

Corps in World War II—"The difficult we do immediately—the impossible takes a little longer."

I also congratulate, the president and CEO of the Red Sox, Larry Lucchino, and the team's general manager, Theo Epstein, who were indispensable in building this team of champions.

The owners of the Red Sox, John Henry and Tom Werner, never wavered from their goal of ending the curse and winning the World Series.

My grandfather, John Fitzgerald was Ma or of Boston when Fenway Park first opened in April, 1914, and it was easy to see how much he loved the team in all the years when I was growing up. I am sure he is smiling down now on this year's team as well, and I am delighted that my own grandchildren could savor this year's victory.

For the amazing feat the Boston Red Sox accomplished this year, we are eternally grateful. And this resolution is a way of expressing the gratitude of fans in Boston and across the country for this extraordinary achievement.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to, en bloc, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD without intervening action or debate.

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

The resolution (S. Res. 482) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 482

Whereas on October 27, 2004, the Boston Red Sox won their first World Series title in 86 years in a four-game sweep of the St. Louis Cardinals;

Whereas the Red Sox won their sixth world title in the 104-year history of the storied franchise;

Whereas the 2004 Red Sox World Champion team epitomized sportsmanship, selfless play, team spirit, determination, and heart in the course of winning 98 games in the regular season and clinching the American League Wild Card playoff berth;

Whereas the 2004 Red Sox World Champion team honored the careers of all former Red Sox legends, including Joe Cronin, Bobby Doerr, Carlton Fisk, Jimmie Foxx, Carl Yastrzemski, Cy Young, Johnny Pesky, Dom DiMaggio, Jim Rice, and Ted Williams;

Whereas the 2004 postseason produced new Red Sox legends, including Derek Lowe, Pedro Martinez, Curt Schilling, Tim Wakefield, Jason Varitek, Keith Foulke, Manny Ramirez, David Ortiz, Johnny Damon, Trot Nixon, Orlando Cabrera, Kevin Millar, Mike Timlin, Alan Embree, Mark Bellhorn, Bill Mueller, and Dave Roberts;

Whereas Red Sox Manager Terry Francona brought fresh leadership to the clubhouse this year, and brought together a self-proclaimed "band of idiots" and made them into one of the greatest Red Sox teams of all time;

Whereas Red Sox owners John Henry and Tom Werner and Red Sox President and Chief Executive Officer Larry Lucchino never wavered from their goal of bringing a World Series Championship to Boston;

Whereas Red Sox General Manager Theo Epstein assembled a team with strong pitch-

ing, a crushing offense, and most important, the heart and soul of a champion;

Whereas the Red Sox never trailed in any of the 36 innings of the World Series;

Whereas the Red Sox set a new major league record by winning eight consecutive games in the postseason;

Whereas Derek Lowe, Pedro Martinez, and Curt Schilling delivered gutsy pitching performances in the postseason worthy of their status as some of the best pitchers in Red Sox history;

Whereas the Red Sox starting pitching in Games 2, 3, and 4 of the World Series had a combined earned run average of 0.00;

Whereas Manny Ramirez won the 2004 World Series Most Valuable Player award in the World Series after batting .350 in the postseason with two home runs and 11 runs batted in;

Whereas the Red Sox staged the greatest comeback in baseball history in the American League Championship Series against their rivals, the New York Yankees, by winning four consecutive games after losing the first three games of the series;

Whereas the Red Sox prevailed in four consecutive American League Championship Series games, while producing some of the most memorable moments in sports history, including Dave Roberts stealing second base in the bottom of the ninth inning of Game 4, David Ortiz securing a walk-off home run in the 12th inning of Game 4, David Ortiz singling in the winning run in the bottom of the 14th inning in Game 5, and Johnny Damon making a grand slam in Game 7;

Whereas the entire Red Sox organization has a strong commitment to charitable causes in New England, demonstrated by the team's 51-year support of the Dana-Farber Cancer Institute's Jimmy Fund in the fight against childhood cancers;

