

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 2179: A bill to authorize the Attorney General to make grants to States, local governments, and Indian tribes to establish permanent tributes to honor men and women who were killed or disabled while serving as law enforcement or public safety officers.

### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Richard R. Clifton, of Hawaii, to be United States Circuit Judge for the Ninth Circuit.

Christopher C. Conner, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

Joy Flowers Conti, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

John E. Jones III, of Pennsylvania, to be United States District Judge for the Middle District of Pennsylvania.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. ROCKEFELLER (by request):

S. 2526. A bill to amend title 38, United States Code, to modify provisions governing certain programs administered by the Department of Veterans Affairs and for other purposes; to the Committee on Veterans' Affairs.

By Mr. AKAKA (for himself and Mr. COCHRAN):

S. 2527. A bill to provide for health benefits coverage under chapter 89 of title 5, United States Code, for individuals enrolled in a plan administered by the Overseas Private Investment Corporation, and for other purposes; to the Committee on Governmental Affairs.

By Mr. DOMENICI (for himself, Mr. BAUCUS, Mr. HAGEL, Ms. SNOWE, Mr. KYL, Mr. SMITH of Oregon, Mr. SMITH of New Hampshire, Mr. GRAHAM, Mr. BURNS, Mr. BINGAMAN, Mr. CAMPBELL, Mr. WYDEN, and Mr. ALLARD):

S. 2528. A bill to establish a National Drought Council within the Federal Emergency Management Agency, to improve national drought preparedness, mitigation, and response efforts, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BINGAMAN (for himself, Mr. THOMAS, Mr. MURKOWSKI, Mr. TORRICELLI, Mr. HARKIN, Mrs. CLINTON, and Mr. JOHNSON):

S. 2529. A bill to amend title XVIII of the Social Security Act to improve the medicare incentive payment program; to the Committee on Finance.

By Mr. THOMPSON (for himself and Mr. LIEBERMAN):

S. 2530. A bill to amend the Inspector General Act of 1978 (5 U.S.C. App.) to establish police powers for certain Inspector General agents engaged in official duties and provide an oversight mechanism for the exercise of those powers; to the Committee on Governmental Affairs.

### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. CLINTON:

S. Res. 271. A resolution expressing the sense of the Senate regarding the effectiveness of the AMBER plan in responding to child abductions; to the Committee on the Judiciary.

### ADDITIONAL COSPONSORS

S. 318

At the request of Mr. DASCHLE, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 318, a bill to prohibit discrimination on the basis of genetic information with respect to health insurance.

S. 326

At the request of Ms. COLLINS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 326, a bill to amend title XVIII of the Social Security Act to eliminate the 15 percent reduction in payment rates under the prospective payment system for home health services and to permanently increase payments for such services that are furnished in rural areas.

S. 454

At the request of Mr. BINGAMAN, the names of the Senator from Utah (Mr. HATCH) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 454, a bill to provide permanent funding for the Bureau of Land Management Payment in Lieu of Taxes program and for other purposes.

S. 486

At the request of Mr. LEAHY, the name of the Senator from North Carolina (Mr. EDWARDS) was added as a cosponsor of S. 486, a bill to reduce the risk that innocent persons may be executed, and for other purposes.

S. 554

At the request of Mrs. MURRAY, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 554, a bill to amend title XVIII of the Social Security Act to expand medicare coverage of certain self-injected biologicals.

S. 572

At the request of Mr. CHAFEE, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 572, a bill to amend title XIX of the Social Security Act to extend modifications to DSH allotments provided under the Medicare, Medicaid, and SCHIP Benefits Improvement and Protection Act of 2000.

S. 603

At the request of Mr. LIEBERMAN, the names of the Senator from Vermont (Mr. JEFFORDS) and the Senator from Minnesota (Mr. DAYTON) were added as cosponsors of S. 603, a bill to provide for full voting representation in the Congress for the citizens of the District

of Columbia to amend the Internal Revenue Code of 1986 to provide that individuals who are residents of the District of Columbia shall be exempt from Federal income taxation until such full voting representation takes effect, and for other purposes.

S. 672

At the request of Mr. LEAHY, his name and the names of the Senator from Utah (Mr. HATCH) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of S. 672, a bill to amend the Immigration and Nationality Act to provide for the continued classification of certain aliens as children for purposes of that Act in cases where the aliens "age-out" while awaiting immigration processing, and for other purposes.

S. 1022

At the request of Mr. WARNER, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 1022, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 1067

At the request of Mr. GRASSLEY, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 1067, a bill to amend the Internal Revenue Code of 1986 to expand the availability of Archer medical savings accounts.

