

per gallon. In East Lynn, WV they are paying \$2.19 a gallon; in Morgantown they're paying \$2.11 a gallon; and in Ripley, my constituents are lucky to find gas going for \$2.05 a gallon.

In 2003, 56 percent of West Virginians received less than \$100 from the 2003 tax bill. This "relief" is offset greatly by the current trend in gas prices. The current price spikes mean that the majority of West Virginians will end up spending at least three times as much buying gasoline than in any tax return they will have received.

And it is not just short-term affects, or the concerns of our constituents that we have to contend with, but long term consequences as well. On May 12, the International Energy Agency (IEA) released a study stating that higher oil prices have hurt the global economy and will further depress economic growth, fuel inflation, and increase unemployment over the next 2 years if the prices stay near current levels.

Knowing all of this, the Bush administration has yet to even address the explosion of high gasoline prices here at home. In fact, Scott McClellan, the White House Press Secretary said today that "We will continue to do what we've been doing that is to stay in close contact with producers around the world to urge them not to take action that would harm our economy or hurt consumers here in America." This means that the administration is content with the status quo and in doing more of the same. That is why I stand with my colleagues in agreement with this resolution on our Nation's oil reserves.

This resolution does three things: one) It asks the President to confront OPEC directly; two) it asks the President to have the Attorney General and the Federal Trade Commission exercise vigorous oversight over the oil markets to protect the American people from price gouging; and three) it asks the President to suspend deliveries of oil to the SPR and release a million barrels of oil per day from the SPR for 30 days following the adoption of this resolution. All of these actions would go a long way in reducing the burden of high gasoline prices on all Americans.

We have faced similar circumstances before and taken action. Four years ago, President Clinton halted deposits to the national reserve and that action lowered the burden of high gasoline prices on the American people without compromising our country's stockpile of oil. The current administration needs to be engaged. It needs to take a role and provide leadership at a time when West Virginians and all Americans are feeling a pinch at that pump.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 3157. Mr. BAYH submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the

Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table.

SA 3158. Mr. LOTT (for himself, Mr. DORGAN, Ms. SNOWE, Mrs. FEINSTEIN, Mr. COCHRAN, Mr. DASCHLE, Mr. CONRAD, Mrs. BOXER, Mr. CORZINE, Ms. COLLINS, and Mr. GREGG) proposed an amendment to the bill S. 2400, supra.

SA 3159. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2400, supra; which was ordered to lie on the table.

SA 3160. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 2400, supra; which was ordered to lie on the table.

SA 3161. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 2400, supra; which was ordered to lie on the table.

SA 3162. Mr. DOMENICI (for himself, Mrs. FEINSTEIN, Mr. LUGAR, Mr. BIDEN, Mr. ALEXANDER, Mr. BINGAMAN, Mr. REED, and Mr. AKAKA) proposed an amendment to the bill S. 2400, supra.

SA 3163. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 2400, supra; which was ordered to lie on the table.

SA 3164. Mr. GREGG submitted an amendment intended to be proposed by him to the bill S. 2400, supra; which was ordered to lie on the table.

SA 3165. Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill S. 2400, supra; which was ordered to lie on the table.

SA 3166. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2400, supra; which was ordered to lie on the table.

SA 3167. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 2400, supra; which was ordered to lie on the table.

SA 3168. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 2400, supra; which was ordered to lie on the table.

SA 3169. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 2400, supra; which was ordered to lie on the table.

SA 3170. Mr. GRAHAM, of South Carolina submitted an amendment intended to be proposed by him to the bill S. 2400, supra; which was ordered to lie on the table.

SA 3171. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 2400, supra; which was ordered to lie on the table.

SA 3172. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2400, supra; which was ordered to lie on the table.

SA 3173. Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 2400, supra; which was ordered to lie on the table.

SA 3174. Mr. KENNEDY (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 2400, supra; which was ordered to lie on the table.

SA 3175. Mr. REID (for himself, Mr. DASCHLE, Ms. COLLINS, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill S. 2400, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 3157. Mr. BAYH submitted an amendment intended to be proposed by

him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title II, add the following:

#### SEC. 217. ADVANCED MANUFACTURING TECHNOLOGIES AND RADIATION CASUALTY RESEARCH.

(a) ADDITIONAL AMOUNT FOR ADVANCED MANUFACTURING STRATEGIES.—Of the amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation, Defense-wide activities, the amount available for Advanced Manufacturing Technologies (PE 0708011S) is hereby increased by \$2,000,000.

(b) AMOUNT FOR RADIATION CASUALTY RESEARCH.—Of the amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation, Defense-wide activities, \$3,000,000 shall be available for Radiation Casualty Research (PE 0603002D8Z).

(c) OFFSET.—Of the amount authorized to be appropriated by section 201(4) for research, development, test, and evaluation, Defense-wide activities, the amount available in Program Element PE 0305199D8Z for horizontal fusion is hereby decreased by \$5,000,000.

SA 3158. Mr. LOTT (for himself, Mr. DORGAN, Ms. SNOWE, Mrs. FEINSTEIN, Mr. COCHRAN, Mr. DASCHLE, Mr. CONRAD, Mrs. BOXER, Mr. CORZINE, Ms. COLLINS, and Mr. GREGG) proposed an amendment to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; as follows:

At the end of title XXVIII, add the following:

#### Subtitle E—Defense Base Closure and Realignment

#### SEC. 2861. MODIFICATION OF 2005 BASE CLOSURE ROUND TO APPLY SOLELY TO MILITARY INSTALLATIONS OUTSIDE THE UNITED STATES.

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 amended by adding at the end the following new section:

#### "SEC. 2915. APPLICABILITY OF 2005 ROUND SOLELY TO MILITARY INSTALLATIONS OUTSIDE THE UNITED STATES.

"(a) IN GENERAL.—(1) Notwithstanding any other provision of this part, the military installations covered by activities under this part in 2005 shall consist solely of military installations outside the United States.

"(2) Except as otherwise provided in this section, for purposes of activities under this part in 2005 any reference to military installations inside the United States shall be deemed to be a reference to military installations outside the United States.

"(b) INAPPLICABILITY OF SELECTION CRITERIA FOR 2005.—The final selection criteria prepared under section 2913 shall not be used in making recommendations for the closure or realignment of military installations under this part in 2005.

“(c) RECOMMENDATIONS OF SECRETARY OF DEFENSE.—(1) In lieu of any information otherwise required under paragraph (1) or (2) of subsection (b) of section 2914, the recommendations of the Secretary of Defense under subsection (a) of that section shall include the following:

“(A) A detailed plan for eliminating any physical capacity at military installations outside the United States that requires the unnecessary diversion of scarce resources for operation and maintenance, sustenance, or recapitalization of such capacity.

“(B) A list of the military installations outside the United States that are proposed for closure or realignment under this part, and a schedule for the closure or realignment of such installations.

“(C) A list of the military installations to which personnel or equipment will be relocated from military installations included in the list under subparagraph (B), including for each military installation so listed, the new infrastructure to be required for such personnel or equipment and the cost of such infrastructure.

“(D) An estimate of the cost savings to be achieved by the closure or realignment of military installations under subparagraph (B).

“(E) A certification whether or not a round in 2007 for the closure or realignment of military installations inside the United States is advisable.

“(2) In making recommendations referred to in paragraph (1), the Secretary shall take into account the final report of the Commission on the Review of the Overseas Military Facility Structure of the United States under section 128 of the Military Construction Appropriations Act, 2004 (Public Law 108-132; 117 Stat. 1382; 10 U.S.C. 111 note).

“(d) COMMISSION REVIEW AND RECOMMENDATIONS.—(1) In addition to the requirements specified in section 2914(d), the Commission shall include in its report under paragraph (1) of that section the following:

“(A) An assessment by the Commission of the extent to which the recommendations of the Secretary under subsection (c) take into account the final report referred to in subsection (c)(2).

“(B) An assessment by the Commission whether or not the recommendations of the Secretary under subsection (c) maximize the amount of savings that can be achieved by the United States through the closure or realignment of military installations outside the United States.

“(C) An assessment by the Commission whether or not a round in 2007 for the closure or realignment of military installations inside the United States is advisable.

“(2) Paragraph (5) of section 2914(d) shall not apply to the review and recommendations of the Commission, under such section and this subsection, of the recommendations of the Secretary under subsection (c).

“(e) COMPLETION OF CLOSURE OR REALIGNMENT ACTIONS.—The closure or realignment of military installations outside the United States under this part pursuant to activities under this part in 2005 shall be completed not later than December 31, 2010.”

