

(Ms. MIKULSKI) was added as a cosponsor of S. Con. Res. 40, a concurrent resolution designating August 7, 2003, as "National Purple Heart Recognition Day".

S. RES. 164

At the request of Mr. ENSIGN, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. Res. 164, a resolution reaffirming support of the Convention on the Prevention and Punishment of the Crime of Genocide and anticipating the commemoration of the 15th anniversary of the enactment of the Genocide Convention Implementation Act of 1987 (the Proxmire Act) on November 4, 2003.

AMENDMENT NO. 876

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of amendment No. 876 proposed to S. 14, a bill to enhance the energy security of the United States, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. FRIST (for himself, Mr. GRASSLEY, and Mr. BAUCUS):

S. 1. A bill to amend title XVIII of the Social Security Act to make improvements in the medicare program, to provide prescription drug coverage under the medicare program, and for other purposes; to the Committee on Finance.

S. 1

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

SECTION 1. SHORT TITLE; SENSE OF THE CONGRESS.

(a) SHORT TITLE.—This Act may be cited as the "Prescription Drug and Medicare Improvement Act of 2003".

(b) SENSE OF THE CONGRESS.—It is the Sense of the Congress that the Congress should enact, and the President should sign, legislation to amend title XVIII of the Social Security Act to make improvements in the medicare program and to provide prescription drug coverage under the medicare program.

By Mr. HATCH:

S. 1232. A bill to designate the newly-constructed annex to the E. Barrett Prettyman Courthouse located at 333 Constitution Ave., NW., in Washington, DC., as the "James L. Buckley Annex to the E. Barrett Prettyman United States Courthouse"; to the Committee on Environment and Public Works.

Mr. HATCH. Mr. President, I rise today to introduce a bill to designate the newly-constructed annex to the E. Barrett Prettyman United States Courthouse as the "James L. Buckley Annex." As members of this body well know, Judge Buckley served in this Senate from 1971–77, as a trusted colleague from the State of New York. During his tenure here, Judge Buckley was greatly admired for his dedication, integrity, and professionalism.

Judge Buckley's lengthy public service career is one of great distinction. In addition to the time he spent here in the Senate, Judge Buckley served in the United States Navy during World War II, as Undersecretary of State for Security Assistance, and as President of Radio Free Europe. Most recently, he served for more than a decade as a Circuit Judge on the United States Court of Appeals for the District of Columbia Circuit, in the E. Barrett Prettyman courthouse.

Earlier this Congress, we honored Judge Buckley, on the celebration of his 80th birthday, by passing unanimously a resolution, S. Res. 88, acknowledging his distinguished career in the executive, legislative, and judicial branches of the United States.

Naming the new annex to the E. Barrett Prettyman courthouse after Judge Buckley would be a fitting tribute to our former colleague and prominent jurist. I am honored to offer this legislation, and I urge my colleagues to support this well-deserved commendation.

By Ms. MIKULSKI (for herself, Mr. HATCH, Mr. SARBANES, Mr. EDWARDS, Mr. LAUTENBERG, Mrs. CLINTON, and Mr. CORZINE):

S. 1233. A bill to authorize assistance for the National Great Blacks in Wax Museum and Justice Learning Center; to the Committee on the Judiciary.

Ms. MIKULSKI. Mr. President, I rise to introduce the National Great Black Americans Commemoration Act. I am proud to sponsor this legislation. Black Americans have a rich history that must be cherished and remembered. This bill will honor African American leaders from across the country—some who are well known, and others who are almost forgotten—by helping to preserve their names, faces, and stories for generations to come.

This legislation will provide Federal assistance to expand exhibits and educational programs at the National Great Blacks in Wax Museum and Justice Learning Center in Baltimore, Maryland. The museum showcases the lives of great Black Americans who have proudly served the United States—from civil servants like Mary McLeod Bethune, to military heroes like Colin Powell, to Congressional leaders like Senator Edward Brooke, R-MA, and civil rights leaders like Rosa Parks. Some are household names, like Frederick Douglass and Dr. Martin Luther King, Jr. Yet many more are unfamiliar, like the 22 African Americans who served in Congress in the 1800s. It's time we give these pioneers the recognition they deserve.

Maryland is proud to be home to so many important figures in black history. From the dark days of slavery through the civil rights movement, Marylanders have led the way. The brilliant Frederick Douglass was the voice of the voiceless in the struggle against slavery. The courageous Harriet Tubman delivered 300 slaves to

freedom on the Underground Railroad. The great Thurgood Marshall argued the Brown v. Board of Education Case before the Supreme Court, and later became a Supreme Court Justice himself.

Maryland is home to contemporary leaders, too. The dynamic Kweisi Mfume, president of the NAACP, who, like me, came out of the Baltimore City Council. The passionate ELIJAH CUMMINGS, Chair of the Congressional Black Caucus. Clarence Mitchell who was called by many the 101st Senator. Parren Mitchell and AL WYNN, fighting for their constituents. And all the members of the NAACP, which calls Baltimore home.

It is fitting that the national Great Blacks in Wax Museum and Justice Learning Center also calls Baltimore home. The museum and learning center is a popular and respected black history museum. Approximately 300,000 people a year from around the country and the world visit the museum. Many are school children, who can see historical figures come to life in the museum's exhibits. Expansion will allow the museum to teach even more visitors about the important contributions of Black Americans. It will also help revitalize a poor neighborhood in East Baltimore. There will be new jobs. There will be more tourists. There will be new small businesses. And most important, there will be new inspiration for our young people.

The State of Maryland and City of Baltimore have already contributed over \$5 million toward this expansion project. Private donors are contributing too. Now it's time for the Federal Government to do its part. Let's help make this museum a treasure for the entire Nation.

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. 1233

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 Great Black Americans Commemoration Act of 2003".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Black Americans have served honorably in Congress, in senior executive branch positions, in the law, the judiciary, and other fields, yet their record of service is not well known by the public, is not included in school history lessons, and is not adequately presented in the Nation's museums.

(2) The Great Blacks in Wax Museum, Inc. in Baltimore, Maryland, a nonprofit organization, is the Nation's first wax museum presenting the history of great Black Americans, including those who have served in Congress, in senior executive branch positions, in the law, the judiciary, and other fields, as well as others who have made significant contributions to benefit the Nation.

(3) The Great Blacks in Wax Museum, Inc. plans to expand its existing facilities to establish the National Great Blacks in Wax

Museum and Justice Learning Center, which is intended to serve as a national museum and center for presentation of wax figures and related interactive educational exhibits portraying the history of great Black Americans.

(4) The wax medium has long been recognized as a unique and artistic means to record human history through preservation of the faces and personages of people of prominence, and historically, wax exhibits were used to commemorate noted figures in ancient Egypt, Babylon, Greece, and Rome, in medieval Europe, and in the art of the Italian renaissance.

(5) The Great Blacks in Wax Museum, Inc. was founded in 1983 by Drs. Elmer and Joanne Martin, 2 Baltimore educators who used their personal savings to purchase wax figures, which they displayed in schools, churches, shopping malls, and festivals in the mid-Atlantic region.

(6) The goal of the Martins was to test public reaction to the idea of a Black history wax museum and so positive was the response over time that the museum has been heralded by the public and the media as a national treasure.

(7) The museum has been the subject of feature stories by CNN, the Wall Street Journal, the Baltimore Sun, the Washington Post, the New York Times, the Chicago Sun Times, the Dallas Morning News, the Los Angeles Times, USA Today, the Afro American Newspaper, Crisis, Essence Magazine, and others.

(8) More than 300,000 people from across the Nation visit the museum annually.

(9) The new museum will carry on the time honored artistic tradition of the wax medium; in particular, it will recognize the significant value of this medium to commemorate and appreciate great Black Americans whose faces and personages are not widely recognized.

(10) The museum will employ the most skilled artisans in the wax medium, use state-of-the-art interactive exhibition technologies, and consult with museum professionals throughout the Nation, and its exhibits will feature the following:

(A) Blacks who have served in the Senate and House of Representatives of the United States, including those who represented constituencies in Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Virginia during the 19th century.

(B) Blacks who have served in the judiciary, in the Department of Justice, as prominent attorneys, in law enforcement, and in the struggle for equal rights under the law.

(C) Black veterans of various military engagements, including the Buffalo Soldiers and Tuskegee Airmen, and the role of Blacks in the settlement of the western United States.

(D) Blacks who have served in senior executive branch positions, including members of Presidents' Cabinets, Assistant Secretaries and Deputy Secretaries of Federal agencies, and Presidential advisers.

(E) Other Blacks whose accomplishments and contributions to human history during the last millennium and to the Nation through more than 400 years are exemplary, including Black educators, authors, scientists, inventors, athletes, clergy, and civil rights leaders.

(11) The museum plans to develop collaborative programs with other museums, serve as a clearinghouse for training, technical assistance, and other resources involving use of the wax medium, and sponsor traveling exhibits to provide enriching museum experiences for communities throughout the Nation.

(12) The museum has been recognized by the State of Maryland and the city of Baltimore as a preeminent facility for presenting and interpreting Black history, using the wax medium in its highest artistic form.

(13) The museum is located in the heart of an area designated as an empowerment zone, and is considered to be a catalyst for economic and cultural improvements in this economically disadvantaged area.

SEC. 3. ASSISTANCE FOR NATIONAL GREAT BLACKS IN WAX MUSEUM AND JUSTICE LEARNING CENTER.

(a) ASSISTANCE FOR MUSEUM.—Subject to subsection (b), the Attorney General, acting through the Office of Justice Programs of the Department of Justice, shall, from amounts made available under subsection (c), make a grant to the Great Blacks in Wax Museum, Inc. in Baltimore, Maryland, to pay the Federal share of the costs of expanding and creating the National Great Blacks in Wax Museum and Justice Learning Center, including the cost of its design, planning, furnishing, and equipping.

