

But polio hung on in 10 countries in Africa, South Asia, and the Middle East, with 480 cases reported in 2001. Since then, Europe has been certified polio-free. But the disease has bounced back in India and Nigeria, and there were 1,462 cases reported in seven countries in 2002. The eradication target has been extended to 2005.

This resolution seeks to bolster the efforts of the WHO, UNICEF, CDC and Rotary International to eliminate this dreaded disease once and for all. It has been estimated that doing so would produce direct, global financial benefits of \$1.7 billion a year mostly by eliminating the need for further vaccinations and their associated risks and would free millions from fear.

I especially want to commend the efforts of Rotary members worldwide, who have set a goal of raising \$80 million this year for polio eradication. Rotary has committed more than \$500 million to the campaign since 1988. This represents the finest spirit of community action to address global problems, harkening back to when American families collected dimes to wipe out polio in this country. I urge all my colleagues to emulate the spirit of the Rotarians by supporting this resolution.

SENATE RESOLUTION 110—HONORING MARY JANE JENKINS OGILVIE, WIFE OF FORMER SENATE CHAPLAIN, REVEREND DR. LLOYD JOHN OGILVIE

Mr. KYL (for himself, Mr. FRIST, Mr. DASCHLE, Mr. STEVENS, Mr. MCCONNELL, Mr. REID, Mr. BYRD, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. ALLEN, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BREAUX, Mr. BROWNBACK, Mr. BUNNING, Mr. BURNS, Mr. CAMPBELL, Ms. CANTWELL, Mr. CARPER, Mr. CHAFEE, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORNYN, Mr. CORZINE, Mr. CRAIG, Mr. CRAPO, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. EDWARDS, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FITZGERALD, Mr. GRAHAM of Florida, Mr. GRAHAM of South Carolina, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mr. HOLLINGS, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MCCAIN, Ms. MIKULSKI, Mr. MILLER, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. NICKLES, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. SUNUNU, Mr. TALENT, Mr. THOMAS, Mr. VOINOVICH, Mr.

WARNER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 110

Whereas Mary Jane Jenkins Ogilvie, a friend to the United States Senate who succumbed April 1, 2003, to infirmities that she had battled courageously over many years was—

(1) petite in size, but grand in character, a woman with strong independent status, while still being steadfastly supportive of her husband during his chaplaincy;

(2) an active, vibrant, frank, honest, vigorous, and warm friend, especially to many Senate spouses, during her eight years here;

(3) a loving wife and mother who, though she missed her family in California, was a vital partner in her husband's service to the Senate, near the end of which she returned home to California;

(4) a devout woman, a fighter to the end, an individual impressive for her style, her spirit, and her strong faith; and

(5) the center of her family, cherished by her husband Lloyd, her children Heather, Scott, and Andrew, and her grandchildren Erin, Airley, Bonnie, and Scotter: Now, therefore, be it

Resolved, That the Senate—

(1) mourns the loss of Mary Jane Jenkins Ogilvie;

(2) recognizes her contributions to the Senate family;

(3) admires her courage and loyalty; and

(4) expresses gratitude that she is now with the Lord.

SEC. 2. TRANSMISSION OF ENROLLED RESOLUTION.

The Secretary of the Senate shall transmit an enrolled copy of this resolution to the family of Mary Jane Jenkins Ogilvie.

SENATE CONCURRENT RESOLUTION 34—CALLING FOR THE PROSECUTION OF IRAQIS AND THEIR SUPPORTERS FOR WAR CRIMES, AND FOR OTHER PURPOSES

Mr. SPECTER (for himself and Mr. BIDEN) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 34

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) the governments of the United States, the United Kingdom, and other nations comprising the coalition conducting Operation Iraqi Freedom should ensure the prosecution by tribunal of persons in the Government of Iraq, persons in the armed forces of Iraq, and any other persons, regardless of nationality, who order, direct, solicit, procure, coordinate, participate in, or support acts in violation of the international law of armed conflict (including the aspects of such law set forth in the Hague and Geneva Conventions) that are directed at members of the armed forces of the coalition nations or at the people of Iraq or any other nation;

(2) in the determination of appropriate persons to be charged and tried by such tribunal on the basis of command responsibility for any violation, consideration should be given to identifying responsible persons throughout the full range of the chain of command, and not only persons within formal chains of command of the government and armed forces of Iraq, but also persons integral to any informal link by which a person in the government of Iraq or the armed forces of

Iraq, or any other person, directs paramilitary, political, or guerrilla forces;

(3) in the determination of appropriate persons to be charged and tried by such tribunal, consideration should also be given to identifying persons who use political position or mass media in any of the violations; and

(4) in the determination of the violations of the international law of armed conflict to be tried by the tribunal, particular attention should be given to acts in the nature of those that, as of the date of this resolution, have already been committed by Iraqi directed forces, such as—

(A) the abuse of places protected from military attack under international law of armed conflict, such as the use of mosques and hospitals as military headquarters or for other military purposes;

(B) the ruse by which Iraqi combatants wear civilian clothing instead of, or over, uniforms to conceal their status as combatants and, while so clothed, attack coalition forces, including by means of suicide bombing by which a combatant appearing to be a civilian operator of a car detonates explosives concealed in the car;

(C) the ruse by which Iraqi combatants feign surrender to coalition forces to gain advantage used by the Iraqi combatants to attack personnel of the coalition forces;

(D) the use of civilians or other persons protected under international law of armed conflict as human shields for Iraqi combatants on the battlefield;

(E) assault, murder, kidnapping, or torture of civilians or other persons protected under international law in order to terrorize those persons or others or to prevent them from gaining the protection of coalition forces;

(F) abuse, torture, assault, or murder of personnel of coalition forces entitled to treatment as prisoners of war or of civilians entitled to a protected status under international law; and

(G) recruitment or encouragement of non-Iraqi foreign nationals to engage in violations of the international law of armed conflict.

AMENDMENTS SUBMITTED AND PROPOSED

SA 526. Mr. GRASSLEY (for himself and Mr. BAUCUS) proposed an amendment to the bill S. 476, to provide incentives for charitable contributions by individuals and businesses, to improve the public disclosure of activities of exempt organizations, and to enhance the ability of low-income Americans to gain financial security by building assets, and for other purposes.

TEXT OF AMENDMENTS

SA 526. Mr. GRASSLEY (for himself and Mr. BAUCUS) proposed an amendment to the bill S. 476, to provide incentives for charitable contributions by individuals and businesses, to improve the public disclosure of activities of exempt organizations, and to enhance the ability of low-income Americans to gain financial security by building assets, and for other purposes; as follows:

On page 24, strike lines 18 through 20, and insert the following:

“(i) IN GENERAL.—In the case of any such contributions by a taxpayer who is an eligible farmer or rancher for the taxable year in which such contributions are made—

On page 45, between lines 11 and 12, insert the following:

SEC. 113. 10-YEAR DIVESTITURE PERIOD FOR CERTAIN EXCESS BUSINESS HOLDINGS OF PRIVATE FOUNDATIONS.

