

jurisdiction. As part of that investigation, the Justice Department is reviewing the testimony and briefings that CIA personnel gave to the congressional oversight committees, including the Senate Intelligence Committee, from the inception of the air interdiction program.

To assist the Justice Department in its investigation, this resolution would authorize the chair and vice chair, acting jointly, to provide to the Justice Department, under appropriate security procedures, committee hearing transcripts and other committee records pertinent to its oversight of the Peruvian counter-narcotics air interdiction program.

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to this matter be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 411) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 411

Whereas, the United States Department of Justice has requested that the Senate Select Committee on Intelligence provide it with documents in connection with a pending investigation into the involvement of U.S. government officials in the counter-narcotics air interdiction program in Peru;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved* That the Chairman and Vice Chairman of the Senate Select Committee on Intelligence, acting jointly, are authorized to provide to the United States Department of Justice, under appropriate security procedures, copies of Committee documents sought in connection with its investigation into the involvement of U.S. government officials in the counter-narcotics air interdiction program in Peru.

#### UNANIMOUS CONSENT AGREEMENT—H.R. 4766

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Appropriations be discharged from further consideration of H.R. 4766 and that the papers then be returned to the House of Representatives.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### ADDITIONAL TEMPORARY EXTENSION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2700, which was introduced earlier today by Senators SNOWE and KERRY.

The ACTING PRESIDENT pro tempore. The clerk will state the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2700) to provide an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958 through September 17, 2004, and for other purposes.

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

(At the request of Mr. DASCHLE, the following statement was ordered to be printed in the RECORD.)

• Mr. KERRY. Mr. President, today I join Chairman SNOWE in supporting legislation to keep the Small Business Administration and its financing and counseling assistance available to small businesses. This bill authorizes the SBA and most of its programs through the September 17, 2004, which will allow time for the House to complete its work on the SBA's 3-year reauthorization bill, passed by the Senate in September 2003, and for the committee to find common ground with the administration on needed program changes to SBA's venture capital program, the Small Business Investment Company program. In addition to the 8-week extension, this bill includes a provision necessary to bring the administration into compliance with a January 2004 recommendation by the SBA's Inspector General. This change will save the SBA hundreds of thousands of dollars by allowing the agency's fiscal and transfer agent for the 7(a) loan program's secondary market program to keep the interest earned on fees lenders pay before they are remitted to the government. Currently, the SBA does not have that authority. The committee wants the program to continue running smoothly and successfully, and we think this change should accomplish this.

With passage of this bill, the committee expects the SBA to move forward on grants for all its programs and certification for minority businesses, and any other business it has been delaying.

I am pleased that this bill will extend all of SBA's programs and pilot programs; however I am disappointed that the dire and urgent needs of the Women's Business Center program have yet to be fully addressed.

As many of my colleagues know, there are currently 88 Women's Business Centers. Of these, 35 are in the initial grant program and 53 will have graduated to the sustainability part of the program in this funding cycle.

These sustainability centers make up more than half of the total Women's Business Centers, but under the current funding formula are only allotted 30 percent of the funds. Without changing the portion reserved for sustainability centers to 48 percent as the Snowe-Kerry bill, S. 2266, contemplates, all grants to sustainability centers could be cut in half, or worse, 23 experienced centers could lose funding completely. In short, this change would simply direct the SBA to reserve 48 percent of the appropriated funds for the sustainability centers, instead of 30 percent, which would allow enough funding to keep open the most experienced centers, while still permitting the establishment of new centers and protecting existing ones.

I believe it is not enough to merely extend the Women's Business Center program and not make this critical and bipartisan change.

I thank my colleagues for their support of small businesses and for considering immediate passage of this important small business bill. •

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The bill (S. 2700) was read the third time and passed, as follows:

#### S. 2700

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

#### SECTION 1. ADDITIONAL TEMPORARY EXTENSION OF PROGRAMS UNDER SMALL BUSINESS ACT AND SMALL BUSINESS INVESTMENT ACT OF 1958.

The authorization for any program, authority, or provision, including any pilot program, that was extended through June 4, 2004, by section 1 of Public Law 108-217 is further extended through September 17, 2004, under the same terms and conditions.

