

(Mr. BUNNING), the Senator from Idaho (Mr. CRAPO), the Senator from Oregon (Mr. WYDEN) and the Senator from Arizona (Mr. KYL) 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. 990

At the request of Ms. LANDRIEU, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 990, a bill to amend title 32, United States Code, to increase the maximum Federal share of the costs of State programs under the National Guard Challenge Program, and for other purposes.

S. 1001

At the request of Mr. BIDEN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of 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.

S. 1036

At the request of Mr. ALLARD, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1036, a bill to provide for a multi-agency cooperative effort to encourage further research regarding the causes of chronic wasting disease and methods to control the further spread of the disease in deer and elk herds, to monitor the incidence of the disease, to support State efforts to control the disease, and for other purposes.

S. 1046

At the request of Mr. HOLLINGS, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1046, a bill to amend the Communications Act of 1934 to preserve localism, to foster and promote the diversity of television programming, to foster and promote competition, and to prevent excessive concentration of ownership of the nation's television broadcast stations.

S. 1046

At the request of Mr. STEVENS, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 1046, supra.

S. 1057

At the request of Mr. MCCAIN, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 1057, a bill to modify the calculation of back pay for persons who were approved for promotion as members of the Navy and Marine Corps while interned as prisoners of war during World War II to take into account changes in the Consumer Price Index.

S. 1066

At the request of Mrs. HUTCHISON, the name of the Senator from Texas (Mr.

CORNYN) was added as a cosponsor of S. 1066, a bill to correct a technical error from Unit T-07 of the John H. Chafee Coastal Barrier Resources System.

S.J. RES. 4

At the request of Mr. HATCH, the name of the Senator from Oklahoma (Mr. NICKLES) was added as a cosponsor of S.J. Res. 4, a joint resolution proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.

S. CON. RES. 14

At the request of Mr. SMITH, the name of the Senator from Illinois (Mr. FITZGERALD) was added as a cosponsor of S. Con. Res. 14, a concurrent resolution expressing the sense of Congress regarding the education curriculum in the Kingdom of Saudi Arabia.

S. CON. RES. 43

At the request of Mr. BROWNBACK, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. Con. Res. 43, a concurrent resolution expressing the sense of Congress that Congress should participate in and support activities to provide decent homes for the people of the United States.

S. CON. RES. 44

At the request of Mr. AKAKA, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Maryland (Mr. SARBANES) and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. Con. Res. 44, a concurrent resolution recognizing the contributions of Asian Pacific Americans to our Nation.

S. RES. 92

At the request of Mr. DEWINE, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. Res. 92, a resolution designating September 17, 2003 as "Constitution Day".

S. RES. 133

At the request of Mr. DURBIN, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of S. Res. 133, a resolution condemning bigotry and violence against Arab Americans, Muslim Americans, South-Asian Americans, and Sikh Americans.

S. RES. 140

At the request of Mr. CAMPBELL, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. Res. 140, a resolution designating the week of August 10, 2003, as "National Health Center Week".

AMENDMENT NO. 569

At the request of Mr. SPECTER, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of amendment No. 569 proposed to S. 1054, an original bill to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2004.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HAGEL (for himself, Mr. MCCAIN, and Mr. KERRY):

S. 1076. A bill to authorize construction of an education center at or near the Vietnam Veterans Memorial; to the Committee on Energy and Natural Resources.

Mr. HAGEL. Mr. President, I rise today to introduce the Vietnam Veterans Memorial Education Center Bill. I am joined by my colleagues and fellow Vietnam veterans, Senators MCCAIN and KERRY, in sponsoring this bill that would authorize the construction of an Education Center near the site of the Vietnam Veterans Memorial.

Twenty-one years ago, the Vietnam Veterans Memorial was built as a permanent testament to the sacrifice of over 58,000 veterans who died during the Vietnam War. It is a place of remembrance for Vietnam veterans and their families.

As the Vietnam War draws further into America's past, it is important for future generations to remember the sacrifices of those who gave their lives in Vietnam, and to understand the lessons learned in Vietnam.

Most visitors to the Wall today were not alive during the Vietnam War. The Education Center would serve as an access point for the next generation. By collecting historic documents, artifacts and the testimony of Vietnam veterans, the Education Center would provide visitors with a better understanding of the Memorial.

The Memorial was designed to accommodate expansion. Over the last two decades, the Wall's reach has extended; names of fallen soldiers have been added to the black granite. Building the Education Center underground would expand the memorial in a new direction—one that does not distract from the natural beauty of the Mall.

The names on the Wall must never become simple, empty etchings. Their individual and collective power must remain connected to the real human sacrifices of war. The Education Center would help preserve this bond. It would affirm the meaning of the Wall, not just as an acknowledgment of a war or a date to be remembered, but as a living memorial with lessons to offer those who come to learn.

Many educators, veterans, lawmakers and organizations have voiced strong support for the proposed Education Center. Like the Wall, the Center would be funded entirely by private donations—evidence of its broad-based public support. There would be no tax payer money involved in building the Center.

Building an Education Center at the Vietnam Veterans Memorial would affirm the belief that we can inspire peace by educating our young people about the consequences of war. For there is no stronger advocate for peace than one who knows war.

I am proud to sponsor this bill authorizing the construction of the Vietnam Veterans Memorial Education Center. I ask my colleagues to join me and Senators KERRY and MCCAIN in support of this effort.

Mr. KERRY. Mr. President, the Vietnam Veterans Memorial is a special place on the national mall. Its design has proven moving to millions of visitors, offering a place of reflection, remembrance, and healing.

Despite the "Wall's" success in honoring those who fell in Vietnam, the memorial lacks an appropriate visitors center, a place where the broader story of America's involvement in Vietnam can be told. The legislation we introduce today would authorize the construction of such a center to provide information on the memorial, and to perform appropriate educational and interpretive activities relating to the memorial.

A Visitor's Center at the Vietnam Memorial is important, because the Vietnam War and the men and women who fought it are important. A Visitor's Center can provide a lasting gift of knowledge and understanding to those who visit the memorial, including students—for whom Vietnam is a passage in their history books—and their parents—for whom the memories of Vietnam remain immediate.

