

S. 847

At the request of Mr. SMITH, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 847, a bill to amend title XIX of the Social Security Act to permit States the option to provide medicaid coverage for low income individuals infected with HIV.

S. 869

At the request of Mr. HARKIN, the names of the Senator from New York (Mr. SCHUMER) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 869, a bill to amend title XVIII of the Social Security Act to provide for enhanced reimbursement under the medicare program for screening and diagnostic mammography services, and for other purposes.

S. 874

At the request of Mr. TALENT, the name of the Senator from Alabama (Mr. SHELBY) was added as a cosponsor of S. 874, a bill to amend title XIX of the Social Security Act to include primary and secondary preventative medical strategies for children and adults with Sickle Cell Disease as medical assistance under the medicaid program, and for other purposes.

S. 875

At the request of Mr. KERRY, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 875, a bill to amend the Internal Revenue Code of 1986 to allow an income tax credit for the provision of homeownership and community development, and for other purposes.

S. 877

At the request of Mr. BURNS, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 877, a bill to regulate interstate commerce by imposing limitations and penalties on the transmission of unsolicited commercial electronic mail via the Internet.

S. 888

At the request of Mr. GREGG, the names of the Senator from South Carolina (Mr. HOLLINGS) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 888, a bill to reauthorize the Museum and Library Services Act, and for other purposes.

S. 919

At the request of Mr. BURNS, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 919, a bill to amend title 49, United States Code, to enhance competition among and between rail carriers in order to ensure efficient rail service and reasonable rail rates, and for other purposes.

S. 922

At the request of Mr. REID, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 922, a bill to change the requirements for naturalization through service in the Armed Forces of the United States, to extend naturalization benefits to members of the Selected Re-

serve of the Ready Reserve of a reserve component of the Armed Forces, to extend posthumous benefits to surviving spouses, children, and parents, and for other purposes.

S. 929

At the request of Mr. MCCAIN, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 929, a bill to direct the Secretary of Transportation to make grants for security improvements to over-the-road bus operations, and for other purposes.

S. 939

At the request of Mr. HAGEL, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 939, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part, to provide an exception to the local maintenance of effort requirements, and for other purposes.

S. 946

At the request of Mr. LEAHY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 946, a bill to enhance competition for prescription drugs by increasing the ability of the Department of Justice and Federal Trade Commission to enforce existing antitrust laws regarding brand name drugs and generic drugs.

S. 950

At the request of Mr. ENZI, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 950, a bill to allow travel between the United States and Cuba.

S. 982

At the request of Mrs. BOXER, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 982, a bill to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil, and hold Syria accountable for its role in the Middle East, and for other purposes.

S.J. RES. 11

At the request of Mr. KENNEDY, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S.J. Res. 11, a joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for women and men.

S. CON. RES. 26

At the request of Ms. LANDRIEU, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Con. Res. 26, a concurrent resolution condemning the punishment of execution by stoning as a gross violation of human rights, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. JOHNSON (for himself, Mr. CRAIG, Mr. LEAHY, and Ms. STABENOW):

S. 996. A bill to amend the Richard B. Russell National School Lunch Act to ensure an adequate level of commodity purchases under the school lunch program; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. JOHNSON. Mr. President, I rise today with my colleagues, Senators CRAIG, STABENOW, and LEAHY, to introduce the "Commodity Distribution Act of 2003." Senator CRAIG and I have introduced similar legislation in the past, and while it is unfortunate that this legislation is necessary, we are pleased to meet the need that currently exists.

In 1999, Congress enacted the Ticket to Work and Work Incentives Improvement Act, which amended the School Lunch Act to require the United States Department of Agriculture to count the value of bonus commodities when it determines the total amount of commodity assistance provided to schools. This change meant a \$500 million budget cut to the school lunch program over a 9-year period.

Senator CRAIG and I have been successful since the passage of the Ticket to Work Act in preventing this cut from affecting the School Lunch Program for the past 4 years. However, a provision included in the 2002 Farm Bill will expire the end of this fiscal year, leaving the school lunch program vulnerable to cut of over \$50 million per year over the next 5 years.

Our legislation, the Commodity Distribution Act of 2003, would prevent this devastating cut to the school lunch program. While not large in overall budget terms, \$50 million in commodities for school lunch programs across the country means a great deal in delivering quality meals to our children every day. It also means a great deal to the agricultural producers who benefit from having these commodities taken out of the marketplace, and used for a valuable purpose.

Our Nation faces a unique situation when it comes to feeding our Nation's children. We live in a country where both hunger and obesity co-exist among the children served by our important nutrition programs. We can and must form policy that addresses both of these problems.

The legislation that Senators CRAIG, STABENOW, and LEAHY, and I are introducing today takes an important first step in addressing this unique situation by maintaining the level of commodity support our school districts receive to run their school lunch programs. There could be no worse time to take away these valuable assets to their programs.

The Commodity Distribution Act continues the dual purpose of our school lunch program—supporting American agriculture, while delivering nutritious food to our Nation's children.

Mr. President, I ask that this bill be printed in the RECORD.

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

S. 996

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 "Commodity Distribution Act of 2003".

SEC. 2. COMMODITY PURCHASES UNDER SCHOOL LUNCH PROGRAM.

Section 6(e) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1755(e)) is amended—

(1) in paragraph (1)—

(A) by striking "in the form of" and all that follows through "(A) commodity assistance" and inserting "in the form of commodity assistance";

(B) by striking "or" and inserting a period; and

(C) by striking subparagraph (B); and

(2) in paragraph (2)—

(A) by striking "the Secretary shall, to the extent necessary," and inserting "the Secretary—

"(A) shall, to the extent necessary,";

(B) by striking the period at the end and inserting "and"; and

(C) by adding at the end the following:

"(B) shall not use commodities provided under the authority of any other Act to meet the requirement for the school year."

SEC. 3. EFFECTIVE DATE.

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

Mr. CRAIG. Mr. President, I rise today to join my colleague Senator JOHNSON in introducing the Commodity Distribution Act of 2003.

Children are our future. I strongly believe each child deserves at least one warm, nutritious meal every day. I stand before you today with a new bill that will restore \$500 million to the School Lunch Program. The positive impacts of this program are endless. Children should not have to pay the price of not having enough money for food.

Originally enacted in 1946, the school lunch program set goals to improve children's nutrition, increase low-income children's access to nutritious meals, and to help support the agricultural industry. A family of four has to have an income at or below 130 percent of the Federal poverty level to qualify for a free lunch. The income for these families is tragically low. Congress has a role in providing these children with assistance their families cannot provide.

In 1999, Congress enacted the Ticket to Work and Work Incentives Improvement Act. This legislation amended the School Lunch Act to require the United States Department of Agriculture to count the value of bonus commodities when it determines the total amount of commodity assistance provided to schools. This change continues to provide a \$500 million budget cut for the school lunch program over its 9-year projection.

In 2001, the school lunch program comprised over 90 percent of schools, with some 99,000 public and private

schools enrolling approximately 50 million children. Today over 28 million children receive free or low-cost lunches every school day. Each State and millions of children are affected. This program provides a basic requirement of food for needy children.

The 2002 Farm Bill passed almost a full year ago included language that extended this authorization language until the end of this fiscal year. Without Congressional action, \$50 million will be cut from the food budget for school districts. This legislation would further extend this support through 2007, when the Richard B. Russell National School Lunch act is scheduled for reauthorization.

It is my belief that no child should be without food. The Commodity Distribution Act of 2003 would ensure that schools receive the full value of entitlement commodity assistance, and allow the School Lunch Program to continue to meet its dual purpose of supporting American agriculture when it needs it most while providing nutritious food to schools across the country. I urge members to support this bill, support children, and support our future.

By Mr. DOMENICI:

S. 997. A bill to authorize the Secretary of the Army to carry out critical restoration projects along the Middle Rio Grande; to the Committee on Environment and Public Works.

Mr. DOMENICI. Mr. President, those of us privileged to represent our fellow citizens on this hallowed floor get far too few opportunities to help usher in visionary projects that can potentially transform communities, both of man and of nature. I rise today to tell you about a project that has been discussed before on this floor; I bring it to your attention again because I believe it's a project worth doing and worth doing well. It concerns one of New Mexico's unique natural treasures: the Middle Rio Grande Bosque.

According to an old Chinese Proverb, "if you are thinking 1 year ahead, sow seed. If you are thinking 10 years ahead, plant a tree. If you are thinking 100 years ahead, educate the people." The bill I am introducing today encompasses the wisdom of this proverb.

Two years ago, I joined the Middle Rio Grande Conservancy District and the Army Corps of Engineers in unveiling a vision for the Bosque that would rehabilitate and restore this long neglected treasure of the Southwest. I return here today to begin implementing that vision.

The Albuquerque metropolitan area is the largest concentration of people in New Mexico. It is also the home to the irreplaceable riparian forest which runs through the heart of the city and surrounding towns that is the Bosque. It is the largest continuous cottonwood forest in the Southwest, and one of the last of its kind in the world.

Unfortunately, mismanagement, neglect, and the effects of upstream de-

velopment have severely degraded the Bosque. The list of its woes is long: it has been overrun by non-native vegetation; graffiti and trash mar locations along its length; the drought and build up of hazardous fuel have contributed to an increased susceptibility to fire. As a result, public access is problematical and crucial habitat for scores of species is threatened. And yet, it remains one of the most biologically diverse ecosystems in the Southwest. My goal is to restore the Bosque and create a space that is open and attractive to the public.

This is a grand undertaking to be sure; but I want to ensure that this extraordinary corridor of the Southwestern desert is preserved for generations to come: not only for generations of humans, but for the diverse plant and animal species that reside in it as well.

Situated in the heart of the State's largest city, its potential to be a special attraction for residents is exciting. Equally exciting are the potential benefits to the ecosystem as a whole. The rehabilitation of this ecosystem leads to greater protection for threatened and endangered species; it means more migratory birds, healthier habitat for fish, and greater numbers of towering cottonwood trees.

This project could be one of the far too rare opportunities to both increase the quality of life for a city while assuring the health and stability of an entire ecosystem. We would be increasing the attractiveness of Albuquerque to businesses while improving the home of the Silvery Minnow. Where trash is now strewn, walking paths and horse trails will run. Where jetty jacks and discarded rubble lie, cottonwood will grow. The dead trees and underbrush that threaten devastating fire will be replaced by healthy groves of trees. School children will be able to study and maybe catch sight of a bald eagle. The chance to help build a dynamic public space like this does not come around often, and I would like to see Congress embrace that chance.

Having grown up in along the Rio Grande in Albuquerque, the Bosque is something I treasure; and I lament the degradation that has occurred. Because of this, I have been involved in Bosque restoration since 1991 and I commend the efforts of groups like the Bosque Coalition for the work they have done, and will continue to do, along the river. I propose to build on that rehabilitation. The effort I put in front of you today is a logical complement to these previous efforts as well as towards Bosque revitalization, restoration, and recovery for the entire Rio Grande.

Already work is underway. Over the past two years, the Army Corps of Engineers has undertaken the task of conducting a study so that we might gain a better understanding of how best to rehabilitate and restore this beautiful Albuquerque greenbelt.

I remain grateful to each of the parties who have been involved with this

idea since its inception. Each one contributes a very critical component. The Middle Rio Grande Conservancy District owns this vital part of the Bosque which runs from the National Hispanic Cultural Center north to the Paseo Del Norte Bridge. The MRGCD has proven to be a valuable local partner in identifying areas for non-native species and other environmental restoration work. Additionally, MRGCD continues to work on the development and implementation of an educational campaign for local public schools on the importance of the Bosque. Finally, MRGCD has continually worked with all parties to provide options on how the Bosque can be preserved, protected and enjoyed by everyone.

The Army Corps of Engineers is developing a preliminary restoration plan for the Bosque along the Albuquerque corridor. The plan is well underway and is moving towards the development of a feasibility study.

Specifically, this bill authorizes \$10 million dollars in fiscal year 2004 and such sums as are necessary for the following nine years to complete projects, activities, substantial ecosystem restoration, preservation, protection, and recreation facilities along the Middle Rio Grande. I urge my fellow members to help preserve this rare and diverse ecosystem and to aid the city of Albuquerque and the State of New Mexico in building a place to treasure.

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. 997

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

SECTION 1. FINDINGS.

Congress finds that—

- (1) the Middle Rio Grande bosque is—
 - (A) a unique riparian forest located in Albuquerque, New Mexico;
 - (B) the largest continuous cottonwood forest in the Southwest;
 - (C) 1 of the oldest continuously inhabited areas in the United States;
 - (D) home to portions of 6 pueblos; and
 - (E) a critical flyway and wintering ground for migratory birds;
- (2) the portion of the Middle Rio Grande adjacent to the Middle Rio Grande bosque provides water to many people in the State of New Mexico;
- (3) the Middle Rio Grande bosque should be maintained in a manner that protects endangered species and the flow of the Middle Rio Grande while making the Middle Rio Grande bosque more accessible to the public;
- (4) environmental restoration is an important part of the mission of the Corps of Engineers; and
- (5) the Corps of Engineers should reestablish, where feasible, the hydrologic connection between the Middle Rio Grande and the Middle Rio Grande bosque to ensure the permanent healthy growth of vegetation native to the Middle Rio Grande bosque.

SEC. 2. DEFINITIONS.

In this Act:

- (1) **CRITICAL RESTORATION PROJECT.**—The term “critical restoration project” means a

project carried out under this Act that will produce, consistent with Federal programs, projects, and activities, immediate and substantial ecosystem restoration, preservation, recreation, and protection benefits.

- (2) **MIDDLE RIO GRANDE.**—The term “Middle Rio Grande” means the portion of the Rio Grande from Cochiti Dam to the headwaters of Elephant Butte Dam, in the State of New Mexico.

- (3) **SECRETARY.**—The term “Secretary” means the Secretary of the Army.

SEC. 3. MIDDLE RIO GRANDE RESTORATION.