(a) IN GENERAL.—Section 4943(c) (relating to excess business holdings) is amended by redesignating paragraph (7) as paragraph (8) and by inserting after paragraph (6) the following new paragraph:

“(7) 10-YEAR PERIOD TO DISPOSE OF CERTAIN LARGE GIFTS AND BEQUESTS.—

“(A) IN GENERAL.—Paragraph (6) shall be applied by substituting ‘10-year period’ for ‘5-year period’ if—

“(i) upon the election of a private foundation, it is established to the satisfaction of the Secretary that—

“(I) the excess business holdings (or increase in excess business holdings) in a business enterprise by the private foundation in an amount which is not less than \$1,000,000,000 is the result of a gift or bequest the fair market value of which is not less than \$1,000,000,000, and

“(II) after such gift or bequest, the private foundation does not have effective control of such business enterprise to which such gift or bequest relates,

“(ii) subject to subparagraph (C), the private foundation submits to the Secretary with such election a reasonable plan for disposing of all of the excess business holdings related to such gift or bequest, and

“(iii) the private foundation certifies annually to the Secretary that the private foundation is complying with the plan submitted under this paragraph, the requirement under clause (i)(II), and the rules under subparagraph (D).

“(B) ELECTION.—Any election under subparagraph (A)(i) shall be made not later than 6 months after the date of such gift or bequest and shall—

“(i) establish the fair market value of such gift or bequest, and

“(ii) include a certification that the requirement of subparagraph (A)(i)(II) is met.

“(C) REASONABLENESS OF PLAN.—

“(i) IN GENERAL.—Any plan submitted under subparagraph (A)(i) shall be presumed reasonable unless the Secretary notifies the private foundation to the contrary not later than 6 months after the submission of such plan.

“(ii) RESUBMISSION.—Upon notice by the Secretary under clause (i), the private foundation may resubmit a plan and shall have the burden of establishing the reasonableness of such plan to the Secretary.

“(D) SPECIAL RULES.—During any period in which an election under this paragraph is in effect—

“(i) section 4941(d)(2) (other than subparagraph (A) thereof) shall apply only with respect to any disqualified person described in section 4941(a)(1)(B),

“(ii) section 4942(a) shall be applied by substituting ‘third’ for ‘second’ both places it appears,

“(iii) section 4942(e)(1) shall be applied by substituting ‘12 percent’ for ‘5 percent’, and

“(iv) section 4942(g)(1)(A) shall be applied without regard to any portion of reasonable and necessary administrative expenses.

“(E) INFLATION ADJUSTMENT.—In the case of any taxable year beginning in a calendar year after 2003, the \$1,000,000,000 amount under subparagraph (A)(i)(I) shall be increased by an amount equal to such dollar amount, multiplied by the cost-of-living adjustment determined under section 1(f)(3) for such calendar year, determined by substituting ‘2002’ for ‘1992’ in subparagraph (B) thereof. If the \$1,000,000,000 amount as increased under this subparagraph is not a multiple of \$100,000,000, such amount shall be rounded to the next lowest multiple of \$100,000,000.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to gifts and bequests made after the date of the enactment of this Act.

On page 86, between lines 11 and 12, insert the following:

SEC. 313. EXEMPTION OF QUALIFIED 501(c)(3) BONDS FOR NURSING HOMES FROM FEDERAL GUARANTEE PROHIBITIONS.

(a) IN GENERAL.—Section 149(b)(3) (relating to exceptions) is amended by adding at the end the following new subparagraph:

“(E) EXCEPTION FOR QUALIFIED 501(c)(3) BONDS FOR NURSING HOMES.—

“(i) IN GENERAL.—Paragraph (1) shall not apply to any qualified 501(c)(3) bond issued before the date which is 1 year after the date of the enactment of this subparagraph for the benefit of an organization described in section 501(c)(3), if such bond is part of an issue the proceeds of which are used to finance 1 or more of the following facilities primarily for the benefit of the elderly:

“(I) Licensed nursing home facility.

“(II) Licensed or certified assisted living facility.

“(III) Licensed personal care facility.

“(IV) Continuing care retirement community.

“(ii) LIMITATION.—With respect to any calendar year, clause (i) shall not apply to any bond described in such clause if the aggregate authorized face amount of the issue of which such bond is a part when increased by the outstanding amount of such bonds issued by the issuer for such calendar year exceeds \$15,000,000.

“(iii) CONTINUING CARE RETIREMENT COMMUNITY.—For purposes of this subparagraph, the term ‘continuing care retirement community’ means a community which provides, on the same campus, a continuum of residential living options and support services to persons at least 60 years of age under a written agreement. For purposes of the preceding sentence, the residential living options shall include independent living units, nursing home beds, and either assisted living units or personal care beds.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to bonds issued after the date of the enactment of this Act.

SEC. 314. EXCISE TAXES EXEMPTION FOR BLOOD COLLECTOR ORGANIZATIONS.

(a) EXEMPTION FROM IMPOSITION OF SPECIAL FUELS TAX.—Section 4041(g) (relating to other exemptions) is amended by striking “and” at the end of paragraph (3), by striking the period in paragraph (4) and inserting “; and”, and by inserting after paragraph (4) the following new paragraph:

“(5) with respect to the sale of any liquid to a qualified blood collector organization (as defined in section 7701(a)(48)) for such organization’s exclusive use, or with respect to the use by a qualified blood collector organization of any liquid as a fuel.”.

(b) EXEMPTION FROM MANUFACTURERS EXCISE TAX.—

(1) IN GENERAL.—Section 4221(a) (relating to certain tax-free sales) is amended by striking “or” at the end of paragraph (4), by adding “or” at the end of paragraph (5), and by inserting after paragraph (5) the following new paragraph:

“(6) to a qualified blood collector organization (as defined in section 7701(a)(48)) for such organization’s exclusive use.”.

(2) CONFORMING AMENDMENTS.—

(A) The second sentence of section 4221(a) is amended by striking “Paragraphs (4) and (5)” and inserting “Paragraphs (4), (5), and (6)”.

(B) Section 6421(c) is amended by striking “or (5)” and inserting “(5), or (6)”.

(c) EXEMPTION FROM COMMUNICATION EXCISE TAX.—

(1) IN GENERAL.—Section 4253 (relating to exemptions) is amended by redesignating subsection (k) as subsection (l) and inserting after subsection (j) the following new subsection:

“(k) EXEMPTION FOR QUALIFIED BLOOD COLLECTOR ORGANIZATIONS.—Under regulations provided by the Secretary, no tax shall be imposed under section 4251 on any amount paid by a qualified blood collector organization (as defined in section 7701(a)) for services or facilities furnished to such organization.”.

(2) CONFORMING AMENDMENT.—Section 4253(l), as redesignated by paragraph (1), is amended by striking “or (j)” and inserting “(j), or (k)”.

(d) CREDIT FOR REFUND FOR CERTAIN TAXES ON SALES AND SERVICES.—

(1) DEEMED OVERPAYMENT.—

(A) IN GENERAL.—Section 6416(b)(2) is amended by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively, and by inserting after subparagraph (D) the following new subparagraph:

“(E) sold to a qualified blood collector organization’s (as defined in section 7701(a)(48)) for such organization’s exclusive use.”.

(B) CONFORMING AMENDMENTS.—Section 6416(b)(2) is amended—

(i) by striking “Subparagraphs (C) and (D)” and inserting “Subparagraphs (C), (D), and (E)”, and

(ii) by striking “(C), and (D)” and inserting “(C), (D), and (E)”.

(2) SALES OF TIRES.—Clause (ii) of section 6416(b)(4)(B) is amended by inserting “sold to a qualified blood collector organization (as defined in section 7701(a)(48))” after “for its exclusive use.”.

