

operational planning, equipment, training, and exercise activities at all levels of government;

(3) coordinating or, as appropriate, consolidating communications and systems of communications relating to homeland security at all levels of government;

(4) directing and supervising terrorism preparedness grant programs of the Federal Government for all emergency response providers;

(5) incorporating the Strategy priorities into planning guidance on an agency level for the preparedness efforts of the Office for Domestic Preparedness;

(6) providing agency-specific training for agents and analysts within the Department, other agencies, and State and local agencies and international entities;

(7) as the lead executive branch agency for preparedness of the United States for acts of terrorism, cooperating closely with the Federal Emergency Management Agency, which shall have the primary responsibility within the executive branch to prepare for and mitigate the effects of nonterrorist-related disasters in the United States;

(8) assisting and supporting the Secretary, in coordination with other Directorates and entities outside the Department, in conducting appropriate risk analysis and risk management activities consistent with the mission and functions of the Directorate; and

(9) those elements of the Office of National Preparedness of the Federal Emergency Management Agency which relate to terrorism, which shall be consolidated within the Department in the Office for Domestic Preparedness established under this section.

(d) FISCAL YEARS 2003 and 2004.—During fiscal year 2003 and fiscal year 2004, the Director of the Office for Domestic Preparedness established under this section shall manage and carry out those functions of the Office for Domestic Preparedness of the Department of Justice (transferred under this section) before September 11, 2001, under the same terms, conditions, policies, and authorities, and with the required level of personnel, assets, and budget before September 11, 2001.

(e) REPORT.—Not later than the submission of the fiscal year 2005 budget request, the Secretary shall submit to Congress a detailed report containing a comprehensive, independent analysis, and recommendations addressing whether there should be a single office within the Department responsible for the domestic preparedness of the United States for all hazards, including terrorism and natural disasters. The analysis shall include an examination of the advantages, disadvantages, costs, and benefits of creating a single office for all hazards preparedness within the Department.

**SA 4854.** Mr. GREGG (for himself, Mr. HOLLINGS, Mr. SHELBY, Mr. HARKIN, Mr. STEVENS, Mr. INOUE, Mr. COCHRAN, Mr. HELMS, Mr. JOHNSON, Mr. SESSIONS, Mr. BINGAMAN, Mr. GRASSLEY, Ms. LANDRIEU, Mrs. FEINSTEIN, Mr. ALLEN, Mr. DOMENICI, Mrs. HUTCHISON, Mr. KOHL, Mr. BURNS, Mr. REED, Mr. BIDEN, Mrs. LINCOLN, Mr. FEINGOLD, Mr. THURMOND, Mr. ENZI, Mr. BREAU, Mr. MCCONNELL, Mr. CRAIG, Mr. CLELAND, Mr. BENNETT, Mr. TORRICELLI, Mr. DASCHLE, Mr. LEAHY, Mr. WYDEN, Mr. CAMPBELL, Mr. NELSON of Florida, Mr. WELLSTONE, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 5005, to establish the Department of Homeland Security, and for other purposes;

which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. 507. OFFICE FOR DOMESTIC PREPAREDNESS.**

(a) ESTABLISHMENT.—There is established within the Directorate of Emergency Preparedness and Response the Office for Domestic Preparedness.

(b) DIRECTOR.—There shall be a Director of the Office for Domestic Preparedness, who shall be appointed by the President, by and with the advice and consent of the Senate. The Director of the Office for Domestic Preparedness shall report directly to the Under Secretary for Emergency Preparedness and Response.

(c) RESPONSIBILITIES.—The Office for Domestic Preparedness shall have the primary responsibility within the executive branch of Government for the preparedness of the United States for acts of terrorism, including—

(1) coordinating preparedness efforts at the Federal level, and working with all State, local, tribal, parish, and private sector emergency response providers on all matters pertaining to combating terrorism, including training, exercises, and equipment support;

(2) in keeping with intelligence estimates, working to ensure adequate strategic and operational planning, equipment, training, and exercise activities at all levels of government;

(3) coordinating or, as appropriate, consolidating communications and systems of communications relating to homeland security at all levels of government;

(4) directing and supervising terrorism preparedness grant programs of the Federal Government for all emergency response providers;

(5) incorporating the Strategy priorities into planning guidance on an agency level for the preparedness efforts of the Office for Domestic Preparedness;

