

with the privileges of the Senate: Now, therefore, be it *Resolved* that employees of Senator Allard's office from whom testimony or the production of documents may be required are authorized to testify and produce documents in the cases of *State of Colorado v. Carrie Ann Hoppes*, Andrew M. Bennett, Christopher J. Friedman, Andrew Jonathan Tirman, Carolyn Elizabeth Bninski, Melissa Noelle Rossman, Rachael Esther Kaplan, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent employees of Senator Allard's office in connection with the testimony and document production authorized in section one of this resolution.

SENATE RESOLUTION 196—DESIGNATING DECEMBER 14, 2003, AS "NATIONAL CHILDREN'S MEMORIAL DAY"

Mr. REID (for himself, Mr. KENNEDY, Mr. VOINOVICH, Mrs. CLINTON, Ms. CANTWELL, Mr. BREAUX, Mrs. MURRAY, Mr. HOLLINGS, Mr. INOUE, Mr. LEVIN, Mr. BINGAMAN, Mr. ALLEN, Ms. MURKOWSKI, Ms. COLLINS, Mr. AKAKA, Mrs. HUTCHISON, and Mrs. LINCOLN) submitted the following resolution; which was referred to the Committee on the Judiciary.

S. RES. 196

Whereas approximately 80,000 infants, children, teenagers, and young adults of families living throughout the United States die each year from a myriad of causes;

Whereas the death of an infant, child, teenager, or young adult of a family is considered to be one of the greatest tragedies that a parent or family will ever endure during a lifetime;

Whereas a supportive environment, empathy, and understanding are considered critical factors in the healing process of a family that is coping with and recovering from the loss of a loved one: Now, therefore, be it

Resolved,

SECTION 1. DESIGNATION OF NATIONAL CHILDREN'S MEMORIAL DAY.

The Senate—

(1) designates December 14, 2003, as "National Children's Memorial Day"; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe "National Children's Memorial Day" with appropriate ceremonies and activities in remembrance of the many infants, children, teenagers, and young adults of families in the United States who have died.

Mr. REID. Mr. President, I rise today to submit a resolution that would designate December 14, 2003 as "National Children's Memorial Day." This resolution would set aside this day to remember all the children who die in the United States each year.

The Senate has passed a similar resolution for each of the past five years in order to ensure that families who have lost children know that their loved ones—and their grief—are not forgotten. Whether a child's death is sudden or anticipated, from illness or from accident, the grief of the families who loved them is unimaginable for all who have not shared their tragedy.

Today, we reaffirm that a child's death is a loss not only for one family, but for all of us, and we grieve to-

gether. By passing this resolution and sharing a day of remembrance, we can remind families who have lost children that they are not alone.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1267. Mr. ALLARD (for himself, Mr. NELSON, of Florida, Mr. CAMPBELL, and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill H.R. 2658, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table.

SA 1268. Mr. BINGAMAN (for himself, Mr. SPECTER, Mr. DASCHLE, Mr. BYRD, Mr. LEAHY, Mr. LEVIN, Mr. ROCKEFELLER, Mr. CORZINE, Mr. DURBIN, and Mr. CARPER) proposed an amendment to the bill H.R. 2658, *supra*.

SA 1269. Mr. DASCHLE (for himself, Mr. GRAHAM, of South Carolina, Mr. LEAHY, Mr. DEWINE, Mr. MILLER, Mr. SMITH, Mrs. CLINTON, and Ms. MIKULSKI) proposed an amendment to the bill H.R. 2658, *supra*.

SA 1270. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2658, *supra*.

SA 1271. Mrs. BOXER (for herself, Ms. LANDRIEU, and Mrs. MURRAY) proposed an amendment to the bill H.R. 2658, *supra*.

SA 1272. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 2658, *supra*; which was ordered to lie on the table.

SA 1273. Mr. KENNEDY (for himself and Mr. LEAHY) proposed an amendment to the bill H.R. 2658, *supra*.

SA 1274. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2658, *supra*; which was ordered to lie on the table.

SA 1275. Mr. CORZINE proposed an amendment to the bill H.R. 2658, *supra*.

