

Thank you.

It is unfortunate that we live in a country where we cannot assure a youngster that the man who killed his mom's colleague won't come back and hurt her too. That is why we need to pass this resolution now. That is why we need the President to act.

I ask my colleagues for their support.

I also ask unanimous consent that an October 24, 2003 Resolution of the International Association of Chiefs of Police be printed in the RECORD.

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

[Resolution From the International Association of Chiefs of Police, Adopted Oct. 24, 2003]

EXTRADITION OF CRIMINAL SUSPECTS

(Submitted by the Executive Committee)

Whereas, the law enforcement profession has a compelling interest in ensuring that individuals suspected of committing crimes are not able to evade justice by leaving the country in which the crime was committed; and

Whereas, in response to this problem, many nations have established extradition treaties that allow for the return of criminal fugitives to the country in which they are suspected of committing crimes; and

Whereas, extradition treaties are political agreements between nations; and

Whereas, the International Association of Chiefs of Police refrains from entering into political disputes between nations unless an issue which clearly impacts the law enforcement profession is involved; and

Whereas, these treaties form the backbone of international law enforcement efforts and have allowed for the successful apprehension and conviction of many fugitives over the years; and

Whereas, the effectiveness of these treaties relies upon the timely return of criminal suspects; and

Whereas, the terms of some extradition treaties have proven to be too restrictive and have significantly limited the ability of law enforcement agencies to bring a criminal suspect to trial and have, in effect, allowed for the creation of safe havens for criminal fugitives; and

Whereas, for example, the Extradition Treaty between the United States of America and the United Mexican States allows the United Mexican States to refuse to extradite criminal suspects who face capital punishment for crimes committed within the United States, and a recent decision of the Mexican Supreme Court has unilaterally and mandatorily extended that prohibition on life sentences; and

Whereas, it is clear that extradition treaties and agreements that do not allow for the timely return of criminal suspects or that condition their return on the domestic sentencing laws of the requested state are an issue that clearly impacts the law enforcement profession and it is appropriate for the International Association of Chiefs of Police to express the concern of the law enforcement community in this matter and work to resolve this situation; Now, therefore be it

Resolved, That the International Association of Chief of Police calls on all nations to ensure that extradition treaties serve only to guarantee that accused individuals are provided with due process of law and not to provide criminal suspects with a means of evading justice; and be it

Further resolved, That the International Association of Chiefs of Police calls on the governments of the United States of America

and the United Mexican States to renegotiate the extradition treaty so that the possibility of capital punishment or life imprisonment shall not interfere with the timely and unconditional extradition of criminal suspects.

AMENDMENTS SUBMITTED & PROPOSED

SA 2141. Ms. STABENOW proposed an amendment to amendment SA 2136 proposed by Mr. MCCAIN (for himself, Mr. ALLEN, Mr. WYDEN, Mr. BURNS, Mr. ENSIGN, Mr. SUNUNU, Mr. WARNER, Mr. SMITH, Mr. LEAHY, Mr. GRASSLEY, Mr. HATCH, Mr. BAUCUS, Mrs. BOXER, Mr. CHAMBLISS, and Mrs. LINCOLN) to the bill S. 150, to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act.

SA 2142. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 150, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2141. Ms. STABENOW proposed an amendment to amendment SA 2136 proposed by Mr. MCCAIN (for himself, Mr. ALLEN, Mr. WYDEN, Mr. BURNS, Mr. ENSIGN, Mr. SUNUNU, Mr. WARNER, Mr. SMITH, Mr. LEAHY, Mr. GRASSLEY, Mr. HATCH, Mr. BAUCUS, Mrs. BOXER, Mr. CHAMBLISS, and Mr. LINCOLN) to the bill S. 150, to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act; as follows:

At the appropriate place insert the following:

Since, Article I of the U.S. Constitution grants Congress the power of the purse; and
Since, Congressional oversight of Executive Branch expenditures of public funds is essential in order to prevent waste, fraud, and abuse of taxpayer dollars; and

Since, Congress can only exercise its oversight responsibilities if the White House and Executive Branch agencies are responsive to requests for information about public expenditures;

Therefore it is the Sense of the Senate that,

The White House and all Executive Branch agencies should respond promptly and completely to all requests by Members of Congress of both parties for information about public expenditures.

