

would be a significant step to improving bus security.

Therefore, the bill we are introducing today authorizes \$35 million for fiscal year 2003 and \$99 million for fiscal year 2004 to fund an intercity bus security grant program that would be administered by the Secretary of Transportation. It would include a matching requirement that recipients of federal grants fund 10 percent of the security improvement expenses.

Already, \$15 million was appropriated for bus security grants in the fiscal year 2002 Supplemental Appropriations Act and another \$10 million was appropriated in the fiscal year 2003 Omnibus Appropriations Act. This bill, if enacted, will authorize the funding already appropriated, along with an authorization of \$99 million for fiscal year 2004 and, in turn, give Congress time to further study existing and future needs for bus transportation security and determine what, if any, changes should be made to the program.

The bill will help improve bus security by authorizing grants for security improvements at terminals; for the installation of surveillance equipment; for improvements to protect or isolate the driver; and for other specified improvements. The legislation also would require the Department of Transportation to complete a preliminary report assessing the adequacy of over-the-road bus security and determine what, if any, additional steps should be taken to improve bus security.

There have been several well-publicized bus accidents since September 11, 2001, including an accident on October 3, 2001, that involved an attack on the driver and claimed seven lives. Passing this measure will allow Congress to take short-term action that will have a beneficial effect on the security of the bus industry and does not preclude consideration of longer-term security policy considerations.

Efforts to pass similar legislation is also underway in the House of Representatives, where the House Committee on Transportation and Infrastructure, under Chairman YOUNG's leadership, has already reported legislation to be considered by the full House.

I want to thank Senators HOLLINGS, HUTCHISON, BREAU, LAUTENBERG, SMITH, and SNOWE for joining me in this effort. I look forward to working with all members to move this legislation forward.

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

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

S. 929

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 "Over-the-Road Bus Security and Safety Act of 2003".

SEC. 2. EMERGENCY OVER-THE-ROAD BUS SECURITY ASSISTANCE.

(a) IN GENERAL.—The Secretary of Transportation, acting through the Administrator of the Federal Motor Carrier Safety Administration, shall establish a program for making grants to private operators of over-the-road buses for system-wide security improvements to their operations, including—

(1) constructing and modifying terminals, garages, facilities, or over-the-road buses to assure their security;

(2) protecting or isolating the driver;

(3) acquiring, upgrading, installing, or operating equipment, software, or accessorial services for collection, storage, or exchange of passenger and driver information through ticketing systems or otherwise, and information links with government agencies;

(4) training employees in recognizing and responding to security threats, evacuation procedures, passenger screening procedures, and baggage inspection;

(5) hiring and training security officers;

(6) installing cameras and video surveillance equipment on over-the-road buses and at terminals, garages, and over-the-road bus facilities;

(7) creating a program for employee identification or background investigation;

(8) establishing an emergency communications system linked to law enforcement and emergency personnel; and

(9) implementing and operating passenger screening programs at terminals and on over-the-road buses.

(b) REIMBURSEMENT.—A grant under this Act may be used to provide reimbursement to private operators of over-the-road buses for extraordinary security-related costs for improvements described in paragraphs (1) through (9) of subsection (a), determined by the Secretary to have been incurred by such operators since September 11, 2001.

(c) FEDERAL SHARE.—The Federal share of the cost for which any grant is made under this Act shall be 90 percent.

(d) DUE CONSIDERATION.—In making grants under this Act, the Secretary shall give due consideration to private operators of over-the-road buses that have taken measures to enhance bus transportation security from those in effect before September 11, 2001.

(e) GRANT REQUIREMENTS.—A grant under this Act shall be subject to all the terms and conditions that a grant is subject to under section 3038(f) of the Transportation Equity Act for the 21st Century (49 U.S.C. 5310 note; 112 Stat. 393).

SEC. 3. PLAN REQUIREMENT.

(a) IN GENERAL.—The Secretary may not make a grant under this Act to a private operator of over-the-road buses until the operator has first submitted to the Secretary—

(1) a plan for making security improvements described in section 2 and the Secretary has approved the plan; and

(2) such additional information as the Secretary may require to ensure accountability for the obligation and expenditure of amounts made available to the operator under the grant.

(b) COORDINATION.—To the extent that an application for a grant under this section proposes security improvements within a specific terminal owned and operated by an entity other than the applicant, the applicant shall demonstrate to the satisfaction of the Secretary that the applicant has coordinated the security improvements for the terminal with that entity.

