

On page 8, strike line 15 and all that follows through page 9, line 13, and insert the following:

(f) APPLICATION OF REQUIREMENTS TO THE SECRET SERVICE.—

(1) IN GENERAL.—The Director of the Secret Service shall submit each report in accordance with subsections (a), (b), and (c).

(2) ANNUAL EVALUATIONS AND PERFORMANCE REPORTS.—Subsections (d) and (e) shall apply with respect to that portion included in each report under paragraph (1).

(g) COAST GUARD REPORTS.—Any report required to be submitted to Congress by the Secretary of Homeland Security, the Commandant of the Coast Guard, or the Inspector General of the Department of Homeland Security under section 348 of the Maritime Transportation Security Act of 2002 (116 Stat. 2111) shall also be submitted to the Governmental Affairs Committee of the Senate and the Committee on Government Reform of the House of Representatives.

#### PRIVILEGE OF THE FLOOR

Mr. CORNYN. Madam President, I ask unanimous consent that Candace Shelton and Scott Koelker of my staff be granted floor privileges for the duration of my remarks.

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

#### APPOINTING THE DAY FOR THE CONVENING OF THE SECOND SESSION OF THE ONE HUNDRED EIGHTH CONGRESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.J. Res. 80, the convening date of the 102nd Congress; further, that the resolution be read three times and passed and the motion to reconsider be laid upon the table.

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

The joint resolution (H.J. Res. 80) was read the third time and passed, as follows:

H. J. RES. 80

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DAY FOR CONVENING OF SECOND REGULAR SESSION OF ONE HUNDRED EIGHTH CONGRESS.

The second regular session of the One Hundred Eighth Congress shall begin at noon on Tuesday, January 20, 2004.

#### SEC. 2. AUTHORITY FOR CALLING SPECIAL SESSION BEFORE CONVENING OF SECOND REGULAR SESSION.

If the Speaker of the House of Representatives (or the designee of the Speaker) and the Majority Leader of the Senate (or the designee of the Majority Leader), acting jointly after consultation with the Minority Leader of the House of Representatives and the Minority Leader of the Senate, determine it is in the public interest for Congress to assemble during the period between the end of the first regular session of the One Hundred Eighth Congress at noon on January 3, 2004, and the convening of the second regular session of the One Hundred Eighth Congress as provided in section 1—

(1) the Speaker and Majority Leader, or their respective designees, shall notify the Members of the House and Senate, respectively, of such determination and of the

place and time for Congress to so assemble; and

(2) Congress shall assemble in accordance with that notification.

#### CONDEMNING THE TERRORIST ATTACKS IN ISTANBUL, TURKEY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Res. 273 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 273) condemning the terrorist attacks in Istanbul, Turkey, on November 15 and 20, 2003, expressing condolences to the families of the individuals murdered in the attacks, expressing sympathies to the individuals injured in the attacks, and expressing solidarity with the Republic of Turkey and the United Kingdom in the fight against terrorism.

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

Mr. LAUTENBERG. Mr. President, last week's double set of suicide attacks in Istanbul are acts of cowardice targeting both the structures and symbols of Turkish coexistence. I grieve for the families of the 58 victims and wish the 750 injured individuals a speedy recovery.

The terrorists who have attacked Turkey in the name of Islam and its heritage do not know their history. Throughout the Ottoman Empire, Jews, Christians and other minorities were treated with respect and allowed to practice their religion freely. Since Mustafa Kemal Ataturk founded modern Turkey in 1923, Turkey has been admired by western and non-western countries alike as an apotheosis of progressive Muslim democracy.

In Turkey, pride in a rich heritage and faith coexist with a desire to globalize and enhance representative democracy and the freedom it brings.

During World War II, as Hitler's troops were marching from the Balkans and emptying Greek cities of their Jewish populations, Turkey's president, Ismet Inonu, closed its border. The Jews of Turkey were spared by the principled leadership of their government, who refused to be complicit in murder. In my own travels through Turkey—from Istanbul to Idirne—I have seen the rich fusion of ancient and modern and of religious and secular. I have enjoyed the renowned hospitality offered to all visitors.

The terrorists who attacked the synagogues, consulate, and bank in Istanbul last week seek to undermine the pluralism, diversity, and openness that have long characterized Turkish culture and society. Together, we will prevent the terrorists from achieving this aim. Americans, and particularly New Jerseyans, are intimately familiar with the pain wreaked by a terrorist attack on our homeland.

