(Mr. BIDEN), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of amendment No. 1807 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1825

At the request of Mr. BOND, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from New Jersey (Mr. CORZINE) were added as cosponsors of amendment No. 1825 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1837

At the request of Mr. DURBIN, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of amendment No. 1837 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1852

At the request of Mr. FEINGOLD, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 1852 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1853

At the request of Mr. MCCAIN, the names of the Senator from Nebraska (Mr. HAGEL) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of amendment No. 1853 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1858

At the request of Mr. NELSON of Florida, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of amendment No. 1858 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

AMENDMENT NO. 1859

At the request of Ms. LANDRIEU, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of amendment No. 1859 proposed to S. 1689, an original bill making emergency supplemental appropriations for Iraq and Afghanistan security and reconstruction for the fiscal year ending September 30, 2004, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself, Mr. DASCHLE, Mr. LAUTENBERG, Mr. NELSON of Florida, Mr. FEINGOLD, Mr. CORZINE, Ms. MIKULSKI, Mr. SARBANES, Mrs. CLINTON, Mr. LIEBERMAN, and Mr. DODD):

S. 1740. A bill to amend the September 11th Victim Compensation Fund of 2001 (Public Law 107–42; 49 U.S.C. 40101 note) to provide compensation for the United States Citizens who were victims of a terrorist-related laboratory-confirmed anthrax infection in the United States during the period beginning on September 13, 2001, through November 30, 2001, on the same basis as compensation is provided to victims of the terrorist-related aircraft crashes on September 11, 2001; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, I thank my good friend, the senior Senator from South Dakota and Democratic leader. I thank him for his concern and his work on this issue.

Two years have passed since several anthrax letters were sent to a few journalists and, obviously, to public officials, killing inadvertent victims. These are victims whose only sin, apparently, was doing their jobs, and these attacks have left several other people sick and out of work.

The Senate and all who work here—the Senate family—are still adjusting to the aftermath of these attacks 2 years later. We see it in new layers of security. We see it in new mail-handling procedures in which mail to Capitol Hill now is screened and irradiated before it is delivered.

The U.S. Postal Service has had to develop and implement new safety measures to protect its customers and its workers. Meanwhile, nearly two dozen of our fellow Americans who merely came into contact with these anthrax-laden letters have become the forgotten victims of terror. Some have suffered poor health, and some have not been able to return to work.

I am pleased to join with Senator DASCHLE and my other good friends, Senators LAUTENBERG, NELSON of Florida, FEINGOLD, CORZINE, MIKULSKI, SARBANES, and CLINTON, to introduce the Anthrax Victims Fund Fairness Act of 2003. This will allow these forgotten victims of terror and their families to seek help through the September 11 Victims Compensation Fund.

They need this help to pay for medical expenses and to provide for themselves and their families if they have been unable to return to work. They are our fellow citizens, and they were unwittingly on the front lines when our new, shadowy struggle against terrorism began.

In the wake of the terrorist attacks of September 11, we learned that the United States was not impervious to acts of terrorism of the kinds that have rained death and destruction on other societies far away. The attacks shocked the world and left the American people with the terrible knowledge that we could once again become victims, targets of terrorists at any time.

Only a few days after September 11, our worst fears were confirmed. Between September 22 and November 14, nearly two dozen Americans from five States and the District of Columbia became casualties of a sinister bioterrorism attack. Twenty-two Americans ranging in age from 7 months to 94 years were stricken in these attacks of anthrax. It is a rare disease that had only afflicted a handful of Americans in the last century. We would ultimately learn that 11 people had been infected with cutaneous or skin anthrax, and 11 contracted the more serious form of the disease called inhalation or pulmonary anthrax. Five of our fellow Americans died from these attacks.

The victims of the anthrax attacks vary in gender, race, religion, age, economic status, and locale. But they all have one thing in common: Everyone suffered. The targets were members of the news media, and two Members of the Senate, myself and Senator DASCHLE, but the victims—not the targets, but the victims—who suffered the most were employees of the U.S. Postal Service, the Department of State, news organizations, the Senate, and the aides, the children, and the senior citizens whose mail came in contact with the anthrax-laden letters.

In the fall of 2001, I worked with Speaker HASTERT, Senator DASCHLE, Senator LOTT, Congressman GEPHARDT, Senators HATCH, KOHL, DEWINE, SCHUMER, and CLINTON to establish the September 11 Victims Compensation Fund of 2001. This fund ensured that victims of the September 11 attacks would be eligible for compensation for the horrific losses they suffered. After extensive negotiations with the Bush administration, we established the September 11 fund to provide victims an alternative to what would have been a lengthy battle in court.

Under the stewardship of Ken Feinberg, the Special Master of the September 11 Victim Compensation Fund, and with the supervision of the Department of Justice, more than 1,000 of the 3,016 families of those who died in the September 11 attacks and more than 1,000 of the unknown number who were injured have filed claims.

The fund, which has no cap, had paid out $633 million by September 10, 2003, with an average award of about $1.6 million for death claims. It is a dignified way of doing it.

As we reach the 2-year anniversary of the anthrax attacks, Congress should do the same for those whose lives were harmed by these acts of bioterrorism

as we did for the victims of September 11. While we have taken significant steps to compensate the victims of the September 11 attacks and their families, no such action has been taken on behalf of the anthrax victims. Our legislation would remedy this.

Our bill would extend the deadline for filing claims with the fund by a year and expand the eligibility to include laboratory-confirmed anthrax tests.

As we reach the two-year anniversary of the anthrax attacks, Congress should do the same for those whose lives were harmed by these acts of bioterrorism as it did for the victims of September 11, 2001. While we have taken significant steps to compensate the victims of the September 11 attacks and their families, no such action has been taken on behalf of the anthrax victims. Our legislation would remedy this.

Our bill would extend the deadline for filing claims with the fund by 1-year and expand the eligibility to include laboratory-confirmed anthrax cases.

The Centers for Disease Control, CDC, have confirmed 18 anthrax infections, and an additional four are considered to have been confirmed through other methods. Applicants would be subject to the same criteria and restrictions as were set for the September 11 victims. Eligible individuals who choose to file claims would then be considered by the Special Master who would make a final determination on level of compensation within 120 days of receiving the claim. Compensation will be targeted to help the neediest victims and their families. Any life insurance, death benefit, or other Government payment previously received by victims and their families would be taken into account, and filing a claim would preclude other civil remedies.

Yesterday marked the 2-year anniversary of the opening of the letter that spread anthrax throughout the Hart Senate Office Building, exposing 31 Senate employees to a highly potent and aerosolized form of anthrax and shutting down the Dirksen Senate Office Building for 2 weeks, the Hart Senate Office Building for 3 months and briefly closing the United States Capitol, the symbol of democracy. Our staffs were fortunate to receive excellent care and guidance from the Sergeant at Arms, the CDC, the attending physician, his dedicated staff of men and women and the Environmental Protection Agency, and none of the employees of the Senate were ultimately infected. Those days are indelibly etched in our memories.

To this day—and this is the first time I have ever spoken on the floor about the anthrax attack. I have to be honest, it is something that has been on my mind, on the mind of my wife, our children, our families, ever since that day.

Senator DASCHLE and I do not know what motivates somebody to target us and to endanger our staffs and so many others. Senator DASCHLE and I were the targets of the Senate letters, but we were not stricken with anthrax, and we have made very clear that we would not be covered by the terms of this legislation.

We will never know why we were singled out, but we do know what happened to people who were totally innocent. The letters were not addressed to them as they were to us.

Eighteen of the victims were not as fortunate as were most of us in the Senate family. While some did recover after receiving antibiotics, others have had their lives changed forever. Some are stricken with ailments, such as post-traumatic stress, depression and fatigue. They continue to suffer from the after-effects of the disease.

One postal worker who was infected with anthrax filed a $100 million suit against the U.S. Postal Service in January 2003. He did not want to have to take his case to court, but he says he felt he had to after repeated attempts to receive compensation and assistance in treating his illness. Last month, on September 24, the widow of the first anthrax victim in Florida filed lawsuits seeking more than $50 million and alleging that insufficient security at the Army Medical Research Institute of Infectious Diseases at Fort Detrick, MD, and negligent actions by companies with military contracts, caused her husband's death. This bill would help these and other victims without forcing them to take their cases to the legal system.

