the Senator from New Jersey (Mr. CORZINE), the Senator from Minnesota (Mr. DAYTON), the Senator from Florida (Mr. NELSON) and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of amendment No. 306 intended to be proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 310

At the request of Mr. REED, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of amendment No. 310 intended to be proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 311

At the request of Mr. KENNEDY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 311 proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 315

At the request of Mr. KENNEDY, the names of the Senator from New Mexico (Mr. BINGAMAN), the Senator from Michigan (Mr. LEVIN), the Senator from South Dakota (Mr. DASCHLE), the Senator from New Jersey (Mr. CORZINE) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of amendment No. 315 intended to be proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 317

At the request of Mr. SARBANES, his name was added as a cosponsor of amendment No. 317 proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 323

At the request of Mr. BINGAMAN, his name was added as a cosponsor of amendment No. 323 intended to be proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 324

At the request of Mrs. LINCOLN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of amendment No. 324 intended to be proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 324

At the request of Ms. MIKULSKI, her name was added as a cosponsor of amendment No. 324 intended to be proposed to S. Con. Res. 23, supra.

AMENDMENT NO. 328

At the request of Mr. WYDEN, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of amendment No. 328 proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 341

At the request of Mr. REID, the names of the Senator from Florida (Mr. NELSON), the Senator from Washington (Ms. CANTWELL) and the Senator from South Dakota (Mr. DASCHLE) were added as cosponsors of amendment No. 341 intended to be proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 343

At the request of Ms. MIKULSKI, her name was added as a cosponsor of amendment No. 343 proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 343

At the request of Mr. GRAHAM of Florida, his name was added as a cosponsor of amendment No. 343 proposed to S. Con. Res. 23, supra.

AMENDMENT NO. 343

At the request of Mr. GRAHAM of South Carolina, his name was added as a cosponsor of amendment No. 343 proposed to S. Con. Res. 23, supra.

AMENDMENT NO. 343

At the request of Mr. BYRD, his name was added as a cosponsor of amendment No. 343 proposed to S. Con. Res. 23, supra.

AMENDMENT NO. 343

At the request of Mr. LIEBERMAN, his name was added as a cosponsor of amendment No. 343 proposed to S. Con. Res. 23, supra.

AMENDMENT NO. 343

At the request of Mr. CORZINE, his name was added as a cosponsor of amendment No. 343 proposed to S. Con. Res. 23, supra.

AMENDMENT NO. 349

At the request of Ms. MIKULSKI, the names of the Senator from New Jersey (Mr. CORZINE) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of amendment No. 349 proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 358

At the request of Mr. DURBIN, his name was added as a cosponsor of amendment No. 358 proposed to S. Con. Res. 23, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013.

AMENDMENT NO. 358

At the request of Ms. MIKULSKI, her name was added as a cosponsor of amendment No. 358 proposed to S. Con. Res. 23, supra.

AMENDMENT NO. 358

At the request of Mr. BINGAMAN, his name was added as a cosponsor of amendment No. 358 proposed to S. Con. Res. 23, supra.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. 681. A bill to provide for the enhanced protection of electricity consumers under the Federal Power Act; to the Committee on Energy and Natural Resources.

Ms. CANTWELL. Mr. President, I rise today to introduce the Electricity Market Manipulation Prevention Act—legislation I believe is critical in ensuring our Nation's consumers will never again have to suffer from the type of energy price manipulation that has so devastated the economy of my home State of Washington. This bill is simple yet powerful in concept. In essence, it requires the Federal Energy Regulatory Commission to do its job—protect consumers from energy price manipulation.

This bill says that where FERC gives companies the authority to charge market-based wholesale electricity rates, the Commission must also actively ensure that effective competition—the only kind of competition that benefits consumers and businesses—actually exists. It says that if FERC finds that an entity has attempted to manipulate power markets, the Commission will revoke or modify the company's ability to sell power at market-based rates, and the company will be on the hook to pay back revenues in excess of the average regional cost of generating the power. And lastly, it says that FERC will not be allowed to change the legal standard for

reviewing whether consumers deserve relief from market manipulation.

I first want to make a very important point about this legislation. In large part, it does not expand FERC's existing authority under the Federal Power Act. It simply articulates more explicitly how Congress intends for FERC to exercise its existing authority.

Now why is this an important point? As many of my colleagues may know, FERC—under sections 205 and 206 of the Federal Power Act—is already given the responsibility of ensuring just and reasonable wholesale electricity rates, and fixing those rates when market activity has gone awry. So why do we need clarification? Because despite overwhelming and undisputed evidence that any number of energy companies—Enron and its ilk—engaged in activities designed to manipulate power markets in the west, FERC has to date failed to take action on behalf of consumers.

While prices started skyrocketing out of control during the summer of 2000, it took the Commission nearly a year to step in and reign in those prices throughout the west. The provisions of this legislation that require FERC to perform annual reviews of how well markets are functioning would help ensure the Commission's active oversight, and prevent the type of price gouging from which consumers and businesses in my sate continue to suffer.

