

given such term in section 4(6) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(6)).

SA 3442. Mr. MCCAIN 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 195, between lines 10 and 11, insert the following:

SEC. 868. LEASING OF AERIAL REFUELING AIRCRAFT FOR THE AIR FORCE.

(a) **COMMERCIAL ITEM PROCUREMENT.**—The Assistant Secretary of the Air Force (Acquisition) shall discontinue the commercial item procurement strategy for the leasing of aerial refueling aircraft for the Air Force and replace fixed-price contracts for initial development, modification, and integrated fleet support with cost or fixed-price incentive type contracts that would require the aircraft manufacturer to provide cost or pricing data directly to the Government.

(b) **COST OR PRICING DATA.**—Before the Secretary of the Air Force commits to the leasing of any aerial refueling aircraft for the Air Force under the aerial refueling aircraft lease program of the Air Force, the aircraft manufacturer shall provide cost or pricing data for aerial refueling aircraft that reflects the prices at which the same item has been previously sold in identical quantities and negotiate prices for aircraft engines directly with the engine manufacturers.

(c) **AUDIT SERVICES.**—The Secretary of the Air Force shall contact the Office of the Inspector General for the Department of Defense for review and approval of any Air Force use of non-Federal audit services for any contract for the acquisition of aerial refueling aircraft under the tanker lease program of the Air Force.

(d) **RESTRICTIONS.**—(1) The Secretary of the Air Force shall not enter into a lease for any aerial refueling aircraft for the Air Force previously authorized under section 8159 of the Department of Defense Appropriations Act, 2002 or section 135 of the National Defense Authorization Act for Fiscal Year 2004 that provides for use of a public-private partnership, a special purpose entity, or any other form of third-party financing for leasing the aircraft.

(2) The Secretary of the Air Force shall not enter into the proposed lease for any aerial refueling aircraft for the Air Force until an entity independent of the Air Force (on the basis of a study not funded out of funds available to the Air Force) determines that leasing rather than purchasing aerial refueling aircraft for the Air Force represents the best value for the Government.

SA 3443. Mr. MCCAIN 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 195, between lines 10 and 11, insert the following:

SEC. 868. ACQUISITION OF AERIAL REFUELING AIRCRAFT FOR THE AIR FORCE.

Consistent with direction from the acting Under Secretary of Defense for Acquisition, Technology, and Logistics to the Secretary of the Air Force regarding the execution of an aerial refueling analysis of alternatives (AOA), the Secretary of the Air Force shall not enter into the proposed lease of any aerial refueling aircraft until the Secretary completes and certifies to a valid requirements document tailored to the joint service requirements of the warfighter for aerial refueling tankers (as set forth in the missions needs statement) and operational parameters for aerial refueling aircraft. The system specifications developed for the first spiral of aerial refueling aircraft shall include all threshold requirements that are set forth in the missions needs statement. While the requirements document is being developed, the Secretary of the Air Force shall not provide the contractor with anything other than answers to factual questions when asked. The Secretary of the Air Force shall not have other input or interaction with the contractor.

SA 3444. Mr. MCCAIN 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 195, between lines 10 and 11, insert the following:

SEC. 868. RESTRICTION ON LEASE OF AERIAL REFUELING AIRCRAFT BY THE AIR FORCE.

The Secretary of the Air Force shall not enter into a lease for any aerial refueling aircraft for the Air Force until—

(1) authority for the Secretary to enter into a lease-purchase contract for the procurement of such aircraft is provided in a law enacted after the date of the enactment of this Act; or

(2) in the case of a lease of such aircraft that provides for use of a public-private partnership, a special purpose entity, or any other form of third-party financing for leasing the aircraft, the Secretary has negotiated (or renegotiated) the lease terms to meet the requirements of Office of Management and Budget Circular A-11 (as revised for 2003) that are applicable to such an arrangement.

SA 3445. Mr. MCCAIN 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 195, between lines 10 and 11, insert the following:

SEC. 868. PROHIBITION OF LEASING OF CERTAIN AIRCRAFT FOR THE AIR FORCE.

(a) **PROHIBITION.**—The Secretary of the Air Force may not lease Boeing 767 aircraft for the Air Force.

(b) **REPEAL OF EXISTING AUTHORITY.**—(1) Section 135 of the National Defense Author-

ization Act for Fiscal Year 2004 (Public Law 108-136; 117 Stat. 1413; 10 U.S.C. 2401a) is amended by striking subsections (a), (b), and (d).

(2) Section 8159 of the Department of Defense Appropriations Act, 2002 (division A of Public Law 107-117; 115 Stat. 2284) is amended—

(A) in subsection (a), by striking “Boeing 767 aircraft and”; and

(B) in subsection (f), by striking “100 Boeing 767 aircraft and”.

SA 3446. Mr. SCHUMER 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 G of title X, add the following:

SEC. 1068. SENSE OF THE SENATE CONCERNING OIL MARKETS.

(a) **FINDINGS.**—Congress finds that—

(1) this Act authorizes \$120,509,301,000 for operation and maintenance;

(2) the President's fiscal year 2005 budget request for the Department of Defense for operation and maintenance includes \$2,889,655,000 for the purchase of fuel; and

(3) if left unchecked, the unprecedented cost of oil may force the Department of Defense to expend more funding than anticipated to meet its fuel needs.

(b) **SENSE OF THE SENATE CONCERNING OIL MARKETS.**—It is the sense of the Senate that, in order to ensure that the amount of funding authorized for fuel expenditures is adequate to meet the needs of the Department of Defense, the President should suspend deliveries of oil to the Strategic Petroleum Reserve and release 1,000,000 barrels of oil per day from the Strategic Petroleum Reserve for 30 days following the date of enactment of this Act and, if necessary, for an additional 30 days beyond that.