Whereas fans of the Red Sox do not live only in Boston or New England, but all across the country and the world, and a grateful "Red Sox Nation" thanks the team for bringing a World Championship home to Boston;

Whereas the 2004 Boston Red Sox and their loyal fans believed; and

Whereas this IS next year: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates—

(A) the Boston Red Sox for winning the 2004 Major League Baseball World Series and for their incredible performance during the 2004 Major League Baseball season; and

(B) the eight Major League Baseball teams that played in the postseason;

(2) recognizes the achievements of the Boston Red Sox players, manager, coaches, and support staff whose hard work, dedication, and spirit made this all possible;

(3) commends—

(A) the St. Louis Cardinals for a valiant performance during the 2004 season and the World Series; and

(B) the fans and management of the St. Louis Cardinals for allowing the Red Sox fans from Boston and around the Nation to celebrate their first title in 86 years at their home field; and

(4) directs the Enrolling Clerk of the Senate to transmit an enrolled copy of this resolution to—

(A) the 2004 Boston Red Sox team;

(B) Red Sox Manager Terry Francona;

(C) Red Sox General Manager Theo Epstein;

(D) Red Sox President and Chief Executive Officer Larry Lucchino;

(E) Red Sox Principal Owner John Henry; and

(F) Red Sox Chairman Tom Werner.

MICROENTERPRISE RESULTS AND ACCOUNTABILITY ACT OF 2004

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of S. 3027, introduced earlier today by Senator DeWINE.

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

The assistant legislative clerk read as follows:

A bill (S. 3027) to amend the Foreign Assistance Act of 1961 to improve the results and accountability of microenterprise development assistance programs, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The bill (S. 3027) was read the third time and passed, as follows:

S. 3027

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 "Microenterprise Results and Accountability Act of 2004".

SEC. 2. FINDINGS AND POLICY.

Congress finds and declares the following:

(1) Congress has demonstrated its support for microenterprise development assistance programs through the enactment of two comprehensive microenterprise laws:

(A) The Microenterprise for Self-Reliance Act of 2000 (title I of Public Law 106-309; 114 Stat. 1082).

(B) Public Law 108-31 (an Act entitled "An Act to amend the Microenterprise for Self-Reliance Act of 2000 and the Foreign Assistance Act of 1961 to increase assistance for the poorest people in developing countries under microenterprise assistance program under those Acts, and for other purposes", approved June 17, 2003).

(2) The report on the effectiveness of the United States Agency for International Development's microfinance program, prepared by the Consultative Group to Assist the Poor, rated the Agency in the top tier of the 17 donors in this field.

(3) The Comptroller General, in a report dated November 2003, found that the United States Agency for International Development has met some, but not all, of the key objectives of such microenterprise development assistance programs.

(4) The Comptroller General's report found, among other things, the following:

(A) Microenterprise development assistance generally can help alleviate some impacts of poverty, improve income levels and quality of life for borrowers and provide poor individuals, workers, and their families with an important coping mechanism.

(B) Microenterprise development assistance programs of the United States Agency for International Development have encouraged women's participation in microfinance projects and, according to data of the Agency, women have comprised two-thirds or more of the micro-loan clients in Agency-funded microenterprise projects since 1997.

(5)(A) The Comptroller General's report recommends that the Administrator of the

United States Agency for International Development review the Agency's "microenterprise results reporting" system with the goal of ensuring that its annual reporting is complete and accurate.

(B) Specifically, the Administrator should review and reconsider the methodologies used for the collection, analysis, and reporting of data on annual spending targets, outreach to the very poor, sustainability of microfinance institutions, and the contribution of Agency's funding to the institutions it supports.

SEC. 3. MICROENTERPRISE DEVELOPMENT ASSISTANCE.

Chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2166 et seq.) is amended by inserting after title V the following new title:

"TITLE VI—MICROENTERPRISE DEVELOPMENT ASSISTANCE

"SEC. 251. FINDINGS AND POLICY.