Adding a new structure to the national mall is not something we should do without consideration of the impact such an action will have on the open space we so cherish there. This legislation, however, specifies that the Visitor's Center be designed with those concerns in mind—and in fact we expect the structure to be built underground. In addition, the design, construction, and operation of this center will be borne by the Vietnam Veterans Memorial Fund. In this legislation, we seek only to authorize their work—not pay for it.

Vietnam left its imprint on a generation. It remains a touchstone of the American experience in the twentieth century. A Visitors Center at the Vietnam Veterans Memorial will help educate a new generation about the heroes who served their country in the Vietnam War, and I am delighted to introduce this legislation with my fellow Vietnam veterans, Senator HAGEL and Senator MCCAIN.

By Mr. SPECTER (for himself and Mr. SANTORUM):

S. 1077. A bill to direct the Secretary of Veterans' Affairs to establish a national cemetery for veterans in southeastern Pennsylvania; to the Committee on Veterans' Affairs.

Mr. SPECTER. Mr. President, I am introducing legislation today to direct the Department of Veterans Affairs, VA, to construct a national cemetery in southeastern Pennsylvania. In order to facilitate the construction of a cemetery, as mandated, this bill would also require VA to consult with Federal State, and local government entities,

and with Pennsylvania's veterans' service organizations, to locate land for a new cemetery in the Philadelphia area—a process of stakeholder collaboration that worked well to identify a site for a cemetery in southwestern Pennsylvania that is currently under construction—and require VA to report, no later than six months after enactment, on the status of its efforts to construct the cemetery.

It is clear to a number of observers—including, as I will discuss in a moment, the Secretary of Veterans Affairs—that Southeastern Pennsylvania needs a national cemetery. The Philadelphia area has one of the largest veterans' populations in the Nation, currently estimated at over 350,000. The fact that Pennsylvania has the second oldest veterans' population in the country makes the need for a new cemetery particularly acute. Yet the closest existing VA cemetery—the Philadelphia National Cemetery—has been closed to in-ground, casket burials since 1962 and, by 2005, will even lose the capacity to inurn or inter cremated remains, leaving area veterans with only one alternative: burial at Indiantown Gap National Cemetery, as a site as much as two hours removed, by car, from their loved ones' homes. This is not acceptable.

The VA is currently reassessing its needs for cemetery construction nationwide, and I have every expectation that VA will conclude that the Philadelphia area is a site that should be at, or near, the top of its listing of priorities. I draw this expectation from a statement made by VA Secretary Anthony J. Principi who testified at a hearing before the Senate Committee on Veterans' Affairs, which I chair, on February 26, 2003, that "there is clearly a need" for a national cemetery in the Philadelphia area. He stated further "that a national cemetery is necessary in that area to meet the interment needs of the veterans of Pennsylvania." Why, then, the need for legislation? This legislation is needed to assure that the Secretary's personal commitment becomes VA policy.

VA has compiled a list of areas where national cemeteries will be built over the next 20 years using a methodology which I, and the entire southeastern Pennsylvania delegation in Congress, believe is seriously flawed. The first flaw of VA's methodology is its assumption that a locality has a "need" for a cemetery if a veterans' population of more than 170,000 resides more than 75 miles from an open State or national cemetery. This assumption gives no consideration to the fact that heavily-congested areas, like southeastern Pennsylvania, may have thousands, or even ten of thousands, of veterans residing just under 75 miles from the nearest cemetery. The second flaw of VA's methodology is its assumption that veterans are adequately provided a burial option if a national cemetery is close proximity offers the option of inurning or interring cremated re-

mains. For many reasons, cremation is not an option. Indeed, while cremation is growing in popularity, it is not yet the preferred burial method among most Americans.

The entire southeastern Pennsylvania delegation to Congress has expressed these objections to Secretary Principi by a letter dated July 26, 2002, which I ask be printed in the RECORD. It is these objectionable VA policy impediments which cause me to introduce this bill despite Secretary Principi's statements of agreement on the need for a Philadelphia area cemetery. I hope—and I expect—that the mandate of this legislation will not need to be triggered, though I do anticipate that the consultation procedures specified in my bill will, in any case, be useful in identifying a proper site for a Philadelphia area cemetery.

One final note on the issue of proper siting of a cemetery. During the 107th Congress, I introduced a bill, S. 618, that would have designate lands within the boundaries of Valley Forge National Park as a national cemetery. In a development that was surprising to me, some argued that Valley Forge lands would be an inappropriate resting place for veterans. I believed then—and I believe now—that the sensitive designation of Valley Forge lands in areas, for example, north of the Schuylkill River that were not encampments for Washington's Army, would be entirely appropriate. In any case, the legislation I have introduced today would allow for—but not compel—the location of a national cemetery in Valley Forge.

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

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

CONGRESS OF THE UNITED STATES,  
Washington, DC, July 26, 2002.

Hon. ANTHONY J. PRINCIPI,  
Secretary of Veterans Affairs,  
Washington DC.

DEAR MR. SECRETARY: We recently received volume one of VA's contractor-prepared "Study on Improvements to Veterans Cemeteries," a publication designed to guide VA and the Congress in identifying where national cemeteries should be constructed over the next 20 years. We understand that you have directed that National Cemetery Administration construction planning be guided by the study's underlying assumption that locales with an "unserved" veterans' population of 170,000 or more be given priority. The use of that assumption, it appears to us, might leave Philadelphia out of VA's plans. By this letter, we seek to point out flaws in the study, and to inform you of the unique circumstances in which Philadelphia veterans find themselves. We also seek to show you why exclusion of Philadelphia from national cemetery construction planning would be a mistake.

The study concludes—we think erroneously—that the need for cemetery space in the Philadelphia area is not imminent. It bases this conclusion on the observation that, until 2010, space will be available in two Philadelphia-area veterans cemeteries for the interment or inurnment of cremated remains. We understand that cremation is

increasingly popular. But traditional, in-ground burial remains the preferred option—and it is an option that Philadelphia-area veterans do not now have. Moreover, Philadelphia has large Roman Catholic and Jewish populations whose respective faiths, at minimum, strongly encourage traditional burials. To state that Philadelphia-area veterans are now served by a burial option due to availability of cremation services is to disregard the preferences of most veterans—and the religious guidance respected by many veterans.