(e) DEFINITION OF QUALIFIED BLOOD COLLECTOR ORGANIZATION.—Section 7701(a) is amended by inserting at the end the following new paragraph:

“(48) QUALIFIED BLOOD COLLECTOR ORGANIZATION.—For purposes of this title, the term ‘qualified blood collector organization’ means an organization which is—

“(A) described in section 501(c)(3) and exempt from tax under section 501(a),

“(B) registered by the Food and Drug Administration to collect blood, and

“(C) primarily engaged in the activity of the collection of blood.”.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply with respect to excise taxes imposed on sales or uses occurring on or after October 1, 2003.

(2) REFUND OF GASOLINE TAX.—For purposes of section 6421(c) of the Internal Revenue Code of 1986 and any other provision that allows for a refund or a payment in respect of an excise tax payable at a level before the sale to a qualified blood collector organization, the amendments made by this section shall apply with respect to sales to a qualified collector organization on or after October 1, 2003.

SEC. 315. PILOT PROJECT FOR FOREST CONSERVATION ACTIVITIES.

(a) TAX-EXEMPT BOND FINANCING.—

(1) IN GENERAL.—For purposes of the Internal Revenue Code of 1986, any qualified forest conservation bond shall be treated as an exempt facility bond under section 142 of such Code.

(2) QUALIFIED FOREST CONSERVATION BOND.—For purposes of this section, the term “qualified forest conservation bond” means any bond issued as part of an issue if—

(A) 95 percent or more of the net proceeds (as defined in section 150(a)(3) of such Code) of such issue are to be used for qualified project costs,

(B) such bond is issued for a qualified organization, and

(C) such bond is issued before December 31, 2006.

(3) LIMITATION ON AGGREGATE AMOUNT ISSUED.—

(A) IN GENERAL.—The maximum aggregate face amount of bonds which may be issued under this subsection shall not exceed \$2,000,000,000 for all projects (excluding refunding bonds).

(B) ALLOCATION OF LIMITATION.—The limitation described in subparagraph (A) shall be allocated by the Secretary of the Treasury among qualified organizations based on criteria established by the Secretary not later than 180 days after the date of the enactment of this section, after consultation with the Chief of the Forest Service.

(4) QUALIFIED PROJECT COSTS.—For purposes of this subsection, the term “qualified project costs” means the sum of—

(A) the cost of acquisition by the qualified organization from an unrelated person of forests and forest land which at the time of acquisition or immediately thereafter are subject to a conservation restriction described in subsection (c)(2),

(B) capitalized interest on the qualified forest conservation bonds for the 3-year period beginning on the date of issuance of such bonds, and

(C) credit enhancement fees which constitute qualified guarantee fees (within the meaning of section 148 of such Code).

(5) SPECIAL RULES.—In applying the Internal Revenue Code of 1986 to any qualified forest conservation bond, the following modifications shall apply:

(A) Section 146 of such Code (relating to volume cap) shall not apply.

(B) For purposes of section 147(b) of such Code (relating to maturity may not exceed 120 percent of economic life), the land and standing timber acquired with proceeds of qualified forest conservation bonds shall have an economic life of 35 years.

(C) Subsections (c) and (d) of section 147 of such Code (relating to limitations on acquisition of land and existing property) shall not apply.

(D) Section 57(a)(5) of such Code (relating to tax-exempt interest) shall not apply to interest on qualified forest conservation bonds.

(6) TREATMENT OF CURRENT REFUNDING BONDS.—Paragraphs (2)(C) and (3) shall not apply to any bond (or series of bonds) issued to refund a qualified forest conservation bond issued before December 31, 2006, if—

(A) the average maturity date of the issue of which the refunding bond is a part is not later than the average maturity date of the bonds to be refunded by such issue,

(B) the amount of the refunding bond does not exceed the outstanding amount of the refunded bond, and

(C) the net proceeds of the refunding bond are used to redeem the refunded bond not later than 90 days after the date of the issuance of the refunding bond.

For purposes of subparagraph (A), average maturity shall be determined in accordance with section 147(b)(2)(A) of such Code.

(7) EFFECTIVE DATE.—This subsection shall apply to obligations issued on or after the date which is 180 days after the enactment of this Act.

(b) ITEMS FROM QUALIFIED HARVESTING ACTIVITIES NOT SUBJECT TO TAX OR TAKEN INTO ACCOUNT.—

(1) IN GENERAL.—Income, gains, deductions, losses, or credits from a qualified harvesting activity conducted by a qualified organization shall not be subject to tax or taken into account under subtitle A of the Internal Revenue Code of 1986.

(2) LIMITATION.—The amount of income excluded from gross income under paragraph (1) for any taxable year shall not exceed the amount used by the qualified organization to

make debt service payments during such taxable year for qualified forest conservation bonds.

(3) QUALIFIED HARVESTING ACTIVITY.—For purposes of paragraph (1)—

(A) IN GENERAL.—The term “qualified harvesting activity” means the sale, lease, or harvesting, of standing timber—

(i) on land owned by a qualified organization which was acquired with proceeds of qualified forest conservation bonds,

(ii) with respect to which a written acknowledgement has been obtained by the qualified organization from the State or local governments with jurisdiction over such land that the acquisition lessens the burdens of such government with respect to such land, and

(iii) pursuant to a qualified conservation plan adopted by the qualified organization.

(B) EXCEPTIONS.—

(i) CESSATION AS QUALIFIED ORGANIZATION.—The term “qualified harvesting activity” shall not include any sale, lease, or harvesting for any period during which the organization ceases to qualify as a qualified organization.

(ii) EXCEEDING LIMITS ON HARVESTING.—The term “qualified harvesting activity” shall not include any sale, lease, or harvesting of standing timber on land acquired with proceeds of qualified forest conservation bonds to the extent that—

(I) the average annual area of timber harvested from such land exceeds 2.5 percent of the total area of such land or,

(II) the quantity of timber removed from such land exceeds the quantity which can be removed from such land annually in perpetuity on a sustained-yield basis with respect to such land.

The limitations under subclauses (I) and (II) shall not apply to post-fire restoration and rehabilitation or sanitation harvesting of timber stands which are substantially damaged by fire, windthrow, or other catastrophes, or which are in imminent danger from insect or disease attack.

(4) TERMINATION.—This subsection shall not apply to any qualified harvesting activity of a qualified organization occurring after the date on which there is no outstanding qualified forest conservation bond with respect to such qualified organization or any such bond ceases to be a tax-exempt bond.

(5) PARTIAL RECAPTURE OF BENEFITS IF HARVESTING LIMIT EXCEEDED.—If, as of the date that this subsection ceases to apply under paragraph (3), the average annual area of timber harvested from the land exceeds the requirement of paragraph (3)(B)(ii)(I), the tax imposed by chapter 1 of the Internal Revenue Code of 1986 shall be increased, under rules prescribed by the Secretary of the Treasury, by the sum of the tax benefits attributable to such excess and interest at the underpayment rate under section 6621 of such Code for the period of the underpayment.

(c) DEFINITIONS.—For purposes of this section—

(1) QUALIFIED CONSERVATION PLAN.—The term “qualified conservation plan” means a multiple land use program or plan which—

(A) is designed and administered primarily for the purposes of protecting and enhancing wildlife and fish, timber, scenic attributes, recreation, and soil and water quality of the forest and forest land,

(B) mandates that conservation of forest and forest land is the single-most significant use of the forest and forest land, and

(C) requires that timber harvesting be consistent with—

(i) restoring and maintaining reference conditions for the region's ecotype,

(ii) restoring and maintaining a representative sample of young, mid, and late successional forest age classes,

(iii) maintaining or restoring the resources' ecological health for purposes of preventing damage from fire, insect, or disease,

(iv) maintaining or enhancing wildlife or fish habitat, or

(v) enhancing research opportunities in sustainable renewable resource uses.