While the Commission did finally step in to cap prices—under intense congressional pressure, I might add—it has, almost 2 years later, failed to decisively act on the billions of dollars' worth of refund and long-term contract complaints resulting from the crisis. What's more, the Commission's Administrative Law Judges have taken every opportunity to throw additional hurdles in the path of the Northwest consumers, who have suffered more than any as a result of California's ill-fated restructuring scheme. That's why this legislation specifically articulates what legal standard should apply to the Commission's review of complaints for relief.

Even in the face of admitted market manipulation—in the most brazen of cases, where Enron has described its own schemes to drive up prices and Reliant's transcripts quote company traders explicitly voicing their plans to drive up prices throughout the west by withholding power—FERC has, more than two years later, failed to use all the tools at its disposal to send a message that such activities will not be tolerated, levying fines that are clearly inadequate compared to the economic devastation these activities have caused.

This bill makes the remedies for market manipulation far more transparent, doing away with the multiple years of arcane proceedings in which we are currently embroiled. The protracted cases resulting from the western energy crisis have yet to benefit anyone—certainly neither the industry nor consumers—except, perhaps, for energy attorneys.

This legislation tells energy companies that if they are going to attempt to manipulate markets, there will be harsh and immediate consequences. It says that if the commission finds that an entity has attempted to gouge consumers, it will revoke or revise its market-based rate authority, set a just and reasonable rate going forward, and order the refund of revenues collected above the average wholesale generation cost within the relevant regional power market. Concrete, explicit consequences—commensurate with the level of damage caused by marketplace shenanigans—should provide a powerful disincentive for companies tempted to engage in the types of behavior that have crippled the economy of Washington and other western states.

Now, I can already hear the outcry from some—but not all sectors—of the energy industry. They will claim that putting concrete remedies on the books—transparent mechanisms for consumer relief, and tangible penalties for companies that endeavor to gouge consumers—will breed too much uncertainty for participants in energy markets.

To those who would make that argument, I would simply say, it is absolutely absurd to suggest that energy companies can't make money unless they retain their legal rights to rip off the ratepayers of this country. Ensuring that FERC—which is supposed to be, in Chairman Pat Wood's own words, ''the tough cop on the beat''—takes swift and decisive action when energy companies attempt to manipulate markets is an issue of simple fairness and common sense. Afterall, it is our Nation's ratepayers—residential and industrial customers alike—who pay the price for FERC's inaction, and FERC is the only cop on the beat.

I have stood on this floor many times to speak of the economic train wreck created in my state by FERC's inaction in the face of the western energy crisis, which we now know resulted in large part from bad actors who decided to take advantage of a near-historic drought and tragically flawed market rules in California. Today, retail rates in many parts of my State of Washington have risen almost 50 percent, our unemployment is consistently among the top five in the nation, the demand for low-income energy assistance is at record levels, we are struggling to stave off yet another regional rate increase, and there is no end in sight—unless FERC takes long-overdue action.

This bill sends a clear signal to FERC: we expect you to right the wrongs from which consumers throughout the west continue to suffer, and we expect you to use your authority to ensure a repeat of the western energy crisis never occurs. There is no other competitively traded commodity aside from electricity—soy beans, wheat, pork bellies, metals—for which a prolonged price run-up can single-handedly cripple industries as diverse as aluminum smelting, microchip manufacturing, irrigated agriculture, paper production or aerospace. Clearly, the economic stakes are exceptionally high when it comes to electricity, and as such, Congress must demand a greater degree of accountability from both the industry itself and those who regulate it.

With this bill, we make Congress' intent perfectly clear: FERC must protect consumers; there will be swift and decisive action against those who endeavor to manipulate markets; and the deck will not be stacked against the consumers and businesses who are the victim of Enron-like schemes.

By Mr. DOMENICI (for himself, Ms. CANTWELL, Mrs. MURRAY, and Mr. BINGAMAN):

S. 682. A bill to authorize funding for Genomes to Life Research and Development at the Department of Energy for fiscal years 2004 through 2008; to the Committee on Energy and Natural Resources.

Mr. DOMENICI. Mr. President, I rise to introduce the Genomes to Life Research and Development Act. I appreciate the bipartisan sponsors, Senator CANTWELL, Senator MURRAY and Senator BINGAMAN who join me in its introduction.

In the last 2 years, there have been many events celebrating the completion of maps of the human genome. The genome map has been lauded from many quarters, with some referring to it as the ''recipe for life,'' our ''genetic fingerprint,'' or the ''holy grail of biology.'' There can be no question that the work of the DOE, the NIH, and private industry to complete this map has ushered in a new frontier in biological research.

I had the tremendous pleasure and honor of being the first legislator to recognize the importance of human genomics. It was at a March 1986 conference in Sante Fe, NM, led by Charles DeLisi and David Smith, that the first proposal for the DOE Human Genome Initiative was developed. And it was in 1987 that I introduced the legislation that laid the foundation for the Human Genome project. Senator Chiles worked with me in this effort, and both the Labor and Energy Committees had important roles in advancing the project.

The first year of appropriated funding was fiscal year 1988, with $11 million for the DOE and $17 million for the NIH. Since then, in completing the map, over $3 billion has been invested. I firmly believe that history will view that investment as one that truly changed medical and health sciences for all mankind.