**SEC. 2862. BASE CLOSURE ROUND IN 2007 RELATING TO INSTALLATIONS INSIDE THE UNITED STATES.**

(a) TWO-YEAR EXTENSION OF BASE CLOSURE LAW FOR PURPOSES OF ROUND IN 2007.—Section 2909(a) of 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 amended by striking “April 15, 2006,” and inserting “April 15, 2008.”

(b) EXPEDITED CONSIDERATION BY CONGRESS OF ROUND IN 2007.—That Act, as amended by section 2861 of this Act, is further amended by adding at the end the following new section:

**“SEC. 2916. REQUIREMENTS AND LIMITATIONS ON BASE CLOSURE ROUND IN 2007 RELATING TO INSTALLATIONS INSIDE THE UNITED STATES.**

“(a) EXPEDITED CONSIDERATION BY CONGRESS OF AUTHORIZATION FOR ROUND.—The consideration by Congress of a joint resolution for a round of defense base closure and realignment under this part in 2007 relating to military installations inside the United States shall be governed by the provisions of section 2908.

“(b) JOINT RESOLUTION.—For purposes of this section and the application of section 2908 to the joint resolution referred to in subsection (a), the term ‘joint resolution’ means a joint resolution which is introduced within the 10-day period beginning on the date in 2005 on which the President transmits to Congress an approval and certification described in paragraph (2) or (4) of section 2903(e) in accordance with section 2914(e), and—

“(1) which does not have a preamble;

“(2) the matter after the resolving clause of which is as follows: ‘That a round of defense base closure and realignment is authorized to occur 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) in 2007, with such round to apply to military installations inside the United States’; and

“(3) the title of which is as follows: ‘Joint Resolution to authorize a round of defense base closure and realignment in 2007 with respect to military installations inside the United States.’

“(c) CRITERIA AND SCHEDULE FOR 2007 ROUND.—Not later than 15 days after the date of the enactment of the joint resolution, the Secretary of Defense shall publish in the Federal Register the following:

“(1) The selection criteria to be utilized in the round of defense base closure and realignment under this part in 2007, which criteria shall be the final selection criteria developed under section 2913(e), together with such modifications of such final selection criteria as the Secretary considers appropriate in light of changes in circumstances since March 15, 2004.

“(2) The schedule in 2007 for actions on recommendations and consideration of recommendations in the round of defense base closure and realignment under this part under section 2914, which schedule shall, to the maximum extent practicable, be the schedule for 2005 as specified under that section together with such modifications as the Secretary considers appropriate to take into account changes in the calendar between 2005 and 2007.”

**SA 3159.** Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

**TITLE —UNEMPLOYMENT COMPENSATION**

**SEC. —01. EXTENSION OF THE TEMPORARY EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 2002.**

(a) IN GENERAL.—Section 208 of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107-147; 116 Stat.

30), as amended by Public Law 108-1 (117 Stat. 3) and the Unemployment Compensation Amendments of 2003 (Public Law 108-26; 117 Stat. 751), is amended—

(1) in subsection (a)(2), by striking “December 31, 2003” and inserting “November 30, 2004”;

(2) in subsection (b)(1), by striking “December 31, 2003” and inserting “November 30, 2004”;

(3) in subsection (b)(2)—

(A) in the heading, by striking “DECEMBER 31, 2003” and inserting “NOVEMBER 30, 2004”; and

(B) by striking “December 31, 2003” and inserting “November 30, 2004”; and

(4) in subsection (b)(3), by striking “March 31, 2004” and inserting “February 28, 2005”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107-147; 116 Stat. 21) and shall apply with respect to payments for weeks of unemployment beginning on or after the date of enactment of this Act.

**SEC. —02. ADDITIONAL REVISION TO CURRENT TEUC-X TRIGGER.**

(a) IN GENERAL.—Section 203(c)(2)(B) of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107-147; 116 Stat. 30) is amended to read as follows:

“(B) such a period would then be in effect for such State under such Act if—

“(i) section 203(d) of such Act were applied as if it had been amended by striking ‘5’ each place it appears and inserting ‘4’; and

“(ii) with respect to weeks of unemployment beginning after December 27, 2003—

“(I) paragraph (1)(A) of such section 203(d) did not apply; and

“(II) clause (ii) of section 203(f)(1)(A) of such Act did not apply.”

(b) APPLICATION.—Section 203(c)(2)(B)(ii) of the Temporary Extended Unemployment Compensation Act of 2002 (Public Law 107-147; 116 Stat. 30), as added by subsection (a), shall apply with respect to payments for weeks of unemployment beginning on or after the date of enactment of this Act.

**SEC. —03. TEMPORARY STATE AUTHORITY TO WAIVE APPLICATION OF LOOKBACKS UNDER THE FEDERAL-STATE EXTENDED UNEMPLOYMENT COMPENSATION ACT OF 1970.**

For purposes of conforming with the provisions of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note), a State may, during the period beginning on the date of enactment of this Act and ending on November 30, 2004, waive the application of either subsection (d)(1)(A) of section 203 of such Act or subsection (f)(1)(A)(ii) of such section, or both.

**SA 3160.** Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

On page 394, after line 22, insert the following:

**SEC. 3122. REPORT ON EFFORTS OF THE NATIONAL NUCLEAR SECURITY ADMINISTRATION TO UNDERSTAND PLUTONIUM AGING.**

(a) STUDY.—(1) Not later than 60 days after the date of the enactment of this Act, the

Administrator of the National Nuclear Security Administration shall enter into a contract providing for a study group of scientists to carry out a study to assess the efforts of the National Nuclear Security Administration to understand the aging of plutonium in nuclear weapons. In contracting for the performance of such services, the Administrator shall seek to enter into that contract with the study group of scientists that is affiliated with MITRE Corporation and known as the JASON group.

(2) The Administrator shall make available to the contractor under this subsection all information that is necessary for the contractor to successfully complete a meaningful study on a timely basis.

(b) **REPORT REQUIRED.**—(1) Not later than one year after the date on which the Administrator enters into the contract required under subsection (a), the Administrator shall submit to Congress a report on the findings of the contractor regarding the efforts of the National Nuclear Security Administration to understand the aging of plutonium in nuclear weapons.

(2) The report shall include the recommendations of the contractor for improving the knowledge, understanding, and application of the fundamental and applied sciences related to the study of plutonium aging.

(3) The report under this subsection shall be submitted in unclassified form, but may include a classified annex.

**SA 3161.** Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

On page 365, between lines 18 and 19, insert the following:

**SEC. 2830. LAND CONVEYANCE, LOUISIANA ARMY AMMUNITION PLANT, DOYLINE, LOUISIANA.**

(a) **CONVEYANCE AUTHORIZED.**—The Secretary of the Army may convey to the State of Louisiana (in this section referred to as the “State”) all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of approximately 14,949 acres located at the Louisiana Army Ammunition Plant, Doyline, Louisiana, for the purpose of using such property for military training.

(b) **CONSIDERATION.**—As consideration for the conveyance of property under subsection (a), the State shall—

(1) accommodate the use of such property, at no cost or fee, for meeting the present and future training needs of Armed Forces units, including units of the Louisiana National Guard and the other reserve components of the Armed Forces, on those areas of the Louisiana Army Ammunition Plant that were being used to support such training needs prior to the conveyance under subsection (a);

(2) assume, starting on the date that is five years after the date of the conveyance of such property, responsibility for any monitoring, sampling, or reporting requirements that are associated with the environmental restoration activities of the Army on the Louisiana Army Ammunition Plant, and shall bear such responsibility until such time as such monitoring, sampling, or reporting is no longer required; and

(3) assume responsibility for any obligations of the Army under real estate agree-

ments made by the Army and the facility use contractor with respect to the Louisiana Army Ammunition Plant in accordance with the terms of those agreements in effect at the time of the conveyance.

(c) **EXEMPTION FROM FEDERAL SCREENING.**—The conveyance under subsection (a) is exempt from the requirement to screen the property for other Federal use under section 2696 of title 10, United States Code, and the authority to make such conveyance shall not be considered to render the property excess or underutilized.

(d) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by surveys satisfactory to the Secretary. The cost of each survey shall be borne by the State.

(e) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

**SA 3162.** Mr. DOMENICI (for himself, Mrs. FEINSTEIN, Mr. LUGAR, Mr. BIDEN, Mr. ALEXANDER, Mr. BINGAMAN, Mr. REED, and Mr. AKAKA) proposed an amendment to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; as follows:

At the end of subtitle C of title XXXI, add the following:

**SEC. 3132. ACCELERATION OF REMOVAL OR SECURITY OF FISSILE MATERIALS, RADIOLOGICAL MATERIALS, AND RELATED EQUIPMENT AT VULNERABLE SITES WORLDWIDE.**

(a) **SENSE OF CONGRESS.**—(1) It is the sense of Congress that the security, including the rapid removal or secure storage, of high-risk, proliferation-attractive fissile materials, radiological materials, and related equipment at vulnerable sites worldwide should be a top priority among the activities to achieve the national security of the United States.