SA 2142. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the bill S. 150, to make permanent the moratorium on taxes on Internet access and multiple and discriminatory taxes on electronic commerce imposed by the Internet Tax Freedom Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC . GAO STUDY OF EFFECTS OF INTERNET TAX MORATORIUM ON STATE AND LOCAL GOVERNMENTS AND ON BROADBAND DEPLOYMENT.

The Comptroller General shall conduct a study of the impact of the Internet tax moratorium, including its effects on the revenues of State and local governments and on

the deployment of broadband technologies throughout the United States. The Comptroller General shall report the findings, conclusions, and any recommendations from the study to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Energy and Commerce no later than November 1, 2005.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that the hearing previously scheduled before the Committee on Energy and Natural Resources on Wednesday, November 12 at 10 a.m. has been rescheduled for Friday, November 14 at 10 a.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to conduct oversight of the implementation of the Energy Employees Occupational Illness Compensation Program.

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 Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CRAIG. Mr. President, I would like to announce, for the information of the Senate and the public, that the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources will hold a hearing on November 18, 2003 at 2:30 p.m. in room SD 366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider S. 1467, a bill to establish the Rio Grande Outstanding Natural Area in the State of Colorado, and for other purposes, S. 1209, a bill to provide for the acquisition of property in Washington County, UT, for implementation of a desert tortoise habitat conservation plan, and H.R. 708, a bill to require the conveyance of certain National Forest System lands in Mendocino National Forest, California, to provide for the use of the proceeds from such conveyance for National Forest purposes, and for other purposes.

Because of the limited time available for the hearing, 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 Committee on Energy and Natural Resources, United States Senate, SD-364, Washington, DC 20510-6150 prior to the hearing date.

For further information, please contact Dick Bouts or Meghan Beal (202-224-7556).

SUBCOMMITTEE ON ENERGY

Mr. ALEXANDER. Mr. President, I would like to announce for the information of the Senate and the public

that the Subcommittee on Energy of the Committee on Energy and Natural Resources will hold a hearing on Saturday, December 6, 2003 at 9 a.m. The hearing will be held at the Paducah Information Age Park, 2000 McCracken Blvd., Paducah, KY.

The purpose of the hearing is to conduct oversight and accounting of the cleanup at the Department of Energy's Paducah, KY site.

Because of the limited time available for the hearing, 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 Committee on Energy and Natural Resources, United States Senate, SD-364, Washington, DC 20510-6150.

For further information, please contact Pete Lyons (202-224-5861) or Shane Perkins (202-224-7555).

AUTHORITY FOR COMMITTEES TO MEET

JOINT ECONOMIC COMMITTEE

Mr. MCCAIN. Mr. President, I ask unanimous consent that the Joint Economic Committee be authorized to conduct a hearing in room 628 of the Dirksen Senate Office Building, Friday, November 7, 2003, from 9:30 a.m. to 1 p.m.

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

PRIVILEGES OF THE FLOOR

Mr. DORGAN. Mr. President, I ask unanimous consent Jason Estep, a fellow from my office, have floor privileges for today.

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

Mr. DURBIN. Mr. President, I ask unanimous consent that Dale Jones, a member of my staff, be granted the privilege of the floor during debate on S. 150.

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

BLACKWATER NATIONAL WILDLIFE REFUGE EXPANSION ACT

The PRESIDING OFFICER. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 356, H.R. 274.

The PRESIDING OFFICER.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 274) to authorize the Secretary of the Interior to acquire the property in Cecil County, Maryland, known as Garrett Island for inclusion in the Blackwater National Wildlife Refuge.

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

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

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

The bill (H.R. 274) was read the third time and passed.

ANIMAL DRUG USER FEE ACT OF 2003

Mr. FRIST. I ask unanimous consent that the Chair now lay before the Senate a message from House of Representatives on the bill (S. 313) to amend the Federal Food, Drug, and Cosmetic Act to establish a program of fees relating to animal drugs.