I have found it amusing to review some of the arguments against the genome project in those early days. It was labeled as a ''mindless factory project,'' or ''a scheme for unemployed

bombmakers.'' One well known researcher said, ''The Idea is gathering momentum. I shiver at the thought.''

Now there's only praise for the future of this endeavor. I particularly value an autographed copy of the original genome map that was presented to me in February of 2001 by Craig Venter, president of Celera Genomics, with the inscription ''Your vision went beyond the parochial objections of the few and the doubts of the many, we all owe you our thanks.''

But even as we can see today that the benefits to mankind from the genome project will be immense, we also are nowhere near the point of fully utilizing the treasure trove of information in these maps. Today, we do not understand how details of genome sequence influence medical conditions. In short, we have a map, but aren't quite sure exactly how that map corresponds to reality.

With this bill, we authorize a new DOE program, Genomes to Life. Along with companion measures in the NIH, this DOE program will seek to interpret this wonderful new map and really begin to use it. Through these programs, we will begin to understand how our own DNA sequence, as expressed in our own genome map, translates into a collection of interacting proteins that function as our own personal molecular machine.

The intellectual challenges in this new initiative are immense. They require public support for the basic and applied research and development. There must be significant advances in areas like characterization of multiprotein complexes and gene regulatory networks that will be required before biologically based solutions and technologies will be available for applications to DOE missions.

New instruments will be essential in the Genomes to Life research. These may be instruments that haven't been invented yet. Specialized facilities will be required to advance the field and realize its promise. This bill envisions these facilities being built as user facilities, using the model that the Department already successfully uses for many facilities in diverse areas of science.

With the Genomes to Life program, and its companion programs at the NIH, we'll finally be in a position to understand how genomic information can be used to benefit mankind. From the NIH side, we will be far better equipped to understand many diseases. We may have drugs designed for specific genetic profiles, drugs may be screened for adverse interactions, and side effects of drugs may be predicted and avoided.

From the DOE side of the program, we may have biological approaches to hydrogen production or carbon sequestration. We may have new alternatives for detection and mitigation of biological threats. We may have new biological tools to handle complex cleanup issued at DOE sites.

This Bill lays the foundation for this new Genomes to Life program, and I encourage its support.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 682

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

SECTION 1. SHORT TITLE.

This Act may be cited as ''The Genomes to Life Research and Development Act''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) The Department of Energy's Genomes to Life initiative involves the emerging fields of systems biology and proteomics, which address the ability to understand the composition and function of the biochemical networks and pathways that carry out the essential processes of living organisms.

(2) The Genomes to Life initiative builds on the Department of Energy's integral role in the Human Genome Project, which has led to the mapping, sequencing and identification of genetic material. Genomes to Life will go beyond mapping to develop an understanding of how genetic components interact to perform cellular activities vital to life.

(3) The ability of the United States to respond to the national security, energy and environmental challenges of the 21st century will be driven by science and technology. An integrated and predictive understanding of biological systems will enable the United States to develop new technologies related to the detection of biological and chemical agents, energy production, carbon sequestration, bioremediation and other Department of Energy statutory missions. These advances will also enhance the strength of U.S. science, technology, and medicine generally.

(4) The fundamental intellectual challenges inherent in the Genomes to Life initiative are considerable, and require public support for basic and applied research and development. Significant advances in areas such as the characterization of multiprotein complexes and gene regulatory networks will be required before biologically-based solutions and technologies will be useful in national security applications, as well as to the energy, medical and agricultural industries.

(5) The development of new scientific instruments will also be required to advance Genomes to Life research. Such instruments are likely to be large and costly. Specialized facilities are also likely to be required in order to advance the field and to realize its promise. Such facilities will be sufficiently expensive that they will have to be located and constructed on a centralized basis, similar to a number of unique facilities already managed by the Department of Energy.

(6) Contributions from individual researchers as well as multidisciplinary research teams will be required to advance systems biology and proteomics.

(7) The Department of Energy's Office of Science is well suited to manage systems biology and proteomics research for the Department. Through its support of research and development pursuant to the Department's statutory authorities, the Office of Science is the principal federal supporter of the research and development in the physical and computational sciences. The Office is also a significant source of federal support for research in genomics and the life sciences. The Office supports research and development by individual investigators and multidisciplinary teams, and manages special user facilities that serve investigators in both university and industry.

SEC. 3. DEPARTMENT OF ENERGY PROGRAM.

(a) ESTABLISHMENT.—The Secretary shall carry out a program of research, development, demonstration, and commercial application, to be known as the Genomes to Life Program, in systems biology and proteomics consistent with the Department's statutory authorities.

(b) PLANNING.—

(1) IN GENERAL.—The Secretary shall prepare a program plan describing how knowledge and capabilities would be developed by the program and applied to Department missions relating to energy, environmental cleanup, and mitigation of global climate change.

(2) CONSULTATION.—The program plan will be developed in consultation with other relevant Department technology programs.