The perpetrator or perpetrators of these acts of terrorism remain at large. I have no idea who directed these letters to Senator DASCHLE and myself. The F.B.I. continues its search. These victims cannot wait until the search is over. They deserve help now and we owe it to them to provide it.

Yesterday I joined with the senior Senator from Pennsylvania, both Senators from New York, and with others in introducing separate legislation to extend and broaden the fund's coverage to cover the victims of the 1993 World Trade Center attacks, the 1998 East African embassy attacks and the 2000 U.S.S. Cole attacks. I applaud Senator SPECTER for his leadership in this area. All Americans who have been victimized by acts of terrorism deserve our sympathy, our respect and our support.

Our hearts went out to the victims of these acts of terrorism and to their loved ones. Now they also need our help, and it is my hope that we will do the right thing by these victims of terrorism.

Mr. DASCHLE. Mr. President, 2 years ago, a letter containing about 1 gram of highly concentrated anthrax was opened in my office in the Hart Senate Office Building. Potentially deadly anthrax letters were also mailed, apparently by the same person or persons, to my dear friend and colleague, Senator PATRICK LEAHY, and to several news organizations. Two years later, all of those crimes remain unsolved.

The anthrax attack on the Senate remains the largest bioterrorism attack ever on U.S. soil. Here in the Senate my staff and members of Senator FEINGOLD's staff were exposed to up to 3,000 times the lethal dose of anthrax.

The entire Hart Senate Office Building was closed for 3 months while scientists searched for a way to do something that had never been done before: To reclaim a building that had been badly contaminated by anthrax.

We all remember those times. Coming less than 5 weeks after the September 11 terrorist attacks, the anthrax attacks of 2001 sometimes made it seem as if none of us was safe anywhere.

As traumatic as the anthrax attacks were for the people of Capitol Hill, we were actually the fortunate ones. Before those deadly letters arrived in the Senate, they traveled through the U.S. mail where they left a deadly trail.

Five innocent people died and still more innocent people suffer today from serious health and debilitating problems resulting from their exposure to the anthrax letters. All too often, they are the forgotten victims of the anthrax attacks on America. They are victims of terrorism, just as surely as are all of those who were killed or injured in the September 11 terrorist attacks on America. This bill that Senator LEAHY are I are introducing today acknowledges that fact by allowing the victims of the anthrax attacks to participate in the September 11 Victims Compensation Fund.

The rules for anthrax victims would be the same as the rules for victims of the September 11 attacks: Before they can receive any compensation from the fund, anthrax victims must first waive their right to file or participate in any lawsuit in State or Federal court for damages relating to the anthrax attacks.

The legislation that my colleague and I are introducing today, and that I am very proud to cosponsor, is narrow and specific: Only persons who were exposed to anthrax during the attacks of 2001 and who have been diagnosed with a ''laboratory-confirmed anthrax infection'' may be compensated from the fund. A ''laboratory-confirmed'' case may include one in which elevated anthrax antibody levels are present, even if the anthrax bacteria cannot be detected. In at least one case, the anthrax diagnosis was made late when, after introduction of antibiotics, the actual bacteria was no longer detectable in the bloodstream. In such cases, the highly elevated anthrax antibody levels confirm both the exposure and the diagnosis.

Thomas Morris and Joseph Curseen worked for the U.S. Postal Service. They were decent, hard-working men who pushed themselves and continued to go to work and church even as anthrax infections were killing them. They and Robert Stevens, Kathy Nguyen, and Ottilie Lundgren all lost their lives in the anthrax attacks.

Their families have suffered a devastating blow. This bill would allow them to receive some small compensation for their losses without having to suffer through the additional trauma and long delays associated with a lawsuit.

Leroy Richmond, Norma Wallace, and Ernesto Blanco should be spared a long and difficult legal ordeal, too. They and others who suffered laboratory-confirmed anthrax infections as a result of the 2001 attacks deserve justice. They deserve the opportunity to participate in the same compensation fund as the victims of September 11, as long as they are willing to abide by the same rules. This bill gives them that right, that option, if they choose to exercise it.

After that letter was opened in my office, the Senate put in place new mail-screening procedures to prevent another similar attack on the Capitol complex. Nearly 2 years later, we no longer have to worry that terrorism can slip in here through the mail. Some days we even forget about the anthrax attacks. But there are victims and victims' families who cannot forget. The anthrax attacks of 2001 still haunt them every day. This bill will not restore their strength or return their loved ones, but it will give them a small measure of compensation and perhaps a small measure of peace. It will say clearly that whether it happens in September, October, or any other month, terrorism is terrorism and here in America its victims will not have to suffer alone.

I thank my colleague and friend, Senator LEAHY, with whom I have been working on this bill now for nearly 2 years, for his remarkable commitment to this cause. I urge all of our colleagues to join us in seeking justice for these forgotten victims of terrorism.

By Mr. CAMPBELL:

S. 1742. A bill to amend title IV of the Higher Education Act of 1965 to provide for variable interest rates on student loans; to the Committee on Health, Education, Labor and Pensions.

Mr. CAMPBELL. Mr. President, today I am introducing legislation which would change the student borrower interest rate structure by continuing or establishing variable rates for all student loans on a going-forward basis. More specifically, it would tie all future loan interest rates for student loan borrowers to the bond equivalent rate for 91-day Treasury bills and would cap the loans at 7.75 percent. PLUS loans would be capped at 8.5 percent.

Briefly, variable rates for all student loan borrowers would provide the following: They will automatically ''refinance'' outstanding loans to current rates on a routine basis, thereby, avoiding the problems associated with the refinancing of old loans under new rate structures. They will mitigate the extraordinary costs to the Federal Government currently associated with the consolidation of student loans under a fixed rate structure. They will ensure that consolidation loans are offered to those borrowers who need them rather than as a loan of convenience for those who no longer need Federal subsidies. They will allow savings which will ensure that Federal resources can be directed to those who have not yet had an opportunity to pursue or to complete an educational program thereby ensuring future access to higher education. They will provide borrowers with the best rates available in the market while also capping those rates to ensure that borrowers are not adversely affected if rates rise beyond an acceptable level. And, they will protect the Federal Treasury against extraordinary subsidies as interest rates rise above a preset fixed rate structure.

The Federal student loan programs have made it possible for millions of American students to attend college. The current program structure has resulted in a highly reliable, low-cost source of funds for students and their families. But, the recent consolidation-reconsolidation loan situation shows that changes are needed.

The intent of the consolidation loan program was to provide an opportunity for borrowers with multiple loan holders and a high debt level to consolidate that debt with one holder and allow for a single monthly payment. However, with recent interest rate drops, the number and volume of consolidation loans has increased dramatically. Some borrowers have consolidated their loans and locked in at a fixed rate only to see the rates drop further and leave them with no way to access the lower rates. And, recently, the well-publicized growth in the Federal consolidation loan program prompted the Congressional Budget Office to project the estimated program costs for the current fiscal year to triple from $3 billion to $9 billion.

There has been much talk about allowing borrowers to reconsolidate their loans at a lower rate. However, it appears that retroactive changes to the law could undermine the predictability that makes it possible for lenders and investors to offer efficient pricing to students who need loans. Reconsolidation could diminish the quality and the stability of the overall loan program which would hurt future student borrowers.

Currently, student loans, known as Stafford Loans, are payable on a variable rate basis, a program feature that protects the Federal Treasury from sharp increases in costs. However, consolidation loans are made on a fixed rate basis, creating an incentive for borrowers to ''consolidate'' their student loans even when they are not experiencing repayment problems.

My legislation would prevent future borrowers from facing the situation which confronts many of our borrowers today. It would establish a variable interest rate and establish a reasonable cap on all student loans. It would level the playing field for future students and borrowers.

It appears clear that changes are needed. I urge my colleagues to support this legislation and move forward with a plan that would preserve the integrity of the overall loan program while protecting all future student borrowers from the vagaries of fluctuating interest rates.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1742

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Higher Education Loan Plan Act of 2003''.

SEC. 2. INTEREST RATES ON STUDENT LOANS.