(b) GRANT REQUIREMENTS.—

(1) IN GENERAL.—To receive a grant under subsection (a), the Great Blacks in Wax Museum, Inc. shall submit to the Attorney General a proposal for the use of the grant, which shall include detailed plans for the design, construction, furnishing, and equipping of the National Great Blacks in Wax Museum and Justice Learning Center.

(2) FEDERAL SHARE.—The Federal share of the costs described in subsection (a) shall not exceed 25 percent.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$15,000,000, to remain available until expended.

Mr. HATCH. Mr. President, I am proud to join Senator MIKULSKI as cosponsor of the "National Great Black Americans Commemoration Act of 2003." This legislation will help offer a more complete portrayal of our Nation's proud history—one that includes an increased awareness of the contributions made by many great black Americans of various fields and accomplishments.

This legislation seeks to recognize the contributions of African Americans who have served in Congress or other government capacities, in the military, or in other important roles as educators, authors, scientists, inventors, athletes, clergy and civil rights leaders. Clearly, there are few, if any, areas of American culture and history that have not been touched and improved upon by the impact of black individuals. As we recognize this, it is important that we also recognize those whose goal is to make available the history of these outstanding people.

One such institution is The Great Blacks in Wax Museum, a nonprofit organization in Baltimore, MD, whose mission is to present the history of black Americans and to highlight their contributions to our nation. I believe that this institution's work thus far and its goals for the future make it worthy of our support. This legislation not only commends the efforts made by this museum to date, but authorizes the appropriation of funds that will help the museum to improve and expand. Appropriate Federal assistance, coupled with other funding raised by

the museum, will allow the current institution to become the National Great Blacks in Wax Museum and Justice Learning Center, which will be better equipped to serve its purposes. This improved museum will be a bright example for projects with similar goals and will provide an excellent source of historical education for all who visit.

I am a strong believer that our history should be presented in a complete and accurate manner. Where we have understated in the past, we should make amends. The development of the National Great Blacks in Wax Museum and Justice Learning Center will be a valuable statement recognizing the contributions of so many great African Americans. I hope that my colleagues will see the merit in this endeavor and will lend their support to the National Great Black Americans Commemoration Act.

By Mr. MCCAIN (for himself and Mr. SMITH):

S. 1234. A bill to reauthorize the Federal Trade Commission, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. MCCAIN. Mr. President, today I am joined by the Chairman of the Senate Commerce Committee's Competition, Foreign Commerce, and Infrastructure Subcommittee, Senator SMITH, in introducing the Federal Trade Commission Reauthorization Act of 2003. This legislation is designed to reauthorize the Federal Trade Commission, FTC or Commission, in furtherance of its mission to enhance the efficient operation of the marketplace by both eliminating acts or practices that are unfair or deceptive and preventing anti-competitive conduct. This vital consumer protection agency has not been reauthorized since 1996.

Title I of the bill is nearly identical to legislation that was reported by the Commerce Committee last year. It would authorize funding for Fiscal Years 2004 through 2006. In addition, this portion of the bill would authorize the FTC to provide investigative and other services to a requesting law enforcement agency and receive from that agency, if offered, reimbursement for the FTC's involvement. This part of the bill also would grant the Commission the authority it has requested to receive gifts or items that would be useful to the Commission as long as a conflict of interest is not created by such receipt.

The second title of the bill is designed to mitigate the challenges that the FTC currently faces in combating cross-border fraud. The FTC's responsibility to protect consumers is essential, particularly in today's global climate of high-speed information and marketing, which knows no international borders. This title would improve the Commission's ability to share information involving cross-border fraud with foreign consumer protection agencies; secure confidential

information from those foreign agencies; take legal action in foreign jurisdictions; seek redress on behalf of foreign consumers victimized by U.S.-based wrongdoers; make criminal referrals for cross-border criminal activity; and strengthen its relationship with foreign consumer protection agencies. The Competition Subcommittee will hold a hearing later today on the FTC's reauthorization and will consider a number of issues including the Commission's cross-border fraud proposal.

Not included in the bill is language that was reported by the Commerce Committee last Fall that would repeal the "common carrier" exemption in the FTC's organizing statute that currently precludes the Commission from exercising authority over certain activities of telecommunications common carriers. The Federal Communications Commission, FCC, currently has jurisdiction over these common carriers.

While I fully support any effort to combat entities that perpetrate fraud on consumers, and I respect the expertise and ability of the FTC and FCC to seek redress for victims of such fraud, I made it clear during the Commerce Committee's executive session last Fall that a discussion was necessary between the two agencies to resolve any overlap in jurisdiction that may exist. It is our understanding that the FTC and FCC are in the process of negotiating an agreement that would satisfy the objectives of both agencies to further their respective consumer protection missions. Thus, for now, we will reserve judgment as to whether such a repeal is necessary.

Meanwhile, I look forward to working on this important consumer protection legislation and I hope that my colleagues will agree to join us in expeditiously moving this reauthorization through the legislative process. Reauthorizing the FTC is important if the agency is to continue to successfully carry out its many responsibilities.

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:

S. 1234

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Trade Commission Reauthorization Act of 2003".

TITLE I—REAUTHORIZATION

SEC. 101. REAUTHORIZATION.

The text of section 25 of the Federal Trade Commission Act (15 U.S.C. 57c) is amended to read as follows:

"There are authorized to be appropriated to carry out the functions, powers, and duties of the Commission not to exceed \$194,742,000 for fiscal year 2004, \$224,695,000 for fiscal year 2005, and \$235,457,000 for fiscal year 2006."

SEC. 102. AUTHORITY TO ACCEPT REIMBURSEMENTS, GIFTS, AND VOLUNTARY AND UNCOMPENSATED SERVICES.

The Federal Trade Commission Act (15 U.S.C. 41 et seq.) is amended—

(1) by redesignating section 26 as section 28; and

(2) by inserting after section 25 the following:

"SEC. 26. REIMBURSEMENT OF EXPENSES.

"The Commission may accept payment or reimbursement, in cash or in kind, from a domestic or foreign law enforcement authority, or payment or reimbursement made on behalf of such authority, for expenses incurred by the Commission, its members, or employees in carrying out any activity pursuant to a statute administered by the Commission without regard to any other provision of law. Any such payments or reimbursements shall be considered a reimbursement to the appropriated funds of the Commission.

"SEC. 27. GIFTS AND VOLUNTARY AND UNCOMPENSATED SERVICES.

"(a) IN GENERAL.—In furtherance of its functions the Commission may accept, hold, administer, and use unconditional gifts, donations, and bequests of real, personal, and other property and, notwithstanding section 1342 of title 31, United States Code, accept voluntary and uncompensated services.

"(b) LIMITATIONS.—

"(1) CONFLICTS OF INTEREST.—Notwithstanding subsection (a), the Commission may not accept, hold, administer, or use a gift, donation, or bequest if the acceptance, holding, administration, or use would create a conflict of interest or the appearance of a conflict of interest.

"(2) VOLUNTARY SERVICES.—A person who provides voluntary and uncompensated service under subsection (a) shall not be considered a Federal employee for any purpose other than for purposes of chapter 81 of title 5, United States Code, (relating to compensation for injury) and section 2671 through 2680 of title 28, United States Code, (relating to tort claims)."

TITLE II—INTERNATIONAL CONSUMER PROTECTION

SEC. 201. FINDINGS.

The Congress finds the following:

(1) The Federal Trade Commission protects consumers from fraud and deception. Cross-border fraud and deception are growing international problems that affect American consumers and businesses.

(2) The development of the Internet and improvements in telecommunications technologies have brought significant benefits to consumers. At the same time, they have also provided unprecedented opportunities for those engaged in fraud and deception to establish operations in one country and victimize a large number of consumers in other countries.

(3) An increasing number of consumer complaints collected in the Consumer Sentinel database maintained by the Commission, and an increasing number of cases brought by the Commission, involve foreign consumers, foreign businesses or individuals, or assets or evidence located outside the United States.

(4) The Commission has legal authority to remedy law violations involving domestic and foreign wrongdoers, pursuant to the Federal Trade Commission Act. The Commission's ability to obtain effective relief using this authority, however, may face practical impediments when wrongdoers, victims, other witnesses, documents, money and third parties involved in the transaction are widely dispersed in many different jurisdictions. Such circumstances make it difficult for the Commission to gather all the information necessary to detect injurious practices, to

recover offshore assets for consumer redress, and to reach conduct occurring outside the United States that affects United States consumers.

(5) Improving the ability of the Commission and its foreign counterparts to share information about cross-border fraud and deception, to conduct joint and parallel investigations, and to assist each other is critical to achieve more timely and effective enforcement in cross-border cases.

(6) Consequently, Congress should enact legislation to provide the Commission with more tools to protect consumers across borders.

SEC. 202. FOREIGN LAW ENFORCEMENT AGENCY DEFINED.

Section 4 of the Federal Trade Commission Act (15 U.S.C. 44) is amended by adding at the end the following:

" 'Foreign law enforcement agency' means—

"(1) any agency or judicial authority of a foreign government, including a foreign state, a political subdivision of a foreign state, or a multinational organization constituted by and comprised of foreign states, that is vested with law enforcement or investigative authority in civil, criminal, or administrative matters;

"(2) any multinational organization, to the extent that it is acting on behalf of an entity described in paragraph (1); or

"(3) any organization that is vested with authority, as a principal mission, to enforce laws against fraudulent, deceptive, misleading, or unfair commercial practices affecting consumers, in accordance with criteria laid down by law, by a foreign state or a political subdivision of a foreign state."

SEC. 203. SHARING INFORMATION WITH FOREIGN LAW ENFORCEMENT AGENCIES.