- (a) **CRITICAL RESTORATION PROJECTS.**—The Secretary shall carry out critical restoration projects along the Middle Rio Grande.

- (b) **PROJECT SELECTION.**—

- (1) **IN GENERAL.**—The Secretary may select critical restoration projects in the Middle Rio Grande based on feasibility studies.

- (2) **USE OF EXISTING STUDIES AND PLANS.**—In carrying out subsection (a), the Secretary shall use, to the maximum extent practicable, studies and plans in existence on the date of enactment of this Act to identify the needs and priorities for critical restoration projects.

- (c) **LOCAL PARTICIPATION.**—In carrying out this Act, the Secretary shall consult with, and consider the priorities of, public and private entities that are active in ecosystem restoration in the Rio Grande watershed, including entities that carry out activities under—

- (1) the Middle Rio Grande Endangered Species Act Collaborative Program; and
- (2) the Bosque Improvement Group of the Middle Rio Grande Bosque Initiative.

- (d) **COST SHARING.**—

- (1) **COST-SHARING AGREEMENT.**—Before carrying out any critical restoration project under this Act, the Secretary shall enter into an agreement with the non-Federal interests that shall require the non-Federal interests—

- (A) to pay 25 percent of the total costs of the critical restoration project;

- (B) to provide land, easements, rights-of-way, relocations, and dredged material disposal areas necessary to carry out the critical restoration project;

- (C) to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs associated with the critical restoration project that are incurred after the date of enactment of this Act; and

- (D) to hold the United States harmless from any claim or damage that may arise from carrying out the critical restoration project (other than any claim or damage that may arise from the negligence of the Federal Government or a contractor of the Federal Government).

- (2) **RECREATIONAL FEATURES.**—

- (A) **IN GENERAL.**—Any recreational features included as part of a critical restoration project shall comprise not more than 30 percent of the total project cost.

- (B) **NON-FEDERAL FUNDING.**—The full cost of any recreational features included as part of a critical restoration project in excess of the amount described in subparagraph (A) shall be paid by the non-Federal interests.

- (3) **CREDIT.**—The non-Federal interests shall receive credit toward the non-Federal share of the cost of design or construction activities carried out by the non-Federal interests before the execution of the project cooperation agreement if the Secretary determines that the work performed by the non-Federal interest is integral to the project.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act—

- (1) \$10,000,000 for fiscal year 2004; and
- (2) such sums as are necessary for each of fiscal years 2005 through 2013.

By Mr. CORZINE (for himself, Mr. LAUTENBERG, Mr. SPECTER, Mr. SCHUMER, Mr. DODD, Mrs. CLINTON, and Mr. LIEBERMAN):

S. 999. A bill to establish the Highlands Stewardship Area in the States of Connecticut, New Jersey, New York, and Pennsylvania, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. CORZINE. Mr. President, today along with Senators LAUTENBERG, SPECTER, SCHUMER, DODD, CLINTON and LIEBERMAN, I am introducing the Highlands Stewardship Act. I am proud to be joining Congressman RODNEY FRELINGHUYSEN and other colleagues from the New Jersey, New York, and Connecticut congressional delegations, who are introducing identical legislation in the House of Representatives.

This legislation would help to preserve one of the last open space treasures in this country, the Highlands forest region that stretches from northwestern Connecticut, across the lower Hudson River valley in New York, through my State of New Jersey and into east-central Pennsylvania. This region encompasses more than 2 million acres of forests, farms, streams, wetlands, lakes and reservoirs and historic sites. It includes the Green, Taconic and Notre Dame Mountains. It also includes such historic sites as Morristown National Historic Park and West Point.

The value of the ecological, recreational and scenic resources of the Highlands cannot be overstated. One hundred seventy million gallons are drawn from the Highlands aquifers daily, providing quality drinking water for over 11 million people. Two hundred forty seven threatened or endangered species live in the Highlands including the timber rattlesnake, wood turtle, red-shouldered hawk, barred owl, great blue heron and eastern wood rat. There also are many fishing, hiking and boating recreation opportunities in the Highlands that are used by many of the 1 in 12 Americans who live within 2 hours of travel of the Highlands.

Unfortunately, much of Highlands is quickly vanishing. According to the most recent study issued by the United States Department of Agriculture, we have lost over 3,000 acres of forest and 1,600 acres of farmland in New York and New Jersey sections of the Highlands annually to development between 1995 and 2000.

This legislation would designate a Stewardship Area amongst the four States in order to protect the most important Highlands projects. It would create a source of funding for conservation and preservation projects in the Highlands to preserve and protect the open space that remains. Two million dollars a year for 10 years would be provided for conservation assistance projects in the four Highlands States. This funding could be used for items such as smart growth initiatives and cultural preservation projects. Twenty-five million dollars a year over 10 years

also would be provided for open space preservation projects in the four Highlands states. The source of this funding would be the Land and Water Conservation Fund.

I am proud to introduce this legislation to ensure that we protect this resource, which is so critical to our quality of life, and 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. 999

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 "Highlands Stewardship Act".

SEC. 2. FINDINGS.

Congress finds that—

(1) the Highlands region is a geographic area that encompasses more than 2,000,000 acres extending from eastern Pennsylvania through the States of New Jersey and New York to northwestern Connecticut;

(2) the Highlands region is an environmentally unique area that—

(A) provides clean drinking water to over 15,000,000 people in metropolitan areas in the States of Connecticut, New Jersey, New York, and Pennsylvania;

(B) provides critical wildlife habitat, including habitat for 247 threatened and endangered species;

(C) maintains an important historic connection to early Native American culture, colonial settlement, the American Revolution, and the Civil War;

(D) contains recreational resources for 14,000,000 visitors annually; and

(E) provides other significant ecological, natural, tourism, recreational, educational, and economic benefits;

(3) an estimated 1 in 12 citizens of the United States live within a 2-hour drive of the Highlands region;

(4) more than 1,400,000 residents live in the Highlands region;

(5) the Highlands region forms a greenbelt adjacent to the Philadelphia-New York City-Hartford urban corridor that offers the opportunity to preserve natural and agricultural resources, open spaces, recreational areas, and historic sites, while encouraging sustainable economic growth and development in a fiscally and environmentally sound manner;

(6) continued population growth and land use patterns in the Highlands region—

(A) reduce the availability and quality of water;

(B) reduce air quality;

(C) fragment the forests;

(D) destroy critical migration corridors and forest habitat; and

(E) result in the loss of recreational opportunities and scenic, historic, and cultural resources;

(7) the natural, agricultural, and cultural resources of the Highlands region, in combination with the proximity of the Highlands region to the largest metropolitan areas in the United States, make the Highlands region nationally significant;

(8) the national significance of the Highlands region has been documented in—

(A) the New York-New Jersey Highlands Regional Study conducted by the Forest Service in 1990;

(B) the New York-New Jersey Highlands Regional Study: 2002 Update conducted by the Forest Service;

(C) the bi-State Skylands Greenway Task Force Report;

(D) the New Jersey State Development and Redevelopment Plan;

(E) the New York State Open Space Conservation Plan;

(F) the Connecticut Green Plan: Open Space Acquisition FY 2001-2006;

(G) the open space plans of the State of Pennsylvania; and

(H) other open space conservation plans for States in the Highlands region;

(9) the Highlands region includes or is adjacent to numerous parcels of land owned by the Federal Government or federally designated areas that protect, conserve, restore, promote, or interpret resources of the Highlands region, including—

(A) the Walkkill River National Wildlife Refuge;

(B) the Shawanagunk Grasslands Wildlife Refuge;

(C) the Morristown National Historical Park;

(D) the Delaware and Lehigh Canal Corridors;

(E) the Hudson River Valley National Heritage Area;

(F) the Delaware River Basin;

(G) the Delaware Water Gap National Recreation Area;

(H) the Upper Delaware Scenic and Recreational River;

(I) the Appalachian National Scenic Trail;

(J) the United States Military Academy at West Point, New York;

(K) the Highlands National Millennium Trail;

(L) the Picatinny Arsenal in the State of New Jersey;

(M) the Great Swamp National Wildlife Refuge;

(N) the proposed Crossroads of the Revolution National Heritage Area;

(O) the proposed Musconetcong National Scenic and Recreational River in the State of New Jersey; and

(P) the Farmington River Wild and Scenic Area in the State of Connecticut;

(10) it is in the interest of the United States to protect, conserve, restore, promote, and interpret the resources of the Highlands region for the residents of, and visitors to, the Highlands region;

(11) the States of Connecticut, New Jersey, New York, and Pennsylvania, regional entities, and units of local government in the Highlands region have the primary responsibility for protecting, conserving, preserving, and promoting the resources of the Highlands region; and

(12) because of the longstanding Federal practice of assisting States in creating, protecting, conserving, preserving, restoring, and interpreting areas of significant natural and cultural importance, and the national significance of the Highlands region, the Federal Government should, in partnership with the Highlands States and units of local government in the Highlands region, protect, restore, promote, preserve, and interpret the natural, agricultural, historical, and cultural resources of the Highlands region.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to recognize the importance of the natural resources and the heritage, history, and national significance of the Highlands region to the United States;

(2) to assist the Highlands States, units of local government, and private landowners in protecting, restoring, preserving, interpreting, and promoting the natural, agricultural, historical, cultural, and recreational resources of the Highlands region;

(3) to preserve and protect high priority conservation land in the Highlands region by

authorizing the Secretary of the Interior to—

(A) work in partnership with the Secretary of Agriculture and the Highlands States; and

(B) provide financial and technical assistance to the Highlands States;

(4) to authorize the Secretary of Agriculture to provide financial and technical assistance for projects that will protect, restore, promote, and interpret the natural, agricultural, historical, cultural, or recreational resources of the Highlands region; and

(5) to coordinate with and assist the management entities of the Hudson River Valley National Heritage Area, the Walkkill National Refuge Area, the Morristown National Historic Area, and other federally designated areas in the region in carrying out any duties relating to protecting the natural resources of the Highlands region.

SEC. 4. DEFINITIONS.

In this Act:

(1) **ELIGIBLE ENTITY.**—The term "eligible entity" means any Highlands State, unit of local government, public entity, private entity, or private landowner in the Stewardship Area.

(2) **HIGHLANDS REGION.**—The term "Highlands region" means the region that encompasses nearly 2,000,000 acres extending from eastern Pennsylvania through the States of New Jersey and New York to northwestern Connecticut.

(3) **HIGHLANDS STATE.**—The term "Highlands State" means—

(A) the State of Connecticut;

(B) the State of New Jersey;

(C) the State of New York;

(D) the State of Pennsylvania; and

(E) any agency or department of a State specified in subparagraph (A), (B), (C), or (D) that is authorized to own and manage land for conservation purposes, including the Palisades Interstate Park Commission.

(4) **LAND CONSERVATION PARTNERSHIP PROJECT.**—The term "land conservation partnership project" means a project in which a Highlands State acquires from a willing seller land or an interest in land that is located in an area identified in the study or update as having a high conservation value for the purpose of protecting, conserving, or preserving the natural, forest, agricultural, recreational, historical, or cultural resources of the Stewardship Area.

(5) **OFFICE.**—The term "Office" means the Office of Highlands Stewardship established under section 6(a).

(6) **SECRETARY.**—The term "Secretary" means the Secretary of Agriculture.

(7) **STEWARDSHIP AREA.**—The term "Stewardship Area" means the Highlands Stewardship Area established under section 5(a).

(8) **STUDY.**—The term "study" means the Highlands Regional Study conducted by the Forest Service in 1990.

(9) **UPDATE.**—The term "update" means the New York-New Jersey Highlands Regional Assessment Update conducted by the Forest Service in 2001.

(10) **WORK GROUP.**—The term "Work Group" means the Highlands Stewardship Area Work Group established under section 6(c).

SEC. 5. ESTABLISHMENT OF HIGHLANDS STEWARDSHIP AREA.

(a) **ESTABLISHMENT.**—The Secretary and the Secretary of the Interior shall establish the Highlands Stewardship Area in the Highlands region.

(b) **CONSULTATION AND RESOURCE ANALYSES.**—In establishing the Stewardship Area under subsection (a), the Secretary and the Secretary of the Interior shall—

(1) consult with appropriate officials of the Federal Government, the Governors and other appropriate officials of the Highlands States, and units of local government; and

(2) take into account the study, the update, and any relevant State resource analyses.

(c) MAP.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary and the Secretary of the Interior shall prepare a map depicting the Stewardship Area.

(2) AVAILABILITY.—The map shall be on file and available for public inspection at the appropriate offices of the Secretary and the Secretary of the Interior.

SEC. 6. OFFICE OF HIGHLANDS STEWARDSHIP.

(a) ESTABLISHMENT.—The Secretary, in consultation with the Under Secretary of Agriculture for Natural Resources and Environment, the Chief of the Natural Resources Conservation Service, and the Chief of the Forest Service, shall establish within the Department of Agriculture the Office of Highlands Stewardship.

(b) DUTIES.—The Office shall—

(1) advise the Secretary, the Secretary of the Interior, and the Governors of the States specified in subparagraphs (A) through (D) of section 4(3) on priorities for—

(A) projects carried out with financial or technical assistance under this section;

(B) land conservation partnership projects carried out under section 7;

(C) research relating to the Highlands region; and

(D) policy and educational initiatives necessary to implement the findings of the study and update; and

(2) implement in the Stewardship Area—

(A) the strategies of the study and update; and

(B) in consultation with the Highlands States, other studies consistent with the purposes of this Act.

(c) HIGHLANDS STEWARDSHIP AREA WORK GROUP.—

(1) ESTABLISHMENT.—The Secretary shall establish an advisory committee to be known as the “Highlands Stewardship Area Work Group” to assist the Office in implementing the strategies of the studies and update referred to in subsection (b).

(2) MEMBERSHIP.—The Work Group shall be comprised of members that represent various public and private interests throughout the Stewardship Area, including private landowners and representatives of private land trusts, conservation groups, distributors of drinking water, academic institutions, and units of local government, to be appointed by the Secretary, in consultation with the Governors of the States specified in subparagraphs (A) through (D) of section 4(3).