(a) INTEREST RATE CHANGES.—Section 427A of the Higher Education Act of 1965 (20 U.S.C. 1077a) is amended by striking subsections (k) and (*l*) and inserting the following:

''(k) INTEREST RATES FOR NEW LOANS ON OR AFTER OCTOBER 1, 1998, AND BEFORE THE DATE OF ENACTMENT OF THE HIGHER EDUCATION LOAN PLAN ACT OF 2003.—

''(1) IN GENERAL.—Notwithstanding subsection (h) and subject to paragraph (2), with respect to any loan made, insured, or guaranteed under this part (other than a loan made pursuant to section 428B or 428C) for which the first disbursement is made on or after October 1, 1998, and before the date of enactment of the Higher Education Loan Plan Act of 2003, the applicable rate of interest shall, during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to—

''(A) the bond equivalent rate of 91-day Treasury bills auctioned at the final auction held prior to such June 1; plus

''(B) 2.3 percent,

except that such rate shall not exceed 8.25 percent.

''(2) IN SCHOOL AND GRACE PERIOD RULES.—Notwithstanding subsection (h), with respect to any loan under this part (other than a loan made pursuant to section 428B or 428C) for which the first disbursement is made on or after October 1, 1998, and before the date of enactment of the Higher Education Loan Plan Act of 2003, the applicable rate of interest for interest which accrues—

''(A) prior to the beginning of the repayment period of the loan; or

''(B) during the period in which principal need not be paid (whether or not such principal is in fact paid) by reason of a provision described in section 427(a)(2)(C) or 428(b)(1)(M),

shall be determined under paragraph (1) by substituting '1.7 percent' for '2.3 percent'.

''(3) PLUS LOANS.—Notwithstanding subsection (h), with respect to any loan under section 428B for which the first disbursement is made on or after October 1, 1998, and before the date of enactment of the Higher Education Loan Plan Act of 2003, the applicable rate of interest shall be determined under paragraph (1)—

''(A) by substituting '3.1 percent' for '2.3 percent'; and

''(B) by substituting '9.0 percent' for '8.25 percent'.

''(4) CONSOLIDATION LOANS.—With respect to any consolidation loan under section 428C

for which the application is received by an eligible lender on or after October 1, 1998, and before the date of enactment of the Higher Education Loan Plan Act of 2003, the applicable rate of interest shall be at an annual rate on the unpaid principal balance of the loan that is equal to the lesser of—

''(A) the weighted average of the interest rates on the loans consolidated, rounded to the nearest higher one-eighth of 1 percent; or

''(B) 8.25 percent.

''(5) CONSULTATION.—The Secretary shall determine the applicable rate of interest under this subsection after consultation with the Secretary of the Treasury and shall publish such rate in the Federal Register as soon as practicable after the date of determination.

''(l) INTEREST RATES FOR NEW LOANS ON OR AFTER THE DATE OF ENACTMENT OF THE HIGHER EDUCATION LOAN PLAN ACT OF 2003.—

''(1) IN GENERAL.—Notwithstanding subsection (h) and subject to paragraph (2), with respect to any loan made, insured, or guaranteed under this part (other than a loan made pursuant to section 428B or 428C) for which the first disbursement is made on or after the date of enactment of the Higher Education Loan Plan Act of 2003, the applicable rate of interest shall, during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to—

''(A) the bond equivalent rate of 91-day Treasury bills auctioned at the final auction held prior to such June 1; plus

''(B) 2.3 percent,

except that such rate shall not exceed [7.75] percent.

''(2) IN SCHOOL AND GRACE PERIOD RULES.—Notwithstanding subsection (h), with respect to any loan under this part (other than a loan made pursuant to section 428B or 428C) for which the first disbursement is made on or after the date of enactment of the Higher Education Loan Plan Act of 2003, the applicable rate of interest for interest which accrues—

''(A) prior to the beginning of the repayment period of the loan; or

''(B) during the period in which principal need not be paid (whether or not such principal is in fact paid) by reason of a provision described in section 427(a)(2)(C) or 428(b)(1)(M),

shall be determined under paragraph (1) by substituting '[1.7] percent' for '[2.3] percent'.

''(3) PLUS LOANS.—Notwithstanding subsection (h), with respect to any loan under section 428B for which the first disbursement is made on or after the date of enactment of the Higher Education Loan Plan Act of 2003, the applicable rate of interest shall be determined under paragraph (1)—

''(A) by substituting '3.1 percent' for '2.3 percent'; and

''(B) by substituting '8.5 percent' for '[7.75] percent'.

''(4) CONSOLIDATION LOANS.—With respect to any consolidation loan under section 428C for which the application is received by an eligible lender on or after the date of enactment of the Higher Education Loan Plan Act of 2003, the applicable rate of interest shall, during any 12-month period beginning on July 1 and ending on June 30, be determined on the preceding June 1 and be equal to—

''(A) the bond equivalent rate of 91-day Treasury bills auctioned at the final auction held prior to such June 1; plus

''(B) 2.3 percent,

except that such rate shall not exceed [7.75] percent.''.

(b) SPECIAL ALLOWANCE CONFORMING CHANGES.—Section 438(b)(2) of the Higher Education Act of 1965 (20 U.S.C. 1087–1(b)(2)) is amended by striking ''July 1, 2006'' each place it appears in clauses (ii), (v), and (vii) of subparagraph (I), including in the headings of such clauses, and inserting ''the date of enactment of the Higher Education Loan Plan Act of 2003''.

(c) ADDITIONAL CONFORMING AMENDMENTS.—Section 428C(c)(1) of the Higher Education Act of 1965 (20 U.S.C. 1078–3(c)(1)) is amended by striking ''July 1, 2006'' each place it appears and inserting ''the date of enactment of the Higher Education Loan Plan Act of 2003''.

By Mr. GRASSLEY (for himself and Mr. BYRD):

S. 1744. A bill to prevent abuse of Government credit cards; to the Committee on Governmental Affairs.

Mr. GRASSLEY. Mr. President, today I am introducing a bill to help curtail abuses of government-issued credit cards throughout the Federal Government. I am pleased to join Representative WILSON who is introducing an identical measure in the House today and I thank him for his interest and work on this important issue. I am also very glad to have Senator BYRD co-sponsor my bill. He has been a staunch advocate for improved management of government credit programs and I have been honored to work with him on this issue in the past.

As many of my colleagues are aware, I have been working for several years to expose abuses of government purchase cards and travel cards, starting with the largest user of government charge cards, the Department of Defense. Working with the GAO, former subcommittee Chairman Horn in the House, and others, we have been able to uncover a disturbing number of instances where DOD-issued credit cards have been abused. When I say abused, I mean government credit cards were used to pay for everything from cars to Caribbean cruises. The list also includes furniture, breast implants, and gentleman's clubs.

So what does all of this mean for the American taxpayer? In the case of government purchase cards, it means that hardworking Americans are paying for government employees' Christmas shopping. Purchase cards are intended to be used to purchase supplies or other items needed by a government agency and are paid directly by the agency with taxpayer money. However, it is hard to justify payments on a sapphire ring, kitchen appliances, and gift certificates to department stores as necessary office expenses. Astoundingly, these are examples of charges that have been made and paid for out of the taxpayer's pocket with no questions asked.

Government travel cards work differently, but are still subject to abuses that negatively impact the American public. They are issued to individual employees for use on official travel. The employee must pay the bill and is reimbursed by the agency. Unfortunately, government travel cards are routinely issued to individuals who have a bad credit history or even a record of credit card fraud. This opens up the door for abuse. Not only have travel cards been used for questionable travel expenses, but travel cards have been used when employees are not on official travel to pay for items from gambling and prostitution to tickets for a pop music concert by the Backstreet Boys. Some employees have committed fraud by repeatedly writing bad checks to pay travel card bills and some have taken government funds in reimbursement for travel expenses and not paid off their travel card bills.

When a travel card bill is not paid on time, the agency loses out on rebates that the agency would otherwise receive from the credit card company. These rebates add up. In fact, in fiscal year 2001, the Federal Government received $71 million in rebates, but this amount declined in fiscal year 2002 to $69.2 million mainly due to delinquencies in paying off travel cards. We're talking real money and, especially in a time of budgetary belt-tightening, this trend cannot be allowed to continue. In addition, since Bank of America took over the DOD charge card contract in 1998, it had to ''charge off'' over $61 million dollars in bad debt. The military service branches have recovered less than $24 million of that amount, leaving almost $40 million in losses to the credit card company. In fact, the situation got so bad that Bank of America considered dropping its account with DOD. Although actions by DOD to reduce delinquencies and recover bad debt through methods like salary offsets have now improved the situation somewhat, this scandal has left a black mark on the reputation of the Federal Government. Furthermore, these losses inflicted on credit card companies by Federal employees hurt the millions of innocent Americans who are credit card customers by raising the interest rates and fees the company must charge.