(2) CONSERVATION RESTRICTION.—The conservation restriction described in this paragraph is a restriction which—

(A) is granted in perpetuity to an unrelated person which is described in section 170(h)(3) of such Code and which, in the case of a nongovernmental unit, is organized and operated for conservation purposes,

(B) meets the requirements of clause (ii) or (iii)(II) of section 170(h)(4)(A) of such Code,

(C) obligates the qualified organization to pay the costs incurred by the holder of the conservation restriction in monitoring compliance with such restriction, and

(D) requires an increasing level of conservation benefits to be provided whenever circumstances allow it.

(3) QUALIFIED ORGANIZATION.—The term “qualified organization” means an organization—

(A) which is a nonprofit organization substantially all the activities of which are charitable, scientific, or educational, including acquiring, protecting, restoring, managing, and developing forest lands and other renewable resources for the long-term charitable, educational, scientific and public benefit,

(B) more than half of the value of the property of which consists of forests and forest land acquired with the proceeds from qualified forest conservation bonds,

(C) which periodically conducts educational programs designed to inform the public of environmentally sensitive forestry management and conservation techniques,

(D) which has at all times a board of directors—

(i) at least 20 percent of the members of which represent the holders of the conservation restriction described in paragraph (2),

(ii) at least 20 percent of the members of which are public officials, and

(iii) not more than one-third of the members of which are individuals who are or were at any time within 5 years before the beginning of a term of membership on the board, an employee of, independent contractor with respect to, officer of, director of, or held a material financial interest in, a commercial forest products enterprise with which the qualified organization has a contractual or other financial arrangement,

(E) the bylaws of which require at least two-thirds of the members of the board of directors to vote affirmatively to approve the qualified conservation plan and any change thereto, and

(F) upon dissolution, is required to dedicate its assets to—

(i) an organization described in section 501(c)(3) of such Code which is organized and operated for conservation purposes, or

(ii) a governmental unit described in section 170(c)(1) of such Code.

(4) UNRELATED PERSON.—The term “unrelated person” means a person who is not a related person.

(5) RELATED PERSON.—A person shall be treated as related to another person if—

(A) such person bears a relationship to such other person described in section 267(b) thereof, or 707(b)(1), of such Code, determined without regard to paragraph (9) thereof, or 707(b)(1), of such Code, determined by substituting “25 percent” for “50 percent” each place it appears therein, and

(B) in the case such other person is a non-profit organization, if such person controls directly or indirectly more than 25 percent of the governing body of such organization.

SEC. 316. CLARIFICATION OF TREATMENT OF JOHNNY MICHEAL SPANN PATRIOT TRUSTS.

(a) CLARIFICATION OF TAX-EXEMPT STATUS OF TRUSTS.—

(1) IN GENERAL.—Subsection (b) of section 601 of the Homeland Security Act of 2002 is amended to read as follows:

“(b) DESIGNATION OF JOHNNY MICHEAL SPANN PATRIOT TRUSTS.—Any charitable corporation, fund, foundation, or trust (or separate fund or account thereof) which is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code and meets the requirements described in subsection (c) shall be eligible to designate itself as a ‘Johnny Micheal Spann Patriot trust.’”.

(2) CONFORMING AMENDMENT.—Section 601(c)(3) of such Act is amended by striking “based” and all that follows through “Trust”.

(b) PUBLICLY AVAILABLE AUDITS.—Section 601(c)(7) of the Homeland Security Act of 2002 is amended by striking “shall be filed with the Internal Revenue Service, and shall be open to public inspection” and inserting “shall be open to public inspection consistent with section 6104(d)(1) of the Internal Revenue Code of 1986”.

(c) CLARIFICATION OF REQUIRED DISTRIBUTIONS TO PRIVATE FOUNDATION.—

(1) IN GENERAL.—Section 601(c)(8) of the Homeland Security Act of 2002 is amended by striking “not placed” and all that follows and inserting “not so distributed shall be contributed to a private foundation which is described in section 509(a) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code and which is dedicated to such beneficiaries not later than 36 months after the end of the fiscal year in which such funds, donations, or earnings are received.”.

(2) CONFORMING AMENDMENTS.—Section 601(c) of such Act is amended—

(A) by striking “(or, if placed in a private foundation, held in trust for)” in paragraph (1) and inserting “(or contributed to a private foundation described in paragraph (8) for the benefit of)”, and

(B) by striking “invested in a private foundation” in paragraph (2) and inserting “contributed to a private foundation described in paragraph (8)”.

(d) REQUIREMENTS FOR DISTRIBUTIONS FROM TRUSTS.—Section 601(c)(9)(A) of the Homeland Security Act of 2002 is amended by striking “should” and inserting “shall”.

(e) REGULATIONS REGARDING NOTIFICATION OF TRUST BENEFICIARIES.—Section 601(f) of the Homeland Security Act of 2002 is amended by striking “this section” and inserting “subsection (e)”.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of section 601 of the Homeland Security Act of 2002.

On page 100, line 20, strike “7525” and insert “7528”.

On page 101, after line 8, strike “7525” and insert “7528”.

On page 123, before line 22, insert the following:

(e) REPORT REGARDING ACCOUNT MAINTENANCE FEES.—The Secretary of the Treasury shall study the adequacy of the amount specified in section 45G(c)(2) of the Internal Revenue Code of 1986 (as added by this section). Not later than December 31, 2009, the Secretary of the Treasury shall report the findings of the study described in the preceding sentence to Congress.

On page 123, line 22, strike “(e)” and insert “(f)”.

On page 125, strike lines 10 through 12, and insert the following:

(a) IN GENERAL.—Section 7701, as amended by this Act, is amended by redesignating subsection (o) as subsection (p) and by inserting after subsection (n) the following new subsection:

On page 125, line 13, strike “(m)” and insert “(o)”.

On page 148, line 21, strike “section 7701(m)(1)” and insert “section 7701(o)(1)”.

On page 148, line 24, strike “section 7701(m)(2)” and insert “section 7701(o)(2)”.

On page 175, after line 20, add the following:

SEC. 723. SECURITIES CIVIL ENFORCEMENT PROVISIONS.

(a) AUTHORITY TO ASSESS CIVIL MONEY PENALTIES.—

(1) SECURITIES ACT OF 1933.—Section 8A of the Securities Act of 1933 (15 U.S.C. 77h-1) is amended by adding at the end the following new subsection:

“(g) AUTHORITY OF THE COMMISSION TO ASSESS MONEY PENALTY.—

“(1) IN GENERAL.—In any cease-and-desist proceeding under subsection (a), the Commission may impose a civil monetary penalty if it finds, on the record after notice and opportunity for hearing, that a person is violating, has violated, or is or was a cause of the violation of, any provision of this title or any rule or regulation thereunder, and that such penalty is in the public interest.

“(2) MAXIMUM AMOUNT OF PENALTY.—

“(A) FIRST TIER.—The maximum amount of penalty for each act or omission described in paragraph (1) shall be \$100,000 for a natural person or \$250,000 for any other person.