There being no objection, the Presiding Officer laid before the Senate the following message from the House of Representatives:

S. 313

Resolved, That the bill from the Senate (S. 313) entitled "An Act to amend the Federal Food, Drug, and Cosmetic Act to establish a program of fees relating to animal drugs", do pass with the following amendment; Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Animal Drug User Fee Act of 2003".

SEC. 2. FINDINGS.

Congress finds as follows:

(1) Prompt approval of safe and effective new animal drugs is critical to the improvement of animal health and the public health.

(2) Animal health and the public health will be served by making additional funds available for the purpose of augmenting the resources of the Food and Drug Administration that are devoted to the process for review of new animal drug applications.

(3) The fees authorized by this Act will be dedicated toward expediting the animal drug development process and the review of new and supplemental animal drug applications and investigational animal drug submissions as set forth in the goals identified, for purposes of part 4 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Energy and Commerce of the House of Representatives and the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate as set forth in the Congressional Record.

SEC. 3. FEES RELATING TO ANIMAL DRUGS.

Subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379f et seq.) is amended by adding at the end the following part:

"PART 4—FEES RELATING TO ANIMAL DRUGS

"SEC. 739. DEFINITIONS.

"For purposes of this subchapter:

"(1) The term 'animal drug application' means an application for approval of any new animal drug submitted under section 512(b)(1). Such term does not include either a new animal drug application submitted under section 512(b)(2) or a supplemental animal drug application.

"(2) The term 'supplemental animal drug application' means—

"(A) a request to the Secretary to approve a change in an animal drug application which has been approved; or

"(B) a request to the Secretary to approve a change to an application approved under section 512(c)(2) for which data with respect to safety or effectiveness are required.

"(3) The term 'animal drug product' means each specific strength or potency of a particular active ingredient or ingredients in final dosage form marketed by a particular manufacturer or distributor, which is uniquely identified by the labeler code and product code portions of the national drug code, and for which an animal

drug application or a supplemental animal drug application has been approved.

"(4) The term 'animal drug establishment' means a foreign or domestic place of business which is at one general physical location consisting of one or more buildings all of which are within 5 miles of each other, at which one or more animal drug products are manufactured in final dosage form.

"(5) The term 'investigational animal drug submission' means—

"(A) the filing of a claim for an investigational exemption under section 512(j) for a new animal drug intended to be the subject of an animal drug application or a supplemental animal drug application, or

"(B) the submission of information for the purpose of enabling the Secretary to evaluate the safety or effectiveness of an animal drug application or supplemental animal drug application in the event of their filing.

"(6) The term 'animal drug sponsor' means either an applicant named in an animal drug application, except for an approved application for which all subject products have been removed from listing under section 510, or a person who has submitted an investigational animal drug submission that has not been terminated or otherwise rendered inactive by the Secretary.

"(7) The term 'final dosage form' means, with respect to an animal drug product, a finished dosage form which is approved for administration to an animal without substantial further manufacturing. Such term includes animal drug products intended for mixing in animal feeds.

"(8) The term 'process for the review of animal drug applications' means the following activities of the Secretary with respect to the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions:

"(A) The activities necessary for the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

"(B) The issuance of action letters which approve animal drug applications or supplemental animal drug applications or which set forth in detail the specific deficiencies in animal drug applications, supplemental animal drug applications, or investigational animal drug submissions and, where appropriate, the actions necessary to place such applications, supplements or submissions in condition for approval.

"(C) The inspection of animal drug establishments and other facilities undertaken as part of the Secretary's review of pending animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

"(D) Monitoring of research conducted in connection with the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

"(E) The development of regulations and policy related to the review of animal drug applications, supplemental animal drug applications, and investigational animal drug submissions.

"(F) Development of standards for products subject to review.

"(G) Meetings between the agency and the animal drug sponsor.

"(H) Review of advertising and labeling prior to approval of an animal drug application or supplemental animal drug application, but not such activities after an animal drug has been approved.

"(9) The term 'costs of resources allocated for the process for the review of animal drug applications' means the expenses incurred in connection with the process for the review of animal drug applications for—

"(A) officers and employees of the Food and Drug Administration, contractors of the Food and Drug Administration, advisory committees consulted with respect to the review of specific animal drug applications, supplemental animal