The study also underestimates the size of the Philadelphia-area population which is, in fact, “unserved.” It adopts the assumption that those who live within 75 miles of an open national cemetery—in this case, the Indiantown Gap National Cemetery—are “served” without taking into account local circumstances. While it may be true that some portions of Philadelphia—though not the Center City—are within 75 miles of Indiantown Gap, anyone who has driven from the Center City though the sprawl west of Philadelphia will tell you that the distance, in practical terms, far exceeds a “normal” 75 mile drive. More fundamentally, while it may be true (as VA’s contractor concludes) that “only” 152,000 Philadelphia-area veterans will be outside that 75 mile radius in 2010, over 173,000 veterans are outside that radius now—an it is those 21,000 veterans who Philadelphia will “lose” who will need to be buried. Further, given the fact that the five PA counties that comprise metropolitan Philadelphia alone contain over 340,000 veterans, you will not be surprised to learn that the number of currently “unserved” Philadelphia-area veterans swells to almost 290,000 if one measures by reference to a 65 mile radius from Indiantown Gap. And it is wholly reasonable to assume that had a radius of 73 or 74 miles from Indiantown Gap been adopted as the reference line, Philadelphia would have made the arbitrary “170,000-veterans-in-2010” cut.

We recognize that VA must have some standard by which to measure the need for national cemeteries. But we also believe that a rigid-based standard is inherently arbitrary if local circumstances and population patterns are not taken into account by the decision maker. We who know you understand that you do not inflexibly place form over substance when it would yield an absurd result. We ask that in assessing the need for national cemetery space, you maintain a degree of flexibility. If you do, we trust that you will conclude that, whatever the merits of the VA contractor’s methodology, Philadelphia needs a new national cemetery.

Sincerely,

Joe Hoeffel, Chaka Fattah, Rob A. Brady, Tim Holden, James Greenwood, Pat Toomey, Arlen Specter, Joseph R. Pitts, Curt Weldon, John P. Murtha, Robert A. Borski, Rick Santorum.

S. 1077

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

**SECTION 1. ESTABLISHMENT OF NATIONAL CEMETERY IN SOUTHEASTERN PENNSYLVANIA.**

(a) IN GENERAL.—The Secretary of Veterans Affairs shall establish, in accordance with chapter 24 of title 38, United States Code, a national cemetery in southeastern Pennsylvania to serve the needs of veterans and their families.

(b) CONSULTATION IN SELECTION OF SITE.—Before selecting the site for the national cemetery established under subsection (a), the Secretary shall consult with—

(1) appropriate officials of the State of Pennsylvania and local officials of southeastern Pennsylvania,

(2) appropriate officials of the United States, including the Administrator of General Services, with respect to land belonging to the United States in that area that would be suitable for the purpose of establishing the national cemetery under subsection (a); and

(3) representatives of veterans service organizations.

(c) REPORT.—Not later than six months after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the establishment of the national cemetery under subsection (a). The report shall set forth a schedule for the establishment of such cemetery and an estimate of the costs associated with the establishment of such cemetery.

By Ms. LANDRIEU:

S. 1078. A bill to provide for military charters between military installations and local school districts, to provide credit enhancement initiatives to promote military charter school facility acquisition, construction, and renovation, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. LANDRIEU. 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. 1078

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

**TITLE I—STABLE TRANSITIONS IN EDUCATION FOR ARMED SERVICES’ DEPENDENT YOUTH**

**SEC. 101. SHORT TITLE.**

This title may be cited as the “Stable Transitions in Education for Armed Services’ Dependent Youth Act”.

**SEC. 102. FINDINGS.**

Congress finds that—

(1) States are establishing new and higher academic standards for students in kindergarten through grade 12;

(2) no Federal funding streams are specifically designed to help States and school districts with the costs of providing military or mobile students who are struggling academically, with the extended learning time and accelerated curricula that the students need to meet high academic standards;

(3) forty-eight States now require State accountability tests to determine student grade-level performance and progress;

(4) nineteen States currently rate the performance of all schools or identify low-performing schools through State accountability tests;

(5) sixteen States now have the power to close, take over, or overhaul chronically failing schools on the basis of those tests;

(6) fourteen States provide high-performing schools with monetary rewards on the basis of those tests;

(7) nineteen States currently require students to pass State accountability tests to graduate from secondary school;

(8) six States currently link student promotion to results on State accountability tests;

(9) thirty-seven States have a process in place that allows charters to be a useful tool to bridge the gap created by frequent school changes;

(10) excessive percentages of students are not meeting their State standards and are failing to perform at high levels on State accountability tests; and

(11) among mobile students, a common thread is that school transcripts are not easily transferred and credits are not accepted between public school districts in the United States.

**SEC. 103. PURPOSE.**

The purpose of this title is to provide Federal support through a new demonstration program to States and local educational agencies, to enable the States and local educational agencies to develop models for high quality military charter schools that are specifically designed to help mobile military dependent students attending public school make a smooth transition from one school district to another, even across State lines, and achieve a symbiotic relationship between military installations and these school districts.

**SEC. 104. DEFINITIONS.**

In this title:

(1) ELEMENTARY SCHOOL; SECONDARY SCHOOL; LOCAL EDUCATIONAL AGENCY; STATE EDUCATIONAL AGENCY.—The terms “elementary school”, “secondary school”, “local educational agency”, and “State educational agency” have the meanings given such terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) MILITARY INSTALLATION.—The term “military installation” has the meaning given such term in section 2687(e)(1) of title 10, United States Code.

(3) MILITARY DEPENDENT STUDENT.—The term “military dependent student” means an elementary school or secondary school student who has a parent who is a member of the Armed Forces, including a member of a reserve component of the Armed Forces, without regard to whether the member is on active duty or full-time National Guard duty (as defined in section 101(d) of title 10, United States Code).

(4) SECRETARY.—The term “Secretary” means the Secretary of Defense.

(5) STUDENT.—The term “student” means an elementary school or secondary school student.