“(B) SECOND TIER.—Notwithstanding subparagraph (A), the maximum amount of penalty for such act or omission described in paragraph (1) shall be \$500,000 for a natural person or \$1,000,000 for any other person, if the act or omission involved fraud, deceit, manipulation, or deliberate or reckless disregard of a statutory or regulatory requirement.

“(C) THIRD TIER.—Notwithstanding subparagraphs (A) and (B), the maximum amount of penalty for each act or omission described in paragraph (1) shall be \$1,000,000 for a natural person or \$2,000,000 for any other person, if—

“(i) the act or omission involved fraud, deceit, manipulation, or deliberate or reckless disregard of a statutory or regulatory requirement; and

“(ii) such act or omission directly or indirectly resulted in substantial losses or created a significant risk of substantial losses to other persons or resulted in substantial pecuniary gain to the person who committed the act or omission.

“(3) EVIDENCE CONCERNING ABILITY TO PAY.—In any proceeding in which the Commission or the appropriate regulatory agency may impose a penalty under this section, a respondent may present evidence of the ability of the respondent to pay such penalty. The Commission or the appropriate regulatory agency may, in its discretion, consider such evidence in determining whether the penalty is in the public interest. Such evidence may relate to the extent of the person’s ability to continue in business and the collectability of a penalty, taking into account any other claims of the United States or third parties upon the assets of that person and the amount of the assets of that person.”.

(2) SECURITIES EXCHANGE ACT OF 1934.—Section 21B(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78u-2(a)) is amended—

(A) in paragraph (4), by striking “supervision;” and all that follows through the end of the subsection and inserting “supervision.”;

(B) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and moving the margins 2 ems to the right;

(C) by inserting “that such penalty is in the public interest and” after “hearing.”;

(D) by striking “In any proceeding” and inserting the following:

“(1) IN GENERAL.—In any proceeding;” and

(E) by adding at the end the following:

“(2) OTHER MONEY PENALTIES.—In any proceeding under section 21C against any person, the Commission may impose a civil monetary penalty if it finds, on the record after notice and opportunity for hearing, that such person is violating, has violated, or is or was a cause of the violation of, any provision of this title or any rule or regulation thereunder, and that such penalty is in the public interest.”.

(3) INVESTMENT COMPANY ACT OF 1940.—Section 9(d)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a-9(d)(1)) is amended—

(A) in subparagraph (C), by striking “therein;” and all that follows through the end of the paragraph and inserting “supervision.”;

(B) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and moving the margins 2 ems to the right;

(C) by inserting “that such penalty is in the public interest and” after “hearing.”;

(D) by striking “In any proceeding” and inserting the following:

“(A) IN GENERAL.—In any proceeding;” and

(E) by adding at the end the following:

“(B) OTHER MONEY PENALTIES.—In any proceeding under subsection (f) against any person, the Commission may impose a civil monetary penalty if it finds, on the record after notice and opportunity for hearing, that such person is violating, has violated, or is or was a cause of the violation of, any provision of this title or any rule or regulation thereunder, and that such penalty is in the public interest.”.

(4) INVESTMENT ADVISERS ACT OF 1940.—Section 203(i)(1) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-3(i)(1)) is amended—

(A) in subparagraph (D), by striking “supervision;” and all that follows through the end of the paragraph and inserting “supervision.”;

(B) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively, and moving the margins 2 ems to the right;

(C) by inserting “that such penalty is in the public interest and” after “hearing.”;

(D) by striking “In any proceeding” and inserting the following:

“(A) IN GENERAL.—In any proceeding;” and

(E) by adding at the end the following:

“(B) OTHER MONEY PENALTIES.—In any proceeding under subsection (k) against any person, the Commission may impose a civil monetary penalty if it finds, on the record after notice and opportunity for hearing, that such person is violating, has violated, or is or was a cause of the violation of, any provision of this title or any rule or regulation thereunder, and that such penalty is in the public interest.”.

(b) INCREASED MAXIMUM CIVIL MONEY PENALTIES.—

(1) SECURITIES ACT OF 1933.—Section 20(d)(2) of the Securities Act of 1933 (15 U.S.C. 77t(d)(2)) is amended—

(A) in subparagraph (A)(i)—

(i) by striking “\$5,000” and inserting “\$100,000”; and

(ii) by striking “\$50,000” and inserting “\$250,000”;

(B) in subparagraph (B)(i)—

(i) by striking “\$50,000” and inserting “\$500,000”; and

(ii) by striking "\$250,000" and inserting "\$1,000,000"; and
 (C) in subparagraph (C)(i)—
 (i) by striking "\$100,000" and inserting "\$1,000,000"; and
 (ii) by striking "\$500,000" and inserting "\$2,000,000".

(2) SECURITIES EXCHANGE ACT OF 1934.—
 (A) PENALTIES.—Section 32 of the Securities Exchange Act of 1934 (15 U.S.C. 78ff) is amended—

(i) in subsection (b), by striking "\$100" and inserting "\$10,000"; and
 (ii) in subsection (c)—

(I) in paragraph (1)(B), by striking "\$10,000" and inserting "\$500,000"; and
 (II) in paragraph (2)(B), by striking "\$10,000" and inserting "\$500,000".

(B) INSIDER TRADING.—Section 21A(a)(3) of the Securities Exchange Act of 1934 (15 U.S.C. 78u-1(a)(3)) is amended by striking "\$1,000,000" and inserting "\$2,000,000".

(C) ADMINISTRATIVE PROCEEDINGS.—Section 21B(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78u-2(b)) is amended—

(i) in paragraph (1)—
 (I) by striking "\$5,000" and inserting "\$100,000"; and
 (II) by striking "\$50,000" and inserting "\$250,000";

(ii) in paragraph (2)—
 (I) by striking "\$50,000" and inserting "\$500,000"; and
 (II) by striking "\$250,000" and inserting "\$1,000,000"; and

(iii) in paragraph (3)—
 (I) by striking "\$100,000" and inserting "\$1,000,000"; and
 (II) by striking "\$500,000" and inserting "\$2,000,000".

(D) CIVIL ACTIONS.—Section 21(d)(3)(B) of the Securities Exchange Act of 1934 (15 U.S.C. 78u(d)(3)(B)) is amended—

(i) in clause (i)—
 (I) by striking "\$5,000" and inserting "\$100,000"; and
 (II) by striking "\$50,000" and inserting "\$250,000";

(ii) in clause (ii)—
 (I) by striking "\$50,000" and inserting "\$500,000"; and
 (II) by striking "\$250,000" and inserting "\$1,000,000"; and

(iii) in clause (iii)—
 (I) by striking "\$100,000" and inserting "\$1,000,000"; and
 (II) by striking "\$500,000" and inserting "\$2,000,000".

(3) INVESTMENT COMPANY ACT OF 1940.—
 (A) INELIGIBILITY.—Section 9(d)(2) of the Investment Company Act of 1940 (15 U.S.C. 80a-9(d)(2)) is amended—

(i) in subparagraph (A)—
 (I) by striking "\$5,000" and inserting "\$100,000"; and
 (II) by striking "\$50,000" and inserting "\$250,000";

(ii) in subparagraph (B)—
 (I) by striking "\$50,000" and inserting "\$500,000"; and
 (II) by striking "\$250,000" and inserting "\$1,000,000"; and

(iii) in subparagraph (C)—
 (I) by striking "\$100,000" and inserting "\$1,000,000"; and
 (II) by striking "\$500,000" and inserting "\$2,000,000".