(3) DUTIES.—The Work Group shall advise the Office, the Secretary, and the Secretary of the Interior on the priorities described in subsection (b)(1).

(d) FINANCIAL AND TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Office may provide financial and technical assistance to an eligible entity to carry out a project to protect, restore, preserve, promote, or interpret the natural, agricultural, historical, cultural, or recreational resources of the Stewardship Area.

(2) PRIORITY.—In determining the priority for financial and technical assistance under paragraph (1), the Office shall consider the recommendations of the study and update.

(3) CONDITIONS.—

(A) IN GENERAL.—The provision of financial assistance under this subsection shall be subject to the condition that the eligible entity enter into an agreement with the Office that provides that if the eligible entity converts, uses, or disposes of the project for a purpose inconsistent with the purpose for which the financial assistance was provided, as deter-

mined by the Office, the United States shall be entitled to reimbursement from the eligible entity in an amount that is, as determined at the time of conversion, use, or disposal, the greater of—

(i) the total amount of the financial assistance provided for the project by the Federal Government under this section; or

(ii) the amount by which the financial assistance has increased the value of the land on which the project is carried out.

(B) COST-SHARING REQUIREMENT.—The Federal share of the cost of carrying out a project under this subsection shall not exceed 50 percent of the total cost of the project.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$2,000,000 for each of fiscal years 2004 through 2013, to remain available until expended.

SEC. 7. LAND CONSERVATION PARTNERSHIP PROJECTS.

(a) IN GENERAL.—The Secretary of the Interior, in consultation with units of local government, the Office, the Work Group, and the public, shall, from among proposed land conservation partnership projects submitted to the Secretary of the Interior by the Governors of the States specified in subparagraphs (A) through (D) of section 4(3), annually designate land conservation partnership projects that are eligible to receive financial assistance under this section.

(b) CONDITIONS.—

(1) IN GENERAL.—To be eligible for financial assistance for a project under subsection (a), a Highlands State shall enter into an agreement with the Secretary of the Interior that—

(A) identifies—

(i) the Highlands State that will own or hold the land or interest in land that is the subject of the project; and

(ii) the source of funds to provide the non-Federal share under paragraph (2);

(B) provides that the Highlands State shall permanently protect any land acquired as part of a land conservation partnership project;

(C) describes management objectives for the land that will ensure the permanent protection and use of the land for the purpose for which the assistance was provided;

(D) provides that if the Highlands State converts, uses, or disposes of the project for a purpose inconsistent with the purpose for which the assistance was provided, as determined by the Secretary of the Interior, the United States—

(i) may file a civil action in an appropriate district court of the United States for specific performance of the conditions on financial assistance; and

(ii) shall be entitled to reimbursement from the Highlands State in an amount that is, as determined at the time of conversion, use, or disposal, the greater of—

(I) the total amount of the financial assistance provided for the project by the Federal Government under this section; or

(II) the amount by which the financial assistance increased the value of the land or interest in land that is the subject of the project; and

(E) provides that use of the financial assistance will be consistent with—

(i) the open space plan or greenway plan of the Highlands State in which the land conservation partnership project is being carried out; and

(ii) the findings and recommendations of the study and update.

(2) COST-SHARING REQUIREMENT.—The Federal share of the cost of carrying out a land conservation partnership project under this subsection shall not exceed 50 percent of the

total cost of the land conservation partnership project.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of the Interior from the general fund of the Treasury or the Land and Water Conservation Fund to carry out this section \$25,000,000 for each of fiscal years 2004 through 2013, to remain available until expended.

SEC. 8. EFFECT.

Nothing in this Act—

(1) modifies, enlarges, or diminishes any authority of the Federal Government, or any State or local government, to regulate any use of land;

(2) grants powers of zoning or land use control to an entity established under this Act; or

(3) authorizes an entity established under this Act to interfere with—

(A) the right of any person with respect to private property; or

(B) any local zoning ordinance or land use plan of any local unit of government in the Stewardship Area.

By Mr. GRAHAM of South Carolina (for himself, Mr. COLEMAN, Mr. ALLEN, Mr. MILLER, Mrs. CLINTON, and Ms. LANDRIEU:

S. 1000. A bill to amend title 10, United States Code, to revise the age and service requirements for eligibility to receive retired pay for non-regular service; to provide TRICARE eligibility for members of the Selected Reserve of the Ready Reserve and their families; to amend the Internal Revenue Code of 1986 to allow employers a credit against income tax with respect to employees who participate in the military reserve components and to allow a comparable credit for participating reserve component self-employed individuals, and for other purposes; to the Committee on Finance.

Mr. GRAHAM of South Carolina. Mr. President, 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. 1000

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 “National Guard and Reserves Reform Act for the 21st Century”.

SEC. 2. ELIGIBILITY FOR RETIRED PAY FOR NON-REGULAR SERVICE.

(a) AGE AND SERVICE REQUIREMENTS.—Subsection (a) of section 12731 of title 10, United States Code, is amended to read as follows:

“(a)(1) Except as provided in subsection (c), a person is entitled, upon application, to retired pay computed under section 12739 of this title, if the person—

“(A) satisfies one of the combinations of requirements for minimum age and minimum number of years of service (computed under section 12732 of this title) that are specified in the table in paragraph (2);

“(B) performed the last six years of qualifying service while a member of any category named in section 12732(a)(1) of this title, but not while a member of a regular component, the Fleet Reserve, or the Fleet Marine Corps Reserve, except that in the case of a person who completed 20 years of

service computed under section 12732 of this title before October 5, 1994, the number of years of qualifying service under this subparagraph shall be eight; and

“(C) is not entitled, under any other provision of law, to retired pay from an armed force or retainer pay as a member of the Fleet Reserve or the Fleet Marine Corps Reserve.

“(2) The combinations of minimum age and minimum years of service required of a person under subparagraph (A) of paragraph (1) for entitlement to retired pay as provided in such paragraph are as follows:

| Age, in years, is at least: | The minimum years of service required for that age is: |
|--------------------------------|--|
| 53 | 34 |
| 54 | 32 |
| 55 | 30 |
| 56 | 28 |
| 57 | 26 |
| 58 | 24 |
| 59 | 22 |
| 60 | 20.” |

(b) 20-YEAR LETTER.—Subsection (d) of such section is amended by striking “the years of service required for eligibility for retired pay under this chapter” in the first sentence and inserting “20 years of service computed under section 12732 of this title.”.

(c) EFFECTIVE DATE.—This section and the amendments made by this subsection (a) shall take effect on the first day of the first month beginning on or after the date of the enactment of this Act and shall apply with respect to retired pay payable for that month and subsequent months.

SEC. 2. EXPANDED ELIGIBILITY OF READY RESERVISTS FOR TRICARE.

(a) ELIGIBILITY.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1097b the following new section:

“§ 1097c. TRICARE program: Reserves not on active duty

“(a) ELIGIBILITY.—A member of the Selected Reserve of the Ready Reserve of the armed forces not otherwise eligible for enrollment in the TRICARE program under this chapter for the same benefits as a member of the armed forces eligible under section 1074(a) of this title may enroll for self or for self and family for the same benefits under this section.

“(b) PREMIUMS.—(1) An enlisted member of the armed forces enrolled in the TRICARE program under this section shall pay an annual premium of \$330 for self only coverage and \$560 for self and family coverage for which enrolled under this section.

“(2) An officer of the armed forces enrolled in the TRICARE program under this section shall pay an annual premium of \$380 for self only coverage and \$610 for self and family coverage for which enrolled under this section.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1097b the following new item:

“1097c. Section 101 head.”.

SEC. 3. CREDIT FOR EMPLOYMENT OF RESERVE COMPONENT PERSONNEL.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to business-related credits) is amended by adding at the end the following new section:

“SEC. 45G. RESERVE COMPONENT EMPLOYMENT CREDIT.

“(a) GENERAL RULE.—For purposes of section 38, the reserve component employment credit determined under this section is an amount equal to the sum of—

“(1) the employment credit with respect to all qualified employees of the taxpayer, plus

“(2) the self-employment credit of a qualified self-employed taxpayer.

“(b) EMPLOYMENT CREDIT.—For purposes of this section—

“(1) IN GENERAL.—The employment credit with respect to a qualified employee of the taxpayer for any taxable year is equal to the excess, if any, of—

“(A) the qualified employee's average daily qualified compensation for the taxable year, over

“(B) the average daily military pay and allowances received by the qualified employee during the taxable year,

while participating in qualified reserve component duty to the exclusion of the qualified employee's normal employment duties for the number of days the qualified employee participates in qualified reserve component duty during the taxable year, including time spent in a travel status. The employment credit, with respect to all qualified employees, is equal to the sum of the employment credits for each qualified employee under this subsection.

“(2) AVERAGE DAILY QUALIFIED COMPENSATION AND AVERAGE DAILY MILITARY PAY AND ALLOWANCES.—As used with respect to a qualified employee—

“(A) the term ‘average daily qualified compensation’ means the qualified compensation of the qualified employee for the taxable year divided by the difference between—

“(i) 365, and

“(ii) the number of days the qualified employee participates in qualified reserve component duty during the taxable year, including time spent in a travel status, and

“(B) the term ‘average daily military pay and allowances’ means—

“(i) the amount paid to the qualified employee during the taxable year as military pay and allowances on account of the qualified employee's participation in qualified reserve component duty, divided by

“(ii) the total number of days the qualified employee participates in qualified reserve component duty, including time spent in travel status.

“(3) QUALIFIED COMPENSATION.—When used with respect to the compensation paid or that would have been paid to a qualified employee for any period during which the qualified employee participates in qualified reserve component duty, the term ‘qualified compensation’ means—

“(A) compensation which is normally contingent on the qualified employee's presence for work and which would be deductible from the taxpayer's gross income under section 162(a)(1) if the qualified employee were present and receiving such compensation,

“(B) compensation which is not characterized by the taxpayer as vacation or holiday pay, or as sick leave or pay, or as any other form of pay for a nonspecific leave of absence, and with respect to which the number of days the qualified employee participates in qualified reserve component duty does not result in any reduction in the amount of vacation time, sick leave, or other nonspecific leave previously credited to or earned by the qualified employee, and

“(C) group health plan costs (if any) with respect to the qualified employee.

“(4) QUALIFIED EMPLOYEE.—The term ‘qualified employee’ means a person who—

“(A) has been an employee of the taxpayer for the 21-day period immediately preceding the period during which the employee participates in qualified reserve component duty, and

“(B) is a member of the Ready Reserve of a reserve component of an Armed Force of the United States as defined in sections 10142 and 10101 of title 10, United States Code.

“(c) SELF-EMPLOYMENT CREDIT.—

“(1) IN GENERAL.—The self-employment credit of a qualified self-employed taxpayer for any taxable year is equal to the excess, if any, of—

“(A) the self-employed taxpayer's average daily self-employment income for the taxable year over

“(B) the average daily military pay and allowances received by the taxpayer during the taxable year, while participating in qualified reserve component duty to the exclusion of the taxpayer's normal self-employment duties for the number of days the taxpayer participates in qualified reserve component duty during the taxable year, including time spent in a travel status.

“(2) AVERAGE DAILY SELF-EMPLOYMENT INCOME AND AVERAGE DAILY MILITARY PAY AND ALLOWANCES.—As used with respect to a self-employed taxpayer—

“(A) the term ‘average daily self-employment income’ means the self-employment income (as defined in section 1402) of the taxpayer for the taxable year plus the amount paid for insurance which constitutes medical care for the taxpayer for such year (within the meaning of section 162(l)) divided by the difference between—

“(i) 365, and

“(ii) the number of days the taxpayer participates in qualified reserve component duty during the taxable year, including time spent in a travel status, and

“(B) the term ‘average daily military pay and allowances’ means—

“(i) the amount paid to the taxpayer during the taxable year as military pay and allowances on account of the taxpayer's participation in qualified reserve component duty, divided by

“(ii) the total number of days the taxpayer participates in qualified reserve component duty, including time spent in travel status.

“(3) QUALIFIED SELF-EMPLOYED TAXPAYER.—The term ‘qualified self-employed taxpayer’ means a taxpayer who—

“(A) has net earnings from self-employment (as defined in section 1402) for the taxable year, and

“(B) is a member of the Ready Reserve of a reserve component of an Armed Force of the United States.

“(d) CREDIT IN ADDITION TO DEDUCTION.—The employment credit provided in this section is in addition to any deduction otherwise allowable with respect to compensation actually paid to a qualified employee during any period the qualified employee participates in qualified reserve component duty to the exclusion of normal employment duties.

“(e) LIMITATIONS.—

“(1) MAXIMUM CREDIT.—

“(A) IN GENERAL.—The credit allowed by subsection (a) for the taxable year shall not exceed \$25,000 with respect to each qualified employee.

“(B) CONTROLLED GROUPS.—For purposes of applying the limitation in subparagraph (A)—

“(i) all members of a controlled group shall be treated as one taxpayer, and

“(ii) such limitations shall be allocated among the members of such group in such manner as the Secretary may prescribe.

For purposes of this subparagraph, all persons treated as a single employer under subsection (a) or (b) of section 52 or subsection (m) or (o) of section 414 shall be treated as members of a controlled group.

“(2) DISALLOWANCE FOR FAILURE TO COMPLY WITH EMPLOYMENT OR REEMPLOYMENT RIGHTS OF MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES OF THE UNITED STATES.—No credit shall be allowed under subsection (a) to a taxpayer for—

“(A) any taxable year in which the taxpayer is under a final order, judgment, or other process issued or required by a district court of the United States under section 4323

of title 38 of the United States Code with respect to a violation of chapter 43 of such title, and

“(B) the 2 succeeding taxable years.

