

areas of active wildfires. Let us in Congress take a stand now to help protect our forests and keep them from going up in smoke every year.

I look forward to working with my colleagues to garner their support for this much-needed, bipartisan legislation, and know that they join me in sending condolences to the families of the two young men who died fighting a fire that may very well have been preventable.

Mrs. LINCOLN. Mr. President, I rise today to join my good friend Senator CRAPO of Idaho in introducing legislation aimed at rehabilitating this Nation's public and private forestlands. Senator CRAPO and I serve as the Chair and Ranking Member of the Agriculture Subcommittee on Forestry, and we have worked together extensively in watching over our Nation's forestlands.

Our bipartisan legislation builds upon the Healthy Forest Restoration Act, which passed the House of Representatives earlier this year. Our bill will ensure that we can address the many problems affecting all of our Nation's forests—both on public and private forestlands, in southern and western forests, and throughout both hardwood and pine ecosystems. Our legislation is intended to be a marker for the direction we believe forest legislation should move in this country.

Both Senator CRAPO and I have been working closely with the Senate Agriculture Committee to ensure that the goals of our legislation are incorporated into the chairman's mark of the Senate's Healthy Forest legislation.

Our legislation is intended to accomplish a few, very specific goals.

First and foremost, we must provide the Forest Service with the tools necessary to immediately address the epidemic of oak decline and mortality in the Ozark highlands of Arkansas and Missouri.

Oak decline is a natural occurrence in older forests or in areas where trees are stressed by conditions such as old age, over population of the forest, poor soil conditions, and the effects of several years of severe drought. And under normal conditions, oak decline is not necessarily fatal to the tree.

However, these conditions have allowed insects such as the red oak borer to flourish throughout the forest and has led to an epidemic of oak mortality throughout our forests.

In fact, many estimates now suggest that potentially up to one million acres of red oaks have been affected in Ozark highlands. And it is important to note that this epidemic has not been long in coming—it was only first discovered in the late 1990s. I am concerned that this epidemic will lead to a complete loss of red oak from the Ozark highlands and cause long-term changes to the health of the forest ecosystem.

It is also important to remember that the epidemic has not been limited

to public lands. Private forest landowners and homeowners throughout the Ozarks face the same problem. The past several years of extremely dry summer conditions have weakened trees throughout the region.

The legislation also contains provisions that are intended to streamline and improve the environmental, administrative, and judicial review process for hazardous fuel reduction projects under this legislation. I join Senator CRAPO in believing that the review process for hazardous fuel reduction projects, while necessary and beneficial, often consumes more time, effort, and resources than the initial intent of the project.

I am also aware that there are ongoing discussions regarding these environmental, administrative, and judicial review issues. I look forward to working with my colleagues on the Agriculture Committee and in the entire Senate to modify and improve the environmental, administrative, and judicial review provisions of this legislation in order to address my colleagues' concerns.

As we have seen with the epidemic of oak mortality in Arkansas, the Forest Service must have the ability to quickly respond to insect infestation in order to protect, preserve, and rehabilitate the entire forest. Streamlining of the environmental, administrative, and judicial review process for hazardous fuel reduction projects will ensure that we can quickly address what ails our forests.

Secondly, our legislation also provides increased funding and direction for forestland research in this country. Our legislation will ensure that our Nation's colleges and universities are able to devote more research into the insects and diseases affecting our forests. We also require that any forestland research be conducted at a scale appropriate to the forest damage, and that it be conducted within the requirements of each individual forest management plan. Our legislation also includes requirements to ensure this research has clearly stated forest restoration objectives and is peer reviewed by scientific experts in forestland health.

Our legislation includes authorization for a new upland hardwood research center designed to study the myriad of insects, disease, and problems affecting our ability to rehabilitate, restore, and utilize our upland hardwood forests. As we have seen, Arkansas was caught almost flatfooted as the epidemic of oak mortality swept through the Ozarks and severely endangered the health of our forests. Establishing this new research center will help ensure that this does not happen again.

The new research center will specifically research the effects of pests and pathogens on upland hardwoods, hardwood stand regeneration and reproductive biology, upland hardwood stand management and forest health, threatened, endangered and sensitive aquatic

and terrestrial fauna, ecological processes and hardwood ecosystem restoration, and education and outreach to nonindustrial private forest landowners and associations.

The establishment of this new research center is necessary to ensure we can quickly identify and respond to the multitude of pests, disease, and other damaging agents that can dramatically affect our beloved forests.

Third, our legislation also includes funding for emergency grants to immediately remove the invasive plants that have become so pervasive throughout this Nation's forests. And when we talk about invasive plant species in the South, we are talking about one thing—Kudzu. Some call it the vine that ate the South. Kudzu was brought into this country several decades ago to be used as cover for bare hillsides and has since spread to cover everything including shrubs, bushes, and entire trees. The grant program included in our legislation will provide the means for landowners to immediately remove kudzu and the myriad other invasive plants that are choking out our forests.