(a) IN GENERAL.—Section 21(b)(6) of the Federal Trade Commission Act (15 U.S.C. 57b-2(b)(6)) is amended by adding at the end "The custodian may make such material available to any foreign law enforcement agency upon the prior certification of any officer of any such foreign law enforcement agency that such material will be maintained in confidence and will be used only for official law enforcement purposes, provided that the foreign law enforcement agency has set forth a legal basis for its authority to maintain the material in confidence. Nothing in the preceding sentence authorizes disclosure of material obtained in connection with the administration of Federal antitrust laws or foreign antitrust laws (within the meaning of section 12 of the International Antitrust Enforcement Assistance Act of 1994 (15 U.S.C. 6211)) to any officer or employee of a foreign law enforcement agency."

(b) PUBLICATION OF INFORMATION; REPORTS.—Section 6(f) of the Federal Trade Commission Act (15 U.S.C. 46(f)) is amended—

(1) by striking "agencies or to any officer or employee of any State law enforcement agency" and inserting "agencies, to any officer or employee of any State law enforcement agency, or to any officer or employee of any foreign law enforcement agency";

(2) by striking "Federal or State law enforcement agency" and inserting "Federal, State, or foreign law enforcement agency"; and

(3) by adding at the end "Such information shall be disclosed to an officer or employee of a foreign law enforcement agency only if the foreign law enforcement agency has set forth a legal basis for its authority to maintain the information in confidence. Nothing in the preceding sentence authorizes the disclosure of material obtained in connection with the administration of Federal antitrust

laws or foreign antitrust laws (within the meaning of section 12 of the International Antitrust Enforcement Assistance Act of 1994 (15 U.S.C. 6211)) to any officer or employee of a foreign law enforcement agency.”.

SEC. 204. OBTAINING INFORMATION FOR FOREIGN LAW ENFORCEMENT AGENCIES.

Section 6 of the Federal Trade Commission Act (15 U.S.C. 46) is amended by adding at the end the following:

“(j)(1) Upon request from a foreign law enforcement agency, to provide assistance in accordance with this subsection if the requesting agency states that it is investigating, or engaging in enforcement proceedings against, possible violations of laws prohibiting fraudulent, deceptive, misleading, or unfair commercial conduct, or other conduct that may be similar to conduct prohibited by any provision of the laws administered by the Commission, other than Federal antitrust laws (within the meaning of section 12 of the International Antitrust Enforcement Assistance Act of 1994 (15 U.S.C. 6211)), the Commission may, in its discretion—

“(A) conduct such investigation as the Commission deems necessary to collect information and evidence pertinent to the request for assistance, using all investigative powers authorized by this Act; and

“(B) seek and accept appointment by a United States district court of Commission attorneys to provide assistance to foreign and international tribunals and to litigants before such tribunals on behalf of a foreign law enforcement agency pursuant to section 1782 of title 28, United States Code.

“(2) The Commission may provide assistance under paragraph (1) without regard to whether the conduct identified in the request would also constitute a violation of the laws of the United States.

“(3) In deciding whether to provide such assistance, the Commission shall consider—

“(A) whether the requesting agency has agreed to provide or will provide reciprocal assistance to the Commission; and

“(B) whether compliance with the request would prejudice the public interest of the United States.

“(4) If a foreign law enforcement agency has set forth a legal basis for requiring execution of an international agreement as a condition for reciprocal assistance, or as a condition for disclosure of materials or information to the Commission, the Commission, after consultation with the Secretary of State, may negotiate and conclude an international agreement, in the name of either the United States or the Commission and with the final approval of the agreement by the Secretary of State, for the purpose of obtaining such assistance or disclosure. The Commission may undertake in such an international agreement—

“(A) to provide assistance using the powers set forth in this subsection;

“(B) to disclose materials and information in accordance with subsection (f) of this section and section 21(b)(6) of this Act; and

“(C) to engage in further cooperation, and protect materials and information received from disclosure, as authorized by this Act.

“(5) The authority in this subsection is in addition to, and not in lieu of, any other authority vested in the Commission or any other officer of the United States.”.

SEC. 205. INFORMATION SUPPLIED BY AND ABOUT FOREIGN SOURCES.

Section 21(f) of the Federal Trade Commission Act (15 U.S.C. 57b-2(f)) is amended—

(1) by inserting “(1) before “Any”; and adding at the end the following:

“(2)(A) Except as provided in subparagraph (C) of this paragraph, the Commission shall not be compelled to disclose—

“(i) material obtained from a foreign law enforcement agency or other foreign government agency, if the foreign law enforcement agency or other foreign government agency has requested confidential treatment as a condition of disclosing the material;

“(ii) material reflecting consumer complaints obtained from any other foreign source, if that foreign source supplying the material has requested confidential treatment as a condition of disclosing the material; or

“(iii) material reflecting a consumer complaint submitted to a Commission reporting mechanism sponsored in part by foreign law enforcement agencies or other foreign government agencies.

“(B) For purposes of section 552 of title 5, this paragraph shall be considered a statute described in subsection (b)(3)(B) of such section 552.

“(C) Nothing in this paragraph shall authorize the Commission to withhold information from the Congress or prevent the Commission from complying with an order of a court of the United States in an action commenced by the United States or the Commission.”.

SEC. 206. CONFIDENTIALITY AND DELAYED NOTICE OF PROCESS.

(a) The Federal Trade Commission Act (15 U.S.C. 41 et seq.) is amended by inserting after section 21 (15 U.S.C. 57b-2) the following:

“SEC. 21A. CONFIDENTIALITY AND DELAYED NOTICE OF COMPULSORY PROCESS FOR CERTAIN THIRD PARTIES.

“(a) CONFIDENTIALITY OF COMPULSORY PROCESS ISSUED BY THE COMMISSION.—

“(1) This subsection shall apply only in connection with compulsory process issued by the Commission where the recipient of such process is not a subject of the investigation or proceeding at the time such process is issued.

“(2) Notwithstanding any law or regulation of the United States, any constitution, law or regulation of any State or political subdivision of any State or any Territory or the District of Columbia, or any contract or other legally enforceable agreement, the Commission may seek an order requiring the recipient of compulsory process described in paragraph (1) to keep such process confidential, upon an ex parte showing to an appropriate United States district court that there is a reason to believe that disclosure may—

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

“(B) impede the ability of the Commission to identify or trace funds;

“(C) endanger the life or physical safety of an individual;

“(D) result in flight from prosecution;

“(E) result in destruction of or tampering with evidence;

“(F) result in intimidation of potential witnesses;

“(G) result in the dissipation or concealment of assets; or

“(H) otherwise seriously jeopardize an investigation or unduly delay a trial.

“(3) Upon a showing described in paragraph (2), the presiding judge or magistrate judge shall enter an ex parte order prohibiting the recipient of process from disclosing that information has been submitted or that a request for information has been made, for such period as the court deems appropriate.

“(b) MATERIALS SUBJECT TO GOVERNMENT NOTIFICATION UNDER THE RIGHT TO FINANCIAL PRIVACY ACT.—

“(1) When section 1105 or 1107 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3405 or 3407) would otherwise require notice, notwithstanding such requirements, the

Commission may obtain from a financial institution access to or copies of financial records of a customer, as these terms are defined in section 1101 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3401), through compulsory process described in subsection (a)(1) or through a judicial subpoena, without prior notice to the customer, upon an ex parte showing to an appropriate United States district court that there is reason to believe that the required notice may cause an adverse result described in subsection (a)(2).

“(2) Upon such showing, the presiding judge or magistrate judge shall enter an ex parte order granting a delay of notice for a period not to exceed 90 days and an order prohibiting the financial institution from disclosing that records have been submitted or that a request for records has been made.

“(3) The court may grant extensions of the period of delay of notice provided in paragraph (2) of up to 90 days, upon a showing that the requirements for delayed notice under subsection (a)(2) continue to apply.

“(4) Upon expiration of the periods of delay of notice ordered under paragraphs (2) and (3), the Commission shall serve upon, or deliver by registered or first-class mail, or as otherwise authorized by the court to, the customer a copy of the process together with notice that states with reasonable specificity the nature of the law enforcement inquiry, informs the customer or subscriber when the process was served, and states that notification of the process was delayed under this subsection.

“(c) MATERIALS SUBJECT TO GOVERNMENT NOTIFICATION UNDER THE ELECTRONIC COMMUNICATIONS PRIVACY ACT.—

“(1) When section 2703(b)(1)(B) of title 18 would otherwise require notice, notwithstanding such requirements, the Commission may obtain, through compulsory process described in subsection (a)(1) or through judicial subpoena,

“(A) from a provider of remote computing services, access to or copies of the contents of a wire or electronic communication described in section 2703(b)(1) of title 18, and as those terms are defined in section 2510 of title 18, or

“(B) from a provider of electronic communications services, access to or copies of the contents of a wire or electronic communication that has been in electronic storage in an electronic communications system for more than 180 days, as those terms are defined in section 2510 of title 18,

without prior notice to the customer or subscriber, upon an ex parte showing to an appropriate United States district court by a Commission official that there is reason to believe that notification of the existence of the process may cause an adverse result described in subsection (a)(2). Upon such a showing, the presiding judge or magistrate judge shall issue an ex parte order granting a delay of notice for a period not to exceed 90 days. A court may grant extensions of the period of delay of notice of up to 90 days, upon application by the Commission and a showing that the requirements for delayed notice under subsection (b)(2) continue to apply.

“(2) The Commission may apply to a court for an order prohibiting a provider of electronic communications service or remote computing service to whom process has been issued under this subsection, for such period as the court deems appropriate, from disclosing that information has been submitted or that a request for information has been made. The court shall enter such an order if it has reason to believe that such disclosure may cause an adverse result described in subsection (b)(2).

“(3) Upon expiration of the periods of delay of notice ordered under subparagraph (1), the Commission shall serve upon, or deliver by registered or first-class mail, or as otherwise authorized by the court to, the customer or subscriber a copy of the process together with notice that states with reasonable specificity the nature of the law enforcement inquiry, informs the customer or subscriber when the process was served, and states that notification of the process was delayed under this subsection.