(3) LONG-TERM GOALS.—The program plan shall focus science and technology on long-term goals including:

(A) contributing to U.S. independence from foreign energy sources,

(B) stabilizing atmospheric levels of carbon dioxide to counter global warming,

(C) advancing environmental cleanup, and

(D) providing the science and technology basis for new industries in biotechnology.

(4) SPECIFIC GOALS.—The program plan shall identify appropriate research, development, demonstration, and commercial application activities to address the following issues within the next decade:

(A) identifying new biological sources of fuels and electricity, with particular emphasis on creating biological technologies for the production and utilization of hydrogen;

(B) understanding the Earth's natural carbon cycle and create stategies to stablize atmospheric carbon dioxide;

(C) developing a knowledge and capability base for exploring more cost effective cleanup strategies for Department sites;

(D) capturing key biological processes in engineered systems not requiring living cells.

(c) PROGRAM EXECUTION.—In carrying out the program under this Act, the Secretary shall—

(1) support individual investigators and multidisciplinary teams of investigators;

(2) subject to subsection (d), develop, plan, construct, acquire, or operate special equipment or facilities for the use of investigators conducting research, development, demonstration, or commercial application in systems biology and proteomics;

(3) support technology transfer activities to benefit industry and other uses of systems biology and proteomics; and

(4) coordinate activities by the Department with industry and other federal agencies; and

(5) award funds authorized under this Act only after an impartial review of the scientific and technical merit of the proposals for such awards has been carried out by or for the Department.

(d) GENOMES TO LIFE USER FACILITIES AND ANCILLARY EQUIPMENT.—

(1) AUTHORIZATION.—Within the funds authorized to be appropriated pursuant to this Act, the amounts specified under section 4(b) shall, subject to appropriations, be available for projects to develop, plan, construct, acquire, or operate special equipment, instrumentation, or facilities for invesigators conducting research, development, demonstration, and commercial application in systems biology and proteomics and associated biological disciplines.

(2) PROJECTS.—Projects under paragraph (1) may include—

(A) the indentification and characterization of multiprotein complexes;

(B) characterization of gene regulatory networks; characterization of the functional repertoire of complex microbial communities in their natural environments at the molecular level; and

(C) development of computational methods and capabilities to advance understanding of complex biological systems and predict their behavior.

(3) FACILITIES.—Facilities under paragraph (1) may include facilities for—

(A) the production and characterization of proteins;

(B) whole proteome analysis;

(C) characterization and imaging of molecular machines; and

(D) analysis and modeling of cellular systems.

(4) COLLABORATION.—The Secretary shall encourage collaborations among universities, laboratories and industry at facilities under this subsection. All facilities under this subsection shall have a specific mission of technology transfer to other institutions.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) TOTAL AUTHORIZATION.—The following sums are authorized to be appropriated to the Secretary, to remain available until expended, for the purposes of carrying out this Act:

(1) $100,000,000 for fiscal year 2004;

(2) $170,000,000 for fiscal year 2005;

(3) $325,000,000 for fiscal year 2006;

(4) $415,000,000 for fiscal year 2007; and

(5) $455,000,000 for fiscal year 2008.

(b) USER FACILITIES AND ANCILLARY EQUIPMENT.—Of the funds under subsection (a), the following sums are authorized to be appropriated to carry out section 3(d):

(1) $16,000,000 for fiscal year 2004;

(2) $70,000,000 for fiscal year 2005;

(3) $175,000,000 for fiscal year 2006;

(4) $215,000,000 for fiscal year 2007; and

(5) $420,000,000 for fiscal year 2008.

SEC. 5. DEFINITIONS

For purposes of this Act:

(1) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(2) PROTEOMICS.—The term ''proteomics'' means the determination of the structure, function, and expression of the proteins encoded in any genome, including new protein sequences encoded in a genome for which the structural or functional correlates are not currently known.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Energy, acting through the Biological and Environmental Research Program of the Office of Science of the Department.

Ms. CANTWELL. Mr. President, I rise today to introduce—along with my colleagues Chairman DOMENICI, and Senators BINGAMAN and MURRAY—the Genomes to Life Research and Development Act.

This bill capitalizes on the enormous success of the Human Genome Project, and promises to take this important research to the next level. While the mapping of the human genome is an unparalleled accomplishment on its own, this new initiative will allow researchers to go beyond the science of description, and begin to explore the complex interactions of the elements within cells.

It is those intracellular dynamics that truly hold the key to finding solutions to some of our most difficult scientific problems—from detection of biological and chemical agents and nuclear waste clean-up to figuring out new and more efficient ways to produce hydrogen, so crucial in attaining energy independence for this Nation. Where the Human Genome Project has provided researchers with the range and description of musical notes, Genomes to Life will enable scientists to begin to understand the way these notes are arranged to produce music—the essential process of life.

The Genomes to Life Act sets out an aggressive path for DOE, to make this area a high priority for the Office of Science. Of course, none of this would be possible without the successes of the Human Genome Project, and I want to acknowledge the vision of this legislation's other sponsor, Chairman DOMENICI, in making that a reality. As some of my colleagues may be aware, the senior Senator from New Mexico laid the foundation for the Human Genome Project with legislation he first introduced in 1987.