SEC. 4. OVER-THE-ROAD BUS DEFINED.

In this Act, the term "over-the-road bus" means a bus characterized by an elevated passenger deck located over a baggage compartment.

SEC. 5. BUS SECURITY ASSESSMENT.

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

Secretary of Transportation shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a preliminary report in accordance with the requirements of this section.

(b) CONTENTS OF PRELIMINARY REPORT.—The preliminary report shall include—

(1) an assessment of the over-the-road bus security grant program;

(2) an assessment of actions already taken to address identified security issues by both public and private entities and recommendations on whether additional safety and security enforcement actions are needed;

(3) an assessment of whether additional legislation is needed to provide for the security of Americans traveling on over-the-road buses;

(4) an assessment of the economic impact that security upgrades of buses and bus facilities may have on the over-the-road bus transportation industry and its employees;

(5) an assessment of ongoing research and the need for additional research on over-the-road bus security, including engine shut-off mechanisms, chemical and biological weapon detection technology, and the feasibility of compartmentalization of the driver; and

(6) an assessment of industry best practices to enhance security.

(c) CONSULTATION WITH INDUSTRY, LABOR, AND OTHER GROUPS.—In carrying out this section, the Secretary shall consult with over-the-road bus management and labor representatives, public safety and law enforcement officials, and the National Academy of Sciences.

SEC. 6. FUNDING.

There are authorized to be appropriated to the Secretary of Transportation to carry out this Act \$35,000,000 for fiscal year 2003 and \$99,000,000 for fiscal year 2004. Such sums shall remain available until expended.

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 a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, May 6, at 2:30 p.m. in Room SD-366 of the Dirksen Senate Office Building.

The purpose of this oversight hearing is to receive testimony on Department of the Interior programs addressing western water issues. Contact: Shelly Randel at 202-224-7933 or Jared Stubbs at 202-224-7556.

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, Washington, DC 20510-6150.

ORDER FOR STAR PRINT—S. 880

Mr. SESSIONS. Mr. President, I ask unanimous consent that the committee report No. 108-37 which accompanies S. 880 be star printed with the changes that are at the desk.

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

ORDER FOR STAR PRINT—S. 876

Mr. SESSIONS. I ask unanimous consent that S. 876 be star printed with the changes that are at the desk.

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

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Democratic Leader, pursuant to Public Law 105-83, announces the appointment of the Senator from Nevada (Mr. REID) as a member of the National Council on the Arts, vice the Senator from Illinois (Mr. DURBIN).

ORDERS FOR TUESDAY, APRIL 29, 2003

Mr. SESSIONS. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 a.m. Tuesday, April 29. I further ask unanimous consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then return to executive session and resume consideration of the nomination of Jeffrey Sutton to be circuit judge for the Sixth Circuit, with the time until 12 noon equally divided between the chairman of the Judiciary Committee and Senator HARKIN.

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

Mr. SESSIONS. In accordance with the agreement of April 11, I inform my colleagues on behalf of the majority leader that the vote on the Sutton nomination will occur at 12 noon tomorrow.

I further ask unanimous consent that the Senate recess from 12:30 p.m. to 2:15 p.m. tomorrow for the weekly party luncheons.

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

PROGRAM

Mr. SESSIONS. For the information of all Senators, tomorrow morning the

Senate will resume debate on the nomination of Jeffrey Sutton. At 12 noon, the Senate will vote on the Sutton nomination.

Tomorrow afternoon the Senate will resume consideration of the nomination of Priscilla Owen to be a circuit judge for the Fifth Circuit. We will continue to work with the Democratic leader in an effort to reach a time agreement on this important nomination.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. SESSIONS. If there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:41 p.m., adjourned until Tuesday, April 29, 2003 at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate April 28, 2003:

EXECUTIVE OFFICE OF THE PRESIDENT

NICHOLAS GREGORY MANKIW, OF MASSACHUSETTS, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS, VICE ROBERT GLENN HUBBARD, RESIGNED.

METROPOLITAN WASHINGTON AIRPORTS AUTHORITY

CHARLES DARWIN SNELLING, OF PENNSYLVANIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY FOR THE REMAINDER OF THE TERM EXPIRING MAY 30, 2006, VICE NORMAN Y. MINETA.