**SEC. 105. GRANTS TO STATES.**

(a) GRANTS AUTHORIZED.—

(1) IN GENERAL.—From amounts appropriated under section 110, the Secretary, in consultation with the Secretary of Education, shall establish a demonstration program through which the Secretary shall make grants to State educational agencies, on a competitive basis, to enable the State educational agencies to assist local educational agencies in establishing and maintaining high quality military charter schools.

(2) DISTRIBUTION RULE.—In awarding grants under this title the Secretary shall ensure that such grants serve not more than 10 States and not more than 35 local educational agencies with differing demographics.

(3) SPECIAL LOCAL RULE.—

(A) NONPARTICIPATING STATE.—If a State chooses not to participate in the demonstration program assisted under this title or does not have an application approved under subsection (c), then the Secretary may award a grant directly to a local educational agency in the State to assist the local educational agency in carrying out high quality military charter schools.

(B) LOCAL EDUCATIONAL AGENCY APPLICATION.—To be eligible to receive a grant under this paragraph, a local educational agency shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(C) REGULATIONS.—The Secretary shall promulgate such regulations as the Secretary determines necessary to carry out this paragraph.

(b) ELIGIBILITY AND SELECTION.—

(1) ELIGIBILITY.—For a State educational agency to be eligible to receive a grant under subsection (a), the State served by the State educational agency shall—

(A) have in effect all standards and assessments required under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311);

(B) compile and annually distribute to parents a public school report card that, at a minimum, includes information on student and school performance for each of the assessments required under section 1111 of the Elementary and Secondary Education Act of 1965;

(C) require each military charter school assisted under this title to be an independent public school;

(D) require each military charter school assisted under this title to operate under an initial 5-year charter granted by a State charter authority, with specified check points and renewal, as required by State law; and

(E) require each military charter school assisted under this title to participate in the State's testing program.

(2) SELECTION.—In selecting State educational agencies to receive grants under this section, the Secretary shall make the selections in a manner consistent with the purpose of this title.

(c) APPLICATION.—

(1) IN GENERAL.—To be eligible to receive a grant under this section, a State educational agency shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(2) CONTENTS.—Such application shall include—

(A) information describing specific measurable goals and objectives to be achieved in the State through the military charter schools carried out under this title, which may include specific measurable annual educational goals and objectives relating to—

(i) increased student academic achievement;

(ii) decreased student dropout rates;

(iii) governance, parental involvement plans, and disciplinary policies;

(iv) a military charter school admissions policy that requires a minimum of 60 percent military dependent elementary school or secondary school students, and a maximum of 80 percent of military dependent students, except where such percentages are impossible to maintain because of the demographics of the area around the military installation;

(v) liability and other insurance coverage, business and accounting practices, and the procedures and methods employed by the chartering authority in monitoring the school; and

(vi) such other factors as the State educational agency may choose to measure; and

(B) information on criteria, established or adopted by the State, that—

(i) the State will use to select local educational agencies for participation in the military charter schools carried out under this title; and

(ii) at a minimum, will assure that grants provided under this title are provided to—

(I) the local educational agencies in the State that are sympathetic to, and take actions to ease the transition burden upon, such local educational agencies' military dependent students;

(II) the local educational agencies in the State that have the highest percentage of military dependent students impacting the local school system or not meeting basic or minimum required standards for State assessments required under section 1111 of the

Elementary and Secondary Education Act of 1965; and

(III) an assortment of local educational agencies serving urban, suburban, and rural areas, and impacted by a local military installation.

#### SEC. 106. GRANTS TO LOCAL EDUCATIONAL AGENCIES.

(a) IN GENERAL.—

(1) FIRST YEAR.—Except as provided in paragraph (3), for the first year that a State educational agency receives a grant under this title, the State educational agency shall use the funds made available through the grant to make grants to eligible local educational agencies in the State to pay for the Federal share of the cost of planning for or carrying out the military charter school programs.

(2) SUCCEEDING YEARS.—Except as provided in paragraph (3), for the second and third year that a State educational agency receives a grant under this title, the State educational agency shall use the funds made available through the grant to make grants to eligible local educational agencies in the State to pay for the Federal share of the cost of carrying out the military charter school programs.

(3) TECHNICAL ASSISTANCE AND PLANNING ASSISTANCE.—The State educational agency may use not more than 5 percent of the grant funds received under this title for a fiscal year—

(A) to provide to the local educational agencies technical assistance that is aligned with the curriculum of the local educational agencies for the programs;

(B) to enable the local educational agencies to obtain such technical assistance from entities other than the State educational agency that have demonstrated success in using the curriculum; and

(C) to assist the local educational agencies in evaluating activities carried out under this title.

(b) APPLICATION.—

(1) IN GENERAL.—To be eligible to receive a grant under this section, a local educational agency shall submit an application to the State educational agency at such time, in such manner, and containing such information as the Secretary or the State educational agency may require.

(2) CONTENTS.—Each such application shall include, to the greatest extent practicable—

(A) information that—

(i) demonstrates that the local educational agency will carry out a military charter school program funded under this section—

(I) that provides intensive high quality programs that are aligned with challenging State content and student performance standards, and that is focused on reinforcing and boosting the core academic skills and knowledge of students who are struggling academically, as determined by the State;

(II) that focuses on accelerated learning, rather than remediation, so that students served through the program will master the high level skills and knowledge needed to meet the highest State standards or to perform at high levels on all State assessments required under section 1111 of the Elementary and Secondary Education Act of 1965;

(III) that is based on, and incorporates best practices relating to the charter schools including practices relating to the "academic passport" concept, which would ease transitions for mobile students;

(IV) that has a proposed curriculum that is directly aligned with State student performance standards, and which may incorporate a curriculum from the Department of Defense Education Activity;

(V) for which only teachers who are certified and licensed, and are otherwise fully

qualified teachers, provide academic instruction to students enrolled in the program;

(VI) that offers to staff in the program professional development and technical assistance that are aligned with the approved curriculum for the program; and

(VII) that incorporates a parental involvement component that seeks to involve parents in the program's topics and students' daily activities; and

(ii) may include—

(I) the proposed curriculum for the military charter school program;