We in Washington are prepared to offer assistance and support to Prime Minister Recep Tayyip Erdogan and his government in the days ahead as Turkey shores up security and begins healing from these traumatic incidents. The U.S.-Turkish friendship continues to be strong and will stand united in the face of the global threat of terrorism.

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 273) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 273

Whereas, in Istanbul, Turkey, on November 15, 2003, two explosions set off minutes apart during Sabbath morning services devastated Neve Shalom, the largest synagogue in the city, and the Beth Israel synagogue, about 3 miles away from Neve Shalom;

Whereas the casualties of more than 20 people killed and more than 300 people wounded in the bombing attacks on the synagogues included both Muslims and Jews;

Whereas, on November 20, 2003, two bombs exploded in Istanbul at the Consulate of the United Kingdom and the HSBC Bank;

Whereas the casualties of more than 25 people killed and 450 people wounded in the November 20, 2003, bombing attacks included Muslims and Christians, and Turks, British diplomats, and visitors to the Republic of Turkey;

Whereas troops of the United Kingdom are part of the United States-led coalition that liberated Iraq from the regime of Saddam Hussein and are now present in Iraq under the auspices of the United Nations Security Council;

Whereas the acts of murder committed on November 15 and 20, 2003, in Istanbul, Turkey, were cowardly and brutal manifestations of international terrorism;

Whereas the Government of Turkey immediately condemned the terrorist attacks in the strongest possible terms and has vowed to bring the perpetrators to justice at all costs;

Whereas the United States, the United Kingdom, and Turkey equally abhor and denounce these hateful, repugnant, and loathsome acts of terrorism;

Whereas, in light of the escalation of anti-Semitic activities, the safety and security of Jewish people throughout the world is a matter of serious concern;

Whereas, since Turkey cherishes its traditions of hospitality and religious tolerance, and in particular its history of more than 500 years of good relations between Jews and Muslims, the attacks on synagogues, consular premises, and commercial buildings came as a special shock to the people of Turkey and to their friends throughout the world;

Whereas the United States and Turkey are allied by shared values and a common interest in building a stable, peaceful, and prosperous world;

Whereas Turkey, a predominantly Muslim nation with a secular government, has close relations with Israel and is also the only predominantly Muslim member of the North Atlantic Treaty Organization; and

Whereas the acts of murder committed on November 15 and 20, 2003, demonstrate again

that terrorism respects neither boundaries nor borders: Now, therefore, be it

*Resolved*, That the Senate—

(1) condemns in the strongest possible terms the terrorist attacks in Istanbul, Turkey, on November 15 and 20, 2003;

(2) expresses its condolences to the families of the individuals murdered in the terrorist attacks, expresses its sympathies to the individuals injured in the attacks, and conveys its hope for the rapid and complete recovery of all such injured individuals;

(3) expresses its condolences to the people and the governments of the Republic of Turkey and the United Kingdom over the losses they suffered in these attacks; and

(4) expresses its solidarity with the United Kingdom, Turkey, and all other countries that stand united against terrorism and work together to bring to justice the perpetrators of these and other terrorist attacks.

#### FEDERAL LAW ENFORCEMENT PAY AND BENEFITS PARITY ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of Calendar No. 409, S. 1683.

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

The assistant legislative clerk read as follows:

A bill (S. 1683) to provide for a report on parity of pay and benefits among Federal law enforcement officers and to establish an exchange program between Federal law enforcement employees and State and local law enforcement employees.

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

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

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

The bill (S. 1683) was read the third time and passed, as follows:

S. 1683

*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 “Federal Law Enforcement Pay and Benefits Parity Act of 2003”.

#### SEC. 2. LAW ENFORCEMENT PAY AND BENEFITS PARITY REPORT.

(a) DEFINITION.—In this section, the term “law enforcement officer” means an individual—

(1)(A) who is a law enforcement officer defined under section 8331 or 8401 of title 5, United States Code; or

(B) the duties of whose position include the investigation, apprehension, or detention of individuals suspected or convicted of offenses against the criminal laws of the United States; and

(2) who is employed by the Federal Government.

(b) REPORT.—Not later than April 30, 2004, the Office of Personnel Management shall submit a report to the President of the Senate and the Speaker of the House of Representatives and the appropriate committees and subcommittees of Congress that includes—

(1) a comparison of classifications, pay, and benefits among law enforcement officers across the Federal Government; and

(2) recommendations for ensuring, to the maximum extent practicable, the elimination of disparities in classifications, pay and benefits for law enforcement officers throughout the Federal Government.