"Congress finds and declares the following:

"(1) Access to financial services and the development of microenterprise are vital factors in the stable growth of developing countries and in the development of free, open, and equitable international economic systems.

"(2) It is therefore in the best interest of the United States to facilitate access to financial services and assist the development of microenterprise in developing countries.

"(3) Access to financial services and the development of microenterprises can be supported by programs providing credit, savings, training, technical assistance, business development services, and other financial services.

"(4) Given the relatively high percentage of populations living in rural areas of developing countries, and the combined high incidence of poverty in rural areas and growing income inequality between rural and urban markets, microenterprise programs should target both rural and urban poor.

"(5) Microenterprise programs have been successful and should continue to empower vulnerable women in the developing world. The Agency should work to ensure that recipients of microenterprise and microfinance development assistance under this title communicate and work with nongovernmental organizations and government organizations to identify and assist victims of trafficking as provided for in section 106(a)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(a)(1); Public Law 106-386) and women who are victims of or susceptible to other forms of exploitation and violence.

"(6) Given that microenterprise programs have been successful in empowering disenfranchised groups such as women, microenterprise programs should also target populations disenfranchised due to race or ethnicity in countries where a strong relationship between poverty and race or ethnicity has been demonstrated, such as countries in Latin America.

"SEC. 252. AUTHORIZATION; IMPLEMENTATION; TARGETED ASSISTANCE.

"(a) AUTHORIZATION.—The President is authorized to provide assistance on a non-reimbursable basis for programs in developing countries to increase the availability of credit, savings, and other services to microfinance and microenterprise clients lacking full access to capital, training, technical assistance, and business development services, through—

"(1) assistance for the purpose of expanding the availability of credit, savings, and other financial and non-financial services to microfinance and microenterprise clients;

"(2) assistance for the purpose of training, technical assistance, and business development services for microenterprises to enable

them to make better use of credit, to better manage their enterprises, to conduct market analysis and product development for expanding domestic and international sales, particularly to United States markets, and to increase their income and build their assets;

"(3) capacity-building for microfinance and microenterprise institutions in order to enable them to better meet the credit, savings, and training needs of microfinance and microenterprise clients; and

"(4) policy, regulatory programs, and research at the country level that improve the environment for microfinance and microenterprise clients and institutions that serve the poor and very poor.

"(b) IMPLEMENTATION.—

"(1) OFFICE OF MICROENTERPRISE DEVELOPMENT.—There is established within the Agency an office of microenterprise development, which shall be headed by a Director who shall be appointed by the Administrator and who should possess technical expertise and ability to offer leadership in the field of microenterprise development.

"(2) ADDITIONAL PROVISIONS.—

"(A) USE OF IMPLEMENTING PARTNER ORGANIZATIONS.—Assistance under this section shall emphasize the use of implementing partner organizations that best meet the requirements of subparagraph (C).

"(B) USE OF CENTRAL FUNDING MECHANISMS.—

"(i) PROGRAM.—In order to ensure that assistance under this title is distributed effectively and efficiently, the office shall also seek to implement a program of central funding under which assistance is administered directly by the office, including through targeted core support for microfinance and microenterprise networks and other practitioners.

"(ii) FUNDING.—Of the amount made available to carry out this subtitle for a fiscal year, not less than \$25,000,000 should be made available to carry out clause (i).

"(C) EFFICIENCY AND COST-EFFECTIVENESS.—Assistance under this section shall meet high standards of efficiency, cost-effectiveness, and sustainability and shall especially provide the greatest possible resources to the poor and very poor. When administering assistance under this section, the Administrator shall—

"(i) take into consideration the percentage of funds a provider of assistance intends to expend on administrative costs;

"(ii) take all appropriate steps to ensure that the provider of assistance keeps administrative costs as low as practicable to ensure the maximum amount of funds are used for directly assisting microfinance and microenterprise clients, for establishing sustainable microfinance and microenterprise institutions, or for advancing the microenterprise development field; and

"(iii) give preference to proposals from providers of assistance that are the most technically competitive and have a reasonable allocation to overhead and administrative costs.