S. 1140

At the request of Mrs. MURRAY, her name was added as a cosponsor of S. 1140, a bill to amend chapter 1 of title 9, United States Code, to provide for greater fairness in the arbitration process relating to motor vehicle franchise contracts.

S. 1329

At the request of Mr. JEFFORDS, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1329, a bill to amend the Internal Revenue Code of 1986 to provide a tax incentive for land sales for conservation purposes.

S. 1350

At the request of Mr. DAYTON, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1350, a bill to amend the title XVIII of the Social Security Act to provide payment to medicare ambulance suppliers of the full costs of providing such services, and for other purposes.

S. 1383

At the request of Mrs. CLINTON, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 1383, a bill to amend the Internal Revenue Code of 1986 to clarify the treatment of incentive stock options and employee stock purchases.

S. 1549

At the request of Mr. LIEBERMAN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1549, a bill to provide for increasing the

technically trained workforce in the United States.

S. 1554

At the request of Mr. CLELAND, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 1554, a bill to amend the Internal Revenue Code of 1986 to provide an increased low-income housing credit for property located immediately adjacent to qualified census tracts.

S. 1572

At the request of Mr. LUGAR, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1572, a bill to endorse the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996, and for other purposes.

S. 1605

At the request of Mr. CONRAD, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1605, a bill to amend title XVIII of the Social Security Act to provide for payment under the Medicare Program for four hemodialysis treatments per week for certain patients, to provide for an increased update in the composite payment rate for dialysis treatments, and for other purposes.

S. 1686

At the request of Mr. KENNEDY, the name of the Senator from Maryland (Mr. SARBANES) was added as a cosponsor of S. 1686, a bill to amend title XVIII of the Social Security Act to provide for patient protection by limiting the number of mandatory overtime hours a nurse may be required to work in certain providers of services to which payments are made under the medicare program.

S. 1828

At the request of Mr. LEAHY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1828, a bill to amend subchapter III of chapter 83 and chapter 84 of title 5, United States Code, to include Federal prosecutors within the definition of a law enforcement officer, and for other purposes.

S. 1839

At the request of Mrs. CLINTON, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 1839, a bill to amend the Bank Holding Company Act of 1956, and the Revised Statutes of the United States to prohibit financial holding companies and national banks from engaging, directly or indirectly, in real estate brokerage or real estate management activities, and for other purposes.

S. 1867

At the request of Mr. LIEBERMAN, the names of the Senator from Indiana (Mr. BAYH) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 1867, a bill to establish the National Commission on Terrorist At-

tacks Upon the United States, and for other purposes.

S. 2210

At the request of Mr. BIDEN, the names of the Senator from Wisconsin (Mr. FEINGOLD) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 2210, a bill to amend the International Financial Institutions Act to provide for modification of the Enhanced Heavily Indebted Poor Countries (HIPC) Initiative.

S. 2268

At the request of Mr. MILLER, the names of the Senator from Virginia (Mr. ALLEN), the Senator from Idaho (Mr. CRAPO), the Senator from Wyoming (Mr. THOMAS), the Senator from Montana (Mr. BAUCUS), the Senator from Alabama (Mr. SESSIONS), the Senator from Alaska (Mr. STEVENS), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Arkansas (Mr. HUTCHINSON) were added as cosponsors of S. 2268, a bill to amend the Act establishing the Department of Commerce to protect manufacturers and sellers in the firearms and ammunition industry from restrictions on interstate or foreign commerce.

S. 2428

At the request of Mr. KERRY, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 2428, a bill to amend the National Sea Grant College Program Act.

S. 2440

At the request of Mr. ROBERTS, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 2440, a bill to designate the Department of Veterans Affairs medical and regional office center in Wichita, Kansas, as the "Robert J. Dole Department of Veterans Affairs Medical and Regional Office Center".

S. 2458

At the request of Mrs. HUTCHISON, the names of the Senator from Oregon (Mr. SMITH) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 2458, a bill to enhance United States diplomacy, and for other purposes.

S. 2483

At the request of Mr. CLELAND, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2483, a bill to amend the Small Business Act to direct the Administrator of the Small Business Administration to establish a pilot program to provide regulatory compliance assistance to small business concerns, and for other purposes.

S. 2489

At the request of Mrs. CLINTON, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 2489, a bill to amend the Public Health Service Act to establish a program to assist family caregivers in accessing affordable and high-quality respite care, and for other purposes.

