken into custody on school property and report to the local office of the Bureau of Alcohol, Tobacco, and Firearms; and

“(K) to assist school administrators with the preparation of the Department of Education, Annual Report on State Implementation of the Gun-Free Schools Act which tracks the number of students expelled per year for bringing a weapon, firearm, or explosive to school.”.

(h) **AUTHORIZATION OF APPROPRIATIONS.**—Section 1001(a)(11) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(11)) is amended—

(1) by amending subparagraph (A) to read as follows:

“(A) There are authorized to be appropriated to carry out part Q, to remain available until expended—

“(i) \$1,150,000,000 for fiscal year 2003;

“(ii) \$1,150,000,000 for fiscal year 2004;

“(iii) \$1,150,000,000 for fiscal year 2005;

“(iv) \$1,150,000,000 for fiscal year 2006;

“(v) \$1,150,000,000 for fiscal year 2007; and

“(vi) \$1,150,000,000 for fiscal year 2008”;

and (2) in subparagraph (B)—

(A) by striking “3 percent” and inserting “5 percent”;

(B) by striking “1701(f)” and inserting “1701(g)”;

(C) by striking the second sentence and inserting “Of the remaining funds, if there is a demand for 50 percent of appropriated hiring funds, as determined by eligible hiring applications from law enforcement agencies having jurisdiction over areas with populations exceeding 150,000, no less than 50 percent shall be allocated for grants pursuant to applications submitted by units of local government or law enforcement agencies having jurisdiction over areas with populations exceeding 150,000 or by public and private entities that serve areas with populations exceeding 150,000, and no less than 50 percent shall be allocated for grants pursuant to applications submitted by units of local government or law enforcement agencies having jurisdiction over areas with populations less than 150,000 or by public and private entities that serve areas with populations less than 150,000.”;

(D) by striking “85 percent” and inserting “\$600,000,000”; and

(E) by striking “1701(b),” and all that follows through “of part Q” and inserting the following: “1701 (b) and (c), \$350,000,000 to grants for the purposes specified in section 1701(e), and \$200,000,000 to grants for the purposes specified in section 1701(f).”.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce that the Committee on Energy and Natural Resources will meet during the session of the Senate on Thursday, April 18, at 3:00 p.m. to conduct a hearing. The purpose of the hearing is to receive testimony on the following bills:

S. 1441 and H.R. 695, to establish the Oil Region Heritage Area;

S. 1526, to establish the Arabia Mountain National Heritage Area in the State of Georgia, and for other purposes;

S. 1638, to authorize the Secretary of the Interior to study the suitability and feasibility of designating the French colonial Heritage Area in the State of Missouri as a unit of the National Park System, and for other purposes;

S. 1809 and H.R. 1776, to authorize the Secretary of the Interior to study the suitability and feasibility of establishing the Buffalo Bayou National Heritage Area in west Houston, Texas;

S. 1939, to establish the Great Basin National Heritage Area, Nevada and Utah; and

S. 2033, to authorize appropriations for the John H. Chafee Backstone River Valley National Heritage Corridor in Massachusetts and Rhode Island, and for other purposes.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. INOUE. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, April 17, 2002, at 2:00 p.m. in Room 485 of the Russell Senate Office Building to conduct an oversight hearing on subsistence hunting and fishing issues in the State of Alaska.

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

REPRESENTATION BY THE SENATE LEGAL COUNSEL

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 240 submitted earlier today by Senator NICKLES and myself.

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

The legislative clerk read as follows:

A resolution (S. Res. 240) to authorize representation by the Senate Legal Counsel in *Aaron Raiser v. Honorable Tom Daschle*, et al.

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

Mr. REID. Madam President, a resident of Utah has commenced a civil action against the Senate, Senator DASCHLE, and Senator LOTT in Federal court in Utah to challenge the Senate's procedures for handling judicial nominations. Specifically, the plaintiff alleges that the practice of nominations that have not been reported out of committee over the past 5 years not being voted on by the full Senate violates the Senate's constitutional duty to advise and consent to nominations. The plaintiff asks the court to order the Senate to change its rules for considering judicial nominations.

The Senate's practices for handling controversial nominations present a subject appropriate for robust debate both within the Senate and among the public at large. However, they do not present a justiciable issue for the courts in this case. This resolution would authorize the Senate Legal Counsel to represent the defendants in this action to protect the Senate's prerogative to fashion its own rules for the exercise of its confirmation duties under the Constitution.

Mr. REID. Madam President, I ask unanimous consent that the resolution