"(3) APPROVAL OF STRATEGIC PLANS.—With respect to assistance provided under this section, the office shall be responsible for concurring in the microenterprise development components of strategic plans of missions, bureaus, and other offices of the Agency and providing technical support to field missions to help the missions prepare such components.

"(c) TARGETED ASSISTANCE.—In carrying out sustainable poverty-focused programs under subsection (a), 50 percent of all microenterprise resources shall be targeted to clients who are very poor. Specifically, until September 30, 2006, such resources shall be used for—

"(1) support of programs under this section through practitioner institutions that—

"(A) provide credit and other financial services to clients who are very poor, with loans in 1995 United States dollars of—

"(i) \$1,000 or less in the Europe and Eurasia region;

"(ii) \$400 or less in the Latin America region; and

"(iii) \$300 or less in the rest of the world; and

"(B) can cover their costs in a reasonable time period; or

"(2) demand-driven business development programs that achieve reasonable cost recovery that are provided to clients holding poverty loans (as defined by the regional poverty loan limitations in paragraph (1)(A)), whether they are provided by microfinance institutions or by specialized business development services providers.

"SEC. 253. MONITORING SYSTEM.

"(a) IN GENERAL.—In order to maximize the sustainable development impact of assistance authorized under section 252(a), the Administrator of the Agency, acting through the Director of the office, shall strengthen its monitoring system to meet the requirements of subsection (b).

"(b) REQUIREMENTS.—The requirements referred to in subsection (a) are the following:

"(1) The monitoring system shall include performance goals for the assistance and expresses such goals in an objective and quantifiable form, to the extent feasible.

"(2) The monitoring system shall include performance indicators to be used in measuring or assessing the achievement of the performance goals described in paragraph (1) and the objectives of the assistance authorized under section 252.

"(3) The monitoring system provides a basis for recommendations for adjustments to the assistance to enhance the sustainability and the impact of the assistance, particularly the impact of such assistance on the very poor, particularly poor women.

"(4) The monitoring system adopts the widespread use of proven and effective poverty assessment tools to successfully identify the very poor and ensure that they receive adequate access to microenterprise loans, savings, and assistance.

"SEC. 254. DEVELOPMENT AND CERTIFICATION OF POVERTY MEASUREMENT METHODS; APPLICATION OF METHODS.

"(a) DEVELOPMENT AND CERTIFICATION.—

"(1) IN GENERAL.—The Administrator of the Agency, in consultation with microenterprise institutions and other appropriate organizations, shall develop no fewer than two low-cost methods for implementing partner organizations to use to assess the poverty levels of their current incoming or prospective clients. The Administrator shall develop poverty indicators that correlate with the circumstances of the very poor.

"(2) FIELD TESTING.—The Administrator shall field-test the methods developed under paragraph (1). As part of the testing, institutions and programs may use the methods on a voluntary basis to demonstrate their ability to reach the very poor.

"(3) CERTIFICATION.—Not later than April 1, 2005, the Administrator shall, from among the low-cost poverty measurement methods developed under paragraph (1), certify no fewer than two such methods as approved methods for measuring the poverty levels of current, incoming, or prospective clients of microenterprise institutions for purposes of assistance under section 252.

"(b) APPLICATION.—The Administrator shall require that, with reasonable exceptions, all implementing partner organizations applying for microenterprise assistance under this title use one of the certified methods, beginning not later than October 1, 2006,

to determine and report the poverty levels of current, incoming, or prospective clients.

“SEC. 255. AVAILABILITY OF FUNDS; ADDITIONAL AUTHORITIES.

“(2) Notwithstanding any other provision of law, amounts made available for assistance for microenterprise development assistance under any provision of law other than this title may be provided to further the purposes of this title. To the extent assistance described in the preceding sentence is provided in accordance with such sentence, the Administrator of the Agency shall include, as part of the report required under section 258, a detailed description of such assistance and, to the extent applicable, the information required by paragraphs (1) through (11) of subsection (b) of such section with respect to such assistance.”