I am thus extremely pleased to be working with him on this bill, which I believe is the Human Genome Project's logical successor. Our legislation would authorize the Department of Energy to design and establish national research centers to investigate proteomics and genomics. Proteomics refers to the study of proteins, how they are modified, when and where they are expressed, how they are involved in metabolic pathways, and how they interact with each other. Genomics refers to the study of three-dimensional structures of thousands of proteins—all of the proteins produced by a species.

These are exciting research fields that combine the discipline of physics, chemistry, biology, engineering, and advanced computational and mathematical modeling. The Department of Energy's Office of Science has a long history of success in large scale, cross-discipline scientific research and is thus well suited to manage this program. In addition, a significant component of the Human Genome Project has been the transfer of technology to the private sector, which has in turn catalyzed the multi-billion dollar U.S. biotechnology industry and fostered the development of new medical applications.

The Genomes to Life Act that Chairman DOMENICI, Senators BINGAMAN, MURRAY and I are introducing today provides a coordinated and comprehensive plan for the next generation of biotechnology research facilities. The functions and dynamics of all living cells are determined by the complex interactions of the constituent proteins. We do not yet understand these interactions, but the Genomes to Life Act will give us the best tools to investigate these microscopic mysteries. Put in simple terms, teams of American scientists will try to answer the fundamental question, ''How do cells work?'' This bill will ensure that state of the art facilities, leading edge equipment, and the next generation of commuters are available to map and model these complex interactions, as we strive to answer this critical question.

The promise of biotechnology research is especially important to my state of Washington—home to many world-class research facilities. Washington has over 190 biotechnology companies employing more than 11,000 people. In 2001, the annual revenue of these companies exceeded $1.2 billion. Nearly one half of these companies were based on technologies developed at research and development institutions and over 40 percent of the companies have been established in the past six years.

This legislation's provisions—ensuring that research with its origins at the Department of Energy provides the science and technology basis for new industries in biotechnology, and that DOE continues to identify appropriate commercial applications—will help this important economic sector continue to grow in Washington state and across the country.

The Genomes to Life Research and Development Act that Sens. DOMENICI, BINGAMAN, MURRAY and I have introduced today will strengthen our national security and our national economy. Additionally, the integrative and predicative understanding of biological systems will improve our ability to respond to the energy and environmental challenges of the 21st century. The Genomes to Life laboratories will attract top researchers and push the envelope of present technologies. The Genomes to Life Act will help the U.S. to maintain our premiere position in the world in the fields of science and technology.

I look forward to working with my colleagues during this session to ensure passage of this legislation. I believe that the United States must continue to invest in scientific research to maintain our standing in the world and I am confident that this short-term investment will pay long-term dividends to our health, our security, and to our economy.

By Mr. FEINGOLD:

S. 683. A bill to amend the Family and Medical Leave Act of 1993 to provide entitlement to leave to eligible employees whose spouse, son, daughter, or parent is a member of the Armed Forces serving on active duty in support of a contingency operation or notified of an impending call or order to active duty in support of a contingency operation; to the Committee on Health, Education, Labor, and Pensions.

Mr. FEINGOLD. Mr. President, today I am introducing legislation to bring a small measure of relief to the families of our brave military personnel who are being deployed for the ongoing fight against terrorism, the war in Iraq, and other missions around the country and around the world.

The men and women of our Armed Forces undertake enormous sacrifices in their service to our country. They spend time away from home and from their families in different parts of the country and different parts of the world, and, too often, are placed into

harm's way in order to protect the American people and our way of life. We owe them a huge debt of gratitude for their dedicated service.

The ongoing deployments for the fight against terrorism and for the campaign in Iraq are turning upside down the lives of thousands of active duty, National Guard, and Reserve personnel and their families as they seek to do their duty to their country and honor their commitments to their families, and, in the case of the reserve components, to their employers as well. As of March 29, more than 212,000 National Guard and Reserve personnel were on active duty, and thousands more can expect to be activated in the coming days and weeks.

Some of my constituents are facing the latest in a series of multiple activations and deployments for family members who serve our country in the military. Others are seeing their loved ones off on their first deployment. All of these families share in the worry and concern about what awaits their relatives and hope, as we do, for their swift and safe return.

Our men and women in uniform face these challenges without complaint. But we should do more to help them and their families with the many things that preparing to be deployed.

Often, military personnel and their families are given only a couple of days' notice that their units will be deployed. These dedicated men and women then have only a very limited amount of time to get their lives in order. For members of the National Guard and Reserve, this includes telling their employers that they will be deployed for, in many cases, up to a year, and will be away from their jobs. I want to commend the many employers around the country for their understanding and support when an employee or a family member of an employee is called to active duty.

In preparation for a deployment, military families often have to scramble to arrange for child care, to pay bills, to contact their landlords or mortgage companies, and take care of other things that we deal with on a daily basis, from stopping the newspaper to making sure that their plants are watered and that their pets are cared for while they are gone.

The legislation that I introduce today would allow eligible employees whose spouses, parents, sons, or daughters are military personnel who are serving on or called to active duty in support of a contingency operation to use their Family and Medical Leave Act, FMLA, benefits for issues relating to our resulting from their deployment. These instances could include preparation for deployment or additional responsibilities that family members take on as a result of a loved one's deployment, such as child care.