What we have learned through our investigation of the travel card and purchase card programs in the Department of Defense is that these abuses were allowed to occur as a result of weak internal controls. The revelations about DOD sparked questions about the possibility of similar deficiencies in other departments. In fact, subsequent work with the GAO and agency Inspectors General has uncovered weak internal controls in the travel card and purchase card programs of agencies like the Department of Education, the Federal Aviation Administration, the Department of Housing and Urban Development, the Department of the Interior, and the Department of Agriculture leading to wasteful and questionable purchases with taxpayer dollars. We know about HUD employees using agency purchase cards for personal shopping sprees at stores like Best Buy and JC Penny, FAA employees purchasing individual subscriptions to Internet providers and gift cards from Home Depot, and Department of Agriculture employees using travel cards to buy a car and enroll in bartending school. The list goes on.

Clearly, this is a problem that needs to be addressed government-wide. Ideally, Federal agencies would get their own houses in order. Unfortunately, the atrocious abuses that have been uncovered in the charge card programs of agency after agency would likely never have come to light without congressional oversight. In fact, the positive developments we have seen so far in curtailing government credit card abuses have been the result of Congress cajoling the bureaucracy to put controls in place. The bill I am introducing today would require all agencies to promulgate regulations to establish safeguards and internal controls to prevent fraud, waste, and abuse of Federal purchase cards and travel cards.

The GAO has now issued an Audit Guide for auditing and investigating the internal control of government purchase card programs, which it developed based on its experiences auditing various agencies purchase card programs. This excellent guide outlines five standards for internal control to curtail fraudulent, improper, and abusive purchases. These include: establishing a positive control environment among agency management and employees, providing for a risk assessment, implementing control activities to enforce management directives and help ensure actions are taken to reduce risks, recording and communicating information to program managers and others who need it, and ongoing monitoring. My bill would go a long way to push agencies toward the effective management approach GAO has outlined.

In fact, my bill requires agencies to establish policies for purchase card programs, and travel card programs where applicable, that incorporate many of the specific recommendations GAO has made to various agencies as a result of its investigations. These include: training for cardholders as well as approving officials and agency program coordinators, establishing who is eligible to be a cardholder and limits on how much they can charge, limiting the number of cards distributed to those who really need them, establishing requirements for documentation and records to support each purchase, cancelling cards for employees who leave or transfer, and establishing penalties to hold card holders and approving officials accountable for misuse.

My bill also requires that credit checks be performed before issuing a government charge card and that no one found to be not creditworthy be issued a government credit card. In my opinion, it is absurb that this is not standard practice. Government employees who could never get a private credit card due to bad credit, bankrupty, or history of fraud will no longer be handed a government charge card with no questions asked.

Finally, my bill would provide that the each agency Inspector General will periodically conduct risk assessments of agency purchase card and travel card programs and perform periodic audits to identify potential fraudulent, improper, and abusive use of cards. We have had great success working with Inspectors General using techniques like data mining to reveal instances of improper use of government charge cards. The information continually provided to the head of each executive agency as well as the Director of the Office of Management and Budget and the Comptroller General by each agency IG will be an enormous help in strengthening and maintaining a rigious system of internal controls to prevent future instances of waste, fraud, and abuse with government charge cards.

Due to aggressive congressional oversight and the efforts of talented investigators working for the GAO and agency IG's, we now know that weak internal control over agency purchase and travel card programs has lead to waste, fraud, and abuse across the Federal Government. It has come to the point that Congress must intervene to require agencies to put in place the policies and procedures necessary to stop the misuse of taxpayer dollars and the abuse of the public trust. I wish I could say this bill is a silver bullet and that once enacted, all the problems with government credit cards will disappear, but I don't pretend this is the case. Ultimately, it is up to agency officials and program managers to implement best practices for managing purchase card and travel card programs. To that end, I would encourage all agencies to take a close look at the GAO Audit Guide and use its approach. Meanwhile, continued congressional oversight will still be necessary. Nevertheless, my bill will serve to kick-start the bureaucracy into taking this problem seriously and I believe it will be a big step toward putting the lid back on the Federal cookie jar. I know many of my colleagues are equally appalled by the many tales of credit card fraud and abuse perpetrated on the American public and I would urge senators to join me in this effort.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1744

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Credit Card Abuse Prevention Act of 2003''.

SEC. 2. MANAGEMENT OF PURCHASE CARDS.

(a) REQUIRED SAFEGUARDS AND INTERNAL CONTROLS.—The head of each executive agency that issues and uses purchase cards and convenience checks shall establish and maintain safeguards and internal controls to ensure the following:

(1) That there is a record in each executive agency of each holder of a purchase card issued by the agency for official use, annotated with the limitations on single transaction and total credit amounts that are applicable to the use of each such card by that purchase cardholder.

(2) That the holder of a purchase card and each official with authority to authorize expenditures charged to the purchase card are responsible for reconciling the charges appearing on each statement of account for that purchase card with receipts and other supporting documentation and forwarding such reconciliation to the designated official who certifies the bill for payment in a timely manner.

(3) That any disputed purchase card charge, and any discrepancy between a receipt and other supporting documentation and the purchase card statement of account, is resolved in the manner prescribed in the applicable Governmentwide purchase card contract entered into by the Administrator of General Services.

(4) That payments on purchase card accounts are made promptly within prescribed deadlines to avoid interest penalties.

(5) That rebates and refunds based on prompt payment on purchase card accounts are monitored for accuracy and properly recorded as a receipt to the agency that pays the monthly bill.

(6) That records of each purchase card transaction (including records on associated contracts, reports, accounts, and invoices) are retained in accordance with standard Government policies on the disposition of records.

(7) That periodic reviews are performed to determine whether each purchase cardholder has a need for the purchase card.

(8) That appropriate training is provided to each purchase cardholder and each official with responsibility for overseeing the use of purchase cards issued by an executive agency.

(9) That each executive agency has specific policies regarding the number of purchase cards issued by various organizations and categories of organizations, the credit limits authorized for various categories of cardholders, and categories of employees eligible to be issued purchase cards, and that those policies are designed to minimize the financial risk to the Federal Government of the issuance of the purchase cards and to ensure the integrity of purchase cardholders.

(10) That the head of each executive agency evaluate the creditworthiness of an individual before issuing the individual a purchase card, and that no individual be issued a purchase card if the individual is found not creditworthy as a result of the evaluation. Notwithstanding any other provision of law, such evaluation shall include an assessment of an individual's consumer report from a consumer reporting agency as those terms are defined in section 603 of the Fair Credit Reporting Act. The obtaining of a consumer report under this subsection is deemed to be a circumstance or purpose authorized or listed under section 604 of the Fair Credit Reporting Act.

(11) That each executive agency invalidate the purchase card of each employee who—

(A) ceases to be employed by the agency immediately upon termination of the employment of the employee; or

(B) transfers to another unit of the agency immediately upon the transfer of the employee.

(b) MANAGEMENT OF PURCHASE CARDS.—The head of each executive agency shall prescribe regulations implementing the safeguards and internal controls in subsection (a). Those regulations shall be consistent with regulations that apply Governmentwide regarding the use of purchase cards by Government personnel for official purposes.

(c) PENALTIES FOR VIOLATIONS.—The regulations prescribed under subsection (a) shall provide for appropriate adverse personnel actions or other punishment to be imposed in cases in which employees of an executive agency violate such regulations or are negligent or engage in misuse, abuse, or fraud with respect to a purchase card, including removal in appropriate cases.

(d) The Inspector General of each executive agency shall—

(1) periodically conduct risk assessments of the agency purchase card program and associated internal controls and analyze identified weaknesses and the frequency of improper activity in order to develop a plan for using such risk assessments to determine the scope, frequency, and number of periodic audits of purchase cardholders;

(2) perform periodic audits of purchase cardholders designed to identify—

(A) potentially fraudulent, improper, and abusive uses of purchase cards;

(B) any patterns of improper cardholder transactions, such as purchases of prohibited items; and

(C) categories of purchases that should be made by means other than purchase cards in order to better aggregate purchases and obtain lower prices;

(3) report to the head of the executive agency concerned on the results of such audits; and

(4) report to the Director of the Office of Management and Budget and the Comptroller General on the implementation of recommendations made to the head of the executive agency to address findings during audits of purchase cardholders.