#### SEC. 3. EMPLOYEE EXCHANGE PROGRAM BETWEEN FEDERAL EMPLOYEES AND EMPLOYEES OF STATE AND LOCAL GOVERNMENTS.

(a) DEFINITIONS.—In this section—

(1) the term “employing agency” means the Federal, State, or local government agency with which the participating employee was employed before an assignment under the Program;

(2) the term “participating employee” means an employee who is participating in the Program; and

(3) the term “Program” means the employee exchange program established under subsection (b).

(b) ESTABLISHMENT.—The President shall establish an employee exchange program between Federal agencies that perform law enforcement functions and agencies of State and local governments that perform law enforcement functions.

(c) CONDUCT OF PROGRAM.—The Program shall be conducted in accordance with subchapter VI of chapter 33 of title 5, United States Code.

(d) QUALIFICATIONS.—An employee of an employing agency who performs law enforcement functions may be selected to participate in the Program if the employee—

(1) has been employed by that employing agency for a period of more than 3 years;

(2) has had appropriate training or experience to perform the work required by the assignment;

(3) has had an overall rating of satisfactory or higher on performance appraisals from the employing agency during the 3-year period before being assigned to another agency under this section; and

(4) agrees to return to the employing agency after completing the assignment for a period not less than the length of the assignment.

(e) WRITTEN AGREEMENT.—An employee shall enter into a written agreement regarding the terms and conditions of the assignment before beginning the assignment with another agency.

#### FEDERAL RAILROAD SAFETY IMPROVEMENT ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to immediate consideration of Calendar No. 358, S. 1402.

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

The assistant legislative clerk read as follows:

A bill (S. 1402) to authorize appropriations for activities under the Federal railroad safety laws for fiscal years 2004 through 2008, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with amendments as follows:

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

S. 1402

*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 “Federal Railroad Safety Improvement Act”.

#### SEC. 2. AMENDMENT OF TITLE 49, UNITED STATES CODE.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

#### SEC. 3. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Amendment of title 49, United States Code.
- Sec. 3. Table of contents.

#### TITLE I—AUTHORIZATION OF APPROPRIATIONS

- Sec. 101. Authorization of appropriations.
- TITLE II—RULEMAKING, INSPECTION, ENFORCEMENT, AND PLANNING AUTHORITY
- Sec. 201. National crossing inventory.
- Sec. 202. Grade crossing elimination and consolidation.
- Sec. 203. Model legislation for driver behavior.
- Sec. 204. Operation Lifesaver.
- Sec. 205. Transportation security.
- Sec. 206. Railroad accident and incident reporting.
- Sec. 207. Railroad radio monitoring authority.
- Sec. 208. Recommendations on fatigue management.
- Sec. 209. Positive train control.
- Sec. 210. Positive train control implementation.
- Sec. 211. Survey of rail bridge structures.
- Sec. 212. Railroad police.
- Sec. 213. Federal Railroad Administration employee training.
- Sec. 214. Report regarding impact on public safety of train travel in communities without grade separation.
- Sec. 215. Runaway trains emergency response.

#### TITLE III—MISCELLANEOUS PROVISIONS

- Sec. 301. Technical amendments regarding enforcement by the Attorney General.
- Sec. 302. Technical amendments to civil penalty provisions.
- Sec. 303. Technical amendments to eliminate unnecessary provisions.

#### TITLE I—AUTHORIZATION OF APPROPRIATIONS

SEC. 101. AUTHORIZATION OF APPROPRIATIONS. Section 20117(a) is amended to read as follows:

“(a) GENERAL.—There are authorized to be appropriated to the Secretary of Transportation to carry out this chapter—

- “(1) \$166,000,000 for the fiscal year ending September 30, 2004;
- “(2) \$176,000,000 for the fiscal year ending September 30, 2005;
- “(3) \$185,000,000 for the fiscal year ending September 30, 2006;
- “(4) \$192,000,000 for the fiscal year ending September 30, 2007; and
- “(5) \$200,000,000 for the fiscal year ending September 30, 2008.”.

#### TITLE II—RULEMAKING, INSPECTION, ENFORCEMENT, AND PLANNING AUTHORITY

##### SEC. 201. NATIONAL CROSSING INVENTORY.

(a) IN GENERAL.—Chapter 201 is amended by adding at the end the following:

##### “§ 20154. National crossing inventory

“(a) INITIAL REPORTING OF INFORMATION ABOUT PREVIOUSLY UNREPORTED CROSSINGS.—Not later than 6 months after the date of enactment of the Federal Railroad Safety Improvement Act or 6 months after a new