DEPARTMENT OF HOMELAND SECURITY

FRANK LIBUTTI, OF NEW YORK, TO BE UNDER SECRETARY FOR INFORMATION ANALYSIS AND INFRASTRUCTURE PROTECTION, DEPARTMENT OF HOMELAND SECURITY. (NEW POSITION)

JOE D. WHITLEY, OF GEORGIA, TO BE GENERAL COUNSEL, DEPARTMENT OF HOMELAND SECURITY. (NEW POSITION)

THE JUDICIARY

ALLYSON K. DUNCAN, OF NORTH CAROLINA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT, VICE SAMUEL J. ERVIN, III, DECEASED.

CLAUDE A. ALLEN, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FOURTH CIRCUIT, VICE FRANCIS D. MURNAGHAN, JR., DECEASED.

ROBERT C. BRACK, OF NEW MEXICO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW MEXICO, VICE A NEW POSITION CREATED BY PUBLIC LAW 107-273, APPROVED NOVEMBER 2, 2002.

JAMES O. BROWNING, OF NEW MEXICO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW MEXICO, VICE C. LEROY HANSEN, RETIRED.

GLEN E. CONRAD, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF VIRGINIA, VICE JAMES C. TURK, RETIRED.

ROBERT J. CONRAD, JR., OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NORTH CAROLINA, VICE A NEW POSITION CREATED BY PUBLIC LAW 107-273, APPROVED NOVEMBER 2, 2002.

MARK R. FILIP, OF ILLINOIS, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF ILLINOIS, VICE HARRY D. LEINENWEBER, RETIRED.

KIM R. GIBSON, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA, VICE D. BROOKS SMITH, ELEVATED.

DORA L. IRIZARRY, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK, VICE REENA RAGGI, ELEVATED.

H. BRENT MCKNIGHT, OF NORTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF NORTH CAROLINA, VICE A NEW POSITION CREATED BY PUBLIC LAW 107-273, APPROVED NOVEMBER 2, 2002.

DANIEL P. RYAN, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN, VICE PATRICK J. DUGGAN, RETIRED.

GARY L. SHARPE, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF NEW YORK, VICE THOMAS J. MCAVOY, RETIRED.

LONNY R. SUKO, OF WASHINGTON, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF WASHINGTON, VICE WM. FREMMING NIELSEN, RETIRED.

DEPARTMENT OF ENERGY

PAUL MORGAN LONGSWORTH, OF VIRGINIA, TO BE DEPUTY ADMINISTRATOR FOR DEFENSE NUCLEAR NON-PROLIFERATION, NATIONAL NUCLEAR SECURITY ADMINISTRATION, VICE LINTON F. BROOKS.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL KENNETH M. DECUIR, 0000
BRIGADIER GENERAL BOB D. DULANEY, 0000
BRIGADIER GENERAL ROBERT J. ELDER JR., 0000
BRIGADIER GENERAL PAUL J. FLETCHER, 0000
BRIGADIER GENERAL DOUGLAS M. FRASER, 0000
BRIGADIER GENERAL WILLIAM M. FRASER III, 0000
BRIGADIER GENERAL STANLEY GORENC, 0000
BRIGADIER GENERAL ELIZABETH A. HARRELL, 0000
BRIGADIER GENERAL WILLIAM F. HODGKINS, 0000
BRIGADIER GENERAL RAYMOND E. JOHNS JR., 0000
BRIGADIER GENERAL TIMOTHY C. JONES, 0000
BRIGADIER GENERAL FRANK G. KLOTZ, 0000
BRIGADIER GENERAL ROBERT H. LATIFF, 0000
BRIGADIER GENERAL RICHARD B.H. LEWIS, 0000
BRIGADIER GENERAL HENRY A. OBERING III, 0000
BRIGADIER GENERAL MICHAEL W. PETERSON, 0000
BRIGADIER GENERAL TERESA M. PETERSON, 0000
BRIGADIER GENERAL GREGORY H. POWER, 0000
BRIGADIER GENERAL ROBIN E. SCOTT, 0000
BRIGADIER GENERAL ROBERT L. SMOLEN, 0000
BRIGADIER GENERAL MARK A. VOLCHEFF, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. STEPHEN L. LANNING, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. STEVEN W. BOUTELLE, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. MICHAEL J. MCCABE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be admiral

ADM. WILLIAM J. FALLON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. BRIAN G. BRANNMAN, 0000