(6) providing agency-specific training for agents and analysts within the Department, other agencies, and State and local agencies and international entities;

(7) as the lead executive branch agency for preparedness of the United States for acts of terrorism, cooperating closely with the Federal Emergency Management Agency, which shall have the primary responsibility within the executive branch to prepare for and mitigate the effects of nonterrorist-related disasters in the United States;

(8) assisting and supporting the Secretary, in coordination with other Directorates and entities outside the Department, in conducting appropriate risk analysis and risk management activities consistent with the mission and functions of the Directorate; and

(9) those elements of the Office of National Preparedness of the Federal Emergency Management Agency which relate to terrorism, which shall be consolidated within the Department in the Office for Domestic Preparedness established under this section.

(d) FISCAL YEARS 2003 and 2004.—During fiscal year 2003 and fiscal year 2004, the Director of the Office for Domestic Preparedness established under this section shall manage and carry out those functions of the Office for Domestic Preparedness of the Department of Justice (transferred under this section) before September 11, 2001, under the same terms, conditions, policies, and authorities, and with the required level of personnel, assets, and budget before September 11, 2001.

(e) REPORT.—Not later than the submission of the fiscal year 2005 budget request, the Secretary shall submit to Congress a de-

tailed report containing a comprehensive, independent analysis, and recommendations addressing whether there should be a single office within the Department responsible for the domestic preparedness of the United States for all hazards, including terrorism and natural disasters. The analysis shall include an examination of the advantages, disadvantages, costs, and benefits of creating a single office for all hazards preparedness within the Department.

**SA 4855.** Mr. REID (for Mr. MCCAIN (for himself and Mr. BAUCUS)) proposed an amendment to the bill H.R. 5063, An Act to amend the Internal Revenue Code of 1986 to improve tax equity for military personnel, and for other purposes; as follows:

On page 9, strike lines 9 through 12, and insert the following:

(b) EFFECTIVE DATE; SPECIAL RULE.—

(1) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in the amendments made by section 312 of the Taxpayer Relief Act of 1997.

(2) WAIVER OF LIMITATIONS.—If refund or credit of any overpayment of tax resulting from the amendment made by this section is prevented at any time before the close of the 1-year period beginning on the date of the enactment of this Act by the operation of any law or rule of law (including res judicata), such refund or credit may nevertheless be made or allowed if claim therefor is filed before the close of such period.

On page 46, after line 14, add the following:

**SEC. 203. PARTIAL PAYMENT OF TAX LIABILITY IN INSTALLMENT AGREEMENTS.**

(a) IN GENERAL.—

(1) Section 6159(a) (relating to authorization of agreements) is amended—

(A) by striking “satisfy liability for payment of” and inserting “make payment on”, and

(B) by inserting “full or partial” after “facilitate”.

(2) Section 6159(c) (relating to Secretary required to enter into installment agreements in certain cases) is amended in the matter preceding paragraph (1) by inserting “full” before “payment”.

(b) REQUIREMENT TO REVIEW PARTIAL PAYMENT AGREEMENTS EVERY TWO YEARS.—Section 6159 is amended by redesignating subsections (d) and (e) as subsections (e) and (f), respectively, and inserting after subsection (c) the following new subsection:

“(d) SECRETARY REQUIRED TO REVIEW INSTALLMENT AGREEMENTS FOR PARTIAL COLLECTION EVERY TWO YEARS.—In the case of an agreement entered into by the Secretary under subsection (a) for partial collection of a tax liability, the Secretary shall review the agreement at least once every 2 years.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to agreements entered into on or after the date of the enactment of this Act.

**AUTHORITY FOR COMMITTEES TO MEET**

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, October 3, 2002, at 9:30 a.m., to conduct an oversight hearing on “The Administration’s National Money Laundering Strategy for 2002.”

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, October 3, 2002, at 2:30 p.m., to conduct a hearing on the nominations of Mr. Alberto Faustino Trevino, of California, to be Assistant Secretary of Housing and Urban Development for Policy Development and Research; Mr. Armando J. Bucelo, Jr., of Florida, to be a Director of the Securities Investor Protection Corporation; Ms. Diana E. Furchtgott-Roth, of Maryland, to be a Director of the Federal Housing Finance Board; Ms. Carolyn Y. Peoples, of Maryland, to be Assistant Secretary of Housing and Urban Development for Fair Housing and Equal Opportunity; Ms. Deborah Doyle McWhinney, of California, to be a Director of the Securities Investor Protection Corporation; Mr. John M. Reich, of Virginia, to be Vice Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation; Mr. Rafael Cuellar, of New Jersey, to be a member of the Board of Directors of the National Consumer Cooperative Bank; and Mr. Michael Scott, of North Carolina, to be a member of the Board of Directors of the National Consumer Cooperative Bank.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, October 3, 2002, at 9:30 a.m. on National Park Overflights.