(II) the local educational agency's plan for recruiting highly qualified and highly effective teachers (including encouraging members of the Reserves and Guard who possess all required qualifications to serve as teachers) to participate in the program; and

(III) a schedule for the program that indicates that the program is of sufficient duration and intensity to achieve the State's goals and objectives described in section 105(c)(2)(A);

(B) an outline indicating how the local educational agency will utilize applicable Federal, State, local, or public funds, other than funds made available through the grant, to support the program;

(C) an explanation of how the local educational agency will ensure that the instruction provided through the program will be provided by qualified teachers;

(D) an explanation of the types of intensive training or professional development, aligned with the curriculum of the program, that will be provided for staff of the program;

(E) an explanation of the facilities to be used for the program;

(F) an explanation regarding the duration of the periods of time that students and teachers in the program will have contact for instructional purposes (such as the hours per day and days per week of that contact, and the total length of the program);

(G) an explanation of the proposed student-to-teacher ratio for the program, analyzed by grade level;

(H) an explanation of the grade levels that will be served by the program;

(I) an explanation of the approximate cost per student for the program;

(J) an explanation of the salary costs for teachers in the program;

(K) a description of a method for evaluating the effectiveness of the program at the local level;

(L) information describing specific measurable goals and objectives, for each academic subject in which the program will provide instruction, that are consistent with, or more rigorous than, the adequate yearly progress goals established by the State under section 1111 of the Elementary and Secondary Education Act of 1965;

(M) a description of how the local educational agency will involve parents and the community in the program in order to raise academic achievement;

(N) a description of how the local educational agency will acquire any needed technical assistance that is aligned with the curriculum of the local educational agency for the program, from the State educational agency or other entities with demonstrated success in using the curriculum; and

(O) a statement of a clearly defined goal for providing counseling and other transition burden relief for military dependent children.

(c) PRIORITY.—In making grants under this section, the State educational agency shall give priority to local educational agencies that demonstrate a high level of need for the military charter school programs.

(d) FEDERAL SHARE.—

(1) IN GENERAL.—The Federal share of the cost described in subsection (a) is 50 percent.

(2) NON-FEDERAL SHARE.—The non-Federal share of the cost may be provided in cash or in kind, fairly evaluated, including plant, equipment, or services.

**SEC. 107. SUPPLEMENT NOT SUPPLANT.**

Funds appropriated pursuant to the authority of this title shall be used to supplement and not supplant other Federal, State, local, or private funds expended to support military charter school programs.

**SEC. 108. REPORTS.**

(a) STATE REPORTS.—Each State educational agency that receives a grant under this title shall annually prepare and submit to the Secretary a report. The report shall describe—

(1) the method the State educational agency used to make grants to eligible local educational agencies and to provide assistance to schools under this title;

(2) the specific measurable goals and objectives described in section 105(c)(2)(A) for the State as a whole and the extent to which the State met each of the goals and objectives in the year preceding the submission of the report;

(3) the specific measurable goals and objectives described in section 106(b)(2)(L) for each of the local educational agencies receiving a grant under this title in the State and the extent to which each of the agencies met each of the goals and objectives in that preceding year;

(4) the steps that the State educational agency will take to ensure that any such local educational agency that did not meet the goals and objectives in that year following the submission of the report, or the plan that the State educational agency has for revoking the grant awarded to such an agency and redistributing the grant funds to existing or new military charter school programs;

(5) how eligible local educational agencies and schools used funds provided by the State educational agency under this title;

(6) the degree to which progress has been made toward meeting the goals and objectives described in section 105(c)(2)(A); and

(7) best practices for the Secretary to share with interested parties.

(b) REPORT TO CONGRESS.—The Secretary shall annually prepare and submit to Congress a report. The report shall describe—

(1) the methods the State educational agencies used to make grants to eligible local educational agencies and to provide assistance to schools under this title;

(2) how eligible local educational agencies and schools used funds provided under this title; and

(3) the degree to which progress has been made toward meeting the goals and objectives described in sections 105(c)(2)(A) and 106(b)(2)(L).

(c) GOVERNMENT ACCOUNTING OFFICE REPORT TO CONGRESS.—The Comptroller General of the United States shall conduct a study regarding the demonstration program carried out under this title and the impact of the program on student achievement. The Comptroller General shall prepare and submit to Congress a report containing the results of the study.

**SEC. 109. ADMINISTRATION.**

(a) FEDERAL.—The Secretary shall develop program guidelines for and oversee the demonstration program carried out under this title.

(b) LOCAL.—The commander of each military installation served by a military charter school assisted under this title shall establish a nonprofit corporation or an oversight group to provide the applicable local

educational agency with oversight and guidance regarding the day-to-day operations of the military charter school.

**SEC. 110. AUTHORIZATION OF APPROPRIATIONS.**

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

- (1) \$5,000,000 for fiscal year 2004;
- (2) \$7,000,000 for fiscal year 2005;
- (3) \$9,000,000 for fiscal year 2006;
- (4) \$11,000,000 for fiscal year 2007; and
- (5) \$13,000,000 for fiscal year 2008.

**SEC. 111. TERMINATION.**

The authority provided by this title terminates 5 years after the date of the enactment of this Act.

**TITLE II—CREDIT ENHANCEMENT INITIATIVES TO PROMOTE MILITARY CHARTER SCHOOL FACILITY ACQUISITION, CONSTRUCTION, AND RENOVATION**

**SEC. 201. CREDIT ENHANCEMENT INITIATIVES TO PROMOTE MILITARY CHARTER SCHOOL FACILITY ACQUISITION, CONSTRUCTION, AND RENOVATION.**

Title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7201 et seq.) is amended by adding at the end the following:

**“PART E—CREDIT ENHANCEMENT INITIATIVES TO PROMOTE MILITARY CHARTER SCHOOL FACILITY ACQUISITION, CONSTRUCTION, AND RENOVATION.**

**“SEC. 5701. PURPOSE.**

“The purpose of this part is to provide grants to eligible entities to permit the eligible entities to establish or improve innovative credit enhancement initiatives that assist military charter schools to address the cost of acquiring, constructing, and renovating facilities.