S. 2525

At the request of Mr. KERRY, the name of the Senator from Indiana (Mr.

LUGAR) was added as a cosponsor of S. 2525, a bill to amend the Foreign Assistance Act of 1961 to increase assistance for foreign countries seriously affected by HIV/AIDS, tuberculosis, and malaria, and for other purposes.

S. RES. 185

At the request of Mr. ALLEN, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. Res. 185, a resolution recognizing the historical significance of the 100th anniversary of Korean immigration to the United States.

S. RES. 258

At the request of Mr. SMITH of New Hampshire, the names of the Senator from Kentucky (Mr. BUNNING) and the Senator from Pennsylvania (Mr. SANTORUM) were added as cosponsors of S. Res. 258, a resolution urging Saudi Arabia to dissolve its "martyrs" fund and to refuse to support terrorism in any way.

S. RES. 267

At the request of Mr. KERRY, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. Res. 267, a resolution expressing the sense of the Senate regarding the policy of the United States at the 54th Annual Meeting of the International Whaling Commission.

S. RES. 270

At the request of Mr. CAMPBELL, the names of the Senator from Washington (Mrs. MURRAY), the Senator from New Jersey (Mr. TORRICELLI), and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. Res. 270, a resolution designating the week of October 13, 2002, through October 19, 2002, as "National Cystic Fibrosis Awareness Week."

S. CON. RES. 11

At the request of Mrs. FEINSTEIN, the names of the Senator from Vermont (Mr. JEFFORDS), the Senator from Washington (Ms. CANTWELL), and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. Con. Res. 11, a concurrent resolution expressing the sense of Congress to fully use the powers of the Federal Government to enhance the science base required to more fully develop the field of health promotion and disease prevention, and to explore how strategies can be developed to integrate lifestyle improvement programs into national policy, our health care system, schools, workplaces, families and communities.

S. CON. RES. 28

At the request of Ms. SNOWE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. Con. Res. 28, a concurrent resolution calling for a United States effort to end restrictions on the freedoms and human rights of the enclaved people in the occupied area of Cyprus.

S. CON. RES. 107

At the request of Mr. CRAIG, the name of the Senator from Colorado (Mr. CAMPBELL) was added as a cosponsor of S. Con. Res. 107, a concurrent

resolution expressing the sense of Congress that Federal land management agencies should fully support the Western Governors Association "Collaborative 10-year Strategy for Reducing Wildland Fire Risks to Communities and the Environment," as signed August 2001, to reduce the overabundance of forest fuels that place national resources at high risk of catastrophic wildfire, and prepare a National prescribed Fire Strategy that minimizes risks of escape.

S. CON. RES. 110

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. Con. Res. 110, a concurrent resolution honoring the heroism and courage displayed by airline flight attendants on a daily basis.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROCKEFELLER (by request):

S. 2526. A bill to amend title 38, United States Code, to modify provisions governing certain programs administered by the Department of Veterans Affairs and for other purposes; to the Committee on Veterans' Affairs.

Mr. ROCKEFELLER. Mr. President, today I introduce legislation requested by the Secretary of Veterans Affairs, as a courtesy to the Secretary and the Department of Veterans Affairs, VA. Except in unusual circumstances, it is my practice to introduce legislation requested by the administration so that such measures will be available for review and consideration.

This "by-request" bill contains four sections, which amend existing sections or provisions of title 38. The first section would expand the Secretary of Veterans Affairs' authority to pay plot and interment allowances to State veterans cemeteries for all eligible peacetime veterans. Currently, the Secretary can only provide a plot allowance if the veteran served during wartime, was discharged for a service-connected disability, was receiving VA disability compensation or pension, or died in a VA facility. This amendment would facilitate States' participation in VA's State Cemeteries Grant Program, SCGP. Under the SCGP, VA pays for the construction of the cemetery, but the States bear the future maintenance costs. This provision would allow States to receive allowances for approximately 1,200 additional interments annually.

The second section of this bill would authorize the Secretary of Veterans Affairs to lease the undeveloped land and unused or underused buildings of the National Cemetery System and retain the proceeds from these leases, as well as agricultural licenses. The National Cemetery Administration, NCA, is endowed with thousands of acres of land, some of which is unused because it is not suitable for NCA development or has not yet been developed for NCA

use. Currently, the NCA is authorized to issue limited-term agricultural licenses for these lands, and all profits must be deposited with the U.S. Treasury. However, some NCA land would be suitable for other purposes. This provision is meant to provide the Secretary with greater flexibility in using NCA lands to generate revenues, while allowing the NCA to become more self-sufficient by keeping profits within the administration.

