

him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 3, beginning on line 2, strike "the continuation" and all that follows through line 8 and insert "preconstruction engineering and design of Waikiki Beach, Oahu, Hawaii, the project to be designed and evaluated, as authorized, for recreation:".

SA 1647. Mr. DASCHLE (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 32, line 19, strike "1706:" and insert "1706; and of which an additional \$5,000,000 shall be available for the Mni Wiconi project, South Dakota:".

SA 1648. Mr. DASCHLE (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 33, line 12, before the period at the end, insert the following: "": *Provided further*, That of the funds provided under this heading, an additional \$5,000,000 shall be available for the Mni Wiconi project, South Dakota".

SA 1649. Mr. FRIST (for Mr. STEVENS) proposed an amendment to amendment SA 1542 proposed by Mr. SPECTER to the bill H.R. 2660, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 61, between lines 14 and 15, insert the following:

SEC. ____ (a) **AUTHORITY.**—Notwithstanding any other provision of law, the Director of the National Institutes of Health may use funds available under section 402(i) of the Public Health Service Act (42 U.S.C. 282(i)) to enter into transactions (other than contracts, cooperative agreements, or grants) to carry out research in support of the NIH Roadmap Initiative of the Director.

(b) **PEER REVIEW.**—In entering into transactions under subsection (a), the Director of the National Institutes of Health may utilize such peer review procedures (including consultation with appropriate scientific experts) as the Director determines to be appropriate to obtain assessments of scientific and technical merit. Such procedures shall apply to such transactions in lieu of the peer review and advisory council review procedures that would otherwise be required under sections 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and 494 of the Public Health Service Act (42 U.S.C. 241, 284(b)(1)(B), 284(b)(2), 284a(a)(3)(A), 289a, and 289c).

SA 1650. Mr. SARBANES (for himself and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill H.R. 2754, making ap-

propriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 31, between lines 7 and 8, insert the following:

SEC. 1 ____ . **GWYNNS FALLS WATERSHED, BALTIMORE, MARYLAND.**

The Secretary of the Army shall implement the project for ecosystem restoration, Gwynns Falls, Maryland, in accordance with the Baltimore Metropolitan Water Resources-Gwynns Falls Watershed Feasibility Report prepared by the Corps of Engineers and the city of Baltimore, Maryland.

SA 1651. Mr. WYDEN submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 44, line 14, before the period at the end, insert ":", of which \$10,000,000 shall be available for a defense and security research center".

SA 1652. Mr. WYDEN (for himself and Mr. SMITH) submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 15, line 8, strike "facilities:" and insert "facilities; and of which \$983,000 shall be available for dredging and other operation and maintenance of the Rogue River, Gold Beach, Oregon:".

SA 1653. Mr. WYDEN (for himself and Mr. SMITH) submitted an amendment intended to be proposed by him to the bill H.R. 2754, making appropriations for energy and water development for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 15, line 8, strike "facilities:" and insert "facilities; and of which \$983,000 shall be available for dredging and other operation and maintenance of the Umpqua River, Oregon:".

NOTICES OF HEARINGS/MEETINGS

SUBCOMMITTEE ON WATER AND POWER

Ms. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Energy and Natural Resources.

The hearing will be held on Thursday, September 18, at 2:30 p.m. in Room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 213, a bill to clear title to certain real property in New Mexico associated with the Middle Rio Grande Project, and for other purposes; S. 1236, a bill directing the Secretary of the Interior to establish a program to control or eradicate Tamarisk in the Western United

States, and for other purposes; S. 1516, a bill to further the purposes of the Reclamation Projects Authorization and Adjustment Act of 1992 by directing the Secretary of the Interior, acting through the Commissioner of Reclamation, to carry out an assessment and demonstration program to assess potential increases in water availability for Bureau of Reclamation projects and other uses through control of salt cedar and Russian olive; H.R. 856, a bill authorizing the Secretary of the Interior to revise a repayment contract with the Tom Green County Water Control and Improvement District No. 1, San Angelo project, TX, and for other purposes; and H.R. 961, a bill to promote Department of the Interior efforts to provide a scientific basis for the management of sediment and nutrient loss in the Upper Mississippi River Basin, and for other purposes. Contact: Shelly Randel 202-224-7933, Erik Webb 202-224-4756 or Meghan Beal at 202-224-7556.

Because of the limited time available for the hearings, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Subcommittee on Water and Power, Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on September 11, 2003, at 3 p.m., in closed session to receive a classified briefing regarding Operation Iraqi Freedom "Lessons Learned".

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

COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, September 11, 2003, at 9:30 a.m., to hold a hearing on United States-China relations.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the senate and Thursday, September 11, 2003, for a hearing on the Department of Veterans Affairs' Capital Asset Re-alignment for Enhanced Services (CARES) initiative. The hearing will take place in room 418 of the Russell Senate Office Building at 2 p.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Select

Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, September 11 at 2:30 p.m., to hold a closed hearing.

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

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, September 11, 2003, at 2:30 p.m.