(2) It is the sense of Congress that the President may establish in the Department of Energy a task force to be known as the Task Force on Nuclear Materials to carry out the program authorized by subsection (b).

(b) **PROGRAM AUTHORIZED.**—The Secretary of Energy may carry out a program to undertake an accelerated, comprehensive worldwide effort to mitigate the threats posed by high-risk, proliferation-attractive fissile materials, radiological materials, and related equipment located at sites potentially vulnerable to theft or diversion.

(c) **PROGRAM ELEMENTS.**—(1) Activities under the program under subsection (b) may include the following:

(A) Accelerated efforts to secure, remove, or eliminate proliferation-attractive fissile materials or radiological materials in research reactors, other reactors, and other facilities worldwide.

(B) Arrangements for the secure shipment of proliferation-attractive fissile materials, radiological materials, and related equipment to other countries willing to accept such materials and equipment, or to the United States if such countries cannot be identified, and the provision of secure storage or disposition of such materials and equipment following shipment.

(C) The transportation of proliferation-attractive fissile materials, radiological mate-

rials, and related equipment from sites identified as proliferation risks to secure facilities in other countries or in the United States.

(D) The processing and packaging of proliferation-attractive fissile materials, radiological materials, and related equipment in accordance with required standards for transport, storage, and disposition.

(E) The provision of interim security upgrades for vulnerable, proliferation-attractive fissile materials and radiological materials and related equipment pending their removal from their current sites.

(F) The utilization of funds to upgrade security and accounting at sites where proliferation-attractive fissile materials or radiological materials will remain for an extended period of time in order to ensure that such materials are secure against plausible potential threats and will remain so in the future.

(G) The management of proliferation-attractive fissile materials, radiological materials, and related equipment at secure facilities.

(H) Actions to ensure that security, including security upgrades at sites and facilities for the storage or disposition of proliferation-attractive fissile materials, radiological materials, and related equipment, continues to function as intended.

(I) The provision of technical support to the International Atomic Energy Agency (IAEA), other countries, and other entities to facilitate removal of, and security upgrades to facilities that contain, proliferation-attractive fissile materials, radiological materials, and related equipment worldwide.

(J) The development of alternative fuels and irradiation targets based on low-enriched uranium to convert research or other reactors fueled by highly-enriched uranium to such alternative fuels, as well as the conversion of reactors and irradiation targets employing highly-enriched uranium to employment of such alternative fuels and targets.

(K) Accelerated actions for the blend down of highly-enriched uranium to low-enriched uranium.

(L) The provision of assistance in the closure and decommissioning of sites identified as presenting risks of proliferation of proliferation-attractive fissile materials, radiological materials, and related equipment.

(M) Programs to—

(i) assist in the placement of employees displaced as a result of actions pursuant to the program in enterprises not representing a proliferation threat; and

(ii) convert sites identified as presenting risks of proliferation regarding proliferation-attractive fissile materials, radiological materials, and related equipment to purposes not representing a proliferation threat to the extent necessary to eliminate the proliferation threat.

(2) The Secretary of Energy shall, in coordination with the Secretary of State, carry out the program in consultation with, and with the assistance of, appropriate departments, agencies, and other entities of the United States Government.

(3) The Secretary of Energy shall, with the concurrence of the Secretary of State, carry out activities under the program in collaboration with such foreign governments, non-governmental organizations, and other international entities as the Secretary considers appropriate for the program.

(d) **REPORTS.**—(1) Not later than March 15, 2005, the Secretary shall submit to Congress a classified interim report on the program under subsection (b).

(2) Not later than January 1, 2006, the Secretary shall submit to Congress a classified final report that includes the following:

(A) A survey by the Secretary of the facilities and sites worldwide that contain proliferation-attractive fissile materials, radiological materials, or related equipment.

(B) A list of sites determined by the Secretary to be of the highest priority, taking into account risk of theft from such sites, for removal or security of proliferation-attractive fissile materials, radiological materials, or related equipment, organized by level of priority.

(C) A plan, including activities under the program under this section, for the removal, security, or both of proliferation-attractive fissile materials, radiological materials, or related equipment at vulnerable facilities and sites worldwide, including measurable milestones, metrics, and estimated costs for the implementation of the plan.

(3) A summary of each report under this subsection shall also be submitted to Congress in unclassified form.

(e) FUNDING.—Amounts authorized to be appropriated to the Secretary of Energy for defense nuclear nonproliferation activities shall be available for purposes of the program under this section.

(f) DEFINITIONS.—In this section:

(1) The term “fissile materials” means plutonium, highly-enriched uranium, or other material capable of sustaining an explosive nuclear chain reaction, including irradiated items containing such materials if the radiation field from such items is not sufficient to prevent the theft or misuse of such items.

(2) The term “radiological materials” includes Americium-241, Californium-252, Cesium-137, Cobalt-60, Iridium-192, Plutonium-238, Radium-226 and Strontium-90, Curium-244, Strontium-90, and irradiated items containing such materials, or other materials designated by the Secretary of Energy for purposes of this paragraph.

(3) The term “related equipment” includes equipment useful for enrichment of uranium in the isotope 235 and for extraction of fissile materials from irradiated fuel rods and other equipment designated by the Secretary of Energy for purposes of this section.

(4) The term “highly-enriched uranium” means uranium enriched to or above 20 percent in isotope 235.

(5) The term “low-enriched uranium” means uranium enriched below 20 percent in isotope 235.

(6) The term “proliferation-attractive”, in the case of fissile materials and radiological materials, means quantities and types of such materials that are determined by the Secretary of Energy to present a significant risk to the national security of the United States if diverted to a use relating to proliferation.

**SA 3163.** Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

On page 296, between lines 14 and 15, insert the following:

#### **TITLE XIII—MEDICAL READINESS AND TRACKING**

##### **SEC. 1300. SHORT TITLE.**

This title may be cited as the “Medical Readiness and Tracking Act of 2004”.

#### **Subtitle A—Reserve Component Personnel**

##### **SEC. 1301. STUDY OF HEALTH OF RESERVES ORDERED TO ACTIVE DUTY FOR OPERATIONS ENDURING FREEDOM AND IRAQI FREEDOM.**

(a) REQUIREMENT FOR GAO STUDY.—The Comptroller General of the United States shall carry out a study of the health of the members of the reserve components of the Armed Forces who have been called or ordered to active duty for a period of more than 30 days in support of Operation Enduring Freedom and Operation Iraqi Freedom. The Comptroller General shall commence the study not later than 180 days after the date of the enactment of this Act.

(b) PURPOSES.—The purposes of the study under this section are as follows:

(1) To review the health status and medical fitness of the activated Reserves when they were called or ordered to active duty.

(2) To review the effects, if any, on logistics planning and the deployment schedules for the operations referred to in subsection (a) that resulted from deficiencies in the health or medical fitness of activated Reserves.

(3) To review compliance of the responsible Department of Defense personnel with Department of Defense policies on routine medical and physical fitness examinations that are applicable to the reserve components of the Armed Forces.

(4) To review in the case of activated Reserves deployed to the theater of an operation referred to in subsection (a), the medical care that was provided to such personnel in the theater during the first six months after arrival in the theater.

(c) REPORT.—The Comptroller General shall, not later than 18 months after the date of the enactment of this Act, submit a report on the results of the study under this section to the Committees on Armed Services of the Senate and the House of Representatives. The report shall include the following matters:

(1) With respect to the matters reviewed under paragraph (1) of subsection (b)—

(A) the percentage of activated Reserves who were determined to be medically unfit for deployment, together with an analysis of the medical illnesses or conditions most commonly found among the activated Reserves that were grounds for determinations of medical unfitness for deployment; and

(B) the percentage of the activated Reserves who, before being deployed, needed medical care for health conditions identified when called or ordered to active duty, together with an analysis of the types of care that were provided for such conditions.

(2) With respect to the matters reviewed under paragraph (2) of subsection (b)—

(A) the delays and other disruptions in deployment schedules that resulted from deficiencies in the health status or medical fitness of activated Reserves; and

(B) an analysis of the extent to which it was necessary to merge units or otherwise alter the composition of units, and the extent to which it was necessary to merge or otherwise alter objectives, in order to compensate for limitations on the deployability of activated Reserves resulting from deficiencies in the health status or medical fitness of activated Reserves.