“(3) DISALLOWANCE WITH RESPECT TO PERSONS ORDERED TO ACTIVE DUTY FOR TRAINING.—No credit shall be allowed under subsection (a) to a taxpayer with respect to any period for which the person on whose behalf the credit would otherwise be allowable is called or ordered to active duty for any of the following types of duty:

“(A) active duty for training under any provision of title 10, United States Code,

“(B) training at encampments, maneuvers, outdoor target practice, or other exercises under chapter 5 of title 32, United States Code, or

“(C) full-time National Guard duty, as defined in section 101(d)(5) of title 10, United States Code.

“(f) GENERAL DEFINITIONS AND SPECIAL RULES.—

“(1) MILITARY PAY AND ALLOWANCES.—The term ‘military pay’ means pay as that term is defined in section 101(21) of title 37, United States Code, and the term ‘allowances’ means the allowances payable to a member of the Armed Forces of the United States under chapter 7 of that title.

“(2) QUALIFIED RESERVE COMPONENT DUTY.—The term ‘qualified reserve component duty’ includes only active duty performed, as designated in the reservist’s military orders, in support of a contingency operation as defined in section 101(a)(13) of title 10, United States Code.

“(3) NORMAL EMPLOYMENT AND SELF-EMPLOYMENT DUTIES.—A person shall be deemed to be participating in qualified reserve component duty to the exclusion of normal employment or self-employment duties if the person does not engage in or undertake any substantial activity related to the person’s normal employment or self-employment duties while participating in qualified reserve component duty unless in an authorized leave status or other authorized absence from military duties. If a person engages in or undertakes any substantial activity related to the person’s normal employment or self-employment duties at any time while participating in a period of qualified reserve component duty, unless during a period of authorized leave or other authorized absence from military duties, the person shall be deemed to have engaged in or undertaken such activity for the entire period of qualified reserve component duty.

“(4) CERTAIN RULES TO APPLY.—Rules similar to the rules of subsections (c), (d), and (e) of section 52 shall apply for purposes of this section.”.

(b) CONFORMING AMENDMENT.—Section 38(b) (relating to general business credit) is amended—

(1) by striking “plus” at the end of paragraph (14),

(2) by striking the period at the end of paragraph (15) and inserting “, plus”, and

(3) by adding at the end the following new paragraph:

“(16) the reserve component employment credit determined under section 45G(a).”.

(c) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 is amended by inserting after the item relating to section 45F the following new item:

“Sec. 45G. Reserve component employment credit.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2002.

By Mr. BIDEN (for himself, Mr. MCCAIN, Mrs. FEINSTEIN, Mr.

DODD, Mr. KERRY, Mrs. CLINTON, and Ms. MIKULSKI):

S. 1001. A bill to make the protection of women and children who are affected by a complex humanitarian emergency a priority of the United States Government, and for other purposes; to the Committee on Foreign Relations.

Mr. BIDEN. Mr. President, today I am introducing a bill, along with Senators McCain, FEINSTEIN, DODD, and KERRY, to make women and children a priority of our assistance of programs, women and children who are suffering the ravages of war and natural disasters, suffering from food shortages and a lack of basic necessities, suffering from the degradation of complex humanitarian emergencies. War has been the major cause.

Over the past fifty years the nature of war has changed dramatically. Increasingly, sadly, women and children seem to bear the brunt of it. According to the United Nations Children’s Fund, since 1990, more than 2 million children have been killed and 6 million maimed or injured as a result of war. Today, 90 percent of the casualties in any war are civilians. They are mostly women and children.

It is incomprehensible to me that rape has been used as a weapon of war all over the world from Burma to Bosnia to Sierra Leone. It is equally incomprehensible that forced displacement of civilians, rather than being one of the unfortunate results of war, has actually become a deliberate tactic.

Under these circumstances, what choice do people have but to leave their homes? They leave out of fear for their lives and their children’s lives. Some find their way into camps where instead of safety, they suffer extraordinary violence and abuse. Allegations of sexual exploitation by camp residents and humanitarian workers in refugee camps in west Africa and Nepal are all-too-real examples of the sad fact that women and children remain vulnerable even in the very places they flee to find safety.

This bill seeks to do something about this. It seeks to enhance the U.S. Government’s ability to ensure that women and children’s protection needs are addressed before, during, and after a complex humanitarian emergency.

It does this in several ways. First, it directs the Secretary of State to designate a special coordinator for protection issues. That person will be charged with making sure that our embassies and consular posts are made aware of the earliest warning signs that a complex humanitarian emergency is imminent. The Coordinator is to compile a watch list of such countries and regions so that our aid missions can plan to meet potential need.

Second, the bill specifies basic measures that will improve our ability to help these women and children, help the refugees, help internally displaced people cope during an actual complex humanitarian crisis.

It requires that relief organizations funded by the United States Government review their procedures to ensure adequate measures have been taken to provide adequate physical security for refugees and internationally displaced people, especially the women and children.

The legislation prohibits U.S. funding for relief agencies that do not sign a code of conduct that prohibits improper relationships between humanitarian aid workers and aid recipients, and encourages the Secretary to pressure the U.N. refugee agency to implement a “whistle-blower” system under which aid workers, refugees and internally displaced persons can report instances of gender-based violence and exploitation.

Because women have unique health needs that are often unmet when they are forced to flee their homes, the bill includes a provision mandating health services for women within 30 days of the onset of a complex humanitarian emergency.

Additionally, the bill amends the Micro-Enterprise Development Act to expand the availability of micro-loans to refugees and internally displaced women. When women are given access to income generating activities, they are less vulnerable to coercion from those who would demand sexual favors in return for food or other basic necessities.

Finally, the bill deals with rehabilitation and recovery.

The bill requires the Secretary of State and the Administrator for the Agency for International Development to develop and implement economic development programs to assist female heads of households, to help women increase access to ownership of land and other productive assets, to ensure that education and training programs are integrated with economic development programs to encourage reintegration of women who were displaced during war, and programs to politically empower women.

It calls upon the United States Executive Director of the International Bank for Reconstruction and Development to work on ensuring that World Bank demobilization, disarmament and reintegration programs extend the same benefits that ex-combatants receive to women and children who were formally or informally associated with them.

As it now stands, women and children who were used as cooks, porters, and so called “wives”—a euphemism for women who were kidnaped to serve as sexual slaves—are given nothing with which to rebuild their lives, despite the fact that they rarely served with armed groups by choice. And yet the very people who forced them into such conditions are assisted with no qualms or reservations.

Finally, the bill calls upon the Secretary of State to report to Congress all the programs that they are funding

that are aimed at improving the awareness of foreign law enforcement officials of women's human rights and the ability of foreign law enforcement officials to investigate and prosecute crimes of rape and sexual violence.

This bill is not a panacea. It does not cure all the ills that war and displacement create for women and children. It seeks to provide some relief for those who are entirely reliant—through no fault of their own—on the largess of the international community.

I believe this legislation will improve the way we respond to the needs facing women and children trying to survive in the most dire of circumstances, and I hope my colleagues will join me by supporting it.

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. 1001

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 “Women and Children in Conflict Protection Act of 2003”.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Definitions.

TITLE I—PROGRAM AND POLICY COORDINATION

Sec. 101. Findings.

Sec. 102. Purposes.

Sec. 103. Requirement to develop integrated strategy.

Sec. 104. Designation of Coordinator.

TITLE II—PREVENTION AND PREPAREDNESS

Sec. 201. Findings.

Sec. 202. Early warning and early action systems.

TITLE III—SECURITY FOR REFUGEE AND INTERNALLY DISPLACED WOMEN AND CHILDREN

Sec. 301. Findings.

Sec. 302. Codes of conduct.

Sec. 303. Sense of Congress regarding administration practices in camps for refugees and displaced persons.

Sec. 304. Health services for refugees and displaced persons.

Sec. 305. Whistleblower system.

Sec. 306. Women's economic self-sufficiency.

Sec. 307. International military education and training.

Sec. 308. Protection initiatives.

Sec. 309. Accountability.

TITLE IV—POSTCONFLICT RECONSTRUCTION AND REHABILITATION

Sec. 401. Findings.

Sec. 402. Support for communities and former combatants.

Sec. 403. Police reform and accountability.

Sec. 404. Sense of Congress regarding the improvement of United Nations peacekeeping operations.

TITLE V—WOMEN AND CHILDREN'S PROTECTION ASSISTANCE

Sec. 501. Women and children's protection assistance.

SEC. 3. DEFINITIONS.

In this Act:

(1) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term “appropriate congressional committees” means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(2) **CHILDREN.**—The term “children” means persons under the age of 18 years.

(3) **COMPLEX HUMANITARIAN EMERGENCY.**—The term “complex humanitarian emergency” means a situation that—

(A) occurs outside the United States and results in a significant number of—

(i) refugees;

(ii) internally displaced persons; or

(iii) other civilians requiring basic humanitarian assistance on an urgent basis; and

(B) is caused by one or more situations including—

(i) armed conflict;

(ii) natural disaster;

(iii) significant food shortage; or

(iv) state-sponsored harassment or persecution.

(4) **COORDINATOR.**—The term “coordinator” means an individual designated by the Secretary under section 104(a).

(5) **EXPLOITATION OF CHILDREN.**—The term “exploitation of children” means—

(A) adult sexual activity with children;

(B) kidnapping or forcibly separating children from their families;

(C) subjecting children to the worst forms of child labor;

(D) forcing children to commit or witness acts of violence, including compulsory recruitment into armed forces or as combatants; and

(E) withholding or obstructing access of children to food, shelter, medicine, and basic human services.

(6) **FORMER COMBATANT.**—The term “former combatant” means a woman or child who was a member of or affiliated with an armed group, including serving as a cook, a porter, or a messenger, or in a domestic or sexual capacity or in any other support role, whether or not the woman or child consented to such participation.

(7) **GENDER-BASED VIOLENCE.**—The term “gender-based violence” means causing harm to a person based on gender, including—

(A) rape;

(B) sexual assault or torture;

(C) sex trafficking and trafficking in persons;

(D) demands for sex in exchange for employment, goods, services, or protection;

(E) withholding or obstructing access to food, shelter, medicine, and basic human services; and

(F) other forms of violence based on gender.

(8) **HIV.**—The term “HIV” means the human immunodeficiency virus, the virus that causes the acquired immune deficiency syndrome (AIDS).

(9) **INTER-AGENCY STANDING COMMITTEE.**—The term “Inter-Agency Standing Committee” means the Inter-Agency Standing Committee established in response to United Nations General Assembly Resolution 46/182 of December 19, 1991.

(10) **PROTECTION.**—The term “protection”, with respect to an individual, a family, a group, or a community, means all appropriate measures to promote the physical and psychological security of, provide equal access to basic services for, and safeguard the legal and human rights and dignity of, individuals, families, groups, and communities.

(11) **SECRETARY.**—The term “Secretary” means the Secretary of State.

(12) **SEX TRAFFICKING.**—The term “sex trafficking” has the meaning given the term in section 103 of Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

(13) **TRAFFICKING IN PERSONS.**—The term “trafficking in persons” has the meaning given the term “severe forms of trafficking in persons” in section 103 of Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

(14) **WORST FORMS OF CHILD LABOR.**—The term “worst forms of child labor” has the meaning given the term in article 3 of Convention Number 182 of the International Labor Organization.

TITLE I—PROGRAM AND POLICY COORDINATION

SEC. 101. FINDINGS.

Congress makes the following findings:

(1) The nature of war has changed dramatically in recent decades, putting women and children at greater risk of death, disease, displacement, and exploitation.

(2) Civilians, particularly women and children, account for the vast majority of those adversely affected by complex humanitarian emergencies, including as refugees and internally displaced persons, and increasingly are targeted by combatants and armed elements for murder, abduction, forced military conscription, involuntary servitude, displacement, sexual abuse and slavery, mutilation, and loss of freedom.

(3) Traditionally, humanitarian response has focused on providing food, medical care, and shelter needs, while placing less emphasis on the safety and security of those affected by a complex humanitarian emergency.

(4) Few well-coordinated efforts exist to prevent and respond to violence against women and children when they are refugees or internally displaced persons.

(5) While the United Nations High Commissioner for Refugees and the Department of State are charged with protecting refugees, there is no United States Government agency or international body with a clear mandate to protect internally displaced persons and those at risk of displacement as a result of a complex humanitarian emergency.

(6) There is a substantial need for the protection of women and children to be given a high priority during all complex humanitarian emergencies.

SEC. 102. PURPOSES.

The purposes of this Act are—

(1) to ensure that the United States Government has adequate capabilities to support programs that provide for the protection of women and children who are affected by a complex humanitarian emergency;

(2) to build the capacities of United States Government agencies, multilateral institutions, international nongovernmental organizations, local nongovernmental organizations, and local communities to prevent and respond effectively to gender-based violence and exploitation of children that occur during a complex humanitarian emergency; and

(3) to provide increased funding for the protection of women and children affected by a complex humanitarian emergency.

SEC. 103. REQUIREMENT TO DEVELOP INTEGRATED STRATEGY.

(a) **REQUIREMENT.**—The Secretary shall, in consultation with the Administrator of the United States Agency for International Development, develop an integrated strategy for the protection of women and children who are internally displaced, made refugees, or otherwise affected by a complex humanitarian emergency.

(b) **REPORT.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report outlining the strategy described in subsection (a).

(c) **CONTENT.**—The report required by subsection (b) shall include—

(1) an assessment of the specific needs of, and particular threats to, women and children at the various stages of a complex humanitarian emergency, especially at the onset of such emergency;

(2) a description of which agencies and offices of the United States Government are responsible for addressing each aspect of such needs and threats;

(3) an evaluation of the needs and threats that are being adequately addressed and funded, and those which require additional attention or resources;

(4) a set of guidelines and recommendations for improving United States and international systems for the protection of women and children during a complex humanitarian emergency; and

(5) a mechanism for coordinating and overseeing United States efforts to prevent and respond to gender-based violence and exploitation of children that occurs during a complex humanitarian emergency.

SEC. 104. DESIGNATION OF COORDINATOR.

(a) **IN GENERAL.**—Not later than 60 days after the date of enactment of this Act, the Secretary shall designate one or more senior-level officials of the Department of State or the United States Agency for International Development as a coordinator or coordinators, as the case may be, to be responsible for the oversight and coordination of United States Government efforts to provide protection to women and children who are affected by a complex humanitarian emergency.