(e) DEFINITION OF EXECUTIVE AGENCY.—For the purpose of this section the term ''executive agency'' has the meaning provided in section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1)).

(f) RELATIONSHIP TO DEPARTMENT OF DEFENSE PURCHASE CARD REGULATIONS.—

(1) The requirements under this section shall not apply to the Department of Defense.

(2) Section 2784(b) of title 10, United States Code, is amended—

(A) in paragraph (8), by striking ''periodic audits'' and inserting ''risk assessments of the agency purchase card program and associated internal controls and analyze identified weaknesses and the frequency of improper activity in order to develop a plan for using such risk assessments to determine the scope, frequency, and number of periodic audits of purchase cardholders.''; and

(B) by adding at the end the following new paragraphs:

''(11) That the Secretary of Defense shall evaluate the creditworthiness of an individual before issuing the individual a purchase card, and that no individual be issued a purchase card if the individual is not found creditworthy as a result of the evaluation. Notwithstanding any other provision of law, such evaluation shall include an assessment of an individual's consumer report from a consumer reporting agency as those terms are defined in section 603 of the Fair Credit Reporting Act. The obtaining of a consumer report under this subsection is deemed to be a circumstance or purpose authorized or listed under section 604 of the Fair Credit Reporting Act.

''(12) That the Secretary of Defense invalidate the purchase card of each employee who ceases to be employed by the department immediately upon termination of the employment of the employee or transfers to another agency or subunit within the department immediately upon transfer.''.

SEC. 3. MANAGEMENT OF TRAVEL CARDS.

Section 2 of the Travel and Transportation Reform Act of 1998 (Public Law 105–264; 5 U.S.C. 5701 note) is amended by adding at the end the following new subsection:

''(h) MANAGEMENT OF TRAVEL CHARGE CARDS.—

''(1) REQUIRED SAFEGUARDS AND INTERNAL CONTROLS.—The head of each executive agency that has employees that use travel charge cards shall establish and maintain safeguards and internal controls over travel charge cards to ensure the following:

''(A) That there is a record in each executive agency of each holder of a travel charge card issued by the agency for official use, annotated with the limitations on amounts that are applicable to the use of each such card by that travel charge cardholder.

''(B) That rebates and refunds based on prompt payment on travel charge card accounts are properly recorded as a receipt of the agency that employs the cardholder.

''(C) That periodic reviews are performed to determine whether each travel charge cardholder has a need for the travel charge card.

''(D) That appropriate training is provided to each travel charge cardholder and each official with responsibility for overseeing the use of travel charge cards issued by an executive agency.

''(E) That each executive agency has specific policies regarding the number of travel charge cards issued by various organizations and categories of organizations, the credit limits authorized for various categories of cardholders, and categories of employees eligible to be issued travel charge cards, and that those policies are designed to minimize the financial risk to the Federal Government of the issuance of the travel charge cards and to ensure the integrity of travel charge cardholders.

''(F) That the head of each executive agency evaluates the creditworthiness of an individual before issuing the individual a travel charge card, and that no individual be issued a travel charge card if the individual is found not creditworthy as a result of the evaluation (except that this paragraph shall not preclude issuance of a restricted use travel charge card when the individual lacks a credit history). Notwithstanding any other provision of law, such evaluation shall include an assessment of an individual's consumer report from a consumer reporting agency as those terms are defined in section 603 of the Fair Credit Reporting Act. The obtaining of a consumer report under this subsection is deemed to be a circumstance or purpose authorized or listed under section 604 of the Fair Credit Reporting Act.

''(G) That each executive agency ensures that the travel charge card of each employee who ceases to be employed by the agency is invalidated immediately upon termination of the employment of the employee.

''(2) REGULATIONS.—The Administrator of General Services shall prescribe regulations governing the implementation of the safeguards and internal controls in paragraph (1) by executive agencies.

''(3) PENALTIES FOR VIOLATIONS.—The regulations prescribed under paragraph (2) shall provide for appropriate adverse personnel actions or other punishment to be imposed in cases in which employees of an executive agency violate such regulations or are negligent or engage in misuse, abuse, or fraud with respect to a travel charge card, including removal in appropriate cases.

''(4) The Inspector General of each executive agency shall—

''(A) periodically conduct risk assessments of the agency travel card program and associated internal controls and analyze identified weaknesses and the frequency of improper activity in order to develop a plan for using such risk assessments to determine the scope, frequency, and number of periodic audits of purchase cardholders;

''(B) perform periodic audits of travel cardholders designed to identify potentially fraudulent, improper, and abusive uses of travel cards;

''(C) report to the head of the executive agency concerned on the results of such audits; and

''(D) report to the Director of the Office of Management and Budget and the Comptroller General on the implementation of recommendations made to the head of the executive agency to address findings during audits of travel cardholders.

''(5) DEFINITIONS.—For purposes of this subsection:

''(A) The term 'executive agency' means an agency as that term is defined in section 5701 of title 5, United States Code, except that it is in the executive branch.

''(B) The term 'travel charge card' means the Federal contractor-issued travel charge card that is individually billed to each cardholder.''.

SEC. 4. REGULATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act—

(1) the head of each executive agency shall promulgate regulations to implement the requirements of section 2; and

(2) the Administrator of General Services shall promulgate regulations required pursuant to the amendments made by section 3.

(b) BEST PRACTICES.—Regulations promulgated under this section shall reflect best practices for conducting purchase card and travel card programs.

By Mrs. BOXER:

S. 1745. A bill to designate a Prisoner of War/Missing in Action National Memorial at Riverside National Cemetery in Riverside, California; to the Committee on Veterans' Affairs.

Mrs. BOXER. Mr. President, I am pleased to introduce the Prisoner of War/Missing in Action National Memorial Act of 2003. This bill would designate the POW/MIA memorial currently being built at Riverside National Cemetery in California as the National POW/MIA Memorial. This monument would be a memorial to all members of the Armed Forces who have been held as prisoners of war or listed as missing in action.

We should always remember and pay tribute to the men and women who are fighting for our Nation now and have fought for our Nation in the past, including those who have never returned home. Over 89,000 members of the Armed Forces have been listed as missing since the American Revolution.

The families of these missing men and women have had to try to go on with their lives without ever knowing what happened. Many of them have been unable to grieve for their loved ones as they typically would, and many of them have been unable to have a proper burial. The families of our missing in action across the country should know that their nation remembers their loved one, and honors them by dedicating this national memorial in Riverside, CA.

In addition to the missing soldiers, airmen, sailors, and others, there have been over 586,000 members of the Armed Forces who have been taken

prisoner since the American Revolution. In the 20th Century alone, there were over 142,000 Americans taken as prisoners of war.

I would like to thank Congressman KEN CALVERT, who introduced the House version of this bill in May. I commend him for his leadership in honoring Americans missing in action and taken as prisoners of war.

There is no national memorial for both POWs and MIAs; there is not even a statue dedicated to their memory. It is time that the United States recognize the sacrifice that these American POWs and MIAs have made, and designate the memorial at the Riverside National Cemetery as the National POW/MIA Memorial.

I encourage my colleagues to support this legislation.

By Mr. DEWINE (for himself, Mr. KENNEDY, and Mr. DODD):

S. 1747. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the regulation of all contact lenses as medical devices, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DEWINE. Mr. President, I rise today, with my colleague from Massachusetts, Senator KENNEDY, to introduce an important piece of legislation, which will help protect the health of contact lens wearers, by ensuring that all contact lenses satisfy the same regulatory requirements for approval.

Currently, non-corrective contact lenses, such as decorative lenses that change eye color or have some design on them, are regulated under the Food and Drug Administration's cosmetic authority. The problem is this. The FDA does not review cosmetics for safety or effectiveness before they are sold to the public. This means that the FDA cannot require manufacturers to test non-corrective lenses for safety problems, cannot set ''good manufacturing practices,'' and cannot even require that these lenses carry directions for safe use. This lack of FDA review and lack of established safety standards can lead to the marketing of lenses that are neither safe nor suitable for wearing.