**“SEC. 5702. GRANTS TO ELIGIBLE ENTITIES.**

“(a) GRANTS FOR INITIATIVES.—

“(1) IN GENERAL.—The Secretary shall use 100 percent of the amount available to carry out this part to award grants to eligible entities that have applications approved under this part, to enable the eligible entities to carry out innovative initiatives for assisting military charter schools to address the cost of acquiring, constructing, and renovating facilities by enhancing the availability of loans or bond financing.

“(2) NUMBER OF GRANTS.—The Secretary shall award not less than 4 grants under this part in each fiscal year.

“(b) GRANTEE SELECTION.—

“(1) DETERMINATION.—The Secretary shall evaluate each application submitted, and shall determine which applications are of sufficient quality to merit approval and which are not.

“(2) MINIMUM GRANTS.—The Secretary shall award at least—

“(A) 1 grant to an eligible entity described in section 5710(1)(A);

“(B) 1 grant to an eligible entity described in section 5710(1)(B); and

“(C) 1 grant to an eligible entity described in section 5710(1)(C).

if applications are submitted that permit the Secretary to award the grants without approving an application that is not of sufficient quality to merit approval.

“(c) GRANT CHARACTERISTICS.—Grants under this part shall be in sufficient amounts, and for initiatives of sufficient scope and quality, so as to effectively enhance credit for the financing of military charter school acquisition, construction, or renovation.

“(d) SPECIAL RULE.—In the event the Secretary determines that the funds available to carry out this part are insufficient to permit the Secretary to award not less than 4 grants in accordance with subsections (a) through (c)—

“(1) subsections (a)(2) and (b)(2) shall not apply; and

“(2) the Secretary may determine the appropriate number of grants to be awarded in accordance with subsections (a)(1), (b)(1), and (c).

**“SEC. 5703. APPLICATIONS.**

“(a) IN GENERAL.—To receive a grant under this part, an eligible entity shall submit to the Secretary an application in such form as the Secretary may reasonably require.

“(b) CONTENTS.—An application submitted under subsection (a) shall contain—

“(1) a statement identifying the activities proposed to be undertaken with funds received under this part, including how the eligible entity will determine which military charter schools will receive assistance, and how much and what types of assistance the military charter schools will receive;

“(2) a description of the involvement of military charter schools in the application's development and the design of the proposed activities;

“(3) a description of the eligible entity's expertise in capital market financing;

“(4) a description of how the proposed activities will—

“(A) leverage private sector financing capital, to obtain the maximum amount of private sector financing capital, relative to the amount of government funding used, to assist military charter schools; and

“(B) otherwise enhance credit available to military charter schools;

“(5) a description of how the eligible entity possesses sufficient expertise in education to evaluate the likelihood of success of a military charter school program for which facilities financing is sought;

“(6) in the case of an application submitted by a State governmental entity, a description of the actions that the entity has taken, or will take, to ensure that military charter schools within the State receive the funding the schools need to have adequate facilities;

“(7) an assurance that the eligible entity will give priority to funding initiatives that assist military charter schools in which students have demonstrated academic excellence or improvement during the 2 consecutive academic years preceding submission of the application; and

“(8) such other information as the Secretary may reasonably require.

**“SEC. 5704. MILITARY CHARTER SCHOOL OBJECTIVES.**

“An eligible entity receiving a grant under this part shall use the funds received through the grant, and deposited in the reserve account established under section 5705(a), to assist 1 or more military charter schools to access private sector capital to accomplish 1 or more of the following objectives:

“(1) The acquisition (by purchase, lease, donation, or otherwise) of an interest (including an interest held by a third party for the benefit of a military charter school) in improved or unimproved real property that is necessary to commence or continue the operation of a military charter school.

“(2) The construction of new facilities, or the renovation, repair, or alteration of existing facilities, necessary to commence or continue the operation of a military charter school.

“(3) The payment of startup costs, including the costs of training teachers and purchasing materials and equipment, including instructional materials and computers, for a military charter school.

**“SEC. 5705. RESERVE ACCOUNT.**

“(a) IN GENERAL.—For the purpose of assisting military charter schools to accomplish the objectives described in section 5704, an eligible entity receiving a grant under this part shall deposit the funds received through the grant (other than funds used for

administrative costs in accordance with section 5706) in a reserve account established and maintained by the eligible entity for that purpose. The eligible entity shall make the deposit in accordance with State and local law and may make the deposit directly or indirectly, and alone or in collaboration with others.

“(b) USE OF FUNDS.—Amounts deposited in such account shall be used by the eligible entity for 1 or more of the following purposes:

“(1) Guaranteeing, insuring, and reinsuring bonds, notes, evidences of debt, loans, and interests therein, the proceeds of which are used for an objective described in section 5704.

“(2) Guaranteeing and insuring leases of personal and real property for such an objective.

“(3) Facilitating financing for such an objective by identifying potential lending sources, encouraging private lending, and carrying out other similar activities that directly promote lending to, or for the benefit of, military charter schools.

“(4) Facilitating the issuance of bonds by military charter schools, or by other public entities for the benefit of military charter schools, for such an objective, by providing technical, administrative, and other appropriate assistance (including the recruitment of bond counsel, underwriters, and potential investors and the consolidation of multiple military charter school projects within a single bond issue).

“(c) INVESTMENT.—Funds received under this part and deposited in the reserve account shall be invested in obligations issued or guaranteed by the United States or a State, or in other similarly low-risk securities.

“(d) REINVESTMENT OF EARNINGS.—Any earnings on funds received under this part shall be deposited in the reserve account established under subsection (a) and used in accordance with subsection (b).

**“SEC. 5706. LIMITATION ON ADMINISTRATIVE COSTS.**

“An eligible entity that receives a grant under this part may use not more than 0.25 percent of the funds received through the grant for the administrative costs of carrying out the eligible entity’s responsibilities under this part.

**“SEC. 5707. AUDITS AND REPORTS.**

“(a) FINANCIAL RECORD MAINTENANCE AND AUDIT.—The financial records of each eligible entity receiving a grant under this part shall be maintained in accordance with generally accepted accounting principles and shall be subject to an annual audit by an independent public accountant.