TEXT OF AMENDMENTS

SA 1267. Mr. ALLARD (for himself, Mr. NELSON of Florida, Mr. CAMPBELL, and Mr. SESSIONS) submitted an amendment intended to be proposed by him to the bill H.R. 2658, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 120, between lines 17 and 18, insert the following:

SEC. 8124. Of the total amount appropriated by title III under the heading "MISSILE PROCUREMENT, AIR FORCE", up to \$10,000,000 may be used for assured access to space in addition to the amount available under such heading for the Evolved Expendable Launch Vehicle.

SA 1268. Mr. BINGAMAN (for himself, Mr. SPECTER, Mr. DASCHLE, Mr. BYRD, Mr. LEAHY, Mr. LEVIN, Mr. ROCKEFELLER, Mr. CORZINE, Mr. DURBIN, and Mr. CARPER) proposed an amendment to the bill H.R. 2658, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes; as follows:

Insert after section 8123 the following:

SEC. 8124. (a) REPORT ON INDIVIDUALS DETAINED AS ENEMY COMBATANTS BY UNITED STATES GOVERNMENT.—Not later than 90 days

after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the individuals being detained by the United States Government as enemy combatants.

(b) ELEMENTS.—Except as provided in subsection (c), the report under subsection (a) shall set forth the following:

(1) The name and nationality of each individual being detained by the United States Government as an enemy combatant.

(2) With respect to each such individual—

(A) a statement whether the United States Government intends to charge, repatriate, or release such individual; or

(B) if a determination has not been made whether to charge, repatriate, or release such individual, a description of the procedures (including the schedule) to be employed by the United States Government to determine whether to charge, repatriate, or release such individual.

(3) With respect to each such individual who the United States Government intends to charge, the schedule for the filing of the charges and the trial of such individual.

(c) CLASSIFICATION OF CERTAIN INDIVIDUALS.—(1) If the Secretary determines that the inclusion of an individual in the report under subsection (a) would harm the national security of the United States, the Secretary may include such individual in a classified annex.

(2) Determinations under paragraph (1) shall be made on a case-by-case basis.

(3) If the Secretary determines to omit one or more individuals from the unclassified form of the report, the Secretary shall include in the report an explanation of the omission of the individual or individuals.

(d) FORM.—The report under subsection (a) shall, to the maximum extent practicable, be submitted in unclassified form, but may include a classified annex.

(e) DEFINITIONS.—In this section:

(1) The term "appropriate committees of Congress" means—

(A) the Committees on Armed Services and the Judiciary and the Select Committee on Intelligence of the Senate; and

(B) the Committees on Armed Services and the Judiciary and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term "enemy combatant" means—

(A) an individual held under the authority of the Military Order of November 13, 2001 (Volume 66, No. 222, pages 57833-57836 of the Federal Register); or

(B) an individual designated as an enemy combatant and held under other legal authority.

SA 1269. Mr. DASCHLE (for himself, Mr. GRAHAM of South Carolina, Mr. LEAHY, Mr. DEWINE, Mr. MILLER, Mr. SMITH, Mrs. CLINTON, and Ms. MIKULSKI) proposed an amendment to the bill H.R. 2658, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place in the bill insert the following:

SEC. . IN RECOGNITION OF THE NATIONAL GUARD AND RESERVE'S CONTRIBUTIONS TO OUR NATIONAL SECURITY AND EXPRESSING STRONG SUPPORT FOR THE SENATE'S PREVIOUS BIPARTISAN VOTE TO PROVIDE THESE FORCES ACCESS TO TRICARE.

(a) FINDINGS.—The Senate makes the following findings:

(1) Forces in the U.S. National Guard and Reserve have made and continue to make essential and effective contributions to Operations Iraqi Freedom and other ongoing military operations;

(2) More than 200,000 reserve personnel from the Army, Navy, Air Force, Marine Corps, and Coast Guard are currently serving their nation on active status;

(3) Our dependence on the National Guard and Reserve has increased dramatically over the course of the past decade. Annual duty days have grown from about 1 million in the late 1980s to more than 12 million in every year since 1996;

(4) While our dependence on the reserves has increased in the post-Cold War era, their basic pay and benefits structure has remained largely unchanged;

(5) Offering TRICARE to reservists for an affordable monthly premium enhances our national security by improving their medical readiness when called to duty, streamlining and accelerating the mobilization process, and enhancing our military's ability to recruit and retain qualified personnel to reserve duty;