SEC. 4. MICROENTERPRISE DEVELOPMENT CREDITS.

(a) **TRANSFER.**—Section 108 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151f) is hereby—

(1) transferred from chapter 1 of part I of the Foreign Assistance Act of 1961 to title VI of chapter 2 of part I of such Act (as added by section 3 of this Act); and

(2) inserted after section 255 of the Foreign Assistance Act of 1961.

(b) **REDESIGNATION.**—Title VI of chapter 2 of part I of the Foreign Assistance Act of 1961 is amended by redesignating section 108 (as added by subsection (a)) as section 256.

(c) **CONFORMING AMENDMENTS.**—Title VI of chapter 2 of part I of the Foreign Assistance Act of 1961 is amended—

(1) by inserting after the title heading the following:

“Subtitle A—Grant Assistance”;

(2) by inserting after section 255 the following:

“Subtitle B—Credit Assistance”; and

(3) in section 256 (as redesignated by subsection (b))—

(A) in the matter preceding paragraph (1) of subsection (c), by striking “Administrator of the agency primarily responsible for administering this part” and inserting “Administrator of the Agency”; and

(B) in subsection (f)(1)—

(i) by striking “section 131” and inserting “this part”; and

(ii) by striking “for each of fiscal years 2001 through 2004” and inserting “for fiscal year 2005 and such sums as may be necessary for each of the fiscal years 2006 through 2009”.

SEC. 5. UNITED STATES MICROFINANCE LOAN FACILITY.

(a) **TRANSFER.**—Section 132 of the Foreign Assistance Act of 1961 (22 U.S.C. 2152b) is hereby—

(1) transferred from chapter 1 of part I of the Foreign Assistance Act of 1961 to title VI of chapter 2 of part I of such Act (as added by section 3 of this Act); and

(2) inserted after section 256 of the Foreign Assistance Act of 1961 (as added by section 4 of this Act).

(b) **REDESIGNATION.**—Title VI of chapter 2 of part I of the Foreign Assistance Act of 1961 is amended by redesignating section 132 (as added by subsection (a)) as section 257.

(c) **CONFORMING AMENDMENTS.**—Title VI of chapter 2 of part I of the Foreign Assistance Act of 1961 is amended—

(1) by inserting after section 256 the following:

“Subtitle C—United States Microfinance Loan Facility”; and

(2) in section 257 (as redesignated by subsection (b))—

(A) in subsection (b)(3), by striking “2001 and 2002” and inserting “2005 through 2009”;

(B) in the matter preceding subparagraph (A) of subsection (d)(1), by striking “this

part for the fiscal year 2001, up to \$5,000,000” and inserting “this part, up to \$5,000,000 for fiscal year 2005 and such sums as may be necessary for each of the fiscal years 2006 through 2009.”; and

(C) by striking subsection (e).

SEC. 6. MISCELLANEOUS PROVISIONS.

Title VI of chapter 2 of part I of the Foreign Assistance Act of 1961 (as added by section 3 of this Act and amended by sections 4 and 5 of this Act) is further amended by adding at the end the following new subtitle:

“Subtitle D—Miscellaneous Provisions

“SEC. 258. REPORT.

“(a) **IN GENERAL.**—Not later than June 30, 2006, and each June 30 thereafter, the Administrator of the Agency, acting through the Director of the office, shall submit to the appropriate congressional committees a report that contains a detailed description of the implementation of this title for the previous fiscal year.

“(b) **CONTENTS.**—The report shall contain the following:

“(1) The number of grants, cooperative agreements, contracts, contributions, or other form of assistance provided under section 252, with a listing of—

“(A) the amount of each grant, cooperative agreement, contract, contribution, or other form of assistance;

“(B) the name of each recipient and each developing country with respect to which projects or activities under the grant, cooperative agreement, contract, contribution, or other form of assistance were carried out; and

“(C) a listing of the number of countries receiving assistance authorized by section 252.