(B) ENFORCEMENT OF INVESTMENT COMPANY ACT.—Section 42(e)(2) of the Investment Company Act of 1940 (15 U.S.C. 80a-41(e)(2)) is amended—

(i) in subparagraph (A)—
 (I) by striking "\$5,000" and inserting "\$100,000"; and
 (II) by striking "\$50,000" and inserting "\$250,000";

(ii) in subparagraph (B)—
 (I) by striking "\$50,000" and inserting "\$500,000"; and
 (II) by striking "\$250,000" and inserting "\$1,000,000"; and

(iii) in subparagraph (C)—
 (I) by striking "\$100,000" and inserting "\$1,000,000"; and
 (II) by striking "\$500,000" and inserting "\$2,000,000".

(C) ENFORCEMENT OF INVESTMENT ADVISERS ACT.—Section 209(e)(2) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-9(e)(2)) is amended—

(i) in subparagraph (A)—
 (I) by striking "\$5,000" and inserting "\$100,000"; and
 (II) by striking "\$50,000" and inserting "\$250,000";

(ii) in subparagraph (B)—
 (I) by striking "\$50,000" and inserting "\$500,000"; and
 (II) by striking "\$250,000" and inserting "\$1,000,000"; and

(iii) in subparagraph (C)—
 (I) by striking "\$100,000" and inserting "\$1,000,000"; and
 (II) by striking "\$500,000" and inserting "\$2,000,000".

(D) ENFORCEMENT OF INVESTMENT ADVISERS ACT.—Section 209(e)(2) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-9(e)(2)) is amended—

(i) in subparagraph (A)—
 (I) by striking "\$5,000" and inserting "\$100,000"; and
 (II) by striking "\$50,000" and inserting "\$250,000";

(ii) in subparagraph (B)—
 (I) by striking "\$5,000" and inserting "\$100,000"; and
 (II) by striking "\$50,000" and inserting "\$250,000";

(I) by striking "\$50,000" and inserting "\$500,000"; and
 (II) by striking "\$250,000" and inserting "\$1,000,000"; and

(iii) in subparagraph (C)—
 (I) by striking "\$100,000" and inserting "\$1,000,000"; and
 (II) by striking "\$500,000" and inserting "\$2,000,000".

(4) INVESTMENT ADVISERS ACT OF 1940.—
 (A) REGISTRATION.—Section 203(i)(2) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-3(i)(2)) is amended—

(i) in subparagraph (A)—
 (I) by striking "\$5,000" and inserting "\$100,000"; and
 (II) by striking "\$50,000" and inserting "\$250,000";

(ii) in subparagraph (B)—
 (I) by striking "\$50,000" and inserting "\$500,000"; and
 (II) by striking "\$250,000" and inserting "\$1,000,000"; and

(iii) in subparagraph (C)—
 (I) by striking "\$100,000" and inserting "\$1,000,000"; and
 (II) by striking "\$500,000" and inserting "\$2,000,000".

(B) ENFORCEMENT OF INVESTMENT ADVISERS ACT.—Section 209(e)(2) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-9(e)(2)) is amended—

(i) in subparagraph (A)—
 (I) by striking "\$5,000" and inserting "\$100,000"; and
 (II) by striking "\$50,000" and inserting "\$250,000";

(ii) in subparagraph (B)—
 (I) by striking "\$50,000" and inserting "\$500,000"; and
 (II) by striking "\$250,000" and inserting "\$1,000,000"; and

(iii) in subparagraph (C)—
 (I) by striking "\$100,000" and inserting "\$1,000,000"; and
 (II) by striking "\$500,000" and inserting "\$2,000,000".

(C) AUTHORITY TO OBTAIN FINANCIAL RECORDS.—Section 21(h) of the Securities Exchange Act of 1934 (15 U.S.C. 78u(h)) is amended—

(1) by striking paragraphs (2) through (8);
 (2) in paragraph (9), by striking "(9)(A)" and all that follows through "(B) The" and inserting "(3) The";

(3) by inserting after paragraph (1), the following:
 "(2) ACCESS TO FINANCIAL RECORDS.—

"(A) IN GENERAL.—Notwithstanding section 1105 or 1107 of the Right to Financial Privacy Act of 1978, the Commission may obtain access to and copies of, or the information contained in, financial records of any person held by a financial institution, including the financial records of a customer, without notice to that person, when it acts pursuant to a subpoena authorized by a formal order of investigation of the Commission and issued under the securities laws or pursuant to an administrative or judicial subpoena issued in a proceeding or action to enforce the securities laws.

"(B) NONDISCLOSURE OF REQUESTS.—If the Commission so directs in its subpoena, no financial institution, or officer, director, partner, employee, shareholder, representative or agent of such financial institution, shall, directly or indirectly, disclose that records have been requested or provided in accordance with subparagraph (A), if the Commission finds reason to believe that such disclosure may—

"(i) result in the transfer of assets or records outside the territorial limits of the United States;

"(ii) result in improper conversion of investor assets;

"(iii) impede the ability of the Commission to identify, trace, or freeze funds involved in any securities transaction;

"(iv) endanger the life or physical safety of an individual;

"(v) result in flight from prosecution;

"(vi) result in destruction of or tampering with evidence;

"(vii) result in intimidation of potential witnesses; or

"(viii) otherwise seriously jeopardize an investigation or unduly delay a trial.

"(C) TRANSFER OF RECORDS TO GOVERNMENT AUTHORITIES.—The Commission may transfer financial records or the information contained therein to any government authority, if the Commission proceeds as a transferring agency in accordance with section 1112 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3412), except that a customer notice shall not be required under subsection (b) or (c) of that section 1112, if the Commission determines that there is reason to believe that such notification may result in or lead to any of the factors identified under clauses (i) through (viii) of subparagraph (B) of this paragraph."

(4) by striking paragraph (10); and
 (5) by redesignating paragraphs (11), (12), and (13) as paragraphs (4), (5), and (6), respectively.

SEC. 724. REVIEW OF STATE AGENCY BLINDNESS AND DISABILITY DETERMINATIONS.

Section 1633 of the Social Security Act (42 U.S.C. 1383b) is amended by adding at the end the following:

"(e)(1) The Commissioner of Social Security shall review determinations, made by State agencies pursuant to subsection (a) in connection with applications for benefits under this title on the basis of blindness or disability, that individuals who have attained 18 years of age are blind or disabled as of a specified onset date. The Commissioner of Social Security shall review such a determination before any action is taken to implement the determination.

"(2)(A) In carrying out paragraph (1), the Commissioner of Social Security shall review—

"(i) at least 25 percent of all determinations referred to in paragraph (1) that are made in fiscal year 2004; and
 "(ii) at least 50 percent of all such determinations that are made in fiscal year 2005 or thereafter.

"(B) In carrying out subparagraph (A), the Commissioner of Social Security shall, to the extent feasible, select for review the determinations which the Commissioner of Social Security identifies as being the most likely to be incorrect."

"(iii) impede the ability of the Commission to identify, trace, or freeze funds involved in any securities transaction;

"(iv) endanger the life or physical safety of an individual;

"(v) result in flight from prosecution;

"(vi) result in destruction of or tampering with evidence;

"(vii) result in intimidation of potential witnesses; or

"(viii) otherwise seriously jeopardize an investigation or unduly delay a trial.