I was proud to cosponsor and vote for the lgislaiton that created the Family and Medical Leave Act FMLA, in the early days of my service to the people of Wisconsin as a member of this body. This important law allows eligible workers to take up to 12 weeks of unpaid leave per year for the birth or adoption of child, the placement of a foster child, to care for a newborn or newly adopted child or newly placed foster child, or to care for their own serious health condition or that of a spouse, a parent, or a child. Some employers offer a portion of this time as paid leave in addition to other accured leave, while others require workers to use accrued leave or sick time for this purpose.

Since its enactment in 1993, the FMLA has helped more than 35 million American workers to balance responsibilities to their families and their careers. According to the Congressional Research Service, between 2.2 million and 6.1 million people took advantage of these benefits in 1999–2000.

Our military families sacrifice a great deal. Active duty families often move every couple of years due to transfer and new assignments. And as we rely more heavily on National Guard and Reserve personnel for more and more deployments that are longer in duration, the burden on their families also increases.

This legislation has the support of a number of military organizations, including the Wisconsin National Guard, the National Guard Association of the United States, the Reserve Officers Association, the Military Officers Association of America, and the Enlisted Association of the National Guard of the United States.

We owe it to our military personnel and their families to do all we can to support them in this difficult time. I hope what this bill will bring a small measure of relief to our military families.

I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 683

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Military Families Leave Act of 2003''.

SEC. 2. GENERAL REQUIREMENTS FOR LEAVE.

(a) ENTITLEMENT TO LEAVE.—Section 102(a) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)) is amended by adding at the end the following:

''(3) ENTITLEMENT TO LEAVE DUE TO FAMILY MEMBER'S ACTIVE DUTY.—

''(A) IN GENERAL.—Subject to section 103(f), an eligible employee shall be entitled to a total of 12 workweeks of leave during any 12-month period because a spouse, son, daughter, or parent of the employee is a member of the Armed Forces—

''(i) on active duty in support of a contingency operation; or

''(ii) notified of an impending call or order to active duty in support of a contingency operation.

''(B) CONDITIONS AND TIME FOR TAKING LEAVE.—An eligible employee shall be entitled to take leave under subparagraph (A)—

''(i) while the employee's spouse, son, daughter, or parent is on active duty in support of a contingency operation, and, if the family member is a member of a reserve component of the Armed Forces, beginning when such family member receives notification of an impending call or order to active duty in support of a contingency operation; and

''(ii) only for issues relating to or resulting from such family member's—

''(I) service on active duty in support of a contingency operation; and

''(II) if a member of a reserve component of the Armed Forces—

''(aa) receipt of notification of an impending call or order to active duty in support of a contingency operation; and

''(bb) service on active duty in support of such operation.

''(4) LIMITATION.—No employee may take more than a total of 12 workweeks of leave under paragraphs (1) and (3) during any 12-month period.''.

(b) SCHEDULE.—Section 102(b)(1) of such Act (29 U.S.C. 2612(b)(1)) is amended by inserting after the second sentence the following: ''Leave under subsection (a)(3) may be taken intermittently or on a reduced leave schedule.''.

(c) SUBSTITUTION OF PAID LEAVE.—Section 102(d)(2)(A) of such Act (29 U.S.C. 2612(d)(2)(A)) is amended by inserting ''or subsection (a)(3)'' after ''subsection (a)(1)''.

(d) NOTICE.—Section 102(e) of such Act (29 U.S.C. 2612(e)) is amended by adding at the end the following:

''(3) NOTICE FOR LEAVE DUE TO FAMILY MEMBER'S ACTIVE DUTY.—An employee who intends to take leave under subsection (a)(3) shall provide such notice to the employer as is practicable.''.

(e) CERTIFICATION.—Section 103 of such Act (29 U.S.C. 2613) is amended by adding at the end the following:

''(f) CERTIFICATION FOR LEAVE DUE TO FAMILY MEMBER'S ACTIVE DUTY.—An employer may require that a request for leave under section 102(a)(3) be supported by a certification issued at such time and in such manner as the Secretary may by regulation prescribe.''.

SEC. 3. LEAVE FOR CIVIL SERVICE EMPLOYEES.

(a) ENTITLEMENT TO LEAVE.—Section 6382(a) of title 5, United States Code, is amended by adding at the end the following:

''(3)(A) Subject to section 6383(f), an eligible employee shall be entitled to a total of 12 workweeks of leave during any 12-month period because a spouse, son, daughter, or parent of the employee is a member of the Armed Forces—

''(i) on active duty in support of a contingency operation; or

''(ii) notified of an impending call or order to active duty in support of a contingency operation.

''(B) An eligible employee shall be entitled to take leave under subparagraph (A)—

''(i) while the employee's spouse, son, daughter, or parent is on active duty in support of a contingency operation, and, if the family member is a member of a reserve component of the Armed Forces, beginning when such family member receives notification of an impending call or order to active duty in support of a contingency operation; and

''(ii) only for issues relating to or resulting from such family member's—

''(I) service on active duty in support of a contingency operation; and

''(II) if a member of a reserve component of the Armed Forces—

''(aa) receipt of notification of an impending call or order to active duty in support of a contingency operation; and

''(bb) service on active duty in support of such operation.