(3) With respect to the matters reviewed under paragraph (3) of subsection (b), an assessment of the extent of the compliance of the responsible Department of Defense personnel with Department of Defense policies on routine medical and physical fitness examinations that are applicable to the reserve components of the Armed Forces.

(4) With respect to the matters reviewed under paragraph (4) of subsection (b), an analysis of the extent to which the medical

care provided to activated Reserves in each theater of operations referred to in subsection (a) related to preexisting conditions that were not adequately addressed before the deployment of such personnel to the theater.

(d) DEFINITIONS.—In this section:

(1) The term “activated Reserves” means the members of the Armed Forces referred to in subsection (a).

(2) The term “active duty for a period of more than 30 days” has the meaning given such term in section 101(d) of title 10, United States Code.

(3) The term “health condition” includes a dental condition.

(4) The term “reserve components of the Armed Forces” means the reserve components listed in section 10101 of title 10, United States Code.

##### **SEC. 1302. PHYSICAL EXAMINATIONS.**

(a) REQUIREMENT.—Section 10206(a) of title 10, United States Code, is amended by striking “shall—” and all that follows and inserting “shall be examined as to his physical fitness every 30 months, or more often as the Secretary concerned considers necessary.”

(b) EFFECTIVE DATE.—This section and the amendment made by subsection (a) shall take effect on October 1, 2004.

##### **SEC. 1303. RETRAINING OR SEPARATION OF MEDICALLY UNFIT MEMBERS.**

(a) REQUIREMENT.—Chapter 1007 of title 10, United States Code, is amended by inserting after section 10206 the following new section: “§ 10206a. Required actions for members not medically fit

“(a) IN GENERAL.—The Secretary of a military department shall take action under subsection (b) in the case of each member of a reserve component under the Secretary’s jurisdiction who—

“(1) as a result of an examination under section 10206 of this title or any other physical or medical examination performed under regulations prescribed by the Secretary, is determined not medically qualified for the performance of the duties of such member’s position; and

“(2) either—

“(A) as of the date that is 180 days after the date of that determination, is not making progress to become medically qualified in accordance with a plan approved under regulations prescribed by the Secretary; or

“(B) does not become medically qualified for the position within the period covered by such a plan.

“(b) REQUIRED ACTIONS.—A member of a reserve component described in subsection (a)—

“(1) shall be reassigned to a position in such reserve component for which the member is medically and otherwise qualified; or

“(2) if there is no position in such reserve component for which the member is medically and otherwise qualified, shall be separated from such reserve component.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 10206 the following new item:

“10206a. Required actions for members not medically fit.”

##### **SEC. 1304. POLICY ON DEFERRAL OF MEDICAL TREATMENT PENDING DEPLOYMENT TO THEATERS OF OPERATION.**

(a) REQUIREMENT FOR POLICY.—(1) Chapter 1007 of title 10, United States Code, as amended by section 1303, is further amended by inserting after section 10206a the following new section:

“§ 10206b. Members ordered to active duty: treatment of medical conditions

“(a) POLICY REQUIRED.—The Secretary of Defense shall prescribe a policy that specifies for members of the reserve components

called or ordered to active duty for a period of more than 30 days under a provision of law referred to in section 101(a)(13)(B) of this title—

(1) the circumstances under which treatment for medical conditions may be deferred to be provided within a theater of operations in order to prevent delay or other disruption of a deployment to that theater; and

(2) the circumstances under which medical conditions are to be treated before deployment to that theater.

“(b) **FACTORS TO BE CONSIDERED.**—The policy under subsection (a) shall specify the factors to be considered in a determination of deferral or initiation of treatment of a medical condition of a member to be deployed to a theater of operations, including the following factors:

“(1) Severity of the condition, including the extent of risk of significant aggravation of the condition if treatment is delayed or inadequate.

“(2) Medical treatment capabilities available to the member for such condition in the theater of operations.

“(3) The cost of treatment of the condition in such theater as compared to the cost of treatment of the condition under chapter 55 of this title at or in the vicinity of the facility or installation from which the member is to be deployed.”.

(2) The table of sections at the beginning of such chapter, as amended by section 1303(b), is further amended by inserting after the item relating to section 10206a the following new item:

“10206b. Members ordered to active duty: treatment of medical conditions.”.

(b) **TIME FOR ISSUANCE OF POLICY.**—The Secretary of Defense shall issue the policy required by section 10206b of title 10, United States Code (as added by subsection (a)), not later than 180 days after the date of the enactment of this Act.

#### **Subtitle B—All Armed Forces Personnel PART I—HEALTH SCREENING**

##### **SEC. 1311. RECRUIT ASSESSMENT PROGRAM.**

(a) **BASELINE HEALTH DATA.**—(1) Chapter 55 of title 10, United States Code, is amended by inserting after section 1092 the following new section:

##### **“§ 1092a. Persons entering the armed forces: baseline health data**

“(a) **PROGRAM REQUIRED.**—The Secretary of Defense shall, for the purposes set forth in subsection (b), carry out a program for—

“(1) the routine collection of baseline health data from all persons entering the armed forces;

“(2) computerized compilation and maintenance of the baseline health data; and

“(3) analysis of the data.

“(b) **PURPOSES.**—The program under this section shall be designed to achieve the following purposes:

“(1) To facilitate understanding of how exposures related to service in the armed forces affect health.

“(2) To facilitate development of early intervention and prevention programs to protect health and readiness.

“(c) **BASELINE HEALTH DATA DEFINED.**—In this section, the term ‘baseline health data’, with respect to a person entering any of the armed forces, means comprehensive information on the health of that person upon entry.

“(d) **APPLICABILITY TO COAST GUARD.**—(1) The program under this section shall apply to members of the Coast Guard to the extent approved by the Secretary of Homeland Security.

“(2) Nothing in paragraph (1) shall be construed to limit the application of the program under this section to a member of the

Coast Guard in that member’s capacity as a person entering a reserve component of the Army, Navy, Air Force, or Marine Corps.”.

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1092 the following new item:

“1092a. Persons entering the armed forces: baseline health data.”.

(b) **TIME FOR IMPLEMENTATION.**—The Secretary of Defense shall implement the program required under section 1092a of title 10, United States Code (as added by paragraph (1)), not later than two years after the date of the enactment of this Act.

##### **SEC. 1312. FURTHER REFINEMENT OF MEDICAL TRACKING SYSTEM FOR MEMBERS DEPLOYED OVERSEAS.**

(a) **ESTABLISHMENT OF ADVISORY WORKING GROUP.**—(1) Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall convene a working group to improve the medical tracking system for members deployed overseas established under section 1074f of title 10, United States Code.

(2) The working group under paragraph (1) shall be composed of any number of members, not less than 12 and not more than 20, that the Secretary of Defense determines appropriate for the working group to carry out its duties effectively, including members appointed by the Secretary as follows:

(A) One or more representatives of the Assistant Secretary of Defense for Health Affairs.

(B) One or more representatives of the Secretary of Veterans Affairs, with the consent of the Secretary.

(C) One or more civilian health professionals who have expertise in public health and epidemiology.

(D) Three or more civilian health professionals who have been involved in military health research or treatment.

(E) Three or more civilian health professionals who have been involved in environmental health research or treatment.

(F) Three or more civilians who are representative of veterans and military health advocacy organizations.

(3) The working group shall—

(A) analyze the strengths and weaknesses of the medical tracking system administered under section 1074f of title 10, United States Code, as a means for detecting—

(i) any health problems (including mental health conditions) of members of the Armed Forces contemporaneous with the performance of the assessment under the system; and

(ii) exposures of the assessed members to environmental hazards that potentially lead to future health problems;

(B) analyze the strengths and weaknesses of such medical tracking system as a means for supporting future research on health issues presenting in the years following the deployment of the members of the Armed Forces assessed under the system; and

(C) identify and develop recommended changes to such medical tracking system that strengthen the system as a means for—

(i) detecting health problems and exposures to environmental hazards as described in subparagraph (A); and

(ii) supporting future research as described in subparagraph (B).

(4) Not later than 180 days after convening, the working group shall submit to the Secretary a report setting forth the analyses and recommendations of the working group.

(b) **ACTIONS BY SECRETARY OF DEFENSE.**—Not later than 180 days after receipt of the report under subsection (a)(4), the Secretary of Defense shall prescribe regulations to implement the recommendations of the work-

ing group to the extent that the Secretary considers appropriate. The regulations shall include policies and standards for drawing blood samples for effective assessment and tracking of the medical conditions of personnel before deployment, upon the end of a deployment, and for a follow-up period of appropriate length.