“(b) REPORTS.—

“(1) ELIGIBLE ENTITY ANNUAL REPORTS.—Each eligible entity receiving a grant under this part annually shall submit to the Secretary a report of the eligible entity’s operations and activities under this part.

“(2) CONTENTS.—Each such annual report shall include—

“(A) a copy of the eligible entity’s most recent financial statements, and any accompanying opinion on such statements, prepared by the independent public accountant auditing the financial records of the eligible entity;

“(B) a copy of any report made on an audit of the financial records of the eligible entity that was conducted under subsection (a) during the reporting period;

“(C) an evaluation by the eligible entity of the effectiveness of the entity’s use of the Federal funds provided under this part in leveraging private funds;

“(D) a listing and description of the military charter schools served by the eligible entity with such Federal funds during the reporting period;

“(E) a description of the activities carried out by the eligible entity to assist military charter schools in meeting the objectives set forth in section 5704; and

“(F) a description of the characteristics of lenders and other financial institutions participating in the activities undertaken by the eligible entity under this part during the reporting period.

“(3) SECRETARIAL REPORT.—The Secretary shall review the reports submitted under paragraph (1) and shall provide a comprehensive annual report to Congress on the activities conducted under this part.

**“SEC. 5708. NO FULL FAITH AND CREDIT FOR GRANTEE OBLIGATIONS.**

“No financial obligation of an eligible entity entered into pursuant to this part (such as an obligation under a guarantee, bond, note, evidence of debt, or loan) shall be an obligation of, or guaranteed in any respect by, the United States. The full faith and credit of the United States is not pledged to the payment of funds that may be required to be paid under any obligation made by an eligible entity pursuant to any provision of this part.

**“SEC. 5709. RECOVERY OF FUNDS.**

“(a) IN GENERAL.—The Secretary, in accordance with chapter 37 of title 31, United States Code, shall collect—

“(1) all of the funds in a reserve account established by an eligible entity under section 5705(a), if the Secretary determines, not earlier than 2 years after the date on which the entity first received funds under this part, that the entity has failed to make substantial progress in carrying out the purposes described in section 5705(b); or

“(2) all or a portion of the funds in a reserve account established by an eligible entity under section 5705(a), if the Secretary determines that the eligible entity has permanently ceased to use all or a portion of the funds in such account to accomplish any purpose described in section 5705(b).

“(b) EXERCISE OF AUTHORITY.—The Secretary shall not exercise the authority provided in subsection (a) to collect from any eligible entity any funds that are being properly used to achieve 1 or more of the purposes described in section 5705(b).

“(c) PROCEDURES.—The provisions of sections 451, 452, and 458 of the General Education Provisions Act (20 U.S.C. 1234, 1234a, 1234g) shall apply to the recovery of funds under subsection (a).

“(d) CONSTRUCTION.—This section shall not be construed to impair or affect the authority of the Secretary to recover funds under part D of the General Education Provisions Act (20 U.S.C. 1234 et seq.).

**“SEC. 5710. DEFINITIONS.**

“In this part:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—

“(A) a public entity, such as a military installation as defined in section 2687(e)(1) of title 10, United States Code;

“(B) a private nonprofit entity; or

“(C) a consortium of entities described in subparagraphs (A) and (B).

“(2) MILITARY CHARTER SCHOOL.—The term ‘military charter school’ has the meaning given such term by regulations promulgated by the Secretary of Defense.

**“SEC. 5711. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated to carry out this part \$10,000,000 for fiscal year 2004 and each succeeding fiscal year.”

By Mr. HATCH (for himself and Mr. LEAHY):

S. 1080. A bill to make amendments to certain antitrust penalties, and for other purposes; to the Committee on the Judiciary.

Mr. HATCH. Mr. President, I rise today to introduce the “Antitrust Improvements Act of 2003.” I want to thank the Ranking Democrat Member from the Judiciary Committee, Senator LEAHY, for joining me in introducing this measure as an original cosponsor. I hope that we can expeditiously report this measure from the Judiciary Committee and bring it to the Senate floor.

The Hatch-Leahy Antitrust Improvements Act of 2003 is long overdue. The bill updates the criminal penalties applicable to antitrust criminal violations and repeals the archaic Title VIII of the “Antidumping Act of 1916,” as requested by the administration.

After careful examination and study of the current penalty structure for antitrust criminal offenses, Senator LEAHY and I have come to agreement that the law needs to be modernized in a number of areas. Under current law, a person who commits a criminal violation of the antitrust laws can be subject to maximum punishment of 3 years imprisonment, while a corporation can be fined a maximum of \$10 million. These punishments need to be updated to reflect changes in market conditions, as well as to make them consistent with other changes we enacted last year to white collar criminal offenses as part of the Sarbanes-Oxley bill. Under the Hatch-Leahy proposal, the maximum punishment for an individual would be raised to 10 years imprisonment, and for a corporation the maximum fine would be increased to \$100 million.

These changes are long overdue and will eliminate the huge disparity present in our laws between the treatment of criminal white collar offenses and antitrust criminal violations. The Sarbanes-Oxley Act passed last year raised the criminal penalties for a number of white collar offenses, but did not do so for antitrust criminal violations. An antitrust price-fixer who defrauds consumers for a total of \$5 million should be subject to a penalty which is more consistent with the penalty scheme for other white collar offenses. There is little difference, in my mind, between a market place criminal who takes advantage of consumers and a white collar cheater who steals money from his victims.

The Hatch-Leahy proposal also will raise the maximum fines applicable to corporations and other legal entities from \$10 million to \$100 million per violation. Such a change is needed to reflect the change in our economy and the importance of maintaining a credible deterrent against such conduct by corporations and other entities.

It is also essential to note that all criminal fines are paid into a Victims Fund, which is administered by the Justice Department, and ultimately disbursed to support victims’ advocacy groups. Criminals who have assets must first pay restitution to any identifiable victims to compensate them for their suffering, and then must pay

finer to the Victims Fund. The increased criminal fines will enhance the Justice Department's ability to support advocacy groups who work so hard on behalf of the victims of crime across America.