(b) **DUTIES.**—A coordinator designated under subsection (a) shall—

(1) coordinate the actions taken to carry out the purposes of this Act, as described in section 102;

(2) be responsible for the oversight and coordination of United States Government efforts to protect women and children who are affected by a complex humanitarian emergency; and

(3) provide United States embassies and consular posts with mechanisms to warn relief agencies of an impending complex humanitarian emergency.

(c) **NOTIFICATION.**—Not later than 5 days after designating an official as a coordinator under subsection (a), the Secretary shall submit the name of such official to the appropriate congressional committees.

TITLE II—PREVENTION AND PREPAREDNESS

SEC. 201. FINDINGS.

Congress makes the following findings:

(1) The percentage of civilians killed and wounded as a result of hostilities has risen from 5 percent of all casualties at the turn of the 19th century to 65 percent during World War II and to 90 percent in more recent hostilities. Women and children comprise the majority of civilian deaths and the majority of all refugees from hostilities.

(2) In the last decade alone, more than 2,000,000 children have been killed during wars, while more than 4,000,000 have survived physical mutilation, and more than 1,000,000 have been orphaned or separated from their families as a result of war.

(3) In many armed conflicts, soldiers have destroyed food supplies and productive capacities, stolen donated food intended for women and children, and blocked the distribution of humanitarian aid.

(4) During 2003, an estimated 300,000 children have been compulsorily recruited into military operations around the world, including a large number of girls who have been forced to work as combatants, cooks, messengers, spies, or sexual slaves for soldiers.

(5) The use of rape, particularly against women and girls, is an increasingly common tactic in modern war.

(6) The international community has a responsibility pursuant to the Protocol Relating to the Status of Refugees done at New York October 4, 1967 (19 UST 6223), the Convention Relating to the Status of Refugees done at Geneva July 28, 1951, and the Convention Relative to the Protection of Civilian Persons in Time of War done at Geneva August 12, 1949 (6 UST 3516), to take preventive action that would improve preparedness and reduce the vulnerability of women and children to violence and exploitation.

SEC. 202. EARLY WARNING AND EARLY ACTION SYSTEMS.

(a) **PREVENTIVE ACTIONS.**—Each coordinator shall—

(1) maintain a data base of information related to occurrences of gender-based violence or exploitation of children during a complex humanitarian emergency;

(2) develop, based on the information contained in the database required by paragraph (1) and other research—

(A) a list of early warning signs that indicate there is a likelihood that gender-based violence or exploitation of children will occur during a complex humanitarian emergency; and

(B) a list, that is updated regularly, of countries or regions where there is an increased risk of gender-based violence or exploitation of children due to a complex humanitarian emergency to enhance the preparedness of the United States Government or organizations funded by the United States Government to respond to such an emergency;

(3) disseminate to United States embassies and consular posts the lists described in subparagraphs (A) and (B) of paragraph (2);

(4) assist embassies and consular posts in responding to an increased risk of gender-based violence or exploitation of children that may occur during a complex humanitarian emergency;

(5) develop a procedure for nongovernmental organizations to report evidence of gender-based violence and exploitation of children, during a complex humanitarian emergency to ensure appropriate response by United States officials; and

(6) establish a reporting and monitoring system for United States diplomatic missions and consular posts and missions of the United States Agency for International Development to collect and submit to the coordinator standardized data on evidence that women and children are being targeted for or are at increased risk of violence or exploitation in complex humanitarian emergencies.

(b) **REPORTING AND MONITORING.**—Not later than 30 days after a country or region is placed on a list maintained under subsection (a)(1), each United States diplomatic mission and consular post located in such country or region shall submit to the appropriate coordinator a description of the measures undertaken by such mission or post for the protection of women and children in the event of a complex humanitarian emergency.

(c) **DISSEMINATION OF INFORMATION.**—A coordinator shall make available to the public, including to nongovernmental organizations located in areas where there is an increased risk of gender-based violence or exploitation of children, the information, procedures, systems, and measures described in subsections (a) and (b).

TITLE III—SECURITY FOR REFUGEE AND INTERNALLY DISPLACED WOMEN AND CHILDREN

SEC. 301. FINDINGS.

Congress makes the following findings:

(1) Almost one-half of the world's estimated 37,500,000 refugees and internally displaced persons are children.

(2) Food rations in camps for refugees and internally displaced persons are often limited and unpredictable, and vulnerable women rarely have legitimate opportunities to generate income or products to barter for additional food and other supplies.

(3) Refugee women and girls face particular threats because of power inequities, including being forced to exchange sex for food and humanitarian supplies, and being at increased risk of rape and gender-based violence due to poor security in refugee camps.

(4) An investigation into sexual exploitation of refugees by aid workers in West Africa, conducted by the United Nations Office of Internal Oversight Services, found many factors that contribute to the exploitation and abuse of women and children in refugee situations, including—

(A) few women working in key positions in refugee relief efforts;

(B) insufficient international staff presence in the camps;

(C) isolation and lack of separate and distinctly placed sanitary facilities for men and women;

(D) incomplete rations and delayed delivery of supplies to refugees; and

(E) lack of punishment for perpetrators, including adult refugees, of sexual crimes against children in refugee situations.

(5) Refugees and internally displaced persons living outside of camps experience a range of serious problems including vulnerability to harassment, abuse, and exploitation by landlords and employers with little legal recourse, and constant threat of detention, imprisonment, and deportation.

(6) Existing nongovernmental organization and international agency policies, procedures, training programs, monitoring, and accountability mechanisms have not protected displaced women and children from exploitation and abuse, provided adequate assistance to survivors, or to disciplined offenders and achieved justice.

(7) The limited presence of protection officers and other trained managerial staff of the United Nations High Commissioner for Refugees in camps, especially at night, exacerbates the vulnerability of women and children to abuse by, in particular, fellow camp residents and nearby local residents.

(8) In some circumstances, humanitarian agencies have failed to make women and children aware of their rights to protection and assistance, to give them access to effective channels of redress, and to make humanitarian workers aware of their duty to respect these rights and provide adequate assistance.

(9) The Inter-Agency Standing Committee has identified standards of behavior applicable to all of its personnel and is implementing a plan of action related to protection from sexual exploitation and abuse to strengthen mechanisms for protecting those who depend on international aid.

SEC. 302. CODES OF CONDUCT.

(a) **LIMITATION ON ASSISTANCE.**—None of the funds made available by the Department of State through the Migration and Refugee Assistance account or the Emergency Refugee and Migration Assistance account or by any provision of law for the purposes of the provision of assistance to refugees or internally displaced persons may be provided to an organization that has failed to adopt a code of conduct regarding the protection of beneficiaries of humanitarian assistance that incorporates the 6 core principles recommended by the Inter-Agency Standing Committee, as described in subsection (b).

(b) **CORE PRINCIPLES.**—The 6 core principles for the protection of beneficiaries are as follows:

(1) Sexual exploitation and abuse by humanitarian workers constitute acts of gross

misconduct and are therefore grounds for termination of employment.

(2) Sexual activity with persons under the age of 18 years is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense.

(3) Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading, or exploitative behavior, is prohibited. This includes exchange of assistance that is due to beneficiaries.

(4) Sexual relationships between the providers and beneficiaries of humanitarian assistance are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian assistance work.

(5) Whenever a humanitarian assistance worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, the worker must report such concerns through established agency reporting mechanisms.

(6) Humanitarian assistance agencies are obliged to create and maintain an environment that prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems that maintain this environment.

SEC. 303. SENSE OF CONGRESS REGARDING ADMINISTRATION PRACTICES IN CAMPS FOR REFUGEES AND DISPLACED PERSONS.

It is the sense of Congress that all agencies, including multilateral and nongovernmental agencies, implementing United States humanitarian assistance programs should conduct a thorough review of their administrative, management, and employment practices in refugee and displaced persons camps for the purposes of—

(1) significantly increasing the number of women involved in the distribution of food and humanitarian supplies;

(2) expanding opportunities for women to generate legitimate income in the camps, including through employment in the camps;

(3) educating providers and beneficiaries of humanitarian assistance about the seriousness of gender-based violence and exploitation of children;

(4) improving expatriate supervision and monitoring of daily operations in the camps;

(5) improving the design and logistics of camps to create a safer and more secure environment for women and children, including through consultation with female camp residents;

(6) keeping formal and detailed records, including photographs, of locally hired staff, and ensuring that they are adequately paid and trained;

(7) providing training for humanitarian assistance workers on their obligations and responsibilities under a code of conduct;

(8) developing systems of accountability to deter and punish gender-based violence, exploitation of children, and other protection violations including through identification of procedures for reporting and investigating allegations of abuse that protect the safety and confidentiality of the survivors; and

(9) ensuring that applicants for jobs in camps are screened to prevent individuals who may have been involved in protection violations from being hired by camp authorities.

SEC. 304. HEALTH SERVICES FOR REFUGEES AND DISPLACED PERSONS.

(a) FINDINGS.—Congress makes the following findings:

(1) Complex humanitarian emergencies result in particular risks for women and girls.

(2) Refugee and displaced women face heightened risks of developing complications during pregnancy, suffering a miscarriage, dying, being injured during childbirth, becoming infected with HIV or another sexually transmitted infection, or suffering from posttraumatic stress disorder.

(3) Despite the heightened risks for women during a complex humanitarian emergency, women's needs for specialized health services have often been overlooked by donors and relief organizations, which are focused on providing food, water, and shelter.

(4) Priority activities and emergency supplies designed to address life-threatening women's health problems during a complex humanitarian emergency are often not implemented or made available in the early days and weeks of an emergency, the period when such activities and supplies are most needed and may be most effective.

(b) PROVISION OF HEALTH SERVICES.—

(1) REQUIREMENTS.—Each coordinator shall—

(A) ensure that organizations funded by the United States that respond to a complex humanitarian emergency have the resources necessary to address the specific health needs of women affected by the emergency; and

(B) identify an organization or individual to facilitate the coordination and implementation of the activities needed to respond to the health needs of women as soon as practicable and not later than 30 days after the development of a complex humanitarian emergency.

(2) ACTIVITIES DEFINED.—The activities referred to in paragraph (1)(B) include activities to—

(A) prevent and manage the consequences of sexual violence;

(B) reduce transmission of HIV;

(C) provide obstetric care; and

(D) draft a plan to integrate women's health services into the primary health care services provided during a complex humanitarian emergency, including—

(i) collection of background data on maternal, infant and child mortality, and the rate of HIV infection;

(ii) identification of suitable sites for future delivery of women's health services by addressing security problems, accessibility for all potential users, privacy and confidentiality during visits, easy access to water and sanitation, appropriate space for users' waiting time, and aseptic conditions;

(iii) an assessment of the staff capacity to provide women's health services; and

(iv) a plan for staff training.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$12,000,000 for fiscal year 2004, and \$14,000,000 for fiscal year 2005, to carry out subsection (b). The amounts authorized to be appropriated in this subsection are in addition to amounts appropriated for such fiscal years to the Department of State for the Migration and Refugee Assistance account, the Emergency Refugee and Migration Assistance account, or the International Disaster Assistance account.

SEC. 305. WHISTLEBLOWER SYSTEM.

(a) DESIGN OF MODEL SYSTEM.—The Secretary should urge the United Nations High Commissioner for Refugees to work with nongovernmental organizations to design and implement a model "whistleblower" system under which humanitarian workers, refugees, and internally displaced persons can report instances of gender-based violence or exploitation of children. Such a system should ensure that—

(1) reports of instances of gender-based violence or exploitation of children may be

made confidentially and without risk of retribution;

(2) such reports are swiftly and thoroughly investigated and adjudicated; and

(3) appropriate disciplinary action is taken against a person found to have committed an act of gender-based violence or exploited a child.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees on progress that has been made toward designing and implementing the model whistleblower system described in subsection (a).

SEC. 306. WOMEN'S ECONOMIC SELF-SUFFICIENCY.

(a) FINDINGS.—Congress makes the following findings:

(1) It is often difficult to determine when it is safe for women and children to return to a community affected by a complex humanitarian emergency, and in many instances the affected women and children remain refugees or internally displaced for considerable periods of time.

(2) To reduce vulnerability to exploitation and abuse, women who are uprooted from their communities must be given legitimate opportunities to generate income to support themselves and their families.

(3) In situations of long-term displacement, humanitarian and development agencies should provide legal assistance, technical and vocational training, and access to credit for women, so they can earn a safe and lawful livelihood.

(b) WORK PERMITS.—The Department of State should work with host governments, the United Nations High Commissioner for Refugees, and other appropriate United Nations agencies to ensure that, in situations of long-term displacement, refugees and internally displaced persons are granted work permits and other necessary documentation by the host government and local authorities to enable them to generate legitimate income.

(c) AMENDMENTS TO MICROENTERPRISE ACT OF 2000.—Section 102 of the Microenterprise for Self-Reliance Act of 2000 (22 U.S.C. 2151f note) is amended—

(1) in paragraph (4)—

(A) by redesignating subparagraphs (B), (C), and (D) and subparagraphs (C), (D), and (E), respectively; and

(B) by inserting after subparagraph (A) the following:

“(B) Women displaced by armed conflict are particularly at risk, lacking access to traditional livelihoods and means for generating income.”; and

(2) in paragraph (13)—

(A) by redesignating subparagraph (B) as subparagraph (C); and

(B) by inserting after subparagraph (A) the following:

“(B) Particular efforts should be made to expand the availability of microcredit programs to internally displaced persons, who historically have not had access to such programs.”.