(6) The Congressional Budget Office, the official, non-partisan scorekeeper of all congressional legislation, has estimated the cost of this proposal at just over one-tenth of one percent of the Administration's FY 2004 defense budget request;

(7) On May 20, 2003, a strong majority of Senate Democrats and Republicans joined together and voted 85-10 for an amendment to the FY 2004 Defense Authorization bill to provide reserve personnel and their families access to TRICARE regardless of their current deployment status; and

(8) The Appropriations Committee indicated in its report accompanying the FY 2004 Defense Appropriations bill that it supports this proposal.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that:

(1) The National Guard and Reserve play a critical and increasingly demanding role in protecting our national security, and

(2) The Senate supports the Appropriations Committee position as articulated in the report accompanying the FY 2004 Defense Appropriations bill and affirms its support for providing Guard and Reserve personnel access to TRICARE.

SA 1270. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2658, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 120, between lines 17 and 18, insert the following:

SEC. 8124. None of the funds appropriated by this Act may be obligated or expended for any of the following programs, projects, and activities:

(1) The canola oil fuel cell initiative.

(2) Shakespeare in America military communities.

(3) Control of brown tree snakes.

(4) The Academy for Closing and Avoiding Achievement Gaps.

(5) Hangar renovation at the former Griffiss Air Force Base, New York.

SA 1271. Mrs. BOXER (for herself, Ms. LANDRIEU, and Mrs. MURRAY) proposed an amendment to the bill H.R. 2658, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place, add the following:

SEC. REPORTS ON IRAQ.

Not less than once every 30 days, the Secretary of Defense shall submit a report to

the congressional defense committees, the House International Relations Committee, and Senate Foreign Relations Committee that contains the following information:

(a) Total and monthly costs of U.S. operations in Iraq.

(b) Number of U.S. military personnel serving in Iraq and the immediate region.

(c) Total and monthly contributions made by foreign governments and international organizations in support of U.S. operations in Iraq.

(d) Number of foreign military personnel serving in support of U.S. operations in Iraq.

(e) Defense articles and services offered by foreign governments and international organizations in support of U.S. operations in Iraq.

(f) Total number of U.S. casualties as a result of U.S. operations in Iraq by date and cause.

(g) All contracts in excess of \$10 million entered into by the U.S. government for the reconstruction of Iraq.

SA 1272. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 2658, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

On page 120, between lines 17 and 18, insert the following:

SEC. 8124. Not later than 30 days after the date of the enactment of this Act, the President shall submit to Congress an unclassified report (with a classified annex, if necessary) on the United States strategy regarding activities related to post-conflict security, humanitarian assistance, governance, and reconstruction in Iraq that are undertaken as a result of Operation Iraqi Freedom. The report shall include the following:

(1) A schedule for the President to seek NATO participation, as an organization of many nations, in ongoing operations in Iraq.

(2) A schedule for the President to seek and obtain the approval of a resolution of the United Nations Security Council authorizing a multinational civil and security force (including substantial participation by armed forces of NATO member countries under unified command and control) to guarantee the stability, democratization, and reconstruction of Iraq.

(3) An estimate of the number of Armed Forces personnel that are needed in Iraq to guarantee the stability and reconstruction of Iraq, separately stated for each of the Armed Forces and, within each of the Armed Forces, for each of the components.

(4) An estimate of the number of personnel of armed forces of foreign countries that are needed in Iraq to guarantee the stability and reconstruction of Iraq.

SA 1273. Mr. KENNEDY (for himself and Mr. LEAHY) proposed an amendment to the bill H.R. 2658, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 120, between lines 17 and 18, insert the following:

SEC. 8124. Not later than 30 days after the date of the enactment of this Act, the President shall submit to Congress an unclassified report (with a classified annex, if necessary) on the United States strategy regarding activities related to post-conflict security, humanitarian assistance, governance, and reconstruction in Iraq that are undertaken as a result of Operation Iraqi Freedom. The report shall include the following:

(1) A schedule for the President to seek NATO participation, as an organization of many nations, in ongoing operations in Iraq.

(2) A schedule for the President to seek and obtain the approval of a resolution of the United Nations Security Council authorizing a multinational civil and security force (including substantial participation by armed forces of NATO member countries under unified command and control) to guarantee the stability, democratization, and reconstruction of Iraq.