(c) **INTERIM STANDARDS FOR BLOOD SAMPLING.**—(1) The Secretary of Defense shall require that, under the medical tracking system administered under section 1074f of title 10, United States Code—

(A) the blood samples necessary for the predeployment medical examination of a member of the Armed Forces required under subsection (b) of such section be drawn not earlier than 30 days before the date of the deployment;

(B) the blood samples necessary for the postdeployment medical examination of a member of the Armed Forces required under such subsection be drawn not later than 30 days after the date on which the deployment ends; and

(C) annually, for the first three years after the deployment of a member ends, blood samples be drawn from that person for the purpose of assessing the medical condition of such person under such system.

(2) In the case of a person who is no longer a member of the Armed Forces when a blood sample is to be drawn from such person under paragraph (1)(C), the blood may be drawn at any medical facility of the uniformed services designated by the Secretary of Defense. The Secretary shall attempt to accommodate the convenience of that person in selecting a facility for the drawing of that person’s blood sample.

(3) The requirements of paragraph (1) shall cease to be effective on the date on which the regulations prescribed under subsection (b) take effect.

#### **PART II—MEDICAL CARE IN THEATER OF OPERATIONS**

##### **SEC. 1315. MEDICAL SERVICES PROVIDED IN ALLIED HEALTH FACILITIES.**

Not later than one year after the date of the enactment of this Act, the Assistant Secretary of Defense for Health Affairs shall submit to the Secretary of Defense and the Committees on Armed Services of the Senate and the House of Representatives a report on the extent and types of medical services that were provided to members of the Armed Forces in facilities of allies of the United States during previous and current deployments of the Armed Forces, including Operations Desert Shield, Desert Storm, Joint Endeavor, Joint Forge, Joint Guardian, Enduring Freedom, and Iraqi Freedom.

##### **SEC. 1316. DEVELOPMENT OF POLICY ON PERSONNEL LOCATION DATA.**

(a) **REQUIREMENT FOR POLICY.**—The Secretary of Defense shall prescribe a Department of Defense policy on the collection and dissemination of in-theater individual personnel location data for the following purposes:

(1) To facilitate health care research and informed health care policy making for the Armed Forces.

(2) To enhance the capabilities of the Armed Forces to recognize and meet the health care needs of members of the Armed Forces returning to home stations from deployment to a theater of operations.

(b) **ADVISORY WORKING GROUP.**—(1) The Secretary shall establish a working group to advise the Secretary on the development of the policy under subsection (a). The working group shall include the following:

(A) One or more representatives of the Assistant Secretary of Defense for Health Affairs.

(B) One or more representatives of the Secretary of Veterans Affairs, with the consent of the Secretary.

(C) One or more representatives of the program manager for the Global Combat Support System.

(D) One or more representatives of the defense manpower data center.

(E) One or more representatives of the program manager for the Land Warrior System.

(F) One or more civilian health professionals who have been involved in research and treatment of Gulf War Syndrome.

(G) One or more representatives of the Joint Staff.

(2) In developing the policy recommendations, the working group shall take into consideration—

(A) traditional medical requirements for complete and open access to specific, individual personnel location data to provide for—

(i) adequate and independent peer review by all interested parties; and

(ii) an open and transparent process for setting scientifically rigorous health policy and formulating clinical guidelines for care;

(B) traditional operational requirements for securing personnel location data so as to prevent—

(i) compromise of mission objectives; or

(ii) unauthorized disclosure of tactical and logistical planning; and

(C) existing practical limitations on the collection of such data, together with solutions for eliminating such limitations.

#### **SEC. 1317. REPORT ON TRAINING OF FIELD MEDICAL PERSONNEL.**

(a) **REQUIREMENT FOR REPORT.**—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the training on environmental hazards that is provided by the Armed Forces to medical personnel of the Armed Forces who are deployable to the field in direct support of combat personnel.

(b) **CONTENT.**—The report under subsection (a) shall include the following:

(1) An assessment of the adequacy of the training regarding—

(A) the identification of—

(i) common environmental hazards; and

(ii) exposures to such hazards; and

(B) the prevention and treatment of adverse health effects of such exposures.

(2) A discussion of the actions taken and to be taken to improve such training.

#### **PART III—MEDICAL CARE AFTER RETURN FROM DEPLOYMENT**

##### **SEC. 1321. FINDINGS.**

Congress makes the following findings:

(1) One out of every nine members of the Armed Forces returning to home station from a deployment overseas listed on the member's post-deployment self-reported health assessment under the Health Evaluation Assessment Review program of the United States Army Center for Health Promotion and Preventive Medicine a concern about possibly having been exposed to environmental hazards deleterious to the member's health during the deployment, according to an article in the edition of the Medical Surveillance Monthly Report published for July and August 2003 by the Army Medical Surveillance Activity of the Directorate of Epidemiology and Disease Surveillance of the United States Army Center for Health Promotion and Prevention of Disease.

(2) This constitutes a high proportion of members who might have suffered exposure to environmental hazards that potentially lead to immediate or future health problems.

##### **SEC. 1322. REPORT ON RESPONSES TO HEALTH CONCERNS OF MEMBERS.**

(a) **REQUIREMENT FOR REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Assistant Secretary of De-

fense for Health Affairs shall submit to the Secretary of Defense and the Committees on Armed Services of the Senate and the House of Representatives a report on Department of Defense responses to expressions of concerns made as described in section 221(1).

(b) **CONTENT.**—The report regarding health concerns submitted under subsection (a) shall include the following:

(1) A discussion of the actions taken by Department of Defense officials to investigate the circumstances underlying such concerns in order to determine the validity of the concerns.

(2) A discussion of the actions taken by Department of Defense officials to evaluate or treat members and former members of the Armed Forces who are confirmed to have been exposed to environmental hazards deleterious to their health during deployments of the Armed Forces.

##### **SEC. 1323. RESPONSIBILITIES OF INSTALLATION COMMANDERS.**

(a) **PREPARATIONS TO MEET HEALTH CARE NEEDS.**—Chapter 55 of title 10, United States Code, is amended by inserting after section 1074k the following new section:

##### **“§1074l. Care of members redeploying from overseas deployment**

“(a) **NEEDS ASSESSMENT.**—The Secretary of Defense shall require the commander of each military installation at which members of the armed forces are to be processed upon redeployment from an overseas deployment—

“(1) to identify and analyze the anticipated health care needs of such members before the arrival of such members at that installation; and

“(2) to report such needs to the Secretary.

“(b) **DATA SOURCES.**—To carry out the duties imposed under subsection (a), the commander of an installation shall obtain the necessary information from the sources available to the commander, including the following information:

“(1) Information on schedules and locations from transportation and logistics personnel.

“(2) Information on disease and nonbattle injuries from the Surgeon General of the armed force concerned.

“(3) Information collected from environmental surveillance of the theater of military operations from which members are redeploying.

“(4) Information on the prevalence of combat and noncombat injuries, to the extent relevant.

“(c) **HEALTH CARE TO MEET NEEDS.**—The Secretary of Defense shall prescribe in regulations procedures for the commander of each military installation described in subsection (a) to meet the anticipated health care needs that are identified by the commander in the performance of duties under this section. The procedures shall include the following:

“(1) Arrangements for health care provided by the Secretary of Veterans Affairs.

“(2) Procurement of services from local health care providers.

“(3) Temporary employment of health care personnel to provide services at such installation.”

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1074k the following new item:

“1074l. Care of members redeploying from overseas deployment.”

##### **Subtitle C—Policy Compliance Assurance**

##### **SEC. 1331. SERUM REPOSITORY AUDITS.**

(a) **REQUIREMENT FOR BIENNIAL AUDIT.**—(1) Chapter 55 of title 10, United States Code, is amended by inserting after section 1073a the following new section:

##### **“§1073b. Serum repository audits**

“(a) **PERIODIC AUDITS.**—The Secretary of Defense shall require the director of the serum repository of the Department of Defense to audit at least twice every two years the records of blood samples stored in such repository to determine the percentage of members of the armed forces who are in compliance with the applicable Department of Defense and military department policies on the collection of blood samples from members of the armed forces. The Secretary may impose any higher minimum number of periodic audits under this section that the Secretary considers appropriate.

“(b) **REPORT.**—(1) Upon completion of an audit under subsection (a), the director of the serum repository shall submit a report on the audit to the Secretary of Defense. The report shall include the following information:

“(A) The compliance percentage determined under such subsection.

“(B) A discussion of the most common compliance problems identified.

“(C) Any recommendations for actions to improve compliance.