"(C) TRANSFER OF RECORDS TO GOVERNMENT AUTHORITIES.—The Commission may transfer financial records or the information contained therein to any government authority, if the Commission proceeds as a transferring agency in accordance with section 1112 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3412), except that a customer notice shall not be required under subsection (b) or (c) of that section 1112, if the Commission determines that there is reason to believe that such notification may result in or lead to any of the factors identified under clauses (i) through (viii) of subparagraph (B) of this paragraph."

(4) by striking paragraph (10); and
 (5) by redesignating paragraphs (11), (12), and (13) as paragraphs (4), (5), and (6), respectively.

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"(2)(A) In carrying out paragraph (1), the Commissioner of Social Security shall review—

"(i) at least 25 percent of all determinations referred to in paragraph (1) that are made in fiscal year 2004; and
 "(ii) at least 50 percent of all such determinations that are made in fiscal year 2005 or thereafter.

"(B) In carrying out subparagraph (A), the Commissioner of Social Security shall, to the extent feasible, select for review the determinations which the Commissioner of Social Security identifies as being the most likely to be incorrect."

TITLE VIII—COMPASSION CAPITAL FUND

SEC. 801. SUPPORT FOR NONPROFIT COMMUNITY-BASED ORGANIZATIONS; DEPARTMENT OF HEALTH AND HUMAN SERVICES.

(a) SUPPORT FOR NONGOVERNMENTAL ORGANIZATIONS.—The Secretary of Health and Human Services (referred to in this section as "the Secretary") may award grants to and enter into cooperative agreements with nongovernmental organizations, to—

(1) provide technical assistance for community-based organizations, which may include—

(A) grant writing and grant management assistance, which may include assistance provided through workshops and other guidance;

(B) legal assistance with incorporation;

(C) legal assistance to obtain tax-exempt status; and

(D) information on, and referrals to, other nongovernmental organizations that provide expertise in accounting, on legal issues, on tax issues, in program development, and on a variety of other organizational topics;

(2) provide information and assistance for community-based organizations on capacity building;

(3) provide for community-based organizations information on and assistance in identifying and using best practices for delivering assistance to persons, families, and communities in need;

(4) provide information on and assistance in utilizing regional intermediary organizations to increase and strengthen the capabilities of nonprofit community-based organizations;

(5) assist community-based organizations in replicating social service programs of demonstrated effectiveness; and

(6) encourage research on the best practices of social service organizations.

(b) **SUPPORT FOR STATES.**—The Secretary—

(1) may award grants to and enter into cooperative agreements with States and political subdivisions of States to provide seed money to establish State and local offices of faith-based and community initiatives; and

(2) shall provide technical assistance to States and political subdivisions of States in administering the provisions of this Act.

(c) **APPLICATIONS.**—To be eligible to receive a grant or enter into a cooperative agreement under this section, a nongovernmental organization, State, or political subdivision shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(d) **LIMITATION.**—In order to widely disburse limited resources, no community-based organization (other than a direct recipient of a grant or cooperative agreement from the Secretary) may receive more than 1 grant or cooperative agreement under this section for the same purpose.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$85,000,000 for fiscal year 2003, and such sums as may be necessary for each of fiscal years 2004 through 2007.

(f) **DEFINITION.**—In this section, the term “community-based organization” means a nonprofit corporation or association that has—

(1) not more than 6 full-time equivalent employees who are engaged in the provision of social services; or

(2) a current annual budget (current as of the date the entity seeks assistance under this section) for the provision of social services, compiled and adopted in good faith, of less than \$450,000.

SEC. 802. SUPPORT FOR NONPROFIT COMMUNITY-BASED ORGANIZATIONS; CORPORATION FOR NATIONAL AND COMMUNITY SERVICE.

(a) **SUPPORT FOR NONGOVERNMENTAL ORGANIZATIONS.**—The Corporation for National and Community Service (referred to in this section as “the Corporation”) may award grants to and enter into cooperative agreements with nongovernmental organizations and State Commissions on National and Community Service established under section 178 of the National and Community Service Act of 1990 (42 U.S.C. 12638), to—

(1) provide technical assistance for community-based organizations, which may include—

(A) grant writing and grant management assistance, which may include assistance provided through workshops and other guidance;

(B) legal assistance with incorporation;

(C) legal assistance to obtain tax-exempt status; and

(D) information on, and referrals to, other nongovernmental organizations that provide expertise in accounting, on legal issues, on tax issues, in program development, and on a variety of other organizational topics;

(2) provide information and assistance for community-based organizations on capacity building;

(3) provide for community-based organizations information on and assistance in identifying and using best practices for delivering assistance to persons, families, and communities in need;

(4) provide information on and assistance in utilizing regional intermediary organizations to increase and strengthen the capabilities of community-based organizations;

(5) assist community-based organizations in replicating social service programs of demonstrated effectiveness; and

(6) encourage research on the best practices of social service organizations.

(b) **APPLICATIONS.**—To be eligible to receive a grant or enter into a cooperative agreement under this section, a nongovernmental organization, State Commission, State, or political subdivision shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require.

(c) **LIMITATION.**—In order to widely disburse limited resources, no community-based organization (other than a direct recipient of a grant or cooperative agreement from the Secretary) may receive more than 1 grant or cooperative agreement under this section for the same purpose.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$15,000,000 for fiscal year 2003, and such sums as may be necessary for each of fiscal years 2004 through 2007.

(e) **DEFINITION.**—In this section, the term “community-based organization” means a nonprofit corporation or association that has—

(1) not more than 6 full-time equivalent employees who are engaged in the provision of social services; or

(2) a current annual budget (current as of the date the entity seeks assistance under this section) for the provision of social services, compiled and adopted in good faith, of less than \$450,000.

SEC. 803. SUPPORT FOR NONPROFIT COMMUNITY-BASED ORGANIZATIONS; DEPARTMENT OF JUSTICE.

(a) **SUPPORT FOR NONGOVERNMENTAL ORGANIZATIONS.**—The Attorney General may award grants to and enter into cooperative agreements with nongovernmental organizations, to—

(1) provide technical assistance for community-based organizations, which may include—

(A) grant writing and grant management assistance, which may include assistance provided through workshops and other guidance;

(B) legal assistance with incorporation;

(C) legal assistance to obtain tax-exempt status; and

(D) information on, and referrals to, other nongovernmental organizations that provide expertise in accounting, on legal issues, on tax issues, in program development, and on a variety of other organizational topics;

(2) provide information and assistance for community-based organizations on capacity building;

(3) provide for community-based organizations information on and assistance in identifying and using best practices for delivering assistance to persons, families, and communities in need;

(4) provide information on and assistance in utilizing regional intermediary organizations to increase and strengthen the capabilities of nonprofit community-based organizations;

(5) assist community-based organizations in replicating social service programs of demonstrated effectiveness; and

(6) encourage research on the best practices of social service organizations.

(b) **APPLICATIONS.**—To be eligible to receive a grant or enter into a cooperative agreement under this section, a nongovernmental organization, State, or political subdivision shall submit an application to the Attorney General at such time, in such manner, and containing such information as the Attorney General may require.

(c) **LIMITATION.**—In order to widely disburse limited resources, no community-based organization (other than a direct recipient of a grant or cooperative agreement from the Attorney General) may receive more than 1 grant or cooperative agreement under this section for the same purpose.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$35,000,000 for fiscal year 2003, and such sums as may be necessary for each of fiscal years 2004 through 2007.