(d) AMENDMENTS TO THE FOREIGN ASSISTANCE ACT.—Chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 108 (22 U.S.C. 2151f)—

(A) in subsection (b)(3), by inserting after “microentrepreneurs” the following: “, with an emphasis on women microentrepreneurs.”; and

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

“(g) REPORTING REQUIREMENT.—The Administrator of the agency primarily responsible for administering this part, as part of the annual congressional presentation documents of the agency, shall submit to Congress a report that contains—

“(1) an estimate of the number of women living below the national poverty line that have secured loans or received training through the programs described in this Act;

“(2) the percentage of women borrowers in programs funded by the agency under this Act;

“(3) the percentage of the total loan funds disbursed by the agency under this Act that were made available to women borrowers; and

“(4) a discussion of the impact that such loans have had on the economic status of such women.”; and

(2) in section 131 (22 U.S.C. 2151a)—

(A) in subsection (b)(1)(D), by inserting before the period at the end the following: “, including programs to eliminate legal and institutional barriers to women’s ownership of assets, access to credit, and engagement in business activities within or outside of the home”;

(B) in subsection (b)(2)(C), by inserting before the period at the end the following: “, including women’s organizations”;

(C) in subsection (c)—

(i) by redesignating paragraphs (1), (2), (3), and (4) as subparagraphs (A), (B), (C), and (D), respectively, and realigning such subparagraphs, as so redesignated, four ems from the left margin;

(ii) by striking “In order” and inserting the following:

“(1) ESTABLISHMENT.—In order”;

(iii) in subparagraph (D), as redesignated by clause (i), by striking “paragraph (3)” and inserting “subparagraph (C)”;

(iv) by adding at the end the following new paragraph:

“(2) DISAGGREGATION.—All goals, indicators, analyses, and recommendations required by this section shall be disaggregated by sex.”.

(e) MICROFINANCE GRANTS.—

(1) IN GENERAL.—Of the funds made available for the Department of State under section 135(b)(2) of the Foreign Assistance Act of 1961 (as added by section 501 of this Act), \$1,500,000 may be made available to provide grant assistance—

(A) to microfinance institutions for the purpose of expanding the availability of credit, savings, training, technical assistance, business development services, and other financial services to very poor entrepreneurs, as defined in section 131(b)(3) of the Foreign Assistance Act of 1961, who are refugees; and

(B) for policy and regulatory programs at the country level that improve the environment for microenterprise among refugee populations.

(2) GRANT PROVIDERS.—Assistance described in paragraph (1) shall be provided through United States and indigenous private and voluntary organizations, credit unions, cooperatives, and other nongovernmental organizations with a capacity to develop and implement microenterprise programs.

SEC. 307. INTERNATIONAL MILITARY EDUCATION AND TRAINING.

Section 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347) is amended—

(1) by striking “or (iv)” and inserting “(iv)”;

(2) by striking “rights.” and inserting “rights, or (v) improve the protection of civilians, especially women and children who are affected by armed conflict, including those who, as a result of an armed conflict, are refugees or displaced persons.”.

SEC. 308. PROTECTION INITIATIVES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Secretary and the Administrator of the United States Agency for International

Development should continue to develop protection initiatives that support nongovernmental organizations and multilateral institutions in identifying protection problems associated with complex humanitarian emergencies and strategies for prevention of gender-based violence and exploitation of children and accountability during a complex humanitarian emergency, including—

(A) training of field workers on identifying and responding to gender-based violence and the exploitation of children;

(B) support for the rapid deployment of personnel trained to identify protection needs to areas affected by complex humanitarian emergencies;

(C) support for registration initiatives which document refugees and internally displaced persons for purposes including the provision of assistance to such persons and of family reunification; and

(D) support for programs that provide assistance to women who were displaced due to a complex humanitarian emergency, including—

(i) psycho-social counseling;

(ii) training related to income generation and employment skills; and

(iii) emergency health care required to respond to gender-based violence; and

(2) the United Nations High Commissioner for Refugees should review—

(A) its placement practices to ensure that—

(i) senior protection officials are assigned to the posts where women and children are in the most danger of gender-based violence or exploitation;

(ii) experienced protection officers are present at border crossings; and

(iii) more female staff are present in camps for refugees or displaced persons; and

(B) its personnel system to facilitate the hiring of successful junior professional officers on a permanent basis following their initial tours of duty.

(b) REPORT.—Not later than 90 days after the date of enactment of this Act, the Secretary shall report to the appropriate congressional committees any steps taken to develop the protection initiatives described in subsection (a).

SEC. 309. ACCOUNTABILITY.

(a) REQUIRED ACTIONS.—Each coordinator shall—

(1) report allegations of gender-based violence, exploitation of children, and other protection violations to the Inter-Agency Standing Committee for appropriate response; and

(2) request an annual report from the United Nations High Commissioner for Refugees on the actions taken by the High Commissioner to prevent gender-based violence, exploitation of children, and other protection violations.

(b) REPORT.—Not later than 90 days after the date of enactment of this Act, and annually thereafter, the Secretary shall transmit to the appropriate congressional committees the report described in paragraph (2) of subsection (a).

TITLE IV—POSTCONFLICT RECONSTRUCTION AND REHABILITATION

SEC. 401. FINDINGS.

Congress makes the following findings and statements of policy:

(1) The United Nations Security Council Resolution 1325 of October 31, 2000, called on all actors involved in the negotiation and implementation of peace agreements to address the specific needs of women and girls during and after armed conflicts.

(2) Women and children can play an important role in the prevention and resolution of armed conflicts and in peace-building.

(3) Despite positive roles of women in fostering peace, they are excluded from most

peace negotiations at the diplomatic and operational level.

(4) Effective institutional arrangements designed to ensure the protection and full participation of women and youth in the peace process, including peacekeeping as well as peace-building, can significantly contribute to the maintenance and promotion of international peace and security.

(5) Rape should receive special attention by war crimes tribunals, truth and reconciliation panels, and other organs of justice.

(6) Assistance that is linked to peace processes should support and strengthen women’s roles as economic leaders and assist women in accessing the global marketplace.

(7) Women must be afforded an equal role in decisionmaking to ensure that their interests are represented at all levels of government.

SEC. 402. SUPPORT FOR COMMUNITIES AND FORMER COMBATANTS.

(a) REQUIREMENT FOR PROGRAMS.—The Secretary, in conjunction with the Administrator for the United States Agency for International Development, shall develop and implement specific programs to provide assistance to communities that have been affected by a complex humanitarian emergency and to former combatants, including:

(1) ECONOMIC DEVELOPMENT.—Multi-year economic development programs that are intended to provide gender-balanced benefits and to assist female heads of households.

(2) PRODUCTIVE ASSETS.—Programs to increase access to or ownership of productive assets such as land, agricultural equipment, and credit by women.

(3) EDUCATION AND TRAINING.—Education and training programs that are integrated with economic development programs to encourage the reintegration of former combatants into society and to promote post-conflict stability in affected communities.

(4) EXTENSION OF EDUCATION AND TRAINING.—Programs to extend education and training, including training in business development, to women and girls.

(5) POLITICAL EMPOWERMENT.—Programs to politically empower women, including training to assist women and women’s organizations in understanding legal systems, electoral processes, legislation advocacy, and the role of the media, public affairs and information technology in politics, and in obtaining leadership positions.

(b) PROGRAMS OF THE INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT.—The United States Executive Director of the International Bank for Reconstruction and Development shall work to ensure that disarmament, demobilization, and reintegration programs developed and funded by the International Bank for Reconstruction and Development provide benefits to former combatants that are comparable to the benefits provided by such programs to other individuals.

SEC. 403. POLICE REFORM AND ACCOUNTABILITY.

(a) FINDINGS.—Congress makes the following findings:

(1) In many developing and postconflict countries, police and military forces continue to function as instruments of repression, coercion, and centralized power, even after a transition to democracy has begun.

(2) In order for a transitional, postconflict society to become stable and democratic, it is necessary for the government of such society to make a clear separation between police and military functions, and clearly define the military forces that are subject to civilian, democratic control, and the point at which police forces become accountable, representative service-providers to local communities.

(3) Police officers in developing and postconflict countries are often paid minimal salaries and receive little or improper training, resulting in widespread police corruption and citizens viewing the police as an obstacle to justice rather than the enforcer of justice.

(4) Successful professionalization and democratic reform of police forces requires not only adequate financial resources, but also concurrent strengthening of the rule of law and system of justice, transparency, and cooperation with local community and human rights organizations, removal of corrupt and abusive personnel, and political will for meaningful reform at the highest levels of government.

(b) **REPORT.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit a report to the appropriate congressional committees on all current programs to assist nations to reconstitute civilian police authority and capability following a complex humanitarian emergency, including ensuring the enforcement of laws that are designed to protect women and children and improve accountability for gender-based violence.

SEC. 404. SENSE OF CONGRESS REGARDING THE IMPROVEMENT OF UNITED NATIONS PEACEKEEPING OPERATIONS.

It is the sense of Congress that the United Nations Department of Peacekeeping Operations should—

(1) ensure that gender issues are mainstreamed into its peacekeeping missions, including by establishing a senior gender advisor post within the Department of Peacekeeping Operations which reports directly to the Under Secretary General for Peacekeeping Operations;

(2) provide military, police, and civilian personnel deployed to areas where women and children are at risk of gender-based violence or exploitation with training materials that—

(A) assist such personnel with protecting and addressing the particular needs of women and children; and

(B) were developed in consultation with women's organizations; and

(3) ensure that the Special Representative of the Secretary General of the peacekeeping mission has direct contact with local women leaders or women's organizations in the area in which the peacekeepers are deployed for the purpose of obtaining information regarding gender-based violence or exploitation of children.

TITLE V—WOMEN AND CHILDREN'S PROTECTION ASSISTANCE

SEC. 501. WOMEN AND CHILDREN'S PROTECTION ASSISTANCE.

Chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by adding at the end the following new section:

“SEC. 135. WOMEN AND CHILDREN'S PROTECTION ASSISTANCE.

“(a) **AUTHORITY.**—Notwithstanding any other provision of law, and subject to the limitations of subsection (b), the President is authorized to provide assistance for programs, projects, and activities to promote the security of, provide equal access to basic services for, and safeguard the human rights and dignity of civilian women and children who are refugees, displaced persons, or living in areas affected by a complex humanitarian emergency. Such assistance shall include programs—

“(1) to build the capacity of nongovernmental organizations to protect women and children during a complex humanitarian emergency, by training staff, incorporating cross-sectored initiatives that promote child protection, collecting and analyzing data,

developing curricula, designing field programs, and building local partnerships;

“(2) to support local and international nongovernmental initiatives to prevent, detect, and report exploitation of children and gender-based violence, including through the provision of training humanitarian protection monitors for refugees and internally displaced persons;

“(3) to conduct protection and security assessments for refugees and internally displaced persons in camps or in communities, with special emphasis on the security of women and children for the purposes of improving the design and security of camps for refugees and internally displaced persons, including provision for lights, fences, radios, and other logistics and durable goods;

“(4) to provide, when practicable, education during a complex humanitarian emergency, including primary, secondary, remedial, and accelerated education, vocational and technical training, health and safety awareness, and other structured activities that create safe spaces for children and adolescents, especially for girls;

“(5) to reintegrate and rehabilitate former combatants and survivors of gender-based violence, including through remedial and accelerated education, technical, and vocational training, psychosocial assistance and trauma counseling, family and community reinsertion, medical assistance, and strengthening community systems to support sustained reintegration;

“(6) to establish registries and clearinghouses to trace relatives and begin family reunification, with a specific focus on helping children find their families;

“(7) to provide interim care and placement for separated children and orphans, including monitoring and followup services;

“(8) to provide legal services for survivors of rape, torture, and other forms of gender-based violence, including the collection of evidence for war crimes tribunals and advocacy for legal reform; and

“(9) to provide training in human rights and humanitarian law, particularly as they relate to the protection of women and children, to local law enforcement personnel in areas of high concentration of refugees and internally displaced persons.

“(b) **COMPLEX HUMANITARIAN EMERGENCY DEFINED.**—In this section, the term ‘complex humanitarian emergency’ means a situation that—

“(1) occurs outside the United States and results in a significant number of—

“(A) refugees;

“(B) internally displaced persons; or

“(C) other civilians requiring basic humanitarian assistance on an urgent basis; and

“(2) is caused by one or more situations including—

“(A) armed conflict;

“(B) natural disaster;

“(C) significant food shortage; or

“(D) state-sponsored harassment or persecution.

“(c) **AUTHORIZATION OF APPROPRIATIONS.**—

“(1) **IN GENERAL.**—There is authorized to be appropriated to the President \$45,000,000 for each of fiscal years 2004 and 2005 to carry out this section.

“(2) **ALLOCATION OF FUNDS.**—Of the amounts authorized to be appropriated under paragraph (1), in each fiscal year, \$25,000,000 shall be administered by the United States Agency for International Development and \$20,000,000 shall be administered by the Department of State.

“(3) **LIMITATION.**—Of the amounts authorized to be appropriated under paragraph (1)—

“(A) not more than \$2,000,000 shall be made available in a fiscal year for the programs described in subsection (a)(5); and

“(B) not more than \$2,000,000 may be transferred in each fiscal year to the Department of Justice to provide training for foreign law enforcement personnel in the investigation and prosecution of gender-based violence and exploitation of children.

“(4) **RELATION TO EXISTING LAW.**—The authority provided by subsection (a) shall be subject to the limitations and prohibitions contained in section 104(f).

“(5) **ADDITIONAL FUNDS.**—Amounts authorized to be appropriated by this section shall be made available, in addition to funds otherwise made available under this part, to the Department of State for the Migration and Refugee Assistance account or the Emergency Refugee and Migration Assistance account, or to the United States Agency for International Development for the International Disaster Assistance account.

“(6) **COMPETITIVE GRANTS.**—Amounts authorized to be appropriated by this section shall be made available in the form of grants and cooperative agreements that are issued on an open and competitive basis.

“(7) **AVAILABILITY OF FUNDS.**—Amounts appropriated pursuant to this section are authorized to remain available until expended.”.