“(2) The Secretary shall transmit the report received under paragraph (1) to the Committees on Armed Services of the Senate and the House of Representatives. The Secretary may include any comments and recommendations that the Secretary considers appropriate.”

(2) The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1073a the following new item:

“1073b. Serum repository audits.”

(b) **INITIAL AUDIT.**—The first audit under section 1073b of title 10, United States Code (as added by subsection (a)), shall be completed not later than 180 days after the date of the enactment of this Act.

##### **SEC. 1332. DEPLOYMENT-RELATED HEALTH ASSESSMENT AUDITS.**

(a) **REQUIREMENT FOR BIENNIAL AUDIT.**—Section 1074f(d) of title 10, United States Code, is amended—

(1) by inserting “(1)” after “(d) **QUALITY ASSURANCE.**—”; and

(2) by adding at the end the following:

“(2)(A) The Secretary of Defense shall require the director of the Defense Medical Surveillance System to audit, every two years, the predeployment and postdeployment health assessment database maintained by the director in order to determine the percentage of members of the armed forces who are in compliance with the applicable Department of Defense and military department policies on the collection of predeployment and postdeployment health assessment data.

“(B) Upon completion of the biennial audit under subparagraph (A), the director of the Defense Medical Surveillance System shall submit a report on the audit to the Secretary of Defense. The report shall include the following information:

“(i) The compliance percentage determined under such audit.

“(ii) A discussion of the most common compliance problems identified.

“(iii) Any recommendations for actions to improve compliance.

“(C) The Secretary shall transmit the report received under subparagraph (B) to the Committees on Armed Services of the Senate and the House of Representatives. The Secretary may include any comments and recommendations that the Secretary considers appropriate.”

(b) **INITIAL AUDIT.**—The first audit under section 1074f(d)(2) of title 10, United States Code (as added by subsection (a)), shall be completed not later than 180 days after the date of the enactment of this Act.



**SEC. 1333. DECLASSIFICATION OF INFORMATION ON EXPOSURES TO ENVIRONMENTAL HAZARDS.**

(a) **REQUIREMENT FOR REVIEW.**—The Secretary of Defense shall review and, as determined appropriate, revise the classification policies of the Armed Forces Medical Intelligence Center with a view to facilitating the declassification of data that is potentially useful for the monitoring and assessment of the health of members of the Armed Forces who have been exposed to environmental hazards during deployments overseas, including the following data:

- (1) In-theater injury rates.
- (2) Data derived from environmental surveillance.
- (3) Health tracking data.
- (b) **PARTICIPATION OF DIRECTOR OF ARMED FORCES MEDICAL INTELLIGENCE CENTER.**—The Secretary may act through or consult with the Director of the Armed Forces Medical Intelligence Center in carrying out the review and revising policies under subsection (b).

(c) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on any changes to policies described in subsection (a) that have been made as a result of the review under such subsection.

**SEC. 1334. ACCESSIBILITY OF HEALTH ASSESSMENT INFORMATION TO ARMY MEMBERS ON THE INTERNET.**

Not later than one year after the date of the enactment of this Act, the Chief Information Officer of the Department of the Army shall ensure that the Army Knowledge Online portal website includes the following health-assessment related information:

- (1) Information on the Department of Defense policies regarding predeployment and postdeployment health assessments, including policies on the following matters:
  - (A) Health surveys.
  - (B) Physical examinations.
  - (C) Collection of blood samples and other tissue samples.

(2) Procedural information on compliance with such policies, including the following information:

- (A) Information for determining whether a member is in compliance.
- (B) Information on how to comply.
- (3) Health assessment surveys that are either—
  - (A) web-based; or
  - (B) accessible (with instructions) in printer-ready form by download.

**SEC. 1335. FULL IMPLEMENTATION OF FORCE HEALTH PROTECTION AND READINESS PROGRAM.**

(a) **IMPLEMENTATION AT ALL LEVELS.**—The Secretary of Defense, in conjunction with the Secretaries of the military departments, shall take such actions as are necessary to ensure that each of the Armed Forces fully implements at all levels the Force Health Protection and Readiness Program of the Department of Defense (relating to the prevention of injury and illness and the reduction of disease and noncombat injury threats).

(b) **ACTION OFFICIAL.**—The Secretary of Defense may act through the Deputy Assistant Secretary of Defense for Force Health Protection and Readiness in carrying out subsection (a).

**SA 3164.** Mr. GREGG submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe per-

sonnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

On page 280, after line 22, insert the following:

**SEC. 1068. COORDINATION OF USERRA WITH OTHER FEDERAL LAWS.**

(a) **TREATMENT OF DIFFERENTIAL PAYMENT AS WAGES FOR PURPOSES OF INCOME TAX WITHHOLDING.**—Section 4302 of title 38, United States Code, is amended by adding at the end the following:

“(c)(1) For purposes of chapter 24 of the Internal Revenue Code of 1986 (relating to collection of income tax at source on wages), any differential wage payment shall be treated as a payment of wages by the employer to the employee.

“(2) For purposes of paragraph (1), the term ‘differential wage payment’ means any payment which—

“(A) is made by an employer to an employee with respect to any period during which the employee is performing service in the uniformed services while on active duty for a period of more than 30 days, and

“(B) represents all or a portion of the difference between the wages the employee would have received from the employer if not performing service in the uniformed services and the wages paid for performing such service.”.

(b) **CONTINUED CONTRIBUTIONS TO PENSION PLANS.**—Section 4318 of title 38, United States Code, is amended by adding at the end the following:

“(c) For purposes of the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986, any employer or employee contributor to an employee pension benefit plan to which this section applies with respect to any period during which the employee is performing service in the uniformed services while on active duty for a period of more than 30 days shall be treated as a contribution with respect to a current employee of the employer.”.

**SA 3165.** Mr. COLEMAN submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

On page 247, between lines 13 and 14, insert the following:

**SEC. 1022. STUDY OF ESTABLISHMENT OF MOBILIZATION STATION AT CAMP RIPLEY NATIONAL GUARD TRAINING CENTER, LITTLE FALLS, MINNESOTA.**

Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall carry out and complete a study on the feasibility of the use of Camp Ripley National Guard Training Center, Little Falls, Minnesota, as a mobilization station for reserve components ordered to active duty under provisions of law referred to in section 101(a)(13)(B) of title 10, United States Code. The study shall include consideration of the actions necessary to establish such center as a mobilization station.

**SA 3166.** Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department

of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

On page 25, between lines 15 and 16, insert the following:

**SEC. 142. REPORT ON MATURITY AND EFFECTIVENESS OF THE GLOBAL INFORMATION GRID BANDWIDTH EXPANSION (GIG-BE) NETWORK.**

(a) **REPORT REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on a test to demonstrate the maturity and effectiveness of the Global Information Grid-Bandwidth Expansion (GIG-BE) network architecture, using end-to-end evaluation capabilities independently monitored by the Director of Operational Test and Evaluation.

(b) **CONTENTS OF REPORT.**—The report under subsection (a) shall—

(1) certify whether the results of the test described in subsection (a) demonstrate compliance of the GIG-BE architecture with the overall goals of the GIG-BE program;

(2) identify—

(A) the extent to which the GIG-BE architecture does not meet the overall goals of the program; and

(B) the components that are not yet sufficiently developed to achieve the goals required for certification of compliance under paragraph (1);

(3) include a plan and cost estimates for achieving compliance; and

(4) document the equipment and network configuration used to demonstrate real-world scenarios, including the use of mixtures of secure voice, secure video, teleconferencing, and secure high volume data exchanges (at not less than 10 gigabytes per second) between the continental United States and other theaters of operation, including Europe and the Persian Gulf; and

(5) document, with respect to the test—

(A) the number of simulated users and network routers used;

(B) information with respect to network loads; and

(C) the metrics used to test performance, such as quality of service, signal to noise ratios, bit error performance, and data latencies measures.

**SA 3167.** Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title X, add the following:

**SEC. 1022. REPORT ON AVAILABILITY OF LAUNCH SITES PERMITTING REALISTIC OVERLAND TEST FLIGHTS FOR DEFENSES AGAINST SHORT-RANGE BALLISTIC MISSILE SYSTEMS.**

(a) **FINDING.**—Congress finds that the testing of defenses against short-range ballistic missile systems require overland flights of such systems of at least 1,000 kilometers in order to accurately simulate realistic environmental conditions that affect such defenses.

(b) **REPORT ON AVAILABILITY OF LAUNCH SITES.**—The Secretary of Defense shall submit to Congress a report assessing the availability to the Department of Defense of launch sites that permit overland flights of short-range ballistic missile systems of at least 1,000 kilometers in order to accurately simulate realistic environmental conditions that affect such defenses.