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

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, October 3, 2002, at 10:00 a.m., to hear testimony on the Final Report produced by the President's Commission to Strengthen Social Security.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, October 3, 2002, at 9 a.m., to hold a nomination hearing.

Agenda

Nominees

Mr. Richard A. Roth, of Michigan, to be Ambassador to the Republic of Senegal, and to serve concurrently and without additional compensation as Ambassador to the Republic of Guinea-Bissau; Mr. Joseph Huggins, of the Dis-

trict of Columbia, to be Ambassador to the Republic of Botswana; and Ms. Robin R. Sanders, of New York, to be Ambassador to the Republic of Congo.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, October 3, 2002, at 10:30 a.m., to hold a nomination hearing.

Agenda

Nominees

The Honorable Maura A. Harty to be Assistant Secretary of State for Consular Affairs; Mr. Kim R. Holmes to be Assistant Secretary of State for International Organization Affairs.

To be introduced by: The Honorable GEORGE ALLEN, United States Senate, Washington, DC: The Honorable Ellen R. Sauerbrey for the rank of Ambassador as the United States Representative to the Commission on the Status of Women of the Economic & Social Council of the United Nations.

To be introduced by: The Honorable GEORGE ALLEN, United States Senate, Washington, DC: The Honorable Francis X. Taylor to be Assistant Secretary of State for Diplomatic Security, and Director, Office of Foreign Missions, with the rank of Ambassador.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Thursday, October 3, 2002, at 9 a.m., to receive testimony on the nomination of Bruce R. James, of Nevada, to be Public Printer.

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

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 3, 2002, at 10 a.m., to hold a joint 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.

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 3, 2002, at 6 p.m., to hold a closed conference with the House Permanent Select Committee on Intelligence concerning the fiscal year 2003 Intelligence authorization.

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

SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee

on Science, Technology, and Space be authorized to meet on Thursday, October 3, 2002, at 2:30 p.m., on Title IX and Science.

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

PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Madam President, I ask unanimous consent that Robert Kerr, a fellow in my office, be granted the privilege of the floor during the duration of the debate.

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

UNANIMOUS CONSENT AGREEMENT—S.J. 45

Mr. REID. Mr. President, I ask unanimous consent that the motion to proceed to S.J. Res. 45 be agreed to and that consideration of the joint resolution be limited to debate only until Tuesday, October 8.

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

ARMED FORCES TAX FAIRNESS ACT OF 2002

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to the consideration of Calendar No. 603, H.R. 5063.

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

The assistant legislative clerk read as follows:

A bill (H.R. 5063) to amend the Internal Revenue Code of 1986 to provide a special rule for members of the uniformed services in determining the exclusion of gain from the sale of principal residence and to restore the tax exempt status of death gratuity payments to members of the uniformed services.

There being no objection, the Senate proceeded to consider the joint resolution which had been reported from the Committee on Finance, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

[Strike the part shown in black brackets and insert the part shown in italic.]

SECTION 1. SHORT TITLE.

[This Act may be cited as the "Armed Forces Tax Fairness Act of 2002".]

SEC. 2. SPECIAL RULE FOR MEMBERS OF UNIFORMED SERVICES IN DETERMINING EXCLUSION OF GAIN FROM SALE OF PRINCIPAL RESIDENCE.

[(a) IN GENERAL.—Subsection (d) of section 121 of the Internal Revenue Code of 1986 (relating to exclusion of gain from sale of principal residence) is amended by adding at the end the following new paragraph:

["(9) MEMBERS OF UNIFORMED SERVICES.—

["(A) IN GENERAL.—At the election of an individual with respect to a property, the running of the 5-year period described in subsection (a) with respect to such property shall be suspended during any period that such individual or such individual's spouse is serving on qualified official extended duty as a member of the uniformed services.

["(B) MAXIMUM PERIOD OF SUSPENSION.—The 5-year period described in subsection (a)