(e) **DEFINITION.**—In this section, the term “community-based organization” means a nonprofit corporation or association that has—

(1) not more than 6 full-time equivalent employees who are engaged in the provision of social services; or

(2) a current annual budget (current as of the date the entity seeks assistance under this section) for the provision of social services, compiled and adopted in good faith, of less than \$450,000.

SEC. 804. SUPPORT FOR NONPROFIT COMMUNITY-BASED ORGANIZATIONS; DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

(a) **SUPPORT FOR NONGOVERNMENTAL ORGANIZATIONS.**—The Secretary of Housing and Urban Development (referred to in this section “the Secretary”) may award grants to and enter into cooperative agreements with nongovernmental organizations, to—

(1) provide technical assistance for community-based organizations, which may include—

(A) grant writing and grant management assistance, which may include assistance provided through workshops and other guidance;

(B) legal assistance with incorporation;

(C) legal assistance to obtain tax-exempt status; and

(D) information on, and referrals to, other nongovernmental organizations that provide expertise in accounting, on legal issues, on tax issues, in program development, and on a variety of other organizational topics;

(2) provide information and assistance for community-based organizations on capacity building;

(3) provide for community-based organizations information on and assistance in identifying and using best practices for delivering assistance to persons, families, and communities in need;

(4) provide information on and assistance in utilizing regional intermediary organizations to increase and strengthen the capabilities of community-based organizations;

(5) assist community-based organizations in replicating social service programs of demonstrated effectiveness; and

(6) encourage research on the best practices of social service organizations.

(b) **APPLICATIONS.**—To be eligible to receive a grant or enter into a cooperative agreement under this section, a nongovernmental organization, State, or political subdivision shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(c) **LIMITATION.**—In order to widely disburse limited resources, no community-based organization (other than a direct recipient of a grant or cooperative agreement

from the Secretary) may receive more than 1 grant or cooperative agreement under this section for the same purpose.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$15,000,000 for fiscal year 2003, and such sums as may be necessary for each of fiscal years 2004 through 2007.

(e) **DEFINITION.**—In this section, the term “community-based organization” means a nonprofit corporation or association that has—

(1) not more than 6 full-time equivalent employees who are engaged in the provision of social services; or

(2) a current annual budget (current as of the date the entity seeks assistance under this section) for the provision of social services, compiled and adopted in good faith, of less than \$450,000.

SEC. 805. COORDINATION.

The Secretary of Health and Human Services, the Corporation for National and Community Service, the Attorney General, and the Secretary of Housing and Urban Development shall coordinate their activities under this title to ensure—

(1) nonduplication of activities under this title; and

(2) an equitable distribution of resources under this title.

TITLE IX—MATERNITY GROUP HOMES

SEC. 901. MATERNITY GROUP HOMES.

(a) **PERMISSIBLE USE OF FUNDS.**—Section 322 of the Runaway and Homeless Youth Act (42 U.S.C. 5714-2) is amended—

(1) in subsection (a)(1), by inserting “(including maternity group homes)” after “group homes”; and

(2) by adding at the end the following:
“(c) **MATERNITY GROUP HOME.**—In this part, the term ‘maternity group home’ means a community-based, adult-supervised group home that provides young mothers and their children with a supportive and supervised living arrangement in which such mothers are required to learn parenting skills, including child development, family budgeting, health and nutrition, and other skills to promote their long-term economic independence and the well-being of their children.”

(b) **CONTRACT FOR EVALUATION.**—Part B of the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended by adding at the end the following:

“SEC. 323. CONTRACT FOR EVALUATION.

“(a) **IN GENERAL.**—The Secretary shall enter into a contract with a public or private entity for an evaluation of the maternity group homes that are supported by grant funds under this Act.

“(b) **INFORMATION.**—The evaluation described in subsection (a) shall include the collection of information about the relevant characteristics of individuals who benefit from maternity group homes such as those that are supported by grant funds under this Act and what services provided by those maternity group homes are most beneficial to such individuals.

“(c) **REPORT.**—Not later than 2 years after the date on which the Secretary enters into a contract for an evaluation under subsection (a), and biennially thereafter, the entity conducting the evaluation under this section shall submit to Congress a report on the status, activities, and accomplishments of maternity group homes that are supported by grant funds under this Act.”

(c) **AUTHORIZATION OF APPROPRIATIONS.**—Section 388 of the Runaway and Homeless Youth Act (42 U.S.C. 5751) is amended—

(1) in subsection (a)(1)—

(A) by striking “There” and inserting the following:

“(A) **IN GENERAL.**—There”;

(B) in subparagraph (A), as redesignated, by inserting “and the purpose described in

subparagraph (B)” after “other than part E”; and

(C) by adding at the end the following:

“(B) **MATERNITY GROUP HOMES.**—There is authorized to be appropriated, for maternity group homes eligible for assistance under section 322(a)(1)—

“(i) \$33,000,000 for fiscal year 2003; and

“(ii) such sums as may be necessary for fiscal year 2004.”; and

(2) in subsection (a)(2)(A), by striking “paragraph (1)” and inserting “paragraph (1)(A)”.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, April 10, 2003, at 9:30 a.m. in Room 485 of the Russell Senate Office Building to conduct a business meeting to mark up pending committee legislation.

Those wishing additional information may contact the Indian Affairs Committee at 202-224-2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, April 8, 2003, at 10:15 a.m., in open and possibly closed session, to receive testimony on Homeland Defense in review of the defense authorization request for fiscal year 2004 and the future years defense program.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on April 8, 2003, at 10:00 a.m., to conduct a hearing on “the impact of the proposed ‘RESPA’ rule on small businesses and consumers.”

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, April 8; Wednesday, April 9; and Thursday, April 10 at 10:00 a.m., to consider comprehensive Energy Legislation.

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

COMMITTEE ON FINANCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Tuesday, April 8, 2003, at 10:00 a.m., to hear testimony on Enron: Joint Committee on

Taxation Investigative Report—Compensation—Related Issues.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, April 8, 2003, at 9:30 a.m., to hold a hearing on NATO enlargement.

Witnesses

Panel 1: “New Members, New Missions.” The Honorable Marc I. Grossman, Undersecretary of State for Political Affairs, Department of State, Washington, DC.

Panel 2: “The Future of NATO.” General Wesley K. Clark, USA (ret.), Former SACEUR, Chairman and CEO, Wesley Clark & Associates, Little Rock, Arkansas.

Mr. William Kristol, Editor, The Weekly Standard, Washington, DC.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, April 8, 2003, at 2:30 p.m., to hold a hearing on an overview of global energy security issues.

Witnesses

Panel 1: Mr. Kyle E. McSlarrow, Deputy Secretary of Energy, Department of Energy, Washington, DC; and

The Honorable Alan P. Larson, Under Secretary for Economic, Business and Agricultural Affairs, Department of State, Washington, DC.

Panel 2: Mr. Vahan Zanoian, President & CEO, PFC Energy, Washington, DC

Dr. Daniel Yergin, Chairman, Cambridge Energy Research Associates, Cambridge, MA; and

Dr. Martha Brill Olcott, Senior Associate, Carnegie Endowment for International Peace, Washington, DC.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on MQSA: Patient Access to Quality Health Care during the session of the Senate on Tuesday, April 8, 2003, at 10:00 a.m. in SD-430.

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

COMMITTEE ON THE JUDICIARY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on “A Proposed Constitutional Amendment to Protect Crime Victims, S.J. Res. 1” on Tuesday, April 8, 2003, at 10:00 a.m. in the Dirksen Senate Office Building Room 226.