SA 3447. Mr. FRIST 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 280, after line 22, insert the following:

SEC. 1068. DESIGNATION.

(a) **DESIGNATION.**—The Missile Defense Agency shall be known and designated as the “Ronald Reagan Missile Defense Agency”.

(b) **REFERENCE.**—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Missile Defense Agency referred to in subsection (a) shall be deemed to be a reference to the “Ronald Reagan Missile Defense Agency”.

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

Tuesday, June 8, 2004, at 10 a.m. in room 485 of the Russell Senate Office Building to conduct a hearing on S. 2436, a bill to reauthorize the Native American Programs Act.

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 Wednesday, June 9, 2004, at 10 a.m. in room 485 of the Russell Senate Office Building to conduct a business meeting on pending committee matters, to be followed immediately by an oversight hearing on the implementation in Native American communities of the "No Child Left Behind Act."

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that the following hearing has been scheduled before the Committee on Energy and Natural Resources:

The hearing will be held on Thursday, June 10th, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony regarding crude oil supply, gasoline demand and the effects on prices.

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, SD-364 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Lisa Epifant at 202-224-5269 or Shane Perkins at 202-224-7555.

IN MEMORY OF RONALD WILSON REAGAN, 40TH PRESIDENT OF THE UNITED STATES

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 371, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 371) relative to the death of Ronald Wilson Reagan, the 40th President of the United States.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 371) was agreed to, as follows:

S. RES. 371

Resolved, That in recognition of the long and distinguished service rendered to the Nation by the late Ronald Wilson Reagan, the 40th President of the United States, when the Senate recesses or adjourns on each of the days during the period from June 7 through June 11, 2004, it do so as a further mark of respect to the memory of Ronald Wilson Reagan.

150TH ANNIVERSARY OF THE GRAND EXCURSION OF 1854

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 544, S. Con. Res. 5.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 5) expressing support for the celebration in 2004 of the 150th anniversary of the Grand Excursion of 1854.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, en bloc, and that any statements relating to the bill be printed in the RECORD.

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

The concurrent resolution (S. Con. Res. 5) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 5

Whereas reaching the shores of the Mississippi River represented a major milestone for the westward expansion of the system of railroad infrastructure that began on the East Coast in the 1830s;

Whereas in 1854 the Chicago and Rock Island Railroad became the first railroad to reach the Mississippi River and that achievement was celebrated with a combined railroad and riverboat trip known as the "Grand Excursion of 1854";

Whereas the Grand Excursion of 1854 began in Chicago with a gathering of more than 1,000 dignitaries from professions encompassing the fields of government, education, business, journalism, and the arts, and included most prominently former United States President Millard Fillmore;

Whereas the excursion party of 1854 traveled from Chicago, Illinois, to Rock Island, Illinois, by train and then proceeded by boat from Rock Island to the present-day twin cities of Minneapolis, Minnesota, and St. Paul, Minnesota;

Whereas the Grand Excursion of 1854 is credited both with bringing the upper Mississippi Valley into the national spotlight and with solidifying Chicago's role as a major transportation hub;

Whereas communities located on the 419 mile stretch between Rock Island and Minneapolis are investing more than \$5,000,000,000 in recreational, commercial, and environmental improvements to prepare for the celebration of the Grand Excursion in 2004;

Whereas an educational program in Illinois, Iowa, Wisconsin, and Minnesota will bring the history of the Mississippi River to life for thousands of students from kindergarten through 12th grade and will focus on the recreational, environmental, and commercial importance of the river;

Whereas the Grand Excursion celebration of 2004 will establish a series of permanent exhibits throughout the upper Mississippi River, recognizing the achievements of the many communities and celebrating the history of the Mississippi River;

Whereas the Grand Excursion, through its local, regional, national, and international marketing programs and initiatives, will communicate to the world the incredible attributes of the upper Mississippi River and will invite hundreds of thousands of visitors to the region to celebrate;

Whereas the National Park Service, along with other Federal, State, and local agencies and many other interested groups, is preparing activities to celebrate the sesquicentennial of the Grand Excursion in 2004, to educate local residents and visitors about the attributes of the river, and to commemorate the occasion by establishing future traditions that will improve community connections to the river; and

Whereas Grand Excursion, Inc. is organizing and coordinating the celebration in 2004 of the 150th anniversary of the Grand Excursion of 1854: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) expresses its support for the work of all the Federal, State, and local entities, and the work of all interested groups that are preparing sesquicentennial activities to celebrate the 150th anniversary of the Grand Excursion of 1854;

(2) expresses its support for the events to be held in observance of the Grand Excursion of 1854 in Chicago, Rock Island, Moline, and Galena, Illinois, in Davenport, Clinton, and Dubuque, Iowa, in Prairie du Chien and La Crosse, Wisconsin, in Wabasha, Winona, Red Wing, Saint Paul, and Minneapolis, Minnesota, and in many other communities during the sesquicentennial observance; and

(3) calls on the President of the United States, the Secretary of Education, the Secretary of the Interior, the Secretary of Defense, the Assistant Secretary of the Army, the Director of the National Park Service, the Director of the United States Fish and Wildlife Service, other public officials, and the citizens of the United States to support, promote, and participate in the many sesquicentennial activities being planned to commemorate the Grand Excursion of 1854.

UNANIMOUS CONSENT AGREEMENT—S. 2400

Mr. FRIST. Mr. President, I ask unanimous consent that notwithstanding the filing deadline, the managers be permitted to introduce managers' amendments which have been cleared by the chairman and ranking member.

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

Mr. FRIST. Mr. President, I further ask unanimous consent that the order with respect to the pending Kennedy amendment be delayed to begin under the same provisions on Tuesday, June 15.

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