By Mr. McCAIN (for himself, Mr. BROWNBAC, Mr. EDWARDS, and Mr. GRAHAM of South Carolina):

S. 1002. A bill to direct the National Institute of Standards and Technology to establish a program to support research and training in methods of detecting the use of performance-enhancing drugs by athletes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. McCAIN. Mr. President, today, I am joined by my colleagues Senators BROWNBAC, EDWARDS and GRAHAM in introducing the Amateur Sports Integrity Act of 2003. This legislation would make it illegal to gamble on Olympic, college, or high school sports, and it would authorize appropriations for the National Institute of Standards and Technology to fund research into methods of detection and prevention of the use of athletic performance-enhancing drugs. The bill is similar to legislation that has been reported twice in previous Congresses.

The legislation is designed to respond to a number of troubling issues plaguing amateur athletics, including a gambling epidemic among high school and college students, and a significant increase among our youth in the use of performance-enhancing drugs and supplements. This bill is essential to ensuring the integrity and legitimacy of amateur athletics—an important institution in the social fabric of this country.

This bill would codify a recommendation made by the congressionally-created National Gambling Impact Study Commission, NGISC, to ban betting on collegiate and amateur athletic events. In the summary of its comprehensive report to Congress dated June 1999, the NGISC noted growing concern regarding increasing levels of sports wagering by high school and college students. The NGISC cites a 1996 study sponsored by the National Collegiate Athletic Association, which found that of the over

200 student athletes surveyed in Division I basketball and football programs, more than one in four admitted to betting on college sports while in school.

More recently, a study conducted by the Psychology Department of Central Connecticut State University contends that the problem of gambling among college students has been relatively overlooked when studying student risk-taking behavior. The study links legal and illegal gambling by indicating that, "it is reasonable to expect that the growth of legalized gambling over the past decade would result in an increase in student gambling and gambling problems, including students who gamble at a pathological level." It is important to understand that gambling is not a problem that occurs in a vacuum. The Connecticut study found that one out of nine students at four Connecticut universities suffered from a gambling problem that was "significantly connected" to substance and dietary problems, such as marijuana use, cigarette smoking, and binge eating and drinking.

Just as the use of performance-enhancing drugs threatens the integrity of amateur sports, so does gambling, as it invites public speculation as to their legitimacy and transforms student athletes into merely objects to be bet upon. Betting can also provide unnecessary temptation to amateur athletes to agree to point-shaving and other outcome-fixing schemes at the expense of their teammates, their fans, and their futures. Many of the same pressures that lead college players to cheat also push these young people to use performance-enhancing drugs. The combination of stresses placed on student athletes to perform athletically, handle newly-found notoriety, and pursue professional athletic careers drive many to seek an edge through the use of such substances.

Although the Amateur Sports Integrity Act would ban legal gambling on amateur athletics, it may also reduce a substantial amount of illegal gambling. The relationship between legal and illegal gambling was addressed by the NGISC, which observed that "legal sports wagering—especially the publication in the media of Las Vegas and offshore-generated point spreads fuels a much larger amount of illegal sports wagering."

In 1992, Congress recognized the Federal interest in protecting amateur sports from the harmful effects of gambling, and prohibited state-sanctioned sports betting in the overwhelming majority of states. Although Congress "grandfathered" Nevada, Oregon, Montana, and Delaware, only Nevada has chosen to permit legal gambling on amateur sports. Recently, however, the gaming industry has lobbied aggressively in an effort to convince the Delaware State legislature to exploit the loophole by legalizing gambling on amateur and professional sports.

Congress must act quickly to close the loophole that currently allows just

a handful of States to serve as national clearinghouses for betting on our youth. By allowing betting in any state, we send a confusing message to our youth as to whether gambling on amateur athletics is, in fact, legal or illegal. While I do not pretend that this bill solves all problems associated with gambling and the use of performance-enhancing drugs, I do believe that it will send a clear message that gambling on amateur athletics and the use of these substances is dangerous and wrong.

I urge my colleagues to respond to the pleas of prominent college presidents and coaches, and join in supporting this important measure.

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

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

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 "Amateur Sports Integrity Act".

TITLE I—PERFORMANCE ENHANCING DRUGS

SEC. 101. SHORT TITLE.

This Title may be cited as "Athletic Performance-Enhancing Drugs Research and Detection Act".

SEC. 102. RESEARCH AND DETECTION PROGRAM ESTABLISHED.

(a) IN GENERAL.—The Director of the National Institute of Standards and Technology shall establish and administer a program under this title to support research into the use of performance-enhancing substances by athletes, and methods of detecting their use.

(b) GRANTS.—

(1) IN GENERAL.—The program shall include grants of financial assistance, awarded on a competitive basis, to support the advancement and improvement of research into the use of performance-enhancing substances by athletes, and methods of detecting their use.

(2) BANNED SUBSTANCES.—In carrying out the program the Director shall consider research proposals involving performance-enhancing substances banned from use by competitors in events sanctioned by organizations, such as the International Olympic Committee, the United States Olympic Committee, the National Collegiate Athletic Association, the National Football League, the National Basketball Association, and Major League Baseball.

(3) RESEARCH CONCENTRATION.—In carrying out the program, the Director shall—

(A) fund research on the detection of naturally-occurring steroids, such as testosterone, and other testosterone precursors (e.g., androstenedione), and other substances, such as human growth hormone and erythropoietin for which no tests are available but for which there is evidence of abuse or abuse potential;

(B) fund research that focuses on population studies to ensure that tests are accurate for men, women, all relevant age, and major ethnic groups; and

(C) not fund research on drugs of abuse, such as cocaine, phencyclidine, marijuana, morphine/codeine, benzodiazepines, barbiturates, and methamphetamine/amphetamine.

(c) TECHNICAL AND SCIENTIFIC PEER REVIEW.—

(1) IN GENERAL.—The Director shall establish appropriate technical and scientific peer

review procedures for evaluating applications for grants under the program.

(2) IMPLEMENTATION.—The Director shall—

(A) ensure that grant applicants meet a set of minimum criteria before receiving consideration for an award under the program;

(B) give preference to laboratories with an established record of athletic drug testing analysis; and

(C) establish a minimum individual grant award of not less than \$500,000 per fiscal year.

(3) CRITERIA.—The list of minimum criteria shall include requirements that each applicant—

(A) demonstrate a record of publication and research in the area of drug testing;

(B) provide a plan detailing the direct transference of the research findings to lab applications in athletic drug testing; and

(C) certify that it is a not-for-profit research program.

(4) RESULTS.—The Director also shall establish appropriate technical and scientific peer review procedures for evaluating the results of research funded, in part or in whole, by grants provided under the program. Each review conducted under this paragraph shall include a written report of findings and, if appropriate, recommendations prepared by the reviewer. The reviewer shall provide a copy of the report to the Director within 30 days after the conclusion of the review.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director of the National Institute of Standards and Technology \$4,000,000 per fiscal year to carry out this section for fiscal years 2004, 2005, 2006, 2007, and 2008.

SEC. 103. PREVENTION AND INTERVENTION PROGRAMS.

(a) IN GENERAL.—The Director of the National Institute of Standards and Technology shall develop a grant program to fund educational substance abuse prevention and intervention programs related to the use of performance-enhancing substances described in section 102(b)(2) by high school and college student athletes. The Director shall establish a set of minimum criteria for applicants to receive consideration for an award under the program. The list of minimum criteria shall include requirements that each applicant—

(1) propose an intervention and prevention program based on methodologically sound evaluation with evidence of drug prevention efficacy; and

(2) demonstrate a record of publication and research in the area of athletic drug use prevention.

(b) MINIMUM GRANT AWARD.—The Director shall establish a minimum individual grant award of not less than \$300,000 per fiscal year.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Director of the National Institute of Standards and Technology \$3,000,000 per fiscal year to carry out this section for fiscal years 2004, 2005, 2006, 2007, and 2008.

TITLE II—GAMBLING

SEC. 201. PROHIBITION ON GAMBLING ON COMPETITIVE GAMES INVOLVING HIGH SCHOOL AND COLLEGE ATHLETES AND THE OLYMPICS.

(a) IN GENERAL.—The Ted Stevens Olympic and Amateur Sports Act (chapter 2205 of title 36, United States Code) is amended by adding at the end the following new subchapter:

"SUBCHAPTER III—MISCELLANEOUS

"§ 22051. Unlawful sports gambling: Olympics; high school and college athletes

"(a) PROHIBITION.—It shall be unlawful for—

"(1) a governmental entity to sponsor, operate, advertise, promote, license, or authorize by law or compact, or

“(2) a person to sponsor, operate, advertise, or promote, pursuant to law or compact of a governmental entity,

a lottery, sweepstakes, or other betting, gambling, or wagering scheme based, directly or indirectly, on a competitive game or performance described in subsection (b).

“(b) COVERED GAMES AND PERFORMANCES.—A competitive game or performance described in this subsection is the following:

“(1) One or more competitive games at the Summer or Winter Olympics.

“(2) One or more competitive games in which high school or college athletes participate.

“(3) One or more performances of high school or college athletes in a competitive game.

“(c) APPLICABILITY.—The prohibition in subsection (a) applies to activity described in that subsection without regard to whether the activity would otherwise be permitted under subsection (a) or (b) of 3704 of title 28.

“(d) INJUNCTIONS.—A civil action to enjoin a violation of subsection (a) may be commenced in an appropriate district court of the United States by the Attorney General of the United States, a local educational agency, college, or sports organization, including an amateur sports organization or the corporation, whose competitive game is alleged to be the basis of such violation.

“(e) DEFINITIONS.—In this section:

“(1) HIGH SCHOOL.—The term ‘high school’ has the meaning given the term ‘secondary school’ in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

“(2) COLLEGE.—The term ‘college’ has the meaning given the term ‘institution of higher education’ in section 101 of the Higher Education Act of 1965 (20 U.S.C. 8801).

“(3) LOCAL EDUCATIONAL AGENCY.—The term ‘local educational agency’ has the meaning given that term in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of that Act (chapter 2205 of title 36, United States Code) is amended by adding at the end the following:

“SUBCHAPTER III—MISCELLANEOUS

“220541. Unlawful sports gambling: Olympics; high school and college athletes.”.

By Mr. CRAIG.

S. 1003. A bill to clarify the intent of Congress with respect to the continued use of established commercial outfitter hunting camps on the Salmon River; to the Committee on Energy and Natural Resources.

Mr. CRAIG. Mr. President I rise to introduce legislation that will remove any ambiguity as to the intent of the Central Idaho Wilderness Act of 1980 to provide for continuation of the historical use of outfitter hunting camps on the Salmon River. In short, these lodges were established well before the river designation, have been managed as a part of the river designation for 23 years and allow users, in particular the elderly and the physically challenged, to have access to and enjoy the spirit of this wild area. Their rustic nature upholds the ideals envisioned by Congress, and they are used in accordance with all provisions of the law.

I am mystified as to why someone would want to eliminate this historical use. However, that is what some extreme wilderness organizations would

like to do. They want the Forest Service and the Courts to ignore the intent of Congress in establishing the Central Idaho Wilderness Act and re-establish a pristine area which blocks access to many current users.

In the Findings Section of the Central Idaho Wilderness Act, it is clearly stated that “protection can be provided—to the Salmon River—without conflicting with established uses.” It is my understanding that a great deal of time and effort was put into crafting this designation so that established and historic uses of the area would be maintained while preserving one of our Nation’s treasures—the River of No Return.

In reading the voluminous hearing record and report language, I found references to “lodges,” “hunting lodges,” “outfitters lodges,” and “commercial services may be performed” throughout the record. It is clear to me that Senator Church, of Idaho, the main proponent of the legislation, intended for these lodges to remain. The report language specifically states, “We favor administration of the main Salmon River under the provisions of the Wild and Scenic River Act so as to permit continuation, as appropriate, of motorized travel on the river and outfitter and camping facilities.”

However, I believe the record shows Senator McClure of Idaho was more of a prophet when he stated, “Whether it is this year, next year, or 5 years from now, or 10 years from now, some forest administrator in the area is going to say it would be a lot more convenient for us to manage that problem if we did not have to deal with that guy that is there. . . . We all know that it was intended for the wild and scenic river classification as attached to that river, that the existing use was going to be permitted to continue; and then, all of a sudden, we find out that that is now unacceptable.”

Senator McClure is off by only 20 years and it is not a forest administrator, but an extreme wilderness organization that is seeking the elimination of these well established lodges.

This legislation clarifies that these three specific lodges are an established and historical use in the Central Idaho Wilderness Act and should remain a part of the legacy of this great river.

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. 1003

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

SECTION 1. Section 3(a)(24) of P.L. 90-542 (16 U.S.C. Sec. 1274) is amended to add the following after paragraph (C) and redesignate subsequent paragraphs accordingly:

“(D) The established use and occupancy of lands and maintenance or replacement of facilities and structures for commercial recreation services at Stub Creek located in Section 28, T24N, R14E, Boise Principal Merid-

ian, at Arctic Creek located in Section 21, T25N, R12E, Boise Principal Meridian and at Smith Gulch located in Section 27, T25N, R12E, Boise Principal Meridian shall continue to be authorized, subject to such reasonable regulation as the Secretary deems appropriate, including rules that would provide for termination for non-compliance, and if terminated, reoffering the site through a competitive process.”

By Mr. DURBIN (for himself, Ms. COLLINS, and Mrs. CLINTON):

S. 1004. A bill to ensure that children at highest risk for asthma, vision, hearing, and other health problems are identified and treated; to the Committee on Finance.

Mr. DURBIN. Mr. President, I rise today to introduce the Healthy Children Learn Act with my colleague from Maine, Senator COLLINS. I am also pleased to have Senator CLINTON as an original cosponsor of this measure. This legislation focuses on eliminating some bureaucratic barriers that make it more difficult for schools to provide their students with health care services, if they so choose.

Many schools have found that the health of a child can significantly affect his or her ability to learn. To enhance children’s learning ability and to increase the well-being of their students, these schools sometimes choose to provide health care services including health care screenings.