The Antitrust Division's criminal enforcement program has been very successful in the past years, particularly in the area of criminal enforcement against international cartels affecting well over \$10 billion in commerce. With these new tools, the Antitrust Division can be even more effective in enforcing our antitrust criminal laws and deterring and preventing future offenses against American consumers.

This bill also repeals an archaic provision of law, enacted in 1916, that allows private lawsuits with potential of treble damages against importers or producers for unfair pricing provided they had the intent to injure a U.S. industry. The World Trade Organization, WTO, has ruled that this act violates the United States obligations to address unfair pricing through the specified administrative measures of the Antidumping Agreement. Repealing this statute is an important and necessary step in complying with our obligations under negotiated international treaties.

I urge my colleagues to support these important measures and support the Antitrust Improvements Act of 2003.

Mr. LEAHY. Mr. President, I am pleased to join Senator HATCH today in offering this bill to increase criminal penalties against those who monopolize or restrict the market using unfair and illegal business practices.

In an age that combines robust levels of international trade with the threats of Enron-style accounting, we must be increasingly vigilant to the threats of white-collar crime to our economy. Legitimate business can only thrive when bad actors realize that violations of antitrust law will be met with the strictest of penalties. Our bill increases the maximum sentence for a violation of the Sherman antitrust laws from 3 to 10 years. Fines to corporations are increased tenfold to a maximum of \$100 million per infraction. This increase will make it clear to corporate wrongdoers that no antitrust violation is affordable. These changes bring antitrust penalties in line with other white-collar crimes and send a clear message that the United States will not allow any company to abuse its consumers by misusing market power.

Our bill also repeals an old and rarely used provision, the Antidumping Act of 1916. Congress must eliminate this provision in order to come into compliance with a ruling by the World Trade Organization. The U.S. Trade Representative and the Department of Justice both support the repeal of this act, and indeed have made a joint request for such legislation to the Congress.

I am pleased to have worked with the chairman on this important legislation and urge my colleagues to support this bill.

I ask unanimous consent to print in the RECORD the joint request by the U.S. Trade Representative and the Department of Justice.

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

EXECUTIVE OFFICE OF THE PRESIDENT, THE UNITED STATES TRADE REPRESENTATIVE,

*Washington, DC, July 20, 2001.*

Hon. RICHARD B. CHENEY,  
*President of the Senate,*  
*Washington, DC.*

DEAR MR. PRESIDENT: We are transmitting the enclosed draft bill to repeal a provision of law enacted on September 8, 1916, regarding prevention of unfair methods of competition (15 U.S.C. § 72, c. 463, Title VIII, § 801, 39 Stat. 798). That provision provides for a private right of action for treble damages, as well as for criminal penalties in an action brought by the U.S. government, for international price discrimination.

The Administration proposes repeal of this provision because it is redundant of other U.S. laws providing remedies for international price discrimination. To our knowledge, during the past 85 years no plaintiff has obtained a final judgment on the merits under this rarely-invoked law and no government enforcement action has been taken. Furthermore, this provision is inconsistent with the obligations of the United States under the Marrakesh Agreement Establishing the World Trade Organization (WTO Agreement).

We would appreciate it if you would lay the draft bill before the Senate. An identical proposal is being transmitted to the Speaker of the House.

The Office of Management and Budget has advised that there is no objection to the presentation of this proposal to Congress and that its enactment would be in accord with the program of the President.

Sincerely,

JOHN ASHCROFT,  
*Attorney General.*  
ROBERT B. ZOELLICK,  
*United States Trade Representative.*

By Mr. DOMENICI:

S. 1081. A bill to amend section 504(a) of the Higher Education Act of 1965 to eliminate the 2-year wait out period for grant recipients; to the Committee on Health, Education, Labor, and Pensions.

Mr. DOMENICI. Mr. President, I rise today to introduce a bill that will amend Title V of the Higher Education Act. Specifically, this bill will eliminate the 2-year wait-out period now required between applications by eligible Hispanic Serving Institutions for grants under Title V of the Higher Education Act.

Title V of the Higher Education Act is the primary vehicle used to target urgently needed funds to Hispanic Serving Institutions. Grants under this section can be used by higher education institutions to strengthen academic quality, institutional management, and financial stability. These grants are essential to institutions that provide and increase the number of educational opportunities available to Hispanic students.

Under current guidelines, in order to qualify for a grant under Title V, an in-

stitution must have at least 25 percent full time, Hispanic undergraduate student enrollment, and not less than 50 percent of its Hispanic student population must be low income. Title V grants are awarded for 5 years, with a minimum 2-year wait-out period after the termination of a grant period before eligibility to apply for another grant. During Fiscal Year 2002, 191 institutions were awarded grants.

Title V's 2-year wait-out period impedes Hispanic Serving Institutions' efforts to implement continuing programs with long range solutions to Hispanic higher education challenges. Eliminating the 2-year wait-out period will be of great importance to equipping our Nation's Hispanic Serving Institutions with the continuous funding that they need to best answer complex challenges. In 2000, Congress eliminated the wait-out period for Tribally Controlled Colleges and Universities, Alaskan Native and Native Hawaiian-serving institutions. Historically Black Colleges and Universities also do not have a wait-out period. It is now time for us to eliminate the wait-out period for Hispanic Serving Institutions.

Hispanic Serving Institutions provide the quality education essential to full participation in today's society. Many students in my home State of New Mexico have benefited from the academic excellence that Hispanic Serving Institutions seek to provide. Title V grants are intended to provide assistance to these less advantaged, developing institutions, and preventing these institutions from reapplying for grants for 2 successive years is obstructing their development.

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. 1081

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

**SECTION 1. ELIMINATION OF THE 2-YEAR WAIT OUT PERIOD FOR GRANT RECIPIENTS.**

Section 504(a) of the Higher Education Act of 1965 (20 U.S.C. 1101c(a)) is amended—

- (1) by striking "PERIOD.—" and all that follows through "The Secretary" and inserting "PERIOD.—The Secretary"; and
- (2) by striking paragraph (2).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 145—DESIGNATING JUNE 2003 AS "NATIONAL SAFETY MONTH"

Mr. FITZGERALD (for himself and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 145

Whereas the mission of the National Safety Council is to educate and influence society to adopt safety, health, and environmental policies, practices, and procedures