(3) An estimate of the number of Armed Forces personnel that are needed in Iraq to guarantee the stability and reconstruction of Iraq, separately stated for each of the Armed Forces and, within each of the Armed Forces, for each of the components.

(4) An estimate of the number of personnel of armed forces of foreign countries that are needed in Iraq to guarantee the stability and reconstruction of Iraq.

(5) A statement and justification from the President for his actions in seeking or failing to seek NATO participation or a UN Security Council resolution.

SA 1274. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2658, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

Insert after section 8123 the following:

SEC. 8124. (a) FINDINGS.—The Senate makes the following findings:

(1) Naval Station Roosevelt Roads, Puerto Rico, is a strategically important forward base for United States military forces operating in the Caribbean Ocean and South America.

(2) Naval Station Roosevelt Roads contributes significantly to the operations of a series of ranges and locations in a 240,000 square mile area of the eastern Caribbean Ocean that supports Navy readiness exercises, proficiency assessments, and research, development, test, and evaluation activities.

(3) The 2005 round of defense base closure and realignment under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) is intended to ensure the objective and careful consideration of the current and future military value of military installations, ranges, activities, and facilities in determining the infrastructure requirements of the Armed Forces.

(b) SENSE OF SENATE.—It is the sense of the Senate that the resolution of the disposition of Naval Station Roosevelt Roads, Puerto Rico, should occur during the 2005 round of defense base closure and realignment under the Defense Base Closure and Realignment Act of 1990.

SA 1275. Mr. CORZINE proposed an amendment to the bill H.R. 2658, making appropriations for the Department of Defense for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place insert the following:

TITLE —NATIONAL COMMISSION ON THE DEVELOPMENT AND USE OF INTELLIGENCE RELATED TO IRAQ

SEC. 101. ESTABLISHMENT OF COMMISSION.

There is established the National Commission on the Development and Use of Intelligence Related to Iraq.

SEC. 102. FINDINGS.

(1) The Congress underscores its commitment to and support for ongoing Congressional reviews regarding the collection and analysis of intelligence to Iraq.

SEC. 103. PURPOSE.

The purposes of the Commission are to—

(1) examine and report upon the role of policymakers in the development of intelligence related to Iraq and Operation Iraqi Freedom;

(2) examine and report upon the use of intelligence related to Iraq and Operation Iraqi Freedom;

(3) build upon the reviews of intelligence related to Iraq and Operation Iraqi Freedom, including those being conducted by the Executive Branch, Congress and other entities; and

(4) investigate and publicly report to the President and Congress on its findings, conclusions, and recommendations.

SEC. 104. COMPOSITION OF THE COMMISSION.

(a) MEMBERS.—The Commission shall be composed of 12 members of whom—

(1) 3 members shall be appointed by the Speaker of the House of Representatives;

(2) 3 members shall be appointed by the minority leader of the Senate; and

(3) 3 members shall be appointed by the minority leader of the House of Representatives.

(b) CHAIRPERSON; VICE CHAIRPERSON.—

(1) IN GENERAL.—Subject to paragraph (2), the Chairperson and Vice Chairperson of the Commission shall be elected by the members.

(2) POLITICAL PARTY AFFILIATION.—The Chairperson and Vice Chairperson shall not be from the same political party.

(c) QUALIFICATIONS; INITIAL MEETING.—

(1) QUALIFICATIONS.—It is the sense of Congress that individuals appointed to the Commission should be prominent United States citizens, with national recognition and significant depth of experience in such professions as intelligence, governmental service, the armed services, law enforcement, and foreign affairs.

(2) INITIAL MEETING.—Once six or more members of the Commission have been appointed, those members who have been appointed may meet and, if necessary, select a temporary chairperson, who may begin the operations of the Commission, including the hiring of staff.

(d) QUORUM; VACANCIES.—After its initial meeting, the Commission shall meet upon the call of the chairperson or a majority of its members. Six members of the Commission shall constitute a quorum. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

SEC. 105. FUNCTIONS OF THE COMMISSION.