The third section of this bill would modify amendments made by the Veterans' Claims Assistance Act of 2000, VCAA, which imposed a 1-year time limit for veterans to submit evidence—such as medical records—necessary to substantiate their claims for benefits. Prior to the enactment of the VCAA, a 1-year time limitation was imposed on information—such as complete contact information—necessary to complete a veteran's application for benefits. This provision was not included in the VCAA. The Secretary asserts that this requires VA to keep claims open indefinitely if they lack information for the application, while not allowing VA to make a payment on a claim that required the veteran to submit evidence to substantiate it, even if the claim could be granted on other grounds. This provision would reinstate the original time limitation on information for applications and rescind the current limitation on evidence to substantiate.

Section four of this bill would eliminate the reporting requirement on certain advance planning projects. Currently, VA cannot obligate more than \$500,000 from its advance planning fund without submitting a report on the proposed obligation to both committees of Congress. However, VA argues that such reports are redundant for projects that have already been authorized by Congress, creating unnecessary and untimely delays. Accordingly, VA proposes that Congress eliminate this reporting requirement for already authorized projects.

Again, Mr. President, I submit this for the review and consideration of my colleagues at the request of the administration.

I ask unanimous consent that the text of the bill and Secretary Principi's transmittal letter that accompanied the draft legislation be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 2526

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

#### SECTION 1. SHORT TITLE; REFERENCES TO TITLE 38, UNITED STATES CODE.

(a) SHORT TITLE.—This Act may be cited as the "Veterans' Programs Amendments Act of 2002".

(b) REFERENCES.—Except as otherwise expressly provided, whenever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made

to a section or other provision of title 38, United States Code.

#### SEC. 2. BURIAL PLOT ALLOWANCE.

(a) IN GENERAL.—Section 2303(b) is amended—

(1) in the matter preceding paragraph (1), by striking "a burial allowance under such section 2302, or under such subsection, who was discharged from the active military, naval, or air service for a disability incurred or aggravated in line of duty, or who is a veteran of any war" and inserting "burial in a national cemetery under section 2402 of this title"; and

(2) in paragraph (2) by striking "(other than a veteran whose eligibility for benefits under this subsection is based on being a veteran of any war)" and inserting "is eligible for a burial allowance under section 2302 of this title or under subsection (a) of this section, or was discharged from the active military, naval, or air service for a disability incurred or aggravated in line of duty, and such veteran".

(b) APPLICABILITY.—The amendments made by section 2(a) shall apply with respect to the burial of persons dying on or after the date of enactment of this Act.

#### SEC. 3. LEASE OF LAND AND BUILDINGS; RETENTION OF PROCEEDS.

(a) IN GENERAL.—Chapter 24 is amended by adding at the end thereof the following new section:

##### § 2412. Lease of land and buildings; retention of proceeds.

"(a) The Secretary may lease for a term not exceeding 3 years undeveloped land and unused or underutilized buildings, or parts or parcels thereof, belonging to the United States and part of the National Cemetery System established by section 2400 of this title. Any lease made to any public or nonprofit organization may be made without regard to the provisions of section 3709 of the Revised Statutes (41 U.S.C. 5). Notwithstanding section 321 of the Act of June 30, 1932 (40 U.S.C. 303b), or any other provision of law, a lease made pursuant to this subsection to any public or nonprofit organization may provide for the maintenance, protection or restoration by the lessee as a part or all of the consideration for the lease. Prior to execution of any such lease, the Secretary shall give appropriate public notice of the Secretary's intention to do so in the newspaper of the community in which the lands or buildings are located.

"(b) Notwithstanding any other provision of law, proceeds from the lease of National Cemetery land or buildings and from agricultural licenses shall be deposited to the National Cemetery Administration account to assist cemetery operations and maintenance of cemetery property."

(b) CLERICAL AMENDMENTS.—The table of sections at the beginning of chapter 24 is amended by adding at the end thereof the following new item:

"2412. Lease of land and buildings; retention of proceeds."

#### SEC. 4. TIME LIMITATION ON RECEIPT OF CLAIM INFORMATION PURSUANT TO REQUEST BY DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 5102 is amended by adding at the end thereof the following new subsection:

"(c) TIME LIMITATION.—(1) If information that claimant and the claimant's representative, if any, are notified under subsection (b) is necessary to complete an application is not received by the Secretary within one year from the date of such notification, no benefit may be paid or furnished by reason of the claimant's application.

"(2) This subsection shall not apply to any application or claim for Government life insurance benefits."