''(4) No employee may take more than a total of 12 workweeks of leave under paragraphs (1) and (3) during any 12-month period.''.

(b) SCHEDULE.—Section 6382(b)(1) of such title is amended by inserting after the second sentence the following: ''Leave under subsection (a)(3) may be taken intermittently or on a reduced leave schedule.''.

(c) SUBSTITUTION OF PAID LEAVE.—Section 6382(d) of such title is amended by inserting ''or subsection (a)(3)'' after ''subsection (a)(1)''.

(d) NOTICE.—Section 6382(e) of such title is amended by adding at the end the following:

''(3) An employee who intends to take leave under subsection (a)(3) shall provide such notice to the employing agency as is practicable.''.

(e) CERTIFICATION.—Section 6383 of such title is amended by adding at the end the following:

''(f) An employing agency may require that a request for leave under section 6382(a)(3) be supported by a certification issued at such time and in such manner as the Office of Personnel Management may by regulation prescribe.''.

By Mr. SMITH (for himself, Mr. WYDEN, Mr. ALLARD, Mr. BAYH, Mr. BOND, Mr. BROWNBACK, Mr. MILLER Mr. NICKLES, Mr. SANTORUM, Mr. CORNYN, and Mr. SPECTER):

S. 684. A bill to create an office within the Department of Justice to undertake certain specific steps to ensure that all American citizens harmed by terrorists overseas receive equal treatment by the United States Government regardless of the terrorists' country of origin or residence, and to ensure that all terrorists involved in such attacks are pursued, prosecuted, and punished with equal vigor, regardless of the terrorists' country of origin or residence; to the Committee on the Judiciary.

Mr. SMITH. Mr. President, I rise today to right a wrong. I am doing so on behalf of myself and Mr. WYDEN, Mr. ALLARD, Mr. BAYH, Mr. BOND, Mr. BROWNBACK, Mr. MILLER, Mr. NICKLES, Mr. SANTORUM, and Mr. SPECTER. For far too many years, Americans who have been murdered overseas by terrorists have not been receiving the full weight of equal justice under the law, a fundamental principle of our governance. This is happening while we are in the midst of trying to introduce the institutions of democracy, including the notion of a fair judicial system, to a skeptical part of the world. This is happening while we are in the midst of a War on Terrorism.

This double standard of justice sends out a pernicious, mixed message to would-be terrorists around the world. It suggests that we are weak in our resolve to prosecute certain terrorists who have murdered certain American citizens. It wrongly sends the message that certain American lives are more valuable and more worthy of justice than others. Or as the mother of Mathew Eisenfeld, a young Yale University graduate who was killed in 1996, together with his young fiancé, Sara Ducker, a Barnard College graduate, put it, ''it makes me feel that my son's blood is less American than others.''

When our embassies were attacked in Kenya and Tanzania on August 7, 1998, then Secretary of State Albright and President Clinton said, ''You can run but you can't hide from the long arm of American justice. Anywhere an American is murdered around the globe, we will seek out that suspect and retrieve him to these shores to stand justice.''

However, since the signing of the Oslo Accords on September 13, 1993, thirty-nine American citizens have lost their lives at the hands of Palestinian terrorists alone. And how many indictments have there been in response to these thirty-nine murders? Zero. Notably, one can't find the term Palestinian on the State Department's web site for the ''Rewards of Justice'' program—the place where suspects are listed and rewards are described for their capture. That website rather contains only vague references to ''persons in opposition to the Middle East Peace Process.''

This is simply wrong. On the humanitarian level, it is wrong. When our own government fails to mete out justice with equal and due diligence for a particular victim, or a group of victims, this compounds the grief experienced by American families who have lost loved ones to terrorists: families such as that of 14 year old Abigail Litle, an American girl from New Hampshire, a young Christian who was among the fifteen people murdered in the recent terrorist attack on a bus in Haifa, Israel; families like those of Ted Burgon of Oregon and Rick Spier of Colorado, the two American teachers killed in August of 2002 in Indonesia. Murders for which there have been no indictments and no suspects named. FBI agents have underscored that until such time as they have full and unfettered access to witnesses and evidence in Indonesia, they cannot rule out terrorism, nor can they exonerate members of the Indonesian military who have been implicated in this heinous crime.

This is wrong as a matter of foreign policy. Anything less than 100 percent commitment to pursue all terrorists who harm or murder American citizens undermines our moral clarity and our War on Terrorism. it also serves to embolden would-be terrorists all over the world, ultimately putting us all at greater risk.

We have arrived at this unfortunate juncture because the State Department, whose major objective is diplomacy, has had primary purview over this issue. The State Department, it would seem, has simply not brought its full resources to bear when it comes to facilitating the investigation, capture and prosecution of those who have murdered Americans overseas. This is particularly true if those Americans have been murdered in Israel or in areas under control of the Palestinian Authority, or in countries whose support we are seeking or counting on in the War on Terrorism.