“(4) Nothing in the Electronic Communications Privacy Act shall prohibit a provider of electronic communications services or remote computing services from disclosing complaints received by it from a customer or subscriber or information reflecting such complaints to the Commission.

“(d) LIABILITY LIMITATION.—The recipient of compulsory process under subsections (a), (b), or (c) shall not be liable to any person under any law or regulation of the United States, any constitution, law, or regulation of any State or political subdivision of any State or any Territory or the District of Columbia, or under any contract or other legally enforceable agreement, for failure to provide notice that such process has been issued or that the recipient has provided information in response to such process. The preceding sentence does not provide any exemption from liability for the underlying conduct reported.

“(e) IN-CAMERA PROCEEDINGS.—Upon application by the Commission, all judicial proceedings pursuant to this section shall be held in camera and the records thereof sealed until expiration of the period of delay or such other date as the presiding judge or magistrate judge may permit.

“(f) PROCEDURE INAPPLICABLE TO CERTAIN PROCEEDINGS.—This section shall not apply to compulsory process issued in an investigation or proceeding related to the administration of Federal antitrust laws or foreign antitrust laws (within the meaning of section 12 of the International Antitrust Enforcement Assistance Act of 1994 (15 U.S.C. 6211)).”

(b) Section 16(a)(2) of the Federal Trade Commission Act (15 U.S.C. 56(a)(2)) is amended—

(1) by striking “or” after the semicolon in subparagraph (C);

(2) by striking “Act;” in subparagraph (D) and inserting “Act; or;” and

(3) by inserting after subparagraph (D) the following:

“(E) under section 21a of this Act;”.

SEC. 207. PROTECTION FOR VOLUNTARY PROVISION OF INFORMATION.

The Federal Trade Commission Act (15 U.S.C. 41 et seq.) is amended by inserting after section 21a, as added by section 206 of this title, the following:

“SEC. 21B. PROTECTION FOR VOLUNTARY PROVISION OF INFORMATION.

“(a) IN GENERAL.—An entity described in subsection (d)(1) that voluntarily provides material to the Commission that it reasonably believes is relevant to—

“(1) a possible unfair or deceptive act or practice, as defined in section 5(a) of this Act, or

“(2) assets subject to recovery by the Commission, including assets located in foreign jurisdictions,

shall not be liable to any person under any law or regulation of the United States, or any constitution, law, or regulation of any State or political subdivision of any State or any Territory or the District of Columbia, for such disclosure or for any failure to provide notice of such disclosure. The preceding sentence does not provide any exemption from liability for the underlying conduct reported.

“(b) LIABILITY LIMITATION.—An entity described in subsection (d)(2) that makes a voluntary disclosure to the Commission regarding the subjects described in subsection (a)(1) and (2) shall be exempt from liability in accordance with the provisions of section 5318(g)(3) of title 31, United States Code.

“(c) FOIA EXEMPTION.—Material submitted pursuant to this section with a request for confidential treatment shall be exempt from disclosure under section 552 of title 5, United States Code.

“(d) ENTITIES TO WHICH SECTION APPLIES.—This section applies to the following entities, whether foreign or domestic:

“(1) A courier service, a commercial mail receiving agency, an industry membership organization, a payment system provider, a consumer reporting agency, a domain name registrar and registry, a provider of remote computing services or electronic communication services, to the limited extent such a provider is disclosing consumer complaints received by it from a customer or subscriber, or information reflecting such complaints; and

“(2) a bank or thrift institution, a commercial bank or trust company, an investment company, a credit card issuer, an operator of a credit card system, and an issuer, redeemer, or cashier of travelers’ checks, checks, money orders, or similar instruments.”.

SEC. 208. INFORMATION SHARING WITH FINANCIAL REGULATORS.

Section 1112(e) of the Right to Financial Privacy Act (12 U.S.C. 3412(e)) is amended by inserting “the Federal Trade Commission,” after “the Securities and Exchange Commission.”.

SEC. 209. REPRESENTATION IN FOREIGN LITIGATION.

Section 16 of the Federal Trade Commission Act (15 U.S.C. 56) is amended by adding at the end the following:

“(c)(1) The Commission may designate Commission attorneys to assist the Department of Justice in connection with litigation in foreign courts in which the Commission has an interest, pursuant to the terms of a memorandum of understanding to be negotiated by the Commission and the Department of Justice.

“(2) The Commission is authorized to expend appropriated funds for the retention of foreign counsel for consultation and for litigation in foreign courts, and for expenses related to consultation and to litigation in foreign courts in which the Commission has an interest.”.

SEC. 210. AVAILABILITY OF REMEDIES.

Section 5 of the Federal Trade Commission Act (15 U.S.C. 45) is amended by adding at the end the following:

“(o) UNFAIR OR DECEPTIVE ACTS OR PRACTICES INVOLVING FOREIGN COMMERCE.—

“(1) IN GENERAL.—For purposes of subsection (a), the term ‘unfair or deceptive acts or practices’ includes such acts or practices involving foreign commerce that—

“(A) cause or are likely to cause reasonably foreseeable injury within the United States; or

“(B) involve material conduct occurring within the United States.

“(2) APPLICATION OF REMEDIES TO SUCH ACTS OR PRACTICES.—All remedies available to the Commission with respect to unfair and deceptive acts or practices shall be available for acts and practices described in paragraph (1), including restitution to domestic or foreign victims.”.

SEC. 211. CRIMINAL REFERRALS.

Section 6 of the Federal Trade Commission Act (15 U.S.C. 46), as amended by section 204 of this title, is amended by adding at the end the following:

“(k) REFERRAL OF EVIDENCE FOR CRIMINAL PROCEEDINGS.—Whenever the Commission obtains evidence that any person, partnership or corporation, either domestic or foreign, may have engaged in conduct that could give rise to criminal proceedings, to transmit such evidence to the Attorney General who may, in his discretion, institute criminal proceedings under appropriate statutes. Provided that nothing in this subsection affects any other authority of the Commission to disclose information.”.

SEC. 212. STAFF EXCHANGES.

The Federal Trade Commission Act (15 U.S.C. 41 et seq.) is amended by inserting after section 25 (15 U.S.C. 57c) the following:

“SEC. 25A. STAFF EXCHANGES.

“(a) IN GENERAL.—The Congress consents to—

“(1) the retention or employment of officers or employees of foreign government agencies on a temporary basis by the Commission under section 3109 of title 5, United States Code, section 202 of title 18, United States Code, or section 2 of this Act (15 U.S.C. 42); and

“(2) the retention or employment of officers or employees of the Commission on a temporary basis by such foreign government agencies.

“(b) FORM OF ARRANGEMENTS.—Staff arrangements under subsection (a) need not be reciprocal. The Commission may accept payment or reimbursement, in cash or in kind, from a foreign government agency to which this section is applicable, or payment or reimbursement made on behalf of such agency, for expenses incurred by the Commission, its members, and employees in carrying out such arrangements.”.

SEC. 213. EXPENDITURES FOR COOPERATIVE ARRANGEMENTS.

(a) IN GENERAL.—Section 6 of the Federal Trade Commission Act (15 U.S.C. 46) as amended by section 211 of this title, is further amended by adding at the end the following:

“(p) To expend appropriated funds for—

“(1) operating expenses and other costs of bilateral and multilateral cooperative law enforcement groups conducting activities of interest to the Commission and in which the Commission participates; and

“(2) expenses for consultations and meetings hosted by the Commission with foreign government agency officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to the Commission’s mission, development and implementation of cooperation agreements, and provision of technical assistance for the development of foreign consumer protection or competition regimes, such expenses to include necessary administrative and logistic expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including—

“(A) such incidental expenses as meals taken in the course of such attendance;

“(B) any travel and transportation to or from such meetings; and

“(3) any other related lodging or subsistence.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—The Federal Trade Commission is authorized to expend appropriated funds not to exceed \$100,000 per fiscal year for purposes of section 6(p) of the Federal Trade Commission Act (15 U.S.C. 46(p)), including operating expenses and other costs of the following bilateral and multilateral cooperative law enforcement groups:

(1) The International Consumer Protection and Enforcement Network.

(2) The International Competition Network.

(3) The Mexico-U.S.-Canada Health Fraud Task Force.

(4) Project Emptor.

(5) The Toronto Strategic Partnership and other regional partnerships with a nexus in a Canadian province.

By Mr. EDWARDS (for himself, Mr. REED, and Mr. ROBERTS):

S. 1235. A bill to increase the capabilities of the United States to provide reconstruction assistance to countries or regions impacted by armed conflict, and for other purposes; to the Committee on Foreign Relations.

Mr. EDWARDS. Mr. President, today I am proud to join with two of my colleagues—Senator REED and Senator ROBERTS—to introduce legislation that will help America meet a critical challenge that, during the past decade, it has faced over and over: helping countries that have suffered from conflict work to rebuild their societies.

Over the past two years, America has proved again that we have the finest military force in the world. In Afghanistan and Iraq, the men and women of America's military performed with great bravery and skill. By defeating the Taliban and removing Saddam Hussein's regime from power, they showed that they are the world's best trained troops using the world's most sophisticated weapons. This is a powerful example of the leadership and commitment both here in the Congress and in successive Administrations—both Democrat and Republican—to ensure that our military remains the best equipped, best trained, most prepared fighting force in the world.

But these decisive military victories have been followed by a peace where success has not been so clear. First in Afghanistan, and now in Iraq, our efforts to help these societies get back on their feet have produced mixed results. To be sure, the challenges in both countries are profound: Afghanistan suffered from nearly a quarter-century of civil war, and Iraq suffered for more than two decades under the thumb of Saddam Hussein and his brutal regime. Both countries have deep internal divisions and little experience with representative government. While it is reasonable to assume post-conflict reconstruction efforts in both nations will take considerable time, these realities cannot be an excuse for the overall shortcoming in our own efforts, especially because we have the resources and capabilities to do better.