One example of a disease that significantly affects children’s education is asthma. Asthma is the single greatest reason for school absenteeism today. Over five million children in America suffer from asthma. Forty-nine percent of children with asthma missed school in the last year, and 48 percent of children with asthma are limited in sports and recreation. Lack of physical activity, in turn, can lead to childhood obesity with its concomitant health care problems.

“America is in the middle of an asthma epidemic—an epidemic that is getting worse, not better.” So says the PEW Environmental Health Commission in its most recent report on asthma. The prevalence of asthma continues to rise at astounding rates, in every region of the country and across all demographic groups, whether measured by age, race or sex.

My home State of Illinois has some of the highest rates of childhood asthma in the country. Unfortunately, Chicago has the highest childhood asthma-related death rate in the Nation. Over 60 percent of childhood admissions to the emergency room in Chicago are for asthma. This disease exacts a very significant toll on children in my State.

For the next 15 minutes, imagine breathing through a tiny straw the size of a coffee stirrer, never getting enough air. Now imagine suffering through the process three to six times a day. This is asthma. Can a child really concentrate on learning when he or she is gasping for air?

Due to the very high rates of asthma in Chicago and its effects on absenteeism and children’s ability to learn

when at school, the Chicago Public Schools, CPS, instituted an asthma screening program. The school system developed an asthma manual to provide a standard plan of care for all students with asthma. They provided citywide nurse training to develop a uniform, high standard for approaching students with asthma and their parents and high-quality education about the environmental triggers for asthma and how to lessen them, together with education on how to use asthma inhalers. In 1999, they identified 12,374 cases of asthma. CPS continues to monitor and evaluate this program, and they have also partnered with other organizations such as the American Red Cross Asthma Program, the University of Chicago and the Chicago Department of Public Health Asthma Programs. CPS has also developed parent tutoring programs and has linked asthmatic children with primary health care providers for appropriate follow-up.

All of these efforts are extremely important, but they are resource intensive. This legislation addresses a barrier to children receiving vital health screenings in schools. It provides for a \$10 million grant program for school districts such as CPS to apply for funds for asthma screening for those children who are not eligible for either S-CHIP or Medicaid. The grants would be targeted to those districts that have the highest prevalence or deaths associated with asthma.

CPS has also found that a child's ability to learn is affected by impaired vision and hearing, and as a result, children with vision deficits are far more likely to fail academically. In 1998, CPS found that children who were retained failed their school-based vision screening at a rate 50 percent higher than children who were not failing. Likewise, children who have difficulty hearing often struggle with language development, social processes and communication. This can seriously impair all aspects of the educational process. Through these programs, CPS has provided more than 5,000 free eye exams, and 4,000 free pairs of glasses have been dispensed. They currently are reimbursed less than 40 percent of the cost of the vision and hearing screenings. To address some of these funding shortfalls, this legislation creates a \$10 million grant program for vision and hearing screening.

This legislation would also remove barriers that prevent school systems from receiving reimbursement for health screenings are services. Schools that make the extra effort to provide their students health care services should be adequately reimbursed. For an example, when they provide Medicaid-eligible children with Medicaid-covered services, they should receive appropriate reimbursement for those services. Likewise, reimbursement for the S-CHIP program should be available for covered services for children enrolled or eligible for the program, and clarifies Medicaid payment rules

so that schools can be reimbursed when they provide a Medicaid covered service to a Medicaid child.

No child should have his or her education threatened by the lack of effective screening to diagnose these health problems. The treatments or corrective devices are available and we should see to it that the children receive them when necessary. The Healthy Children Learn Act will help children receive the health care services they need so that they can seize the educational opportunities available to them.

By Mr. LEAHY (for himself, Mr. LUGAR, Mr. BINGAMAN, Mr. DODD, and Mr. JEFFORDS):

S. 1007. A bill to amend the Child Nutrition Act of 1966 to promote better nutrition among school children participating in the school breakfast and lunch programs; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. LEAHY. Mr. President, I am pleased to introduce today with my respected colleague from Indiana, Senator LUGAR, a bill designed to improve the health of our Nation's schoolchildren. I am also pleased to have the support of Senators BINGAMAN, DODD and JEFFORDS, who have worked with me in past Congresses on this bill. I am hopeful that in the coming weeks many more Senators will join us in this important effort.

We have an obesity crisis in America. Too many children are gaining too much weight. Advertisements for soda and candy bombard them from television, vending machines, and grocery store aisles. Schools, however, should be a healthy refuge from the outside world, where kids can learn to make the right choices when it comes to their diets. Nutrition education needs to be a critical component of every child's school day. But with all of the funds that Congress rightly appropriates each year for nutrition education and healthy school lunches and meals, our Nation's efforts are severely undermined when children have to walk through a gauntlet of vending machines offering unhealthy choices on the way to the cafeteria.

Under current regulations, schools may not offer soda, hard candies or other foods of minimal nutritional value in the cafeteria during lunch or breakfast. Unfortunately, some private companies have offered schools signing bonuses to openly flout this restriction, at times lining the halls to the cafeterias with foods that provide absolutely no nutritional value. In February 2001, the Washington Post reported that a school in Maryland had signed a contract with a soda company that contained a clause forbidding the school from enforcing the Federal ban on soda machines in schools. The clause read "If the Board of Education actively enforces the policy in which vending machines are turned off during the school day, the commission guarantee will be suspended." In other words, the schools could only get com-

missions from the vending machines if they broke the law.

We can not sell our children's health to the highest bidder on a sodas contract. That is why our bill would give the Secretary of Agriculture authority to more effectively restrict the sale of soft drinks and other foods of minimal nutritional value in schools that participate in the Federal school lunch program. We would give the Secretary authority to regulate these foods throughout the school grounds, until the end of the school lunch period. Our bill also mandates that the Secretary use the best science available to determine which foods provide no nutritional value. My bill will ensure that students are not substituting empty calorie sodas and snacks for their nutritious federally subsidized school meals.

According to a report issued by the Center for Science and the Public Interest, 20 years ago boys consumed more than twice as much milk as soda; now boys and girls drink twice as much soda as milk. This is a huge problem, particularly for girls—the teenage years are critical for building up a woman's lifetime supply of calcium. Girls who substitute soda for milk are at a greater risk for developing osteoporosis later in life. We must provide our kids with better options. I have no problem with vending machines themselves, but let's get vending machines that sell fresh milk, fruits and vegetables into our schools.

Senator LUGAR and I have successfully worked together on many important issues relating to child nutrition and agriculture in the past. I am extremely pleased that we can work together again to create healthier schools and healthier children.

I ask unanimous consent that the text of the Better Nutrition for Schoolchildren Act of 2003 be printed in the RECORD.

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

S. 1007

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 "Better Nutrition for School Children Act of 2003".

SEC. 2. FOODS OF MINIMAL NUTRITIONAL VALUE.

(a) IN GENERAL.—Section 10 of the Child Nutrition Act of 1966 (42 U.S.C. 1779) is amended—

(1) in subsection (a), by inserting "(throughout the entire school, including the school grounds, until the end of the time of service of food under the school lunch program under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.))" after "participating schools";

(2) by striking subsection (b);

(3) by redesignating subsection (c) as subsection (d); and

(4) by inserting after subsection (a) the following:

"(b) BASIS.—The Secretary shall promulgate the regulations required under subsection (a) based on sound nutritional science, as determined by the Secretary.

“(c) FACTORS.—In promulgating the regulations required under subsection (a), the Secretary shall consider—

“(1) the nutritional needs of students in various grade levels;

“(2) the proximity of any area where foods of minimal nutritional value may be sold, donated, or served without charge to the food service facilities or areas;

“(3) the extent to which students will likely substitute consumption of foods of minimal nutritional value for other food served in participating schools under this Act and the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.); and

“(4) the benefits to a school of permitting the sale, donation, or service without charge of foods of minimal nutritional value, including the extent to which the proceeds of such sales inure to the benefit of a school or an organization of students approved by a school.”.

(b) REGULATIONS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture shall promulgate such regulations as are necessary to implement the amendments made by this section.

(2) FOODS OF MINIMAL NUTRITIONAL VALUE.—In promulgating the regulations, the Secretary shall review and (as necessary) revise the definition of “foods of minimal nutritional value” that is used to carry out the Child Nutrition Act of 1966 (42 U.S.C. 1786) and the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

(3) PROCEDURE.—The promulgation of the regulations and the administration of the amendments made by this section shall be made without regard to chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

(3) CONGRESSIONAL REVIEW OF AGENCY RULE-MAKING.—In carrying out this subsection, the Secretary shall use the authority provided under section 808(2) of title 5, United States Code.

Mr. LUGAR. Mr. President, I am pleased to join my good friend and colleague, Senator PATRICK LEAHY in introducing the Better Nutrition for School Children Act of 2003. This bill takes a common sense, flexible approach to the sales of food that competes with federally supported school meals, and represents one component of addressing the overall health of our Nation's children.

This year Congress will address a number of the Federal nutrition programs, including those administered through local school systems. Our Nation's schools provide our children with over 28 million federally subsidized meals each day. For some of these children, these meals provide the bulk of their nutrition needs. As a result, the meals served by schools should meet balanced nutrition standards in order to promote overall health.

Unfortunately, an increasing number of our Nation's children are becoming overweight and obese. Children who are overweight and obese are much more likely to have difficulty controlling their weight in the future, which increases their risk of medical problems such as diabetes and heart disease. In order to address this issue, Congress has a duty to analyze variables at school that affect a child's health, including foods of minimal nutritional value.

In addition to the federally subsidized foods served in our schools, many children have access to and choose to purchase competitive foods from other sources, such as vending machines. This bill asks the Secretary of Agriculture to investigate the sales of foods that are outside the Federal meal programs and issue a regulation that balances the schools' interests with that of overall childhood health. In particular, the regulation must take into consideration the financial benefits a school receives from competitive food sales, how likely a child is to make this choice instead of nutritious foods, and the nutritional needs of children according to their school grade level. This bill does not require the Secretary to implement any further restrictions than what currently exist.

I believe this bill provides a rational approach to one facet of improving the health and fitness of our Nation's children. I urge my colleagues to join us in supporting The Better Nutrition for School Children Act of 2003.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 132—COM-MENDING JOHN W. KLUGE FOR HIS DEDICATION AND COMMIT-MENT TO THE LIBRARY OF CON-GRESS

Mr. STEVENS (for himself, Mr. FRIST, Mr. DASCHLE, Mr. WARNER, Mr. LOTT, and Mr. DODD) submitted the following resolution; which was considered and agreed to:

S. RES. 132

Whereas John W. Kluge is the greatest individual benefactor in the history of the Library of Congress (the “Library”) and is known in the international corporate community as one of the Library's staunchest supporters;

Whereas John W. Kluge, by the example of his wise counsel and leadership as the founding chairman of the James Madison Council, the Library's private sector philanthropic organization, has inspired many others to join in support of Library programs and initiatives;

Whereas John W. Kluge has faithfully served on the Library's Trust Fund Board since 1993;

Whereas John W. Kluge's visionary support for Library programs which reach across America and around the world has transformed the Library into an unparalleled electronic educational resource;

Whereas John W. Kluge has established in the Library an endowed scholarly program of chairs and fellows in areas of study not covered by the Nobel prizes;

Whereas John W. Kluge has enabled the American people, through the Library, to recognize lifetime scholarly achievement in the intellectual arts with a \$1,000,000 prize award which will be given for the first time in November 2003;

Whereas the Librarian of Congress, James H. Billington, considers John W. Kluge “one of the Library's greatest friends”;

Whereas all Americans have greatly benefited from the generosity of John W. Kluge; and

Whereas John W. Kluge has inspired Americans by his example of support for programs

which educate and equip individuals to be responsible and productive citizens: Now, therefore, be it

Resolved, That the Senate—

(1) commends John W. Kluge for his dedication and commitment to the Library of Congress;

(2) expresses its sincere gratitude and appreciation for his example of philanthropy and public service to the American people; and

(3) directs the Secretary of the Senate to transmit a copy of this resolution to John W. Kluge.

SENATE RESOLUTION 133—CON-DEMNING BIGOTRY AND VIO-LENCE AGAINST ARAB AMERI-CANS, MUSLIM AMERICANS, SOUTH-ASIAN AMERICANS, AND SIKH AMERICANS

Mr. DURBIN (for himself, Mr. SUNUNU, and Mr. FEINGOLD) submitting the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 133

Whereas all Americans are united in supporting American men and women who protect our Nation abroad and at home;

Whereas thousands of Arab Americans, Muslim Americans, Sikh Americans, and South-Asian Americans serve in the military and in law enforcement, working to protect all Americans;

Whereas the Arab-American, Muslim-American, Sikh-American, and South-Asian-American communities are vibrant, peaceful, and law-abiding, and have greatly contributed to American society;

Whereas Arab Americans, Muslim Americans, Sikh Americans, and South-Asian Americans, as do all Americans, condemn acts of violence and prejudice;

Whereas the United States Senate is concerned by the number of bias-motivated crimes against Arab Americans, Muslim Americans, Sikh Americans, and South-Asian Americans, and other Americans in recent months: Now, therefore, be it

Resolved, That the Senate—

(1) declares that the civil rights and civil liberties of all Americans, including Arab Americans, Muslim Americans, Sikh Americans, and South-Asian Americans, should be protected;

(2) condemns bigotry and acts of violence against any Americans, including Arab Americans, Muslim Americans, Sikh Americans, and South-Asian Americans;

(3) calls upon local, State, and Federal law enforcement authorities to work to prevent bias-motivated crimes against all Americans, including Arab Americans, Muslim Americans, Sikh Americans, and South-Asian Americans; and

(4) calls upon local, State, and Federal law enforcement authorities to investigate and prosecute vigorously all such crimes committed against Arab Americans, Muslim Americans, Sikh Americans, and South-Asian Americans.

Mr. DURBIN. Mr. President, Arab Americans, Muslim Americans, Sikh Americans, and South-Asian Americans are an important part of America. Like other ethnic and religious groups, they and their ancestors came to this country seeking political freedom and economic opportunity. They have flourished, making great contributions to our society every day. They are