“(2) The results of the monitoring system required under section 253.

“(3) The process of developing and applying poverty assessment procedures required under section 254.

“(4) The percentage of assistance furnished under section 252 that was allocated to the very poor based on the data collected using the certified methods required by section 254.

“(5) The estimated number of the very poor reached with assistance provided under section 252.

“(6) The amount of assistance provided under section 252 through central mechanisms.

“(7) The name of each country that receives assistance under section 256 and the amount of such assistance.

“(8) Information on the efforts of the Agency to ensure that recipients of United States microenterprise and microfinance development assistance work closely with non-governmental organizations and foreign governments to identify and assist victims or potential victims of severe forms of trafficking in persons and women who are victims of or susceptible to other forms of exploitation and violence.

“(9) Any additional information relating to the provision of assistance authorized by this title, including the use of the poverty measurement tools required by section 254, or additional information on assistance provided by the United States to support microenterprise development under this title or any other provision of law.

“(10) An estimate of the percentage of beneficiaries of assistance under this title in countries where a strong relationship between poverty and race or ethnicity has been demonstrated.

“(11) The level of funding provided through contracts, the level of funding provided through grants, contracts, and cooperative agreements that is estimated to be subgranted or subcontracted, as the case may be, to direct service providers, and an anal-

ysis of the comparative cost-effectiveness and sustainability of projects carried out under these mechanisms.

“(c) **AVAILABILITY TO PUBLIC.**—The report required by this section shall be made available to the public on the Internet website of the Agency.

“SEC. 259. DEFINITIONS.

“In this title:

“(1) **ADMINISTRATOR.**—The term ‘Administrator’ means the Administrator of the Agency.

“(2) **AGENCY.**—The term ‘Agency’ means the United States Agency for International Development.

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

“(4) **BUSINESS DEVELOPMENT SERVICES.**—The term ‘business development services’ means support for the growth of microenterprises through training, technical assistance, marketing assistance, improved production technologies, and other related services.

“(5) **DIRECTOR.**—The term ‘Director’ means the Director of the office.

“(6) **IMPLEMENTING PARTNER ORGANIZATION.**—The term ‘implementing partner organization’ means an entity eligible to receive assistance under this title which is—

“(A) a United States or an indigenous private voluntary organization;

“(B) a United States or an indigenous credit union;

“(C) a United States or an indigenous cooperative organization;

“(D) an indigenous governmental or non-governmental organization;

“(E) a microenterprise institution;

“(F) a microfinance institution; or

“(G) a practitioner institution.

“(7) **MICROENTERPRISE INSTITUTION.**—The term ‘microenterprise institution’ means a not-for-profit entity that provides services, including microfinance, training, or business development services, for microenterprise clients in foreign countries.

“(8) **MICROFINANCE INSTITUTION.**—The term ‘microfinance institution’ means a not-for-profit entity or a regulated financial intermediary that directly provides, or works to expand, the availability of credit, savings, and other financial services to microfinance and microenterprise clients in foreign countries.

“(9) **MICROFINANCE NETWORK.**—The term ‘microfinance network’ means an affiliated group of practitioner institutions that provides services to its members, including financing, technical assistance, and accreditation, for the purpose of promoting the financial sustainability and societal impact of microenterprise assistance.

“(10) **OFFICE.**—The term ‘office’ means the office of microenterprise development established under section 252(b)(1).

“(11) **PRACTITIONER INSTITUTION.**—The term ‘practitioner institution’ means a not-for-profit entity or a regulated financial intermediary, including a microfinance network, that provides services, including microfinance, training, or business development services, for microfinance and microenterprise clients, or provides assistance to microenterprise institutions in foreign countries.

“(12) **PRIVATE VOLUNTARY ORGANIZATION.**—The term ‘private voluntary organization’ means a not-for-profit entity that—

“(A) engages in and supports activities of an economic or social development or humanitarian nature for citizens in foreign countries; and

“(B) is incorporated as such under the laws of the United States, including any of its

states, territories or the District of Columbia, or of a foreign country.