This is not the first time we have faced such challenges. Since the end of the Cold War, thousands of American military, diplomatic and humanitarian personnel have also been involved in major post-conflict reconstruction efforts in such places as Bosnia, Kosovo, Somalia, Rwanda, Haiti, and East Timor. Each of these efforts has had varying degrees of success, but on balance, I think we all can agree that we could have done better.

Too often, our response to post-conflict situations has been haphazard and slow to start. And once underway, our

efforts often suffer from a cumbersome chain-of-command, lack of resources, and inadequate accountability.

The problem is that our government is still not well organized to deal with such situations. Each time we get involved in a post-conflict reconstruction effort we end up making it up as we go. We waste valuable time reinventing the bureaucratic wheel. And we get in unnecessary arguments about who should do what and who should be in charge.

It is remarkable that even with all the commitments we have made during the past decade, next to nothing has been done to reform the way our government works to enhance our capacity to deal with these situations effectively. Governmental mechanisms developed during the Cold War are outdated and not suited to addressing the complex set of challenges created by failed states.

We must do better. After more than ten years of improvising our responses to these challenges, it is time to change the way we do things. We need to improve our ability to plan, coordinate, and organize U.S. government resources to assist with post-conflict reconstruction. We need to train our people more effectively. We need a better sense of what works and what does not. We need greater accountability. And we need to promote the means for involving other countries in these efforts, including through institutions like NATO.

I believe that the "Winning the Peace Act" is an important step toward accomplishing these goals. This legislation is based upon the work of the bipartisan "Commission on Post-Conflict Reconstruction," convened by the Association of the U.S. Army and the Center for Strategic and International Studies, CSIS. This Commission was very ably led by Dr. John Hamre, the former Deputy Secretary of Defense, and General Gordon Sullivan, the former Army Chief of Staff. The Commission was composed of twenty-seven distinguished military, diplomatic and humanitarian experts, including myself and my two Senate co-sponsors.

The legislation includes five key proposals:

First, it calls on the President to appoint a Director of Reconstruction for areas where the U.S. will assist with post-conflict reconstruction. These Directors will provide oversight, help coordinate, and have decision-making authority for all U.S. government reconstruction activities in a particular country. They will also coordinate with the representatives of the country in question, other foreign governments, multilateral organizations, and relevant NGOs.

Second, it establishes a permanent office within the State Department to provide support to Directors of Reconstruction, ensuring that these Directors can hit the ground running and not waste valuable time hiring staff and getting office space.

Third, it establishes within USAID an Office of International Emergency Management. This new office will develop and maintain a database of individuals with expertise in reconstruction, and provide support for mobilizing these experts.

Fourth, it calls on NATO to develop an "Integrated Security Support Component" to assist with reconstruction. This NATO-led force will help provide security, including assistance with policing ensuring that America will not be forced to shoulder these burdens alone.

Finally, this bill establishes an inter-agency training center for post-conflict reconstruction. This will be run by the State Department, and will help train personnel in assessment, strategy development, planning, and coordination related to providing reconstruction services. It will also develop and certify experts in the field, and conduct lesson-learned reviews of operations.

Having these resources in place will enhance America's capacity to assist reconstruction in four critical areas: Security and public safety, such as assisting with disarmament and training of police forces; Justice, such as developing the rule of law, preventing human rights violations, and bringing war criminals to justice; Governance, such as reforming civil administration, restoring basic civil functions, and establishing processes of governance and participation; and Economic and Social Well-being, such as providing humanitarian assistance and developing national economic institutions.

With these changes, we will not only make America's efforts to assist in post-conflict reconstruction more efficient and accountable. We will also make our efforts more effective contributing more to the safety and security of the people we are trying to help, and helping them run their countries on their own.

By ensuring that we maintain the best military in the world, we have made a full commitment to winning wars. It is now time to ensure that we are capable of winning the peace.

I ask unanimous consent that the text of the legislation 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 "Winning the Peace Act of 2003".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) President George W. Bush has stated that the United States security strategy takes into account the fact that "America is now threatened less by conquering states than we are by failing ones".

(2) Failed states can provide safe haven for a diverse array of transnational threats, including terrorist networks, militia and warlords, global organized crime, and narcotics traffickers who threaten the security of the United States and the allies of the United States.

(3) The inability of the authorities in a failed state to provide basic services can create or contribute to humanitarian emergencies.

(4) It is in the interest of the United States and the international community to bring conflict and humanitarian emergencies stemming from failed states to a lasting and sustainable close.

(5) Since the end of the Cold War, United States military, diplomatic, and humanitarian personnel have been engaged in major post-conflict reconstruction efforts in such places as Iraq, Bosnia, Kosovo, Somalia, Haiti, Rwanda, East Timor, and Afghanistan.

(6) Assisting failed states in emerging from violent conflict is a complex and long-term task, as demonstrated by the experience that 50 percent of such states emerging from conditions of violent conflict slip back into violence within 5 years.

(7) In 2003, the bipartisan Commission on Post-Conflict Reconstruction created by the Center for Strategic and International Studies and the Association of the United States Army, released a report explaining that "United States security and development agencies still reflect their Cold War heritage. The kinds of complex crises and the challenge of failed states encountered in recent years do not line up with these outdated governmental mechanisms. If regional stability is to be maintained, economic development advanced, lives saved, and transnational threats reduced, the United States and the international community must develop a strategy and enhance capacity for pursuing post-conflict reconstruction."

SEC. 3. DEFINITIONS.

In this Act:

(1) **ADMINISTRATOR.**—The term "Administrator" means the Administrator of the United States Agency for International Development.

(2) **DIRECTOR.**—The term "Director" means a Director of Reconstruction for a country or region designated by the President under section 4.

(3) **RECONSTRUCTION SERVICES.**—The term "reconstruction services" means activities related to rebuilding, reforming, or establishing the infrastructure processes or institutions of a country that has been affected by an armed conflict, including services related to—

(A) security and public safety, including—

- (i) disarmament, demobilization, and reintegration of combatants;
- (ii) training and equipping civilian police force; and
- (iii) training and equipping of national armed forces;

(B) justice, including—

- (i) developing rule of law and legal, judicial, and correctional institutions;
- (ii) preventing human rights violations;
- (iii) bringing war criminals to justice;
- (iv) supporting national reconciliation processes; and

(v) clarifying property rights;

(C) governance, including—

- (i) reforming or developing civil administration and other government institutions;
- (ii) restoring performance of basic civil functions, such as schools, health clinics, and hospitals; and
- (iii) establishing processes of governance and participation; and

(D) economic and social well-being, including—

- (i) providing humanitarian assistance;
- (ii) constructing or repairing infrastructure;
- (iii) developing national economic institutions and activities, such as a banking system; and

(iv) encouraging wise stewardship of natural resources for the benefit of the citizens of such country.

SEC. 4. DIRECTOR OF RECONSTRUCTION POSITIONS.

(a) **AUTHORIZATION OF POSITIONS.**—The President is authorized to designate an individual who is a civilian as the Director of Reconstruction for each country or region in which—

(1) units of the United States Armed Forces have engaged in armed conflict; or

(2) as a result of armed conflict, the country or region will receive reconstruction services from the United States Government.

(b) **AUTHORITY TO PROVIDE RECONSTRUCTION SERVICES.**—Notwithstanding any provision of law, other than section 553 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2003 (division E of Public Law 108-7; 117 Stat. 200), the President is authorized to provide reconstruction services for any country or region for which a Director has been designated under subsection (a).

(c) **DUTIES.**—A Director who is designated for a country or region under subsection (a) shall provide oversight and coordination of, have decision making authority for, and consult with Congress regarding, all activities of the United States Government that are related to providing reconstruction services in such country or region, including implementing complex, multidisciplinary post-conflict reconstruction programs in such country or region.

(d) **COORDINATION.**—A Director shall coordinate with the representatives of the country or region where the Director is overseeing and coordinating the provision of reconstruction services, and any foreign government, multilateral organization, or nongovernmental organization that is providing services to such country or region—

(1) to avoid providing reconstruction services that duplicate any such services that are being provided by a person or government other than the United States Government;

(2) to capitalize on civil administration systems and capabilities available from such person or government; and

(3) to utilize individuals or entities with expertise in providing reconstruction services that are available through such other person or government.

(e) **SUPPORT SERVICES.**—The Secretary of State is authorized to establish within the Department of State a permanent office to provide support, including administrative services, to each Director designated under subsection (a).

SEC. 5. INTERNATIONAL EMERGENCY MANAGEMENT OFFICE.

(a) **AUTHORIZATION.**—The Administrator is authorized to establish within the United States Agency for International Development an Office of International Emergency Management for the purposes described in subsection (b).

(b) **PURPOSES.**—

(1) **IN GENERAL.**—The purposes of the Office authorized by subsection (a) shall be—

(A) to develop and maintain a database of individuals or entities that possess expertise in providing reconstruction services; and

(B) to provide support for mobilizing such individuals and entities to provide a country or region with services applying such expertise when requested by the Director for such country or region.

(2) **EXPERTS.**—The individuals or entities referred to in paragraph (1) may include employees or agencies of the Federal Government, any other government, or any other person, including former Peace Corps volunteers or civilians located in the affected country or region.

SEC. 6. INTEGRATED SECURITY SUPPORT COMPONENT.

(a) **SENSE OF CONGRESS REGARDING THE CREATION OF AN INTEGRATED SECURITY SUPPORT COMPONENT OF NATO.**—It is the sense of Congress that—

(1) the Secretary of State and the Secretary of Defense should present to the North Atlantic Council a proposal to establish within the North Atlantic Treaty Organization an Integrated Security Support Component to train and equip selected units within the North Atlantic Treaty Organization to assist in providing security in countries or regions that require reconstruction services; and

(2) if such a Component is established, the President should commit United States personnel to participate in such Component, after appropriate consultation with Congress.