Finally, our legislation also includes widely agreed upon language that would provide for grants to remove non-commercial biomass from our private forested watersheds, and provide for grants to establish private, healthy forest reserves throughout the nation. Many of these important provisions were included in the Senate-passed farm bill last year, but they were not included in the final legislation, unfortunately. Providing grants to remove noncommercial biomass will immediately reduce the amount of fuel on the forest floor and directly reduce the fire danger in our forests and around our communities. Similarly, providing grants to protect our forest watersheds will ensure that we can address our water quality concerns with a voluntary, incentive based approach. And finally, providing funding to establish new healthy forest reserves from willing private landowners will encourage the preservation and rehabilitation of this Nation's forestlands.

Mr. President, I believe that our bipartisan legislation will focus needed attention on a number of extremely critical goals for our national forest policy. One lesson that we have learned over the years is that if we value our forests, if we want to conserve our woodland and resources, if we want to preserve their natural beauty, if we want to ensure that the natural bounty of our forestlands is available to future generations, then it is important that we manage those lands and resources with a careful eye toward their long-term health.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1327. Mrs. MURRAY proposed an amendment to the bill H.R. 2555, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes.

SA 1328. Mrs. BOXER (for herself and Mr. SCHUMER) proposed an amendment to the bill H.R. 2555, *supra*.

SA 1329. Mrs. FEINSTEIN (for herself and Mr. KYL) submitted an amendment intended to be proposed by her to the bill H.R. 2555, *supra*; which was ordered to lie on the table.

SA 1330. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 2555, *supra*; which was ordered to lie on the table.

SA 1331. Mrs. BOXER proposed an amendment to the bill H.R. 2555, *supra*.

SA 1332. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 2555, *supra*; which was ordered to lie on the table.

SA 1333. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 2555, *supra*; which was ordered to lie on the table.

SA 1334. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 2555, *supra*; which was ordered to lie on the table.

SA 1335. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 2555, *supra*; which was ordered to lie on the table.

SA 1336. Mr. DAYTON proposed an amendment to the bill H.R. 2555, *supra*.

SA 1337. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 14, to enhance the energy security of the United States, and for other purposes; which was ordered to lie on the table.

SA 1338. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 14, *supra*; which was ordered to lie on the table.

SA 1339. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 14, *supra*; which was ordered to lie on the table.

SA 1340. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 14, *supra*; which was ordered to lie on the table.

SA 1341. Mr. HOLLINGS (for himself and Mr. GRAHAM, of Florida) proposed an amendment to the bill H.R. 2555, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes.

SA 1342. Mr. BIDEN submitted an amendment intended to be proposed by him to the bill H.R. 2555, *supra*; which was ordered to lie on the table.

SA 1343. Mr. SCHUMER (for himself and Mr. CORZINE) proposed an amendment to the bill H.R. 2555, *supra*.

SA 1344. Mr. LAUTENBERG proposed an amendment to the bill H.R. 2555, *supra*.

SA 1345. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2555, *supra*; which was ordered to lie on the table.

SA 1346. Ms. MIKULSKI (for herself, Mr. DODD, Ms. STABENOW, Mr. SARBANES, Mrs. CLINTON, Mr. DURBIN, Mr. BIDEN, Mr. LIEBERMAN, Mr. HARKIN, Mr. LEVIN, Mr. BYRD, Mr. LAUTENBERG, Mr. ROCKEFELLER, Ms. LANDRIEU, and Mr. CORZINE) proposed an amendment to the bill H.R. 2555, *supra*.

SA 1347. Mr. KYL (for himself, Mr. McCAIN, Mr. BROWNBACK, Mr. BAYH, and Mr. BUNNING) submitted an amendment intended to be proposed by him to the bill S. 14, to enhance the energy security of the United States, and for other purposes; which was ordered to lie on the table.

SA 1348. Mrs. CLINTON proposed an amendment to the bill H.R. 2555, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes.

SA 1349. Mr. INHOFE submitted an amendment intended to be proposed by him to the

bill S. 14, to enhance the energy security of the United States, and for other purposes; which was ordered to lie on the table.

SA 1350. Mr. CORZINE (for himself, Mr. EDWARDS, Mr. LAUTENBERG, and Mr. BIDEN) proposed an amendment to the bill H.R. 2555, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes.

SA 1351. Mr. SCHUMER (for himself, Mr. BAUCUS, Ms. CANTWELL, Mr. LEAHY, Ms. STABENOW, and Mr. LEVIN) proposed an amendment to the bill H.R. 2555, *supra*.