“(13) UNITED STATES-SUPPORTED MICRO-FINANCE INSTITUTION.—The term ‘United States-supported microfinance institution’ means a financial intermediary that has received funds made available under this part for fiscal year 1980 or any subsequent fiscal year.

“(14) VERY POOR.—The term ‘very poor’ means those individuals—

“(A) living in the bottom 50 percent below the poverty line established by the national government of the country in which those individuals live; or

“(B) living on less than the equivalent of \$1 per day (as calculated using the purchasing power parity (PPP) exchange rate method).”.

SEC. 7. SENSE OF CONGRESS.

It is the sense of Congress that, in carrying out title VI of chapter 2 of part I of the Foreign Assistance Act of 1961 (as added by section 3 of this Act and amended by sections 4 through 6 of this Act), the Administrator of the United States Agency for International Development—

(1) where applicable, should ensure that microenterprise development assistance provided under such title is matched by recipients with an equal amount of assistance from non-United States Government sources, including private donations, multilateral funding, commercial and concessional borrowing, savings, and program income;

(2) should include in the report required by section 258 of the Foreign Assistance Act of 1961 (as added by section 6 of this Act) a description of all matching assistance (as described in paragraph (1)) provided for the prior year by recipients of microenterprise development assistance under such title;

(3) should ensure that recipients of microenterprise development assistance under such title do not expend an unreasonably large percentage of such assistance on administrative costs;

(4) should not use recipients of microenterprise development assistance under such title to carry out critical management functions of the Agency, including functions such as strategy development or overall management of programs in a country; and

(5) should consult with the appropriate congressional committees with respect to the implementation of title VI of chapter 2 of part I of the Foreign Assistance Act of 1961 not later than 90 days after the date of the enactment of this Act.

SEC. 8. REPEALS.

(a) FOREIGN ASSISTANCE ACT OF 1961.—Section 131 of the Foreign Assistance Act of 1961 (22 U.S.C. 2152a) is hereby repealed.

(b) PUBLIC LAW 108-31.—

(1) IN GENERAL.—Section 4 of Public Law 108-31 (22 U.S.C. 2151f note) is amended by striking subsection (b).

(2) CONFORMING AMENDMENT.—Section 4 of Public Law 108-31 is amended by striking “(a)” and all that follows through “Not later” and inserting “Not later”.

SEC. 9. REFERENCES.

Any reference in a law, regulation, agreement, or other document of the United States to section 108, 131, or 132 of the Foreign Assistance Act of 1961 shall be deemed to be a reference to subtitle B of title VI of chapter 2 of part I of the Foreign Assistance Act of 1961, subtitle A of title VI of chapter 2 of part I of such Act, or subtitle C of title VI of chapter 2 of part I of such Act, respectively.

COMMODITY ASSESSMENT, PROTECTION, AND REFORM ACT

Mr. FRIST. I ask unanimous consent to proceed to the immediate consideration of Calendar No. 752, S. 2866.

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

The assistant legislative clerk read as follows:

A bill (S. 2866) to amend the Farm Security and Rural Investment Act of 2002 to clarify the authority of the Secretary of Agriculture and the Commodity Credit Corporation to enter into memorandums of understanding with a State regarding the collection of approved State commodity assessments on behalf of the State from the proceeds of marketing assistance loans.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent the bill be read the third time and passed, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The bill (S. 2866) was read the third time and passed, as follows:

S. 2866

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Commodity Assessment, Protection, and Reform Act”.

SEC. 2. COLLECTION OF COMMODITY ASSESSMENTS.

Subtitle B of title I of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7931 et seq.) is amended by adding at the end the following:

“SEC. 1210. COLLECTION OF COMMODITY ASSESSMENTS.