The purpose of the hearing is to consider S. 432, a bill to authorize the Secretary of the Interior and the Secretary of Agriculture to conduct and support research into alternative treatments for timber produced from public lands and lands withdrawn from the public domain for the National Forest System and for other purposes; S. 511, which would provide permanent funding for the payment in lieu of taxes program, and for other purposes; S. 849, which would provide for a land exchange in the State of Arizona between the Secretary of Agriculture and Yavapai Ranch Limited Partnership, and S. 1582, which would amend the Valles Caldera Preservation Trust Act.

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

PRIVILEGES OF THE FLOOR

Mr. CORNYN. Mr. President, I ask unanimous consent that Spencer Chambers, a staff person in my office who does not currently have floor privileges, be admitted to the floor.

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

Mr. DOMENICI. I ask unanimous consent that Kris Schaffer of my staff be given floor privileges during consideration of this Energy and water bill.

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

The Senator from Virginia.

PROVIDING FOR THE ADJUSTMENT OF CERTAIN FEDERAL ANNUITY COMPUTATIONS

Mr. ALLEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 978, which is at the desk.

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

The assistant legislative clerk read as follows:

A bill (H.R. 978) to amend chapter 84 of title 5, United States Code, to provide that certain Federal annuity computations are adjusted by 1 percentage point relating to periods of receiving disability payments, and for other purposes.

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

Mr. ALLEN. Mr. President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 978) was read the third time and passed.

Mr. ALLEN. Mr. President, it is altogether fitting that we have finally accomplished this idea on the second anniversary of the violent and dastardly attacks of September 11, 2001. Several survivors of that tragic day helped inspire this legislation, which will adjust Federal employees' retirement computations to offset reductions in the retirement amounts arising from on-the-job injuries covered under the workers compensation program.

I thank my colleague, JOHN WARNER of Virginia, for cosponsoring the measure. I particularly thank Kay Cole James in the Office of Personnel Management and her staff for working with me on this measure for well over a year now. Moreover, I wish to thank my colleague, Senator SUSAN COLLINS of Maine, whose leadership today, earlier this year, and last year helped move this measure several times through the procedural hoops of the Senate. Finally, we have gotten it passed on the House side.

Mr. President, this bill addresses a problem in the retirement program for Federal employees that has been recognized for a long time but unresolved since 1986, when the current retirement system was established. Unfortunately, complications arising from the Tax Code and the Workers Rehabilitation Act of 1973 have blocked any solution.

My resolve to introduce this bill and address this problem was inspired by Ms. Louise Kurtz, a Federal employee from Virginia who was severely injured in the September 11 attack, 2 years ago today, on the Pentagon. She worked at the Pentagon as a civil service employee. She suffered burns from the impact of American Airlines Flight 77, but even with all these burns, she still was trying to rescue and help others get out. She suffered burns on over 70 percent of her body. I have seen her several times. In fact, I saw her last year, at the Project Phoenix, the re-opening and dedication of the Pentagon. She had no fingers left—just little nubs, really. Her ears were mostly burned off as well. She is a person, though, who continues to endure these painful surgeries and faces other surgeries in the future. She wants to continue with her rehabilitation. She still hopes to return to work someday.

Current law, however, does not allow Mrs. Kurtz to contribute to her retirement program while she is recuperating and receiving workers compensation disability payments. As a result, after returning to work and eventually retiring, she will find herself inadequately prepared and unable to afford to retire because of the lack of contributions during her recuperation and rehabilitation.

As Mrs. Kurtz's situation reveals, Federal employees under the Federal employees retirement system who have sustained an on-the-job injury and are

receiving disability compensation from the Department of Labor's Office of Workers Compensation Programs are unable to make contributions or payments into Social Security or the Thrift Savings Plan. Therefore, under the current situation, which is being changed by this law, future retirement benefits from both sources—the Thrift Savings Plan and Social Security—are reduced.

This legislation offsets the reductions in Social Security and the Thrift Savings Plan retirement benefits by increasing the Federal Employees Retirement System's direct benefit calculation by 1 percentage point for the extended periods of disability.

Mr. President, you have probably already heard my talk about this bill because we have actually passed this measure twice in the Senate. We passed it once on October 17, 2002, and then again in July of this year, 2003. As a lead sponsor of the bill, I was pleased to see that my colleague on the House side, Congresswoman JO ANN DAVIS, with her persistence, finally got the House of Representatives to pass this measure yesterday. By taking this matter up and passing it in the Senate today, we are clearing it for the President's signature.

The passage of this bill ensures that the pensions of our hard-working Federal employees will be kept whole during a period of injury and recuperation, especially now that many of them are on the front lines in protecting our homeland security in this new and ongoing war against terror. By protecting the retirement security of injured Federal employees, we have provided an incentive for them to return to work and increased our ability to retain our most dedicated and experienced Federal workers. This is a reasonable and fair approach, in which the whole Senate acted in a logical and compassionate manner last fall, and, of course, we did so in July, and we have done so again today.

On the second anniversary of the attacks on the World Trade Center, the Pentagon, and Flight 93, which crashed in Pennsylvania after the brave efforts of those passengers, I thank my colleagues for once again passing this compassionate legislation honoring and helping some of the survivors of these horrific events.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FRIST. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PRESIDENTIAL ADDRESSES TO THE NATION

Mr. FRIST. Mr. President, on Sunday night in his televised address to the