An article in the most recent issue of the medical journal Eye & Contact Lens describes the cases of six people injured by the sale of unregulated colored contact lenses. As the article points out, four of the six patients reside in the greater Cleveland area. This obviously concerns me. But what concerns me more is that three of the five female patients were teenagers.

One such case involved a teenage girl from Cleveland who bought colored contact lenses from a video rental store for the purpose of matching her eyes with her dress. The lenses were sold without fitting or instructions. Prior to putting these lenses in her eyes, she had no previous problems with her vision and had never worn contact lenses.

Shortly after wearing the colored contact lenses, she was urgently admitted to a Cleveland hospital where it was determined that the vision in her left eye had become so poor that she could only make out hand motions. She stayed in the ICU for four days because that was the only place where she could receive the treatment necessary for her eye. Worse yet, her doctor feared that she would not only lose her sight, but that she might actually lose her eye.

In an effort to restore vision, her doctor recommended a corneal transplant, which she underwent. Nearly two years after the infection started, her vision has not been fully restored. For the rest of her life, this young girl will be at risk for rejection of the transplant, cataracts and glaucoma.

This type of injury can be prevented. The bill that Senator KENNEDY and I are introducing today would allow non-corrective lenses to be reviewed before they are marketed and before they are accessible to young people. This bill, which has the endorsement of leading organizations in eye care—representing thousands of health care professionals and consumers and the contact lens industry—would clarify that all contact lenses are devices and are to be approved under the FDA's device authority. Applying the medical device requirements across-the-board to all contact lens manufacturers and distributors would help ensure that all companies are held to the same important safety standards.

Our bill would be a positive step forward in helping to prevent unnecessary eye injuries. I urge my colleagues to support passage of this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1747

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

SECTION 1. FINDINGS.

Congress finds as follows:

(1) All contact lenses have significant effects on the eye and pose serious potential health risks if improperly manufactured or used without appropriate involvement of a qualified eye care professional.

(2) Most contact lenses currently marketed in the United States, including certain plano and decorative contact lenses, have been approved as medical devices pursuant to premarket approval applications or cleared pursuant to premarket notifications by the Food and Drug Administration (''FDA'').

(3) FDA has asserted medical device jurisdiction over most corrective and noncorrective contact lenses as medical devices currently marketed in the United States, including certain plano and decorative contact lenses, so as to require approval pursuant to premarket approval applications or clearance pursuant to premarket notifications.

(4) All contact lenses can present risks if used without the supervision of a qualified eye care professional. Eye injuries in children and other consumers have been reported for contact lenses that are regulated by FDA as medical devices primarily when used without professional involvement, and non-corrective contact lenses sold without approval or clearance as medical devices have caused eye injuries in children.

SEC. 2. REGULATION OF CERTAIN ARTICLES AS MEDICAL DEVICES.

Section 520 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j) is amended by adding at the end the following subsection:

''Regulation of Contact Lens as Devices

''(n)(1) All contact lenses shall be deemed to be devices under section 201(h).

''(2) Paragraph 1 shall not be construed as having any legal effect on any article that is not described in that paragraph.''.

By Mr. DEWINE (for himself, Mr. DURBIN, and Mr. VOINOVICH):

S. 1748. A bill to establish a program to award grants to improve and maintain sites honoring Presidents of the United States; to the Committee on Energy and Natural Resources.

Mr. DeWINE. Mr. President, I rise today, along with Senator DURBIN and Senator VOINOVICH to introduce the Presidential Sites Improvement Act of 2003. This legislation would honor the great men that have served as our former Chief Executives and have influenced the development of our great Nation. This act would create a new and innovative partnership with public and private entities to preserve and maintain Presidential sites, such as birthplaces, homes, memorials, and tombs. Preserving this heritage is vital to enabling our children and grandchildren to learn about the leadership and infinite wisdom of our past Presidents.

We often forget that the best learning tool is that which a child can touch, see, and relate. When a child boards a bus for a field trip to visit historic sites, that is truly when hands-on learning takes place. Visiting the birthplace or home of the same individuals they heard about or read about in the classroom provides a completely different atmosphere to appreciate history. This learning can continue only through the preservation of the birthplaces, homes, memorials, and tombs of our former Presidents.

Family foundations, colleges and universities, libraries, historical societies, historic preservation organizations, and other non-profit organizations own the majority of these sites. These entities often have little funding and are unable to meet the demands of maintaining such important sites. Operating costs must be met before maintenance needs, and slowly the sites deteriorate.

I have visited many of the Presidential historic sites throughout my home State of Ohio—a state that has been home to eight Presidents. During one such visit at the Ulysses S. Grant house, I found it very disturbing to see the discoloration and falling plaster due to water damage. At the home of President Warren Harding, the famous front porch where then candidate Harding gave his campaign speeches actually began to pull away from the house. Fortunately, we were able to obtain

the funding to prevent these two historic treasures from deteriorating further. However, by providing Federal assistance for maintenance projects today, we can help prevent larger maintenance problems tomorrow.

These Presidential sites are far too important to let them slowly decay. My legislation would authorize grants, administered by the National Park Service, for maintenance and improvement projects on Presidential sites that are not federally owned or managed. A portion of the funds would be set aside for sites that are in need of emergency assistance. To administer this new program, this legislation would establish a five-member committee, including the Director of the National Park Service, a member of the National Trust for Historic Preservation, and a State historic preservation officer. This committee would make grant recommendations to the Secretary of the Interior. Each grant would require that half of the funds come from non-Federal sources. Up to $5 million would be made available annually.

I encourage my colleagues to join us in support of this legislation, and ask unanimous consent that the text of our bill be printed in the RECORD.

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

S. 1748

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Presidential Sites Improvement Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) there are many sites honoring Presidents located throughout the United States, including Presidential birthplaces, homes, museums, burial sites, and tombs;

(2) most of the sites are owned, operated, and maintained by non-Federal entities such as State and local agencies, family foundations, colleges and universities, libraries, historical societies, historic preservation organizations, and other nonprofit organizations;

(3) Presidential sites are often expensive to maintain;

(4) many Presidential sites are in need of capital, technological, and interpretive display improvements for which funding is insufficient or unavailable; and

(5) to promote understanding of the history of the United States by recognizing and preserving historic sites linked to Presidents of the United States, the Federal Government should provide grants for the maintenance and improvement of Presidential sites.

SEC. 3. DEFINITIONS.

In this Act:

(1) GRANT COMMISSION.—The term ''Grant Commission'' means the Presidential Site Grant Commission established by section 4(d).

(2) PRESIDENTIAL SITE.—The term ''Presidential site'' means a Presidentially-related site of national significance that is—

(A) managed, maintained, and operated for, and is accessible to, the public; and

(B) owned or operated by—

(i) a State; or

(ii) a private institution, organization, or person.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior, acting through the Director of the National Park Service.

SEC. 4. GRANTS FOR PRESIDENTIAL SITES.

(a) IN GENERAL.—The Secretary shall award grants for major maintenance and improvement projects at Presidential sites to owners or operators of Presidential sites in accordance with this section.

(b) USE OF GRANT FUNDS.—

(1) IN GENERAL.—A grant awarded under this section may be used for—

(A) repairs or capital improvements at a Presidential site (including new construction for necessary modernization) such as—

(i) installation or repair of heating or air conditioning systems, security systems, or electric service; or

(ii) modifications at a Presidential site to achieve compliance with requirements under titles II and III of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.); and

(B) interpretive improvements to enhance public understanding and enjoyment of a Presidential site.

(2) ALLOCATION OF FUNDS.—

(A) IN GENERAL.—Of the funds made available to award grants under this Act—

(i) 15 percent shall be used for emergency projects, as determined by the Secretary;

(ii) 65 percent shall be used for grants for Presidential sites with—

(I) a 3-year average annual operating budget of less than $700,000 (not including the amount of any grant received under this section); and

(II) an endowment in an amount that is less than 3 times the annual operating budget of the site; and

(iii) 20 percent shall be used for grants for Presidential sites with—

(I) an annual operating budget of $700,000 or more (not including the amount of any grant received under this section); and

(II) an endowment in an amount that is equal to or more than 3 times the annual operating budget of the site.