SA 1352. Mr. AKAKA submitted an amendment intended to be proposed by him to the bill H.R. 2555, *supra*; which was ordered to lie on the table.

SA 1353. Mr. BYRD (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2555, *supra*.

SA 1354. Mr. BYRD (for Mr. DODD) proposed an amendment to the bill H.R. 2555, *supra*.

SA 1355. Mr. BYRD proposed an amendment to the bill H.R. 2555, *supra*.

SA 1356. Mr. BYRD (for Mrs. MURRAY) proposed an amendment to the bill H.R. 2555, *supra*.

SA 1357. Mr. BYRD (for Mr. REID (for himself and Mr. ENSIGN)) proposed an amendment to the bill H.R. 2555, *supra*.

SA 1358. Mr. BYRD (for Mr. CONRAD (for himself and Mr. DORGAN)) proposed an amendment to the bill H.R. 2555, *supra*.

SA 1359. Mr. BYRD (for Mr. EDWARDS) proposed an amendment to the bill H.R. 2555, *supra*.

SA 1360. Mr. DEWINE (for Mr. GREGG) proposed an amendment to the bill S. 650, to amend the Federal Food, Drug, and Cosmetic Act to authorize the Food and Drug Administration to require certain research into drugs used in pediatric patients.

SA 1361. Mrs. HUTCHISON (for herself, Mr. VOINOVICH, Mr. DEWINE, Mr. SPECTER, Mr. SANTORUM, and Mr. WARNER) submitted an amendment intended to be proposed by her to the bill H.R. 2555, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 1327.** Mrs. MURRAY proposed an amendment to the bill H.R. 2555, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes; as follows:

On page 56, line 9, strike "\$165,000,000" and insert "\$265,000,000".

**SA 1328.** Mrs. BOXER (for herself and Mr. SCHUMER) proposed an amendment to the bill H.R. 2555, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes; as follows:

At the appropriate place, add the following:

SEC. . (a) REPORT.—Not later than March 1, 2004, the Secretary of Homeland Security shall submit to Congress a report that—

(1) details the progress made in developing countermeasures for commercial aircraft against shoulder-fired missile systems, including cost and time schedules for developing and deploying such countermeasures, and

(2) in classified form and in conjunction with airports in category X and category one, an assessment of the vulnerability of

such airports from the threat of shoulder-fired missile systems and the interim measures being taken to address the threat.

**SA 1329.** Mrs. FEINSTEIN (for herself and Mr. KYL) submitted an amendment intended to be proposed by her to the bill H.R. 2555, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

#### TITLE —PORT ANTI-TERRORISM AND SECURITY ACT OF 2003

##### SEC. 1001. SHORT TITLE.

This title may be cited as the "Port Anti-Terrorism and Security Act of 2003".

#### Subtitle A—Deterring and Punishing Terrorism and Crime at United States Ports

##### SEC. 1101. DESTRUCTION OR INTERFERENCE WITH VESSELS OR MARITIME FACILITIES.

(a) IN GENERAL.—Title 18, United States Code, is amended by inserting after chapter 65 the following:

#### "CHAPTER 66—MARITIME VESSELS

"Sec.

"1371. Jurisdiction and scope.

"1372. Destruction of vessel or maritime facility.

"1373. Imparting or conveying false information.

#### "§ 1371 Jurisdiction and scope

"(a) IN GENERAL.—There is jurisdiction under section 3231 over an offense under this chapter if—

"(1) the prohibited activity takes place within the United States, or in waters or submerged lands thereunder subject to the jurisdiction of the United States; or

"(2) the prohibited activity takes place outside the United States, and—

"(A) an offender or a victim of the prohibited activity is a citizen of the United States;

"(B) a citizen of the United States was on board a vessel to which this chapter applies; or

"(C) the prohibited activity involves a vessel of the United States.

"(b) APPLICABILITY.—Nothing in this chapter shall apply to otherwise lawful activities carried out by, or at the direction of, the United States Government.

#### "§ 1372. Destruction of vessel or maritime facility

"(a) OFFENSES.—It shall be unlawful for any person—

"(1) to willfully—

"(A) set fire to, damage, destroy, disable, or wreck any vessel; or

"(B) place or cause to be placed a destructive device or destructive substance in, upon, or in proximity to, or otherwise make or cause to be made an unworkable or unusable or hazardous to work or use, any vessel (as defined in section 3 of title 1), or any part or other materials used or intended to be used in connection with the operation of a vessel; or

"(C) set fire to, damage, destroy, disable, or displace a destructive device or destructive substance in, upon, or in proximity to, any maritime facility, including any aid to navigation, lock, canal, or vessel traffic service facility or equipment, or interfere by force or violence with the operation of such maritime facility, if such action is likely to endanger the safety of any vessel in navigation;

"(D) set fire to, damage, destroy, disable, or place a destructive device or destructive