(b) **AUTHORITY TO PARTICIPATE IN AN INTEGRATED SUPPORT COMPONENT.**—

(1) **IN GENERAL.**—If the North Atlantic Council establishes an Integrated Security Support Component, as described in subsection (a), the President is authorized to commit United States personnel to participate in such Component, after appropriate consultation with Congress.

(2) **CAPABILITIES.**—The units composed of United States personnel participating in such Component pursuant to the authority in paragraph (1) should be capable of—

(A) providing for security of a civilian population, including serving as a police force; and

(B) providing for the performance of public functions and the execution of security tasks such as control of belligerent groups and crowds, apprehending targeted persons or groups, performing anti-corruption tasks, and supporting police investigations.

SEC. 7. TRAINING CENTER FOR POST-CONFLICT RECONSTRUCTION OPERATIONS.

(a) **ESTABLISHMENT.**—The Secretary of State shall establish within the Department of State an interagency Training Center for Post-Conflict Reconstruction Operations for the purposes described in subsection (b).

(b) **PURPOSES.**—The purposes of the Training Center authorized by subsection (a) shall be to—

(1) train interagency personnel in assessment, strategy development, planning, and coordination related to providing reconstruction services;

(2) develop and certify experts in fields related to reconstruction services who could be called to participate in operations in countries or regions that require such services;

(3) provide training to individuals who will provide reconstruction services in a country or region;

(4) develop rapidly deployable training packages for use in countries or regions in need of reconstruction services; and

(5) conduct reviews of operations that provide reconstruction services for the purpose of—

(A) improving subsequent operations to provide such services; and

(B) developing appropriate training and education programs for individuals who will provide such services.

SEC. 8. REPORTS TO CONGRESS.

Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress a report on the actions planned to be taken to carry out the provisions of this Act.

By Mr. CAMPBELL (for himself and Mr. ALLARD):

S. 1236. A bill to direct the Secretary of the Interior to establish a program to control or eradicate tamarisk in the

western States, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. CAMPBELL. Mr. President, I rise today to introduce the Tamarisk Control & Riparian Restoration Act.

Tamarisk is a noxious weed that is not native to the Americas, but has spread across 11 States, from California to Oklahoma, like a plague. Many westerners consider Tamarisk, also known as Salt Cedar, to be one of the West's most significant natural resources problems for a variety of reasons.

Tamarisk's major threat is that it uses a significant amount of water, far more water than many realize. Yet, folks out West know all too well that we have been and are still experiencing one of the worst droughts in the West's recorded history. People who have been farming and ranching for generations have been forced to sell their homesteads and give up the life they love because there just hasn't been enough water for crops or to maintain livestock. I've personally felt the effects of the drought as my wife and I have had to sell our little cow/calf operation.

I mentioned earlier that Tamarisk uses significant amounts of water, but I want to speak a little bit now about just how much water it uses. Studies have found that Tamarisk uses from 2 to 4½ million acre feet of water each year, water we frankly cannot afford to lose.

To put that in perspective, several other States and the Republic of Mexico are delivered 10 million acre feet from all of Colorado's rivers and streams, including the mighty Colorado River. California is allotted 4½ million acre feet of Colorado water per year. That means that Tamarisk, a noxious, nonnative weed, uses the same amount of water flowing from Colorado to California. We must address the preventable loss of this most valuable resource before it's too late.

My bill seeks to begin get the Tamarisk problem under control in a few innovative ways. First, my bill requires the Secretary of the Interior to assess the extent of Tamarisk invasion, identifying where it is in each affected State, and estimate the costs to restore the land.

Second, my bill establishes a State Tamarisk Assistance Program to provide States the needed funds to control or eradicate Tamarisk. Grant funds will be distributed to states in accordance with the severity of the Tamarisk problem they have.

The Governor of each State will appoint a state lead agency to administer the program in the State, working with Indian Tribes, colleges and universities, nonprofit organizations, soil and water conservancy districts, and Federal partners. This coordinate approach provides sufficient flexibility to deal with Tamarisk's spread and to reduce duplicative efforts.

A watershed or basin can stretch across all kinds of land, including Fed-

eral, State, or tribal lands. Noxious weeds don't recognize those ownership boundaries and neither can we.

Since my bill's focus is on getting rid of this water-sucking weed, it requires that 90 percent of the Federal funds must be used for eradication or rehabilitation.

This legislation authorizes \$20 million for 2004 and such sums as necessary thereafter. States must share the burden by ponying up 25 percent of the costs. The Tamarisk problem hurts everyone and the non-Federal share can come from counties, municipalities, special districts, nongovernmental entities, or the States themselves.

Our Nation is in a deficit, and every state is experiencing money shortages. Americans demand to know that their hard earned money is being spent wisely and in the most efficient way possible. That is why my bill requires that each participating State must submit a report of the Secretary describing the purpose and results of the project in order to receive funding. In the West, water is more precious and scarce than elsewhere in our great nation. To do nothing about the preventable loss of precious water by the spread of this noxious plant and the loss of native habitat will cost us untold millions more in the future.

Back in my State of Colorado, constituents tell me how the drought has affected them, even devastated their livelihoods. No one can control the weather and bring rain. However, getting a handle on the water-sucking Tamarisk plaguing the West is possible—if we act now.

My bill provides the necessary tools to deal with this problem so that there will be enough water for all of us, and habitat suitable for native species of plants and animals.

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

S. 1236

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 "Tamarisk Control and Riparian Restoration Act".

SEC. 2. FINDINGS.

Congress finds that—

(1) the western United States is currently experiencing its worst drought in modern history;

(2) the drought in the western United States has caused—

(A) severe losses in rural, agricultural, and recreational economies;

(B) detrimental effects on wildlife; and

(C) increased risk of wildfires;

(3) it is estimated that throughout the western United States tamarisk, a noxious and non-native plant—

(A) occupies between 1,000,000 and 1,500,000 acres of land; and

(B) is a nonbeneficial user of 2,000,000 to 4,500,000 acre-feet of water per year;

(4) the amount of nonbeneficial use of water by tamarisk—

(A) is greater than the amount that valuable native vegetation would have used; and

(B) represents enough water for—

(i) use by 20,000,000 or more people; or

(ii) the irrigation of over 1,000,000 acres of land;

(5) scientists have established that tamarisk infestations can—

(A) increase soil and water salinity;

(B) increase the risk of flooding through increased sedimentation and decreased channel conveyance;

(C) increase wildfire potential;

(D) diminish human enjoyment of and interaction with the river environment; and

(E) adversely affect—

(i) wildlife habitat for threatened and endangered species; and

(ii) the abundance and biodiversity of other species; and

(6) as drought conditions and legal requirements relating to water supply accelerate water shortages, innovative approaches are needed to address the increasing demand for a diminishing water supply.

SEC. 3. DEFINITIONS.

In this Act:

(1) PROGRAM.—The term "program" means the Tamarisk Assistance Program established under section 5.

(2) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Commissioner of Reclamation.

(3) STATE.—The term "State" means—

(A) each of the States of Arizona, California, Colorado, Idaho, Montana, New Mexico, Nevada, Oklahoma, Texas, Utah, and Wyoming; and

(B) any other State that is affected by tamarisk, as determined by the assessment conducted under section 4.

SEC. 4. TAMARISK ASSESSMENT.

(a) IN GENERAL.—Not later than 180 days after the date on which funds are made available to carry out this section, the Secretary shall complete an assessment of the extent of tamarisk invasion in the western United States.

(b) COMPONENTS.—The assessment under subsection (a) shall—

(1) address past and ongoing research on tested and innovative methods to control tamarisk;

(2) estimate the costs for destruction of tamarisk, biomass removal, and restoration and maintenance of land;

(3) identify the States affected by tamarisk; and

(4) include a gross-scale estimation of infested acreage within the States identified.

SEC. 5. STATE TAMARISK ASSISTANCE PROGRAM.

(a) ESTABLISHMENT.—Based on the findings of the assessment under section 4, the Secretary shall establish the Tamarisk Assistance Program to provide grants to States to carry out projects to control or eradicate tamarisk.

(b) AMOUNT OF GRANT.—The amount of a grant to a State under subsection (a) shall be determined by the Secretary, based on the estimated infested acreage in the State.

(c) DESIGNATION OF LEAD STATE AGENCY.—On receipt of a grant under subsection (a), the Governor of a State shall designate a lead State agency to administer the program in the State.

(d) PRIORITY.—

(1) IN GENERAL.—The lead State agency designated under subsection (c), in consultation with the entities described in paragraph (2), shall establish the priority by which grant funds are distributed to projects to control or eradicate tamarisk in the State.

(2) ENTITIES.—The entities referred to in paragraph (1) are—

(A) the National Invasive Species Council;

(B) the Invasive Species Advisory Committee;

(C) representatives from Indian tribes in the State that have weed management entities or that have particular problems with noxious weeds;

(D) institutions of higher education in the State;

(E) State agencies;

(F) nonprofit organizations in the State; and

(G) soil and water conservation districts in the State that are actively conducting research on or implementing activities to control or eradicate tamarisk.

(e) **CONDITIONS.**—A lead State agency shall require that, as a condition of receipt of a grant under this Act, a grant recipient provide to the lead State agency any necessary information relating to a project carried out under this Act.

(f) **ADMINISTRATIVE EXPENSES.**—Not more than 10 percent of the amount of a grant provided under subsection (a) may be used for administrative expenses.

(g) **COST SHARING.**—

(1) **FEDERAL SHARE.**—The Federal share of the cost of carrying out a project under this section shall be not more than 75 percent.

(2) **NON-FEDERAL SHARE.**—The non-Federal share may be paid by a State, county, municipality, special district, or nongovernmental entity.