(B) UNEXPENDED FUNDS.—If any funds allocated for a category of projects described in subparagraph (A) are unexpended, the Secretary may use the funds to award grants for another category of projects described in that subparagraph.

(c) APPLICATION AND AWARD PROCEDURE.—

(1) IN GENERAL.—Not later than a date to be determined by the Secretary, an owner or operator of a Presidential site may submit to the Secretary an application for a grant under this section.

(2) INVOLVEMENT OF GRANT COMMISSION.—

(A) IN GENERAL.—The Secretary shall forward each application received under paragraph (1) to the Grant Commission.

(B) CONSIDERATION BY GRANT COMMISSION.—Not later than 60 days after receiving an application from the Secretary under subparagraph (A), the Grant Commission shall return the application to the Secretary with a recommendation of whether the proposed project should be awarded a Presidential site grant.

(C) RECOMMENDATION OF GRANT COMMISSION.—In making a decision to award a Presidential site grant under this section, the Secretary shall take into consideration any recommendation of the Grant Commission.

(3) AWARD.—Not later than 180 days after receiving an application for a Presidential site grant under paragraph (1), the Secretary shall—

(A) award a Presidential site grant to the applicant; or

(B) notify the applicant, in writing, of the decision of the Secretary not to award a Presidential site grant.

(4) MATCHING REQUIREMENTS.—

(A) IN GENERAL.—The Federal share of the cost of a project at a Presidential site for which a grant is awarded under this section shall not exceed 50 percent.

(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of a project at a Presidential site for which a grant is awarded under this section may be provided in cash or in kind.

(d) PRESIDENTIAL SITE GRANT COMMISSION.—

(1) IN GENERAL.—There is established the Presidential Site Grant Commission.

(2) COMPOSITION.—The Grant Commission shall be composed of—

(A) the Director of the National Park Service; and

(B) 4 members appointed by the Secretary as follows:

(i) A State historic preservation officer.

(ii) A representative of the National Trust for Historic Preservation.

(iii) A representative of a site described in subsection (b)(2)(A)(ii).

(iv) A representative of a site described in subsection (b)(2)(A)(iii).

(3) TERM.—A member of the Grant Commission shall serve a term of 2 years.

(4) DUTIES.—The Grant Commission shall—

(A) review applications for Presidential site grants received under subsection (c); and

(B) recommend to the Secretary projects for which Presidential site grants should be awarded.

(5) INELIGIBILITY OF SITES DURING TERM OF REPRESENTATIVE.—A site described in clause (iii) or (iv) of paragraph (2)(B) shall be ineligible for a grant under this Act during the 2-year period in which a representative of the site serves on the Grant Commission.

(6) NONAPPLICABILITY OF FACA.—The Grant Commission shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act $5,000,000 for each of fiscal years 2004 through 2008, to remain available until expended.

By Mr. SPECTER:

S. 1749. A bill to amend various provisions of the Consumer Credit Protection Act to relief for victims of identity theft, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. SPECTER. Mr. President, we are faced today with one of the fastest growing crimes in America, identity theft. Recent estimates place the number of new identity theft victims at approximately 7 million in a single 12 month period—nearly 800 new victims per hour. Another study found that victims spend an average of 600 hours recovering from identity theft crimes, sometimes spanning several years. Only three years ago, the average time spent addressing identity theft was 175 hours. In addition to the lost time, victims spend an average of $1,400 in their efforts to rectify the damage inflicted by identity thieves. Identity theft is one crime for which the victims are virtually on their own to resolve.

In most States, the burden is on the one harmed—and the only method by which an individual can attempt to repair their good name and credit is by pursuing civil action against creditors and debt collectors. Today, I will introduce PITFALL, the Prevent Identity

Theft From Affecting Lives and Livelihoods Act of 2003. PITFALL addresses identity theft after the fact—to help victims after the harm is inflicted.

The overriding goal of the legislation is to prevent creditors and debt collectors, when existing laws fail to protect identity theft victims, from harassing victims and further sabotaging their financial well-being once a State's highest law enforcement officer has conclusively determined liabilities were fraudulently incurred, with no culpability on the part of the victim.

While there has been much discussion and action aimed at preventing identity theft, it is time to focus on those individuals for which prevention is too late. Please join me in this effort to remove the burden from innocent victims in restoring peace and financial security to their lives.

By Mr. BINGAMAN:

S. 1750. A bill to amend the Child Nutrition Act of 1966 and the Richard B. Russell National School Lunch Act to improve the nutrition and health of children in the United States; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. BINGAMAN. Mr. President, I rise today to introduce a bill of significant importance to our Nation's health: The Better Eating for Better Living Act of 2003.

Today, heart disease, cancer, stroke, and diabetes are responsible for two-thirds of the deaths in the United States. The major risk factors for these diseases and conditions are established in childhood through unhealthy eating habits, physical inactivity, obesity, and tobacco use. Obesity rates have doubled in children and tripled in adolescents over the last 2 decades. Today 1 in 7 young people are obese and 1 in 3 are overweight. This is not a problem. This is a crisis with potentially dire consequences that demands our immediate attention.

Obese children are twice as likely as non-obese children to become obese adults. Overweightness and obesity can result in physical, psychological, and social consequences, including heart disease, diabetes, cancer, depression, decreased self-esteem, and discrimination. Obesity is a complex multi-factorial disease that is difficult to prevent but even more difficult to treat. Our best bet at improving the lives of children who currently are obese and preventing more from joining the ranks is to encourage environments that foster healthy eating and activity in our communities, in our homes, and in our schools.

It is the need to improve the nutritional environment of our schools that I want to address today. Our school breakfast and lunch programs were originally designed to combat hunger in our nation. They have been and continue to be a vital component of the food security safety net. However, today we have another problem: obesity and overweight, and the child nutrition programs need to be updated to meet the needs of our current health challenges while maintaining their role securing healthy food for all children.

Only 2 percent of children currently consume a diet that meets the five main recommendations for a healthy diet from the USDA Food Guide Pyramid. Three out of four high school students in the U.S. do not eat the recommended 5 or more servings of fruits and vegetables each day and 3 out of 4 children consume more saturated fat than it recommended in the dietary Guidelines for Americans. Although the school lunch and school breakfast programs have made great strides in improving health by meeting these guidelines, our work in creating healthy school environments is not yet done.

Since obesity is a complex issue, stemming the tide will take a myriad of interventions. I commend Senators HARKIN, LEAHY, KOHL, DOLE, and others who have introduced bills that would improve the Child Nutrition programs and the children and schools they serve while preserving its mission to provide nutritionally sound meals to the young people who need them.

Today I am introducing another bill vital to improving our children's health: The Better Eating for Better Living Bill. This bill has four key components.

First, the bill increases the reimbursement rates for school lunch. School food service directors have been expected to improve the quality of their meals without any concurrent funding increase for years, and it's time that changes. An additional 10 cents per meal may not sound like much but it will offer school food service directors significantly greater flexibility in purchasing quality food including leaner meats, fresh vegetables, and fresh fruits.

Second, the bill requires the secretary of agriculture to evaluate the nutrition guidelines for school meals every five years. The science of nutrition is a dynamic and rapidly changing field. Guidelines are appropriately based on the best science of the time but as that science evolves, so should the guidelines regulating school meals. Our children deserve the benefit of the most current science. Thus, updates are to be based on current and sound scientific evidence, current public health concerns, and cultural appropriateness.

Next the bill will liberalize the current milk guidelines so as to only require schools to require low fat or no fat milk as is appropriate for school-age children. Schools would have the option of providing other milk products so long as they are cost and nutritionally equivalent.

Finally, serving healthy food is an important first step, but accompanying that food with adequate nutrition education is vital to growing a generation of healthy eaters and active adults. Thus, the bill provides increased funding for nutrition education. Specifically, it would provide guaranteed funding at the state level for implementation and administration of the Team Nutrition Program. This is a program that has existed in statute for years, but because its administration has rarely been funded, it has not been implemented. It is time we commit to nutrition education as part of making a strong commitment to our children's health and well-being.

Now is the time to take action toward improving the health and well-being of our nations' youth. Let us implement these vital advances in the child nutrition program now while we are reauthorizing the Child Nutrition Act. The cost of improving the health of our children will be far less than the cost of the health consequences to come if we do nothing.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1750

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Better Eating for Better Living Act of 2003''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

SEC. 2. FINDINGS.