The functions of the Commission are to—

(1) conduct an investigation that—

(A) investigates the development and use of intelligence related to Iraq and Operation Iraqi Freedom; and

(B) shall include an investigation of intelligence related to whether Iraq:

(i) possessed chemical, biological and nuclear weapons, and the locations of those weapons;

(ii) had links to Al Qaeda;

(iii) attempted to acquire uranium in Africa, and if so, when;

(iv) attempted to procure aluminum tubes for the development of nuclear weapons;

(v) possessed mobile laboratories for the production of weapons of mass destruction;

(vi) possessed delivery systems for weapons of mass destruction; and

(vii) any other matters that bear upon the imminence of the threat to the national security of the United States and its allies.

(2) submit to the President and Congress such report as is required by this title con-

taining such findings, conclusions, and recommendations as the Commission shall determine, including proposing organization, coordination, planning, management arrangements, procedures, rules, and regulations.

(A) FORM OF REPORT.—Each report prepared under this section shall be submitted in unclassified form, but may contain a classified annex.

SEC. 106. POWERS OF THE COMMISSION.

(a) IN GENERAL.—

(1) HEARINGS AND EVIDENCE.—The Commission, or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this title—

(A) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, administer such oaths; and

(B) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, cables, E-mails, papers, and documents, as the Commission or such designated subcommittee or designated member may determine advisable.

(2) SUBPOENA.—

(A) ISSUANCE.—Subpoenas issued under paragraph (1)(B) may be issued under the signature of the chairperson of the Commission, the Vice Chairperson of the Commission, the chairperson of any subcommittee created by a majority of the Commission, or any member designated by a majority of the Commission, and may be served by any person designated by the chairperson, subcommittee chairperson, or member.

(B) ENFORCEMENT.—

(i) IN GENERAL.—In the case of contumacy or failure to obey a subpoena issued under paragraph (1)(B), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found, or where the subpoena is returnable, may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(ii) ADDITIONAL ENFORCEMENT.—In the case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this section, the Commission may, by majority vote, certify a statement of fact constituting such failure to the appropriate United States attorney, who may bring the matter before the grand jury for its action, under the same statutory authority and procedures as if the United States attorney had received a certification under sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192 through 194).

(b) CLOSED MEETINGS.—

(1) IN GENERAL.—Meetings of the Commission may be closed to the public under section 10(d) of the Federal Advisory Committee Act (5 U.S.C. App.) or other applicable law.

(2) ADDITIONAL AUTHORITY.—In addition to the authority under paragraph (1), section 10(a)(1) and (3) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to any portion of a Commission meeting if the President determines that such portion or portions of that meeting is likely to disclose matters that could endanger national security. If the President makes such determination, the requirements relating to a determination under section 10(d) of that Act shall apply.

(c) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge its duties under this title.

(d) INFORMATION FROM FEDERAL AGENCIES.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government information, suggestions, estimates, and statistics for the purposes of this title. Each department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the chairperson, the chairperson of any subcommittee created by a majority of the Commission, or any member designated by a majority of the Commission.

(e) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the Commission's functions.

(2) OTHER DEPARTMENT AND AGENCIES.—In addition to the assistance prescribed in paragraph (1), departments and agencies of the United States are authorized to provide to the Commission such services, funds, facilities, staff, and other support services as they may determine advisable and as may be authorized by law.

(f) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(g) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

SEC. 107. STAFF OF THE COMMISSION.

(a) IN GENERAL.—

(1) APPOINTMENT AND COMPENSATION.—The chairperson and vice chairperson, in accordance with rules agreed upon by the Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(2) PERSONNEL AS FEDERAL EMPLOYEES.—

(A) IN GENERAL.—The executive director and any personnel of the Commission who are employees shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.

(B) MEMBERS OF COMMISSION.—Subparagraph (A) shall not be construed to apply to members of the Commission.

(b) DETAILEES.—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(c) CONSULTANT SERVICES.—The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

SEC. 108. COMPENSATION AND TRAVEL EXPENSES.

(a) COMPENSATION.—Each member of the Commission may be compensated at not to

exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission.

(b) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5, United States Code.

SEC. 109. SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.

The appropriate executive departments and agencies shall cooperate with the Commission in expeditiously providing to the Commission members and staff appropriate security clearance in a manner consistent with existing procedures and requirements, except that no person shall be provided with access to classified information under this section who would not otherwise qualify for such security clearance.