#### SEC. 2. TECHNICAL AMENDMENT.

Section 2 of Public Law 108-205 is amended by striking "October 1, 2003" and inserting "March 15, 2004". The amendment made by the preceding sentence shall take effect as if included in the enactment of the section to which it relates.

#### SEC. 3. COMPENSATION OF AGENTS.

Section 5 of the Small Business Act (15 U.S.C. 634) is amended—

(1) in subsection (g)(4), by adding at the end the following:

“(C) The Administration may contract with an agent to carry out, on behalf of the Administration, the assessment and collection of the annual fee established under section 7(a)(23). The agent may receive, as compensation for services, any interest earned on the fee while in the control of the agent before the time at which the agent is contractually required to remit the fee to the Administration.”; and

(2) in subsection (h)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following:

“(2) The agent described in paragraph (1)(B) may be compensated through any of

the fees assessed under this section and any interest earned on any funds collected by the agent while such funds are in the control of the agent and before the time at which the agent is contractually required to transfer such funds to the Administration or to the holders of the trust certificates, as appropriate.”.

#### ORDERS FOR WEDNESDAY, JULY 21, 2004

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, July 21. I further ask that following the prayer and the pledge, the morning hour be deemed to have expired, the Journal of the proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and the Senate then begin a period of morning business for statements only for up to 90 minutes, with the first 45 minutes under the control of the Democratic leader or his designee, and the last 45 minutes under the control of the majority leader or his designee; provided that following morning business, the Senate resume consideration of S. 2677, the Morocco trade bill, as provided under the previous order.

The ACTING PRESIDENT pro tempore. The Senator from Nevada.

Mr. REID. Mr. President, if I could ask a question of the majority leader, we are going to complete our vote at about 12 o'clock tomorrow. Does the leader have an idea as to what we might do tomorrow afternoon?

Mr. FRIST. Mr. President, over the course of the next several hours, we will be working on a number of pieces

of business that we might be able to address. Just for general information, the work we need to do over the next several days includes the DOD conference report; we will know within an hour or so when it will be coming back. We will proceed with that as soon as we can, as soon as it is available; we are still in discussions over some tax extensions that we have been in discussions on in the last several days. We would like to proceed with that at this juncture, until we see what the discussions entail. The resolution of that, I would expect, will be in the early afternoon, but it is uncertain.

Mr. REID. It is my understanding that there are events tomorrow night, so we should not be in late tomorrow night. Would it be appropriate to indicate that for Members on this side of the aisle?

Mr. FRIST. Mr. President, indeed, we will not be going late tomorrow night. It will be early. I am not sure exactly what time, but there are events planned tomorrow night. We don't expect to be in tomorrow night.

In terms of scheduling, because we are waiting for certain bills from the House, we will be in close touch and let our Members know. We understand that we have events beginning this weekend and some beginning on Friday as well. I had discussions with the Democratic leader earlier. We have a lot to do, and a lot of it is not seen on the Senate floor, but it is being produced. We have to address it before we leave.

The cloture vote I just filed on the circuit court judge we will be debating

for some time after tomorrow morning, so that may be what we do tomorrow.

The ACTING PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

#### PROGRAM

Mr. FRIST. Mr. President, in closing, under the previous order, we will vote on passage of the Morocco trade bill, which we have discussed today, at 11:30 tomorrow. We are going to have a busy week, as I just mentioned, before going out on a long recess. There is a lot of important legislation that we are and will continue to be discussing.

#### ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:41 p.m., adjourned until Wednesday, July 21, 2004, at 9:30 a.m.

#### DISCHARGED NOMINATIONS

THE SENATE COMMITTEE ON FINANCE WAS DISCHARGED FROM FURTHER CONSIDERATION OF THE FOLLOWING NOMINATIONS AND THE NOMINATIONS WERE PLACED ON THE EXECUTIVE CALENDAR PURSUANT TO AN ORDER OF THE SENATE OF JULY 8, 2004:

\*JUAN CARLOS ZARATE, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

\*STUART LEVEY, OF MARYLAND, TO BE UNDER SECRETARY OF THE TREASURY FOR ENFORCEMENT.

\*NOMINATION WAS REPORTED WITH RECOMMENDATION THAT IT BE CONFIRMED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.