Congress finds that—

(1) heart disease, cancer, stroke, and diabetes are responsible for ⅔ of deaths in the United States;

(2) the major risk factors for those diseases and conditions are established in childhood through unhealthy eating habits, physical inactivity, obesity, and tobacco use;

(3) obesity rates have doubled in children and tripled in adolescents over the last 2 decades;

(4) today, 1 in 7 young people are obese, and 1 in 3 are overweight;

(5) obese children are twice as likely as nonobese children to become obese adults;

(6) overweightness and obesity can result in physical, psychological, and social consequences, including heart disease, diabetes, cancer, depression, decreased self-esteem, and discrimination;

(7) only 2 percent of children consume a diet that meets the 5 main recommendations for a healthy diet from the Food Guide Pyramid published by the Secretary of Agriculture;

(8) 3 out of 4 high school students in the United States do not eat the recommended 5 or more servings of fruits and vegetables each day; and

(9) 3 out of 4 children in the United States consume more saturated fat than is recommended in the Dietary Guidelines for

Americans published by the Secretary of Agriculture.

TITLE I—AMENDMENTS TO RICHARD B. RUSSELL NATIONAL SCHOOL LUNCH ACT

SEC. 101. REIMBURSEMENT FOR SCHOOL LUNCHES.

Section 4(b)(2) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1753(b)(2)) is amended by striking ''10.5'' and inserting ''20.5''.

SEC. 102. NUTRITIONAL QUALITY OF SCHOOL MEALS.

(a) REVISION OF MEAL GUIDELINES.—Section 9(a)(1) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(a)(1)) is amended by adding at the end the following:

''(C) REVISION OF NUTRITIONAL GUIDELINES.—

''(i) IN GENERAL.—The Secretary, in collaboration with experts in nutrition, school health, food service, and school administration, shall, not later than July 31, 2004, and every 5 years thereafter—

''(I) review the nutritional guidelines applicable to meals served under the school lunch program under this Act, taking into consideration—

''(aa) advances in the field of nutrition;

''(bb) identified public health risks relating to inadequate nutrition and overconsumption; and

''(cc) the needs of student populations covered by programs under this Act; and

''(II) issue revised nutritional guidelines, as necessary, including guidelines with respect to—

''(aa) the content of meals served of calories, fat (including types of fat), added sugars, fiber, sodium, vitamins, and minerals;

''(bb) the variety of foods offered;

''(cc) the availability of fruits and vegetables; and

''(dd) the cultural appropriateness of foods offered.

''(ii) APPLICABILITY.—Revised nutritional guidelines issued by the Secretary under clause (i) shall apply to meals served under the school lunch program under this Act on and after the date that is 2 years after the date of issuance of the revised nutritional guidelines.''.

(b) FLUID MILK.—Section 9(a)(2) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(a)(2)) is amended by striking subparagraph (B) and inserting the following:

''(B)(i) at a minimum, shall offer students a choice of lowfat or nonfat fluid milk; and

''(ii) in addition to the type of fluid milk offered under clause (i), may offer such other varieties of fluid milk as are—

''(I) consistent with expressed preferences of the student population; and

''(II) reasonably equivalent in calcium, protein, vitamin A, and vitamin K content and cost.''.

TITLE II—AMENDMENTS TO CHILD NUTRITION ACT OF 1966

SEC. 201. FUNDING FOR NUTRITION EDUCATION.

Section 19(i) of the Child Nutrition Act of 1966 (42 U.S.C. 1788 (i)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by striking ''(i) AUTHORIZATION OF APPROPRIATIONS.—'' and all that follows through paragraph (1) and inserting the following:

''(i) FUNDING.—

''(1) PAYMENTS.—Out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Agriculture to carry out this section, to remain available until expended—

''(A) on October 1, 2003, $10,000,000;

''(B) on October 1, 2004, $15,000,000; and

''(C) on October 1, 2005, $20,000,000.

''(2) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under paragraph (1), without further appropriation.

''(3) GRANTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), grants to each State from the amounts made available under paragraph (1) shall be based on a rate of ½ cent per average daily number of meals served, to be allocated among State, district, and school food service and health education authorities, as determined by the Secretary.

''(B) MINIMUM AMOUNT.—The minimum amount of a grant provided to a State for a fiscal year under this section shall be $200,000, as adjusted in accordance with section 11(a)(3)(B) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1759a(a)(3)(B)).''.

TITLE III—EFFECTIVE DATE

SEC. 301. EFFECTIVE DATE.

This Act and the amendments made by this Act take effect on October 1, 2003.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 244—CONGRATULATING SHIRIN EBADI FOR WINNING THE 2003 NOBEL PEACE PRIZE AND COMMENDING HER FOR HER LIFETIME OF WORK TO PROMOTE DEMOCRACY AND HUMAN RIGHTS

Mrs. BOXER submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 244

Whereas Shirin Ebadi is the winner of the 2003 Nobel Peace Prize;

Whereas Shirin Ebadi has fought to support basic human rights in Iran through her work as a lawyer, judge, lecturer, writer, and activist;

Whereas Shirin Ebadi believes that conflict should be resolved peacefully through dialogue and mutual understanding;

Whereas Shirin Ebadi supports democracy and democratic elections and has defended those who have been attacked for exercising their freedom of speech;

Whereas Shirin Ebadi argues for an interpretation of Islamic law that is in harmony with democracy and vital human rights such as equality before the law, freedom of religion, and freedom of speech;

Whereas Shirin Ebadi has been a leader in promoting the human rights of women and girls; and

Whereas Shirin Ebadi has been arrested numerous times for her courageous defense of basic human rights and democratic ideals, sacrificing her own freedom for the freedom of others: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Shirin Ebadi for winning the 2003 Nobel Peace Prize; and

(2) commends Shirin Ebadi for her lifetime of work to promote democracy and human rights.

Mrs. BOXER. Mr. President, today I rise to submit a resolution congratulating Shirin Ebadi, winner of the 2003 Nobel Peace Prize.

Throughout her life, Shirin Ebadi has been the leading advocate for human rights and democratic reform in Iran. As a lawyer, a judge, a writer, and an activist, Ms. Ebadi has spend her career speaking out and defending the rights of women, children, and victims of government repression. Despite repeated threats made to her security, periods of imprisonment, and temporary suspensions from practicing law, Ms. Ebadi has continued to work tirelessly for those needing a voice to speak for them.

In addition to establishing one of the first independent human rights organizations in Iran—the Society for the Protection of the Rights of the Child—Ms. Ebadi also helped create the Center for the Defense of Human Rights, an organization aimed at defending imprisoned journalists and political activists.

Her work is an inspiration to us all. I hope all my colleagues will join me in supporting this resolution demonstrating our appreciation to such a heroic champion for human rights.

SENATE RESOLUTION 245—DESIGNATING THE WEEK BEGINNING OCTOBER 29, 2003, AS ''NATIONAL CHARACTER COUNTS WEEK''

Mr. DOMENICI submitted the following resolution; which was

Whereas the well-being of the Nation requires that the young people of the United States become an involved, caring citizenry with good character;

Whereas the character education of children has become more urgent as violence by and against youth increasingly threatens the physical and psychological well-being of the people of the United States;

Whereas more than ever, children need strong and constructive guidance from their families and their communities, including schools, youth organizations, religious institutions, and civic groups;

Whereas the character of a nation is only as strong as the character of its individual citizens;

Whereas the public good is advanced when young people are taught the importance of good character and the positive effects that good character can have in personal relationships, in school, and in the workplace;

Whereas scholars and educators agree that people do not automatically develop good character and that, therefore, conscientious efforts must be made by institutions and individuals that influence youth to help young people develop the essential traits and characteristics that comprise good character;

Whereas, although character development is, first and foremost, an obligation of families, the efforts of faith communities, schools, and youth, civic, and human service organizations also play an important role in fostering and promoting good character;

Whereas Congress encourages students, teachers, parents, youth, and community leaders to recognize the importance of character education in preparing young people to play a role in determining the future of the Nation;

Whereas effective character education is based on core ethical values which form the foundation of democratic society;

Whereas examples of character are trustworthiness, respect, responsibility, fairness, caring, citizenship, and honesty;

Whereas elements of character transcend cultural, religious, and socioeconomic differences;

Whereas the character and conduct of our youth reflect the character and conduct of