**SA 3168.** Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title X, add the following:

**SEC. 1022. REPORT ON CENTER FOR JOINT ANALYSIS AND ASSESSMENT OF MILITARY EQUIPMENT BY THE MILITARY DEPARTMENTS.**

(a) **FINDING.**—Congress finds that joint research, development, test, and evaluation on military equipment by the military departments is critical to improving the quality and survivability of such equipment.

(b) **REPORT.**—The Secretary of Defense shall submit to Congress a report that sets forth the following:

(1) Locations identified by the Secretary as appropriate locations for a center for the joint research, development, test, and evaluation on military equipment by the military departments.

(2) A proposal for an organizational structure of the center described in paragraph (1).

**SA 3169.** Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3144 and insert the following:

**SEC. 3144. SUPPORT FOR PUBLIC EDUCATION IN THE VICINITY OF LOS ALAMOS NATIONAL LABORATORY, NEW MEXICO.**

The Secretary of Energy shall require that the primary management and operations contract for Los Alamos National Laboratory, New Mexico, that involves Laboratory operations after September 30, 2005, shall contain terms requiring the contractor under such contract to provide support to the Los Alamos Public School District, New Mexico, for the elementary and secondary education of students by the School District in the amount of \$8,000,000 in each fiscal year.

**SA 3170.** Mr. GRAHAM of South Carolina submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for

such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3119 and insert the following:

**SEC. 3119. TREATMENT OF WASTE MATERIAL.**

(a) **AVAILABILITY OF FUNDS FOR TREATMENT.**—Of the amount authorized to be appropriated by section 3102(a)(1) for environmental management for defense site acceleration completion, \$350,000,000 shall be available for the following purposes at the sites referred to in subsection (b):

(1) The safe management of tanks or tank farms used to store waste from reprocessing activities.

(2) The on-site treatment and storage of wastes from reprocessing activities and related waste.

(3) The consolidation of tank waste.

(4) The emptying and cleaning of storage tanks.

(5) Actions under section 3116.

(b) **SITES.**—The sites referred to in this subsection are as follows:

(1) The Idaho National Engineering and Environmental Laboratory, Idaho.

(2) The Savannah River Site, Aiken, South Carolina.

(3) The Hanford Site, Richland, Washington.

**SA 3171.** Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, insert the following:

**SEC. 574. APPEARANCE OF VETERANS SERVICE ORGANIZATIONS AT PRESEPARATION COUNSELING PROVIDED BY THE DEPARTMENT OF DEFENSE.**

(a) **APPEARANCE TO COUNSELING FOR DISCHARGE OR RELEASE FROM ACTIVE DUTY.**—Section 1142 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d) **APPEARANCE BY VETERANS SERVICE ORGANIZATIONS.**—(1) The Secretary concerned may permit a representative of a veterans service organization to appear at and participate in any pre-separation counseling provided to a member of the armed forces under this section.

“(2) For purposes of this subsection, a veterans service organization is any organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38.”

(b) **MEETING WITH RESERVES RELEASED FROM ACTIVE DUTY FOR FURTHER SERVICE IN THE RESERVES.**—(1) A unit of a reserve component on active duty in the Armed Forces may, upon release from active duty in the Armed Forces for further service in the reserve components, meet with a veterans service organization for information and assistance relating to such release if the commander of the unit authorizes the meeting.

(2) The time of a meeting for a unit under paragraph (1) may be scheduled by the commander of the unit for such time after the release of the unit as described in that paragraph as the commander of the unit determines appropriate to maximize the benefit of the meeting to the members of the unit.

(3) For purposes of this subsection, a veterans service organization is any organization recognized by the Secretary of Veterans Affairs for the representation of veterans under section 5902 of title 38, United States Code.

**SA 3172.** Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

On page 48, between lines 7 and 8, insert the following:

**SEC. 326. SENSE OF SENATE ON PERCHLORATE CONTAMINATION OF GROUND AND SURFACE WATER.**

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

(1) Because finite water sources in the United States are stretched by regional drought conditions and increasing demand for water supplies, there is increased need for safe and dependable supplies of fresh water for drinking and use for agricultural purposes.

(2) Perchlorate, a propellant used in munitions and jet fuels, has contaminated fresh water sources intended for use as drinking water and water necessary for the production of agricultural commodities.

(3) If ingested, perchlorate interferes with thyroid metabolism, and scientific evidence suggests that this effect can impair the normal development of the brain in fetuses, infants, and toddlers, and permanently impairs cognitive abilities and brain function in affected children.

(4) The National Academy of Sciences is conducting an assessment of the state of science regarding the effects on human health of perchlorate ingestion that will aid in understanding the effect of perchlorate exposure on sensitive populations.

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

(1) perchlorate has been identified as a contaminant of drinking water sources or in the environment in 34 States and has been used or manufactured in 36 States;

(2) perchlorate exposure at or above a certain level adversely affects public health, particularly the health of vulnerable and sensitive populations; and

(3) to help reduce the risk of perchlorate exposure, the Secretary of Defense should develop and implement a plan to remediate perchlorate contamination of the environment resulting from Department of Defense activities in areas at which levels of perchlorate pose the risk of hazardous exposure to perchlorate.

**SA 3173.** Mr. ALEXANDER submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

On page 127, between the matter following line 5 and line 6, insert the following:



**SEC. 621. TREATMENT OF CERTAIN SPECIAL PAYS AND ALLOWANCES FOR PURPOSES OF CERTAIN FEDERAL ASSISTANCE PROGRAMS.**

(a) RECEIPT NOT TO AFFECT ELIGIBILITY.—(1) Chapter 17 of title 37, United States Code, is amended by adding at the end the following new section:

**“§ 909. Treatment of certain special pays and allowances for purposes of eligibility under certain Federal assistance programs**

“(a) RECEIPT NOT TO AFFECT ELIGIBILITY.—Receipt of special pays specified in subsection (b) shall not be considered in determining eligibility of members of the uniformed services for benefits under the provisions of law specified in subsection (c).

“(b) COVERED SPECIAL PAYS AND ALLOWANCES.—The special pays and allowances referred to in subsection (a) are as follows:

“(1) The assignment incentive special pay under section 307a of this title

“(2) The special pay under section 310 of this title, relating to duty subject to hostile fire or imminent danger.

“(3) The family separation allowance under section 427 of this title.

“(c) FEDERAL ASSISTANCE PROGRAMS.—The benefits referred to in subsection (a) are as follows:

“(1) Benefits under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.).

“(2) Free lunches under the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

“(3) Assistance under the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786).

“(4) Assistance under the child and adult care food program established under section 17 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1766).

“(5) Free breakfasts under the school breakfast program established by section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

“(6) Services under the Head Start Act (42 U.S.C. 9831 et seq.).

“(7) Assistance under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.).

“(8) Assistance under the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621 et seq.).

“(9) Assistance under section 521 of the Housing Act of 1949 (42 U.S.C. 1490a).

“(10) Assistance under title I of the United States Housing Act of 1937 (42 U.S.C. 1437 et seq.), including assistance under section 8 of such Act (42 U.S.C. 1437f).”

(2) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“909. Treatment of certain special pays and allowances for purposes of eligibility under certain Federal assistance programs.”

(b) SENSE OF CONGRESS.—It is the sense of Congress that pay and allowances other than basic pay under section 204 of title 37, United States Code, and compensation under section 206 of such title should not be taken into account in determinations of eligibility of members of the uniformed services and their families for benefits under general assistance programs administered by States.

(c) EFFECTIVE DATE.—Section 909 of title 37, United States Code (as added by subsection (a)), shall take effect on October 1, 2004.

**SA 3174.** Mr. KENNEDY (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him

to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

On page 247, between lines 13 and 14, insert the following:

**SEC. 1022. REPORT ON THE STABILIZATION OF IRAQ.**

Not later than two weeks after the date of the enactment of this Act, the President shall submit to the congressional defense committees an unclassified report (with classified annex, if necessary) on the strategy of the United States for stabilizing Iraq. The report shall contain a detailed explanation of the strategy together with the following information:

(1) A description of the efforts of the President to work with the United Nations and the North Atlantic Treaty Organization to provide relief for the nearly 150,000 members of the Armed Forces of the United States who were serving in Iraq as of May 2004, including efforts to ensure that—

(A) more military forces of other countries are deployed to Iraq;

(B) more police forces of other countries are deployed to Iraq; and

(C) more financial resources of other countries are provided for the stabilization and reconstruction of Iraq.