(h) **REPORT.**—To be eligible for additional grants under the program, not later than 180 days after the date of completion of a project carried out under this Act, a lead State agency shall submit to the Secretary a report that describes the purposes and results of the project.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

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

(1) \$20,000,000 for fiscal year 2004; and

(2) such sums as are necessary for each fiscal year thereafter.

By Mr. BENNETT (for himself, Mr. HATCH, Mr. CRAPO, Mr. CRAIG, and Mr. DORGAN):

S. 1237. A bill to amend the Rehabilitation Act of 1973 to provide for more equitable allotment of funds to States for centers for independent living; to the Committee on Health, Education, Labor, and Pensions.

Mr. BENNETT. Mr. President, today I am introducing The Independent Living Improvement Act of 2003, a bill to provide a more equitable allotment of funds to States for Centers for Independent Living.

Centers for Independent Living, CILs, are non-profit organizations that assist people with significant disabilities who want to live more independently. CILs are primarily staffed by people with disabilities who act as role models, mentors, and counselors to other individuals with disabilities. Each center not only offers fundamental services such as information referral, and independent living skills training, it also tailors its services to the particular needs of its community. The ultimate goal of these centers is to help individuals become more independent and decrease the need for institutional care.

Currently, funds authorized for CILs under Title VII, Part C of the Rehabilitation Act are essentially allocated to States on the basis of their share of the total population. States with small populations are guaranteed the larger of \$450,000 or 1/3 of 1 percent of the funds

available for the fiscal year in which the allocation is made, with a guaranteed minimum at the fiscal 1992 funding level for each State.

While the Federal appropriation to CILs has increased over the last five years, the growing disparity between funding for small States and larger States is problematic. The proposed formula change would amend the current funding formula for CILs to provide for more equitable distribution of future funds to each state. Fifty percent of any increase in CILs appropriated fund would be allocated according to population, as is currently done, and the remaining fifty percent would be divided equally among all States. The formula would only be applicable to any future increases in funding. This more equitable sharing of funds ensures that each State's CILs will receive additional funding each time there is an increase in funding and programs will be developed for people with disabilities regardless of where they live in the country.

This bill is supported by the National Council on Independent Living. I believe this a reasonable approach to solving this problem and look forward to working with my colleagues on this issue.

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

S. 1237

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 "Independent Living Improvement Act of 2003".

SEC. 2. STATE ALLOTMENTS FOR CENTERS FOR INDEPENDENT LIVING.

Section 721 of the Rehabilitation Act of 1973 (42 U.S.C. 796f) is amended by striking subsection (c) and inserting the following:

"(c) ALLOTMENTS TO STATES.—

"(1) DEFINITIONS.—In this subsection:

"(A) ADDITIONAL APPROPRIATION.—The term 'additional appropriation' means the amount (if any) by which the appropriation for a fiscal year exceeds the total of—

"(i) the amount reserved under subsection (b) for that fiscal year; and

"(ii) the appropriation for fiscal year 2003.

"(B) APPROPRIATION.—The term 'appropriation' means the amount appropriated to carry out this part.

"(C) BASE APPROPRIATION.—The term 'base appropriation' means the portion of the appropriation for a fiscal year that is equal to the lesser of—

"(i) an amount equal to 100 percent of the appropriation, minus the amount reserved under subsection (b) for that fiscal year; or

"(ii) the appropriation for fiscal year 2003.

"(2) ALLOTMENTS TO STATES FROM BASE APPROPRIATION.—After the reservation required by subsection (b) has been made, the Commissioner shall allot to each State whose State plan has been approved under section 706 an amount that bears the same ratio to the base appropriation as the amount the State received under this subsection for fiscal year 2003 bears to the total amount that all States received under this subsection for fiscal year 2003.

"(3) ALLOTMENTS TO STATES ADDITIONAL APPROPRIATION.—From any additional appropriation for each fiscal year, the Commis-

sioner shall allot to each State whose State plan has been approved under section 706 an amount equal to the sum of—

"(A) an amount that bears the same ratio to 50 percent of the additional appropriation as the population of the State bears to the population of all States; and

"(B) 1/6 of 50 percent of the additional appropriation.

"(4) MAINTENANCE OF EFFORT.—

"(A) IN GENERAL.—The Commissioner shall not make a payment for the allotments described in this subsection to any State for a fiscal year unless the Commissioner—

"(i) determines that the State independent living expenditure for the first preceding fiscal year is not less than the State independent living expenditure for the second preceding fiscal year; or

"(ii) reduces the amount of the payment by the amount by which the State independent living expenditure for the second preceding fiscal year exceeds the State independent living expenditure for the first preceding fiscal year.

"(B) DEFINITION.—In this subsection, the term 'State independent living expenditure', used with respect to a fiscal year, means the total expenditure in the State of other Federal funds (other than funds made available to carry out this part), State funds, and local funds for that fiscal year to provide assistance for centers for independent living."

SEC. 3. REPORT.

Section 704(m)(4)(D) of the Rehabilitation Act of 1973 (42 U.S.C. 795c(m)(4)(D)) is amended by inserting ", including reports indicating the manner in which and extent to which the State complied with the maintenance of effort requirement specified in section 721(c)(4)(A)(i)" before the semicolon.

By Mrs. LINCOLN (for herself, Mrs. MURRAY, Ms. LANDRIEU, and Ms. CANTWELL):

S. 1238. A bill to amend titles XVIII, XIX, and XXI of the Social Security Act to improve women's health, and for other purposes; to the Committee on Finance.

Mrs. LINCOLN. Mr. President, I am pleased to introduce the Improving Women's Health Act of 2003, which seeks to make Medicare, Medicaid, and S-CHIP better programs for women. I am pleased to be joined in this effort today by my friends Senators MURRAY, LANDRIEU, and CANTWELL.

Women are the majority of Medicare recipients, and, at age 85, women make up 71 percent of the Medicare population. By adding several modern treatments to the list of Medicare benefits, we will begin to address some of the most prominent, underlying risk factors for illness that face women Medicare beneficiaries today. These new benefits represent the highest recommendations for Medicare beneficiaries in the U.S. Preventive Services Task Force and the Institute of Medicine. These benefits can help reduce Medicare beneficiaries' risk for health problems such as diabetes, stroke, cancer, osteoporosis, and heart disease.

This bill would also eliminate all cost-sharing for these and existing preventive health benefits to encourage women to get screened for diseases such as osteoporosis and breast cancer. We need to get rid of all barriers to preventative services. Studies have

shown that cost-sharing deters beneficiaries, especially those with low-incomes, from getting screened.

Because heart disease is the number one killer of women, this bill would add new preventive services to Medicare, such as cholesterol screening, medical nutrition therapy services for beneficiaries with cardiovascular disease, counseling for cessation of tobacco use, and diabetes screening.

In addition, this bill provides for coverage of annual pap smear and pelvic exams and boosts the payment amount for screening mammography under Medicare. Numerous reports in the media have indicated that screening mammography is not adequately reimbursed and, as a result, facilities are closing or ending their service. Facilities are saying that they are losing money on every patient that comes through the door, and patient load is rising.

Recognizing the role women play as caregivers for aging family members, this bill provides Medicare beneficiaries with a new option of receiving home health services in an adult day care setting. Adult day centers enable family caregivers to continue working or simply take a break from their caregiving duties. Most importantly, adult day care patients benefit from social interaction, therapeutic activities, nutrition, health monitoring, and medication management.

More than 22 million families nationwide, or nearly 1 in 4 families, serve as caregivers for aging seniors, providing close to 80 percent of the care of to individuals requiring long-term care. Nearly 75 percent of people providing care for aging family members are women who also maintain other responsibilities, such as working outside of the home and raising young children. The average loss of income to these caregivers has been shown to be over \$650,000 in wages, pension, and Social Security benefits. The loss of productivity in U.S. businesses ranges from \$11 to \$29 billion a year. The services offered in adult day care facilities provide continuity of care and an important sense of community for both the senior and the caregiver. This important provision will benefit women of all ages.

Finally, this legislation provides States with the flexibility and Federal resources to improve and expand prenatal care for low-income pregnant women. It gives States new options to cover pregnant women under their State Children's Health Insurance Program, S-CHIP, to cover low-income legal immigrant pregnant women and children under Medicaid and S-CHIP, and to cover tobacco cessation counseling services for pregnant women under the Medicaid program. The bill also gives States the option to provide family planning services and supplies to low-income women. In recent years, a number of States, including Arkansas, have sought and received Federal permission in the form of waivers to

provide Medicaid-financed family planning services and supplies to lower income, uninsured residents whose incomes are above the state's regular Medicaid eligibility ceilings. Under this section, States would no longer have to seek a waiver to extend Medicaid coverage for family planning services; instead they could establish these programs at their option.

I encourage my colleagues to join me by supporting this important legislation that will make Medicare, Medicaid, and S-CHIP better programs for all women.

By Mr. LUGAR:

S. 1240. A bill to establish the Millennium Challenge Corporation, and for other purposes; to the Committee on Foreign Relations.

Mr. LUGAR. Mr. President, I rise to introduce legislation that is intended to unite Senators behind the President's bold new commitment to international development. As my colleagues are aware, the President has offered a plan called the Millennium Challenge Corporation that will focus U.S. energy and resources on countries that, while very poor, show commitment to economic reform and development. It is a unique plan that would reward and showcase what we Americans believe to be the essential ingredients for success: good government, investments in people, and a reliance on free markets.

My colleagues on the Senate Foreign Relations Committee strongly supported the goals of the President's initiative and applauded his enthusiasm and personal commitment. But, when we considered the MCC legislation a few weeks ago, organizational issues divided the Committee. The Committee voted 11 to 8 against creating the MCC as an independent agency. Instead the functions of the MCC were integrated into the State Department.