“(a) DEFINITION OF ASSESSMENT.—In this section, the term ‘assessment’ means funds that are—

“(1) collected with respect to a specific commodity in accordance with this Act;

“(2) paid by the first purchaser of the commodity in accordance with a State law or this title; and

“(3) not collected through a tax or other revenue collection activity of a State.

“(b) AUTHORITY TO COLLECT COMMODITY ASSESSMENTS FROM MARKETING ASSISTANCE LOANS.—The Secretary may collect commodity assessments from the proceeds of a marketing assistance loan made under this subtitle in accordance with an agreement between the Secretary and the State.”.

HIPAA RECREATIONAL INJURY TECHNICAL CORRECTION ACT

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 779, S. 423.

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

The assistant legislative clerk read as follows:

A bill (S. 423) a bill to promote health care coverage parity for individuals participating in legal recreational activities or legal transportation activities.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

(Strike the part shown in black brackets and insert the part shown in italic.)

S. 423

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 “Health Care Parity for Legal Transportation and Recreational Activities Act”.

[SEC. 2. COVERAGE AMENDMENTS.

[(a) ERISA.—Section 702(a)(2)(B) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1182(a)(2)(B)) is amended by inserting before the period the following: “, except that a plan or issuer may not deny benefits otherwise provided for the treatment of an injury solely because such injury resulted from participation of the participant or beneficiary in an activity such as motorcycling, snowmobiling, all-terrain vehicle riding, horseback riding, skiing or other similar legal activity”.

[(b) PHSA.—Section 2702(a)(2)(B) of the Public Health Service Act (42 U.S.C. 300gg-1(a)(2)(B)) is amended by inserting before the period the following: “, except that a plan or issuer may not deny benefits otherwise provided for the treatment of an injury solely because such injury resulted from participation of the enrollee in an activity such as motorcycling, snowmobiling, all-terrain vehicle riding, horseback riding, skiing or other similar legal activity”.

[(c) INTERNAL REVENUE CODE.—Section 9802(a)(2)(B) of the Internal Revenue Code of 1986 is amended by inserting before the period the following: “, except that a plan or issuer may not deny benefits otherwise provided for the treatment of an injury solely because such injury resulted from participation of the enrollee in an activity such as motorcycling, snowmobiling, all-terrain vehicle riding, horseback riding, skiing or other similar legal activity”.]

SECTION 1. SHORT TITLE.

This Act may be cited as the “HIPAA Recreational Injury Technical Correction Act”.

SEC. 2. COVERAGE AMENDMENTS.

(a) ERISA.—Section 702(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1182(a)(3)) is amended—

(1) by striking “CONSTRUCTION.—For” and inserting the following: “SCOPE.—

“(A) WAITING PERIODS.—For”; and

(2) by adding at the end the following:

“(B) LIMITATION ON DENIAL OF BENEFITS.—For purposes of paragraph (2), a group health plan, or a health insurance issuer offering group health insurance coverage in connection with a group health plan, may not deny benefits otherwise provided under the plan or coverage for the treatment of an injury solely because such injury resulted from the participation of the individual in a legal mode of transportation or a legal recreational activity.”.

(b) PHSA.—Section 2702(a)(3) of the Public Health Service Act (42 U.S.C. 300gg-1(a)(3)) is amended—

(1) by striking “CONSTRUCTION.—For” and inserting the following: “SCOPE.—

“(A) WAITING PERIODS.—For”; and

(2) by adding at the end the following:

“(B) LIMITATION ON DENIAL OF BENEFITS.—For purposes of paragraph (2), a group health plan, or a health insurance issuer offering group health insurance coverage in connection with a group health plan, may not deny benefits otherwise provided under the plan or coverage for the treatment of an injury solely because such injury resulted from the participation of the individual in a legal mode of transportation or a legal recreational activity.”.

(c) INTERNAL REVENUE CODE.—Section 9802(a)(3) of the Internal Revenue Code of 1986 is amended—

(1) by striking “CONSTRUCTION.—For” and inserting the following: “SCOPE.—