(2) As a result of such efforts—

(A) a list of the countries that have committed to deploying military and police forces;

(B) with respect to each such country, the schedule and level of such deployments; and

(C) an estimate of the number of members of the Armed Forces that will be able to return to the United States as a result of such deployments.

(3) A description of the efforts of the President to develop the police and military forces of Iraq to provide relief for the nearly 150,000 members of the Armed Forces of the United States who were serving in Iraq as of May 2004.

(4) As a result of such efforts—

(A) the number of members of the police and military forces of Iraq that have been trained;

(B) the number of members of the police and military forces of Iraq that have been deployed; and

(C) an estimate of the number of members of the Armed Forces of the United States that will be able to return to the United States as a result of such training and deployment.

(5) An estimate of—

(A) the number of members of the Armed Forces that will be required to serve in Iraq during each of the first five years following the date of the enactment of this Act; and

(B) the percentage of that force that will be composed of members of the National Guard and Reserves.

**SA 3175.** Mr. REID (for himself, Mr. DASCHLE, Ms. COLLINS, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Serv-

ices, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VI, add the following:

**SEC. 642. CONCURRENT PAYMENT OF BOTH RETIRED PAY AND COMPENSATION TO MILITARY RETIREES WITH ANY SERVICE-CONNECTED DISABILITY.**

(a) EXTENSION TO MILITARY RETIREES WITH SERVICE-CONNECTED DISABILITIES RATED LESS THAN 50 PERCENT.—Subsection (a)(2) of section 1414 of title 10, United States Code, is amended by striking “not less than 50 percent disabling” and inserting “zero percent or more disabling”.

(b) CONFORMING AND CLERICAL AMENDMENTS.—(1) The heading of such section is amended to read as follows:

**“§ 1414. Members eligible for retired pay who are also eligible for veterans’ disability compensation: concurrent payment of retired pay and veterans’ disability compensation”.**

(2) The table of sections at the beginning of chapter 71 of such title is amended by striking the item relating to section 1414 and inserting the following:

“1414. Members eligible for retired pay who are also eligible for veterans’ disability compensation: concurrent payment of retired pay and veterans’ disability compensation.”

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as of January 1, 2005, and shall apply to payments for months beginning on or after that date.

**SEC. 643. COORDINATION OF ELIGIBILITY UNDER COMBAT-RELATED SPECIAL COMPENSATION AUTHORITY AND DISABLED MILITARY RETIREE COMPENSATION AUTHORITY FOR CHAPTER 61 DISABILITY RETIREES.**

(a) COORDINATION OF ELIGIBILITY.—Paragraph (3) of subsection (b) of section 1413a of title 10, United States Code, is amended to read as follows:

“(3) SPECIAL RULES FOR CHAPTER 61 DISABILITY RETIREES.—

“(A) CAREER RETIREES.—In the case of an eligible combat-related disabled uniformed services retiree who is retired under chapter 61 of this title with 20 or more years of service otherwise creditable under section 1405 of this title, or at least 20 years of service computed under section 12732 of this title, the amount of the payment under paragraph (1) for any month shall be reduced by the amount (if any) by which the amount of the member’s retired pay under chapter 61 of this title exceeds the amount of retired pay to which the member would have been entitled based upon the member’s service in the uniformed services if the member had not been retired under chapter 61 of this title.

“(B) DISABILITY RETIREES WITH LESS THAN 20 YEARS OF SERVICE.—Paragraph (1) does not apply to a member retired under chapter 61 of this title with less than 20 years of service otherwise creditable under section 1405 of this title, or with less than 20 years of service computed under section 12732 of this title, at the time of the member’s retirement.”

(b) CONFORMING AMENDMENT.—Subsection (c) of section 1413a is amended by striking “is a member of the uniformed services entitled to retired pay” and all that follows and inserting “is a member of the uniformed services (other than a member described by subsection (b)(3)(B)) entitled to retired pay who has a combat-related disability.”

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect as of January 1, 2005, and shall apply to payments for months beginning on or after that date.

## NOTICES OF HEARINGS/MEETINGS

## COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, May 19, 2004, at 10 a.m. in room 485 of the Russell Senate Office Building to conduct a business meeting on S.J. Res. 37, a resolution to acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian tribes and offer an apology to all native Peoples on behalf of the United States, and S. 2277, a bill to amend the act of November 2, 1966 (80 Stat. 1112), to allow binding arbitration clauses to be included in all contracts affecting the land within the Salt River Pima-Maricopa Indian Reservation; to be followed immediately by a hearing on S. 1696, a bill to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes.

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

## COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, May 20, 2004, at 10 a.m. in room 485 of the Russell Senate Office Building to conduct a hearing on S. 2382, the Native American Connectivity Act. Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

## SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. CRAIG. Mr. President, I announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, June 16, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on: (1) the grounding of multi-engine fire-retardant aircraft, (2) steps the Forest Service and Department of the Interior have taken to provide alternative aerial support for initial attack and extended attack fire fighting operations in the short run, and (3) the feasibility and desirability of designing and implementing an inspection process to allow the use of multi-engine fire-retardant aircraft in the future.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Frank Gladics at 202-224-2878 or Amy Millet at 202-224-2876.

## AUTHORITY FOR COMMITTEES TO MEET

## COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. LOTT. 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 Tuesday, May 18, 2004, at 10 a.m., to conduct a hearing on "Oversight of the Terrorism Risk Insurance Program."

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

## COMMITTEE ON ENERGY, AND NATURAL RESOURCES

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, May 18th, at 10 a.m.

The purpose of this hearing is to evaluate implications of a recent change in reporting of small business contracts by the Department of Energy. This change has the effect of increasing the number of small business contracts issued directly by the Department and decreasing the number of contracts issued by the Department's Management and operating contractors.

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

## COMMITTEE ON FOREIGN RELATIONS

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, May 18, 2004, at 9:30 a.m., to hold a hearing on "Iraq's Transition—The Way Ahead."

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

## COMMITTEE ON FOREIGN RELATIONS

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, May 18, 2004, at 2 p.m., to hold a Nomination hearing.

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

## COMMITTEE ON THE JUDICIARY

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Tuesday, May 18, 2004, at 10 a.m., on "Animal Rights: Activism vs. Criminality" in the Dirksen Senate Office Building, Room 226.

*Panel I:* McGregor W. Scott, U.S. Attorney, Eastern District of California, Sacramento, CA; and John E. Lewis, Deputy Assistant Director, Counterterrorism Division, Federal Bureau of Investigation, Department of Justice, Washington, DC.

*Panel II:* William Green, Senior Vice President and General Counsel, Chiron Corporation, Emeryville, CA; Jonathan Blum, Senior Vice President, Government Affairs, Yum! Brands Inc., Louisville, KY; and Dr. Stuart Zola, Director, Yerkes Primate Center, Emory University, Atlanta, GA.

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

## SPECIAL COMMITTEE ON AGING

Mr. LOTT. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet Tuesday, May 18, 2004, from 10 a.m.-12 p.m., in Dirksen 628 for the purpose of conducting a hearing.

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

## SUBCOMMITTEE ON AVIATION

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation, Subcommittee on Aviation be authorized to meet on Tuesday, May 18, 2004, at 9:30 a.m., on FAA Oversight.

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

## PRIVILEGES OF THE FLOOR

Mr. WARNER. Mr. President, I ask unanimous consent that Mr. Rick Stroyan, a military fellow, and Mr. Shay Webster, both of Senator CORNYN's office, be granted floor privileges.

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

Mr. DORGAN. Mr. President, I ask unanimous consent, on behalf of Senator BINGAMAN, that Jonathan Epstein, a fellow in his office, be afforded floor privileges during consideration of this DOD authorization.

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

Mr. WARNER. Mr. President, I ask unanimous consent that Kate Kaufer, a detailee with the Defense Appropriations Subcommittee, be granted floor privileges during consideration of the fiscal year 2005 Defense Authorization and Defense Appropriations bills.

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

Mr. WARNER. Mr. President, I ask unanimous consent that a legislative fellow, Marie Lage, from Senator SNOWE's office be granted floor privileges for the remainder of the debate on S. 2400, the fiscal year 2005 Department of Defense Authorization bill.

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

Mr. LEVIN. Mr. President, I ask unanimous consent that John Ulrich, a military fellow with Senator DOLE, be given floor privileges for the duration of the bill.

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

Mr. INHOFE. I ask unanimous consent our Air Force fellow, Mr. Lee Erickson, be given floor privileges during consideration of the bill.

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

## JUMPSTART OUR BUSINESS STRENGTH (JOBS) ACT

On Tuesday, May 11, 2004, the Senate passed S. 1637, as follows:

S. 1637

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