This outcome did not capture the President's vision of a fresh start for a unique approach to development assistance. The Secretary of State himself argued against the Committee's majority on that vote. Secretary Powell said that the President's plan would be best achieved through the establishment of an innovative, flexible, narrowly targeted and highly visible separate organization that can complement other assistance provided through more traditional means.

I believe the Senate should work for a consensus on this issue. This important initiative cannot be allowed to founder on a question of organization.

I have been working to develop a middle ground that will satisfy the basic goals of all sides. My bill creates the needed ingredients for interagency coordination, a top priority among a majority on the Committee. But it does not undermine the integrity of the President's concept. It puts the MCC under the authority of the Secretary of State and has the MCC's Chief Executive Officer report to the Secretary. It

gives the MCC the same status within the State Department as the U.S. Agency for International Development, with the right to manage itself, hire staff, and create its own culture. It mandates coordination between the MCC and USAID in the field and give USAID the primary role in preparing countries for MCC eligibility. It also includes the Administrator of USAID on the MCC board to ensure that the perspective of USAID is considered.

Through these means, I believe that the MCC can be substantially independent, as envisioned by the President, while preserving the leadership of the Secretary of State and the input of USAID.

I would emphasize that the President has invested his personal attention and time in the MCC concept. It is rare for a President of either party to provide such strong leadership in the area of development assistance. President Bush's advocacy is critical to the success of this initiative. I believe Congress will regret its actions if we undercut this opportunity for U.S. foreign policy by failing to reach a workable consensus on the MCC's organization.

I am hoping for a strong Senate vote on the MCC and will bring up my compromise proposal at an appropriate time. The MCC provides a way to focus single-mindedly on economic development that is results-based and meets clear benchmarks of success. We can have the coordination we seek while also insulating it from short-term political considerations so that it can focus on widening the universe of countries that live in peace and look to a prosperous and stable future.

I ask unanimous consent that the two accompany pages be printed in the RECORD.

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

MILLENNIUM CHALLENGE CORPORATION
ORIGINAL PROPOSAL

MCC is an independent agency.
President of the United States—Appoints MCC Chief Exec. Officer subject to advice and consent.

MCC Board Composition—Secretary of the Treasury, Director of OMB, Secretary of State, Chairman.

MCC Board Responsibilities—Directs all MCC activities, Develops indicators, Determines eligible countries, Writes contracts with MCC countries, Selects proposals for funding.

Secretary of State—Serves as Chairman of the MCC Board.

MCC Chief Exec. Officer—Shall exercise the functions and powers vested in him/her by the President and the Board.

USAID Administrator—Role not mentioned.

MARKED-UP VERSION

MCC does not exist; functions integrated into State.

President has no direct role.

MCC Board does not exist.

MCC Board does not exist.

Secretary of State—

Coordinates all MCA assistance.

Designates appropriate officer as coordinator.

Determines eligible countries.
Writes contracts with MCC countries.
Coordinator/Millennium Challenge Acct.—
Develops indicators.
Coordinates MCA aid with other govt. agencies.
Pursues MCA coordination with int'l donors.
Oversees other govt. agencies doing MCA work.
Resolves disputes amg agencies doing MCA work.
USAID Administrator—Role not mentioned.

COMPROMISE

MCC in State but has same autonomy as USAID.
President—Same as in Original Proposal.
MCC Board Composition.
Secretary of the Treasury.
Administrator of USAID.
US Trade Representative.
MCC Chief Exec. Officer.
Secretary of State, Chrmn.
MCC Board Responsibilities.
Develops indicators.
Determines eligible countries.
Writes contracts with MCC countries.
Select proposals for funding.
Secretary of State.
Coordinates all US foreign assistance.
Oversees the MCC Chief Exec. Officer.
Provides foreign policy guidance to the MCC.
Suspends MCC assistance in certain cases.
Serves as Chairman of the MCC Board.
MCC Chief Exec. Officer.
Manages the MCC.
Serves on the MCC board.
Coordinates MCC aid with other govt. agencies.
Pursues MCC coordination with int'l donors.
Oversees MCC work done by other govt. agencies.
Resolves disputes amg. agencies doing MCC work.
USAID Administrator.
Sits on the MCC board.
MCC required to coordinate with USAID in field.
USAID has primary role in preparing countries for MCC eligibility.

By Mr. MCCAIN (for himself, Mr. HOLLINGS, and Mrs. HUTCHISON):

S. 1244. A bill to authorize appropriations for the Federal Maritime Commission for fiscal years 2004 and 2005; to the Committee on Commerce, Science, and Transportation.

Mr. MCCAIN. Mr. President, I am pleased to be joined by Senator HOLLINGS, the Ranking Member of the Senate Commerce Committee; and Senator HUTCHISON, the Chairman of the Surface Transportation and Merchant Marine Subcommittee, in introducing a bipartisan bill to reauthorize the Federal Maritime Commission, FMC.

The Federal Maritime Commission is an independent agency comprised of five commissioners. Its primary responsibility is administering the Shipping Act of 1984 and enforcing the Foreign Shipping Practices Act and Section 19 of the Merchant Marine Act of 1920. The work carried out by the FMC is critical to protecting shippers and carriers from restrictive or unfair practices by foreign-flag carriers.

This legislation would authorize funding for the Commission to continue its important work through fis-

cal year 2005. Specifically, the bill would authorize \$18.5 million for fiscal year 2004, which is the level requested by the Administration, and \$19.5 million for fiscal year 2005. The bill also would amend Section 102(b) of the Reorganization Plan No. 7 of 1961 to require that the Commission's chairman be subject to Senate confirmation. Additionally, the bill would require the Commission to report to Congress on the status of any agreements or discussions with other Federal, State, or local governmental agencies concerning issues dealing with the sharing of ocean shipping information for the purpose of assisting law enforcement or anti-terrorism efforts. The Commission also would be directed to make recommendations on how the Commission's ocean shipping information could be better utilized to improve port security efforts.

I look forward to working with my colleagues in moving this bill through the legislative process in the weeks ahead.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 166—RECOGNIZING THE UNITED STATES AIR FORCE'S AIR FORCE NEWS AGENCY ON THE OCCASION OF ITS 25TH ANNIVERSARY AND HONORING THE AIR FORCE PERSONNEL WHO HAVE SERVED THE NATION WHILE ASSIGNED TO THAT AGENCY

Mr. CORNYN submitted the following resolution; which was referred to the Committee on the Judiciary.

S. RES. 166

Whereas the Air Force News Agency has served as the primary news and information organization for the United States Air Force since the agency was organized on June 1, 1978;

Whereas the Air Force News Agency currently has more than 480 personnel stationed around the world in 28 locations gathering news, information, and images about United States military missions;

Whereas the Air Force News Agency is capable of providing news, information, and images in the widest array of formats to the American public and the world, including print, television, radio, Internet, and telephone formats;

Whereas the Air Force News Agency provides a critical service to senior leaders and commanders of the Department of Defense and the United States Air Force by providing news, information, and images to service members wherever they are stationed around the world;

Whereas the Air Force News Agency helps ensure the morale and readiness of the members of the United States Armed Forces around the world by covering and reporting on the critical services they provide in service to the Nation, to their remote locations, to their family members, and to the American public;

Whereas the Air Force News Agency has recently contributed significantly in Operation Enduring Freedom, Operation Noble Eagle, Operation Anaconda in Afghanistan, and Operation Iraqi Freedom;

Whereas during Operation Desert Shield and Operation Desert Storm, the Air Force

News Agency's Air Force Broadcasting Service delivered continuous radio and television news and information to coalition forces through the American Forces Desert Network;

Whereas the Air Force News Agency's Air Force News Service provides news, information, and images about the United States Air Force through its official web site, Air Force Link, to more than 3,700,000 Internet users every week, biweekly television news programs to more than 800 television stations and cable systems, and print news stories and images to more than 30,000 subscribers every weekday;

Whereas the Air Force News Agency's Army and Air Force Hometown News Service annually provides more than 800,000 news releases to 12,000 daily and weekly hometown newspapers of active, Reserve, and Guard service members and distributes more than 13,500 Holiday Greetings to 1,085 television stations and 2,906 radio stations each holiday season; and

Whereas the year 2003 marks the 25th anniversary of the Air Force News Agency: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the United States Air Force's Air Force News Agency on the occasion of its 25th anniversary; and

(2) honors the Air Force personnel who have served the Nation while assigned to that agency.

SENATE CONCURRENT RESOLUTION 53—HONORING AND CONGRATULATING CHAMBERS OF COMMERCE FOR THEIR EFFORTS THAT CONTRIBUTE TO THE IMPROVEMENT OF COMMUNITIES AND THE STRENGTHENING OF LOCAL AND REGIONAL ECONOMIES

Mr. LEVIN (for himself, and Ms. STABENOW) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 53

Whereas chambers of commerce throughout the United States contribute to the improvement of their communities and the strengthening of their local and regional economies;

Whereas in the Detroit, Michigan area, the Detroit Regional Chamber, originally known as the Detroit Board of Commerce, typifies the public-spirited contributions made by the chambers of commerce;

Whereas, on June 30, 1903, the Detroit Board of Commerce was formally organized with 253 charter members;

Whereas the Detroit Board of Commerce played a prominent role in the formation of the United States Chamber of Commerce;

Whereas the Detroit Board of Commerce participated in the Good Roads for Michigan campaign in 1910 and 1911, helping to gain voter approval of a \$2,000,000 bond proposal to improve the roads of Wayne County, Michigan;

Whereas, in 1925, the Safety Council of the Detroit Board of Commerce helped develop the first traffic lights in Detroit;

Whereas, in 1927, the Detroit Board of Commerce brought together all of the cities, villages, and townships in southeast Michigan to tentatively establish boundaries for a metropolitan district for Detroit, embracing all or parts of Wayne, Oakland, Macomb, Monroe, and Washtenaw Counties at the request of the United States Census Bureau in advance of the 1930 census;