SEC. 110. REPORT OF THE COMMISSION; TERMINATION.

(a) REPORT.—Not later than nine months after the date of the first meeting of the Commission, the Commission shall submit to the President and Congress a report containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(b) TERMINATION.—

(1) IN GENERAL.—The Commission, and all the authorities of this title, shall terminate 60 days after the date on which the report is submitted under subsection (a).

(2) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the 60-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its reports and disseminating the second report.

SEC. 111. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Commission to carry out this title \$5,000,000, to remain available until expended.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 16, 2003, at 10 a.m. to conduct an oversight hearing on the Semi-Annual Monetary Policy Report of the Federal Reserve.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, July 16, 2003, at 9:30 a.m. on Marine Mammal Protection Act in SR-428A.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, July 16, 2003, at 9:30 a.m. on Internet Tax Moratorium in SR-253.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, July 16, 2003, at 10 a.m., in Room 106 of the Dirksen Senate Office Building to conduct a joint hearing with the House Committee on Resources, Office of Native American and Insular Affairs, on S. 556, a bill to Reauthorize the Indian Health Care Improvement Act.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, July 16, 2003, at 10 a.m., in Room 106 of the Dirksen Senate Office Building to conduct a business meeting on pending Committee matters, to be followed immediately by a joint hearing with the House Committee on Resources, Office of Native American and Insular Affairs, on S. 556, a bill to Reauthorize the Indian Health Care Improvement Act of H.R. 2440, the Indian Health Care Improvement Act Amendments of 2003.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, July 16, 2003 at 2:30 p.m., to hold a closed hearing.

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

SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY, AND CONSUMER RIGHTS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary Subcommittee on Antitrust, Competition Policy and Consumer rights be authorized to meet to conduct a hearing on "Hospital Group Purchasing: Has the Market Become More Open to Competition?" on Wednesday, July 16, 2003, at 11:00 a.m., in Room 226 of the Dirksen Senate Office Building.

Panel I: Mr. Mark McKenna, Chairman, Novation, Irving, TX; Mr. Richard Norling, Chairman and CEO, Premier, San Diego, CA; Mr. Said Hilal, Chairman and CEO, Applied Medical Resources Corporation, Rancho Santa Margarita, CA; Mr. Thomas Brown, Executive Vice President, BIOTRONIK, Inc., Lake Oswego, OR; Mr. Gary Heiman, President and CEO, Standard Textile, Cincinnati, OH; Mr. Lynn James Everard, Hospital Purchasing Consultant, Coconut Creek, FL; Ms. Elizabeth Weatherman, Managing Director, Warburg Pincus, LLC, New York, NY.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE AND THE DISTRICT OF COLUMBIA

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia be authorized to meet on Wednesday, July 16, 2003 at 10:00 a.m., for a hearing entitled "Great Lakes Restoration Management: No. Direction, Unknown Progress."

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

PRIVILEGE OF THE FLOOR

Mr. KENNEDY. Mr. President, I ask unanimous consent that a fellow in my office, Ava Shinigal, be allowed on the floor during consideration of the Defense Appropriations bill.

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

NATIVE AMERICAN HEALTH AND WELLNESS FOUNDATION ACT OF 2003

Mr. ALEXANDER. I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 141, S. 555.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 555) to establish the Native American Health and Wellness Foundation, and for other purposes.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Indian Affairs, with amendments, as follows:

[Strike the parts shown in black brackets and insert the parts shown in italic.]

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 "Native American Health and Wellness Foundation Act of 2003".

SEC. 2. NATIVE AMERICAN HEALTH AND WELLNESS FOUNDATION.

(a) IN GENERAL.—The Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) is amended by adding at the end the following:

"TITLE VIII—NATIVE AMERICAN HEALTH AND WELLNESS FOUNDATION

"SEC. 801. DEFINITIONS.

"In this title:

"(1) BOARD.—The term 'Board' means the Board of Directors of the Foundation.

"(2) COMMITTEE.—The term 'Committee' means the Committee for the Establishment of Native American Health and Wellness Foundation established under section 802(f).

"[(2)] (3) FOUNDATION.—The term 'Foundation' means the Native American Health and Wellness Foundation established under section 802.

"[(3)] (4) SECRETARY.—The term 'Secretary' means the Secretary of Health and Human Services.