The major objective of the Justice Department, in contrast, is justice. The Justice Department recently scored a victory, when on February 20th, they issued indictments on several members of the Palestinian Islamic Jihad. That terrorist organization is believed to be responsible for the deaths of two American citizens, and dozens of other people in recent years. As we celebrate this substantial step toward justice, however, we cannot lose sight of the fact that there is much more work to be done.

We should not, and cannot, in good conscience allow the pursuit of justice to be suborned to diplomatic considerations and expediencies. This is why I am introducing the Koby Mandell Act of 2003. Koby was a 13 year old boy from Silver Spring, MD, who one day decided to do the Huck Finn thing, and skip school. However, the punishment did not fit the crime. His body was found brutally stoned and dismembered in a cave outside of Tekoah, Israel. His assailants remain at large in the Palestinian controlled areas.

This Act will create a watch-dog office within the Department of Justice to ensure that all terrorists who murder or harm American citizens overseas are pursued with equal vigor, irrespective of the nationality or current residence of the terrorist. This Act will work to ensure that no other American family who has suffered at the hands of overseas terrorism will have their grief compounded a lack of justice.

I urge you all to join me and my fellow senator from the State of Oregon, RON WYDEN, by becoming a sponsor of the Koby Mandell Act, to put the issue of justice for American victims of overseas terrorism into the hands of the Justice department, where it truly belongs.

I ask unanimous consent that the text of the Koby Mandell Act of 2003 be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 684

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Koby Mandell Act of 2003''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Numerous American citizens have been murdered or maimed by terrorists around the world, including more than 100 murdered since 1968 in terrorist attacks occurring in Israel or in territories administered by Israel or in territories administered by the Palestinian Authority.

(2) Some American citizens who have been victims of terrorism overseas, especially those harmed by terrorists operating from areas administered by the Palestinian Authority, have not received from the United States Government services equal to those received by other such victims of overseas terrorism.

(3) The United States Government has not devoted adequate efforts or resources to the

apprehension of terrorists who have harmed American citizens overseas, particularly in cases involving terrorists operating from areas administered by the Palestinian Authority. Monetary rewards for information leading to the capture of terrorists overseas, which the Government advertises in regions where the terrorists are believed to be hiding, have not been advertised in areas administered by the Palestinian Authority.

(4) This situation is especially grave in the areas administered by the Palestinian Authority, because many terrorists involved in the murders of Americans are walking free there; some of these terrorists have been given positions in the Palestinian Authority security forces or other official Palestinian Authority agencies; and a number of schools, streets, and other public sites have been named in honor of terrorists who were involved in the murders of Americans.

(5) To remedy these and related problems, an office should be established within the Department of Justice for the purpose of ensuring equally vigorous efforts to capture all terrorists who have harmed American citizens overseas and equal treatment for all American victims of overseas terrorism.

SEC. 3. ESTABLISHMENT OF AN OFFICE OF JUSTICE FOR VICTIMS OF OVERSEAS TERRORISM IN THE DEPARTMENT OF JUSTICE.

(a) IN GENERAL.—There is established within the Department of Justice an Office of Justice for Victims of Overseas Terrorism (in this Act referred to as the ''Office'') to carry out the following activities:

(1) REWARDS FOR JUSTICE.—

(A) IN GENERAL.—The Office shall assume responsibility for administration of the Rewards for Justice program and its website.

(B) ADMINISTRATION.—In administering the Rewards for Justice program the Office shall ensure that—

(i) rewards are offered to capture all terrorists involved in harming American citizens overseas, regardless of the terrorists' country of origin or residence;

(ii) such rewards are prominently advertised in the mass media and public sites in all countries or regions where such terrorists reside;

(iii) the names and photographs and suspects in all such cases are included on the website; and

(iv) the names of the specific organizations claiming responsibility for terrorist attacks mentioned on the site are included in the descriptions of those attacks.

(2) NOTIFICATION PROGRAM.—The Office shall establish and administer a program—

(A) comparable to the VINE system for notification of crime victims; and

(B) that will provide notification for American victims of overseas terrorism or their immediate family to update them on the status of efforts to capture the terrorists who harmed them.

(3) GOVERNMENT REPRESENTATION.—The Office shall send an official United States Government representative to attend the funeral of every American victim of terrorism overseas.

(4) REPORT.—The Office shall assume responsibility for providing twice-annual reports to Congress as required by section 805 of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001.

(5) PROFITING FROM CRIMES.—The Office shall work with other United States Government agencies to expand legal restrictions on the ability of murders to reap profits from books or movies concerning their crimes so as to ensure that terrorists who harm American citizens overseas are unable to profit from book or movie sales in the United States.

(6) TERRORISTS AS POLICE.—The Office shall—

(A) determine if terrorists who have harmed American citizens overseas are serving in their local police or security forces; and

(B) if it is found that terrorists who have harmed American citizens overseas are serving in their local police or security forces—

(i) alert those United States Government agencies involved in providing assistance, directly or indirectly, to those forces; and

(ii) request of those agencies that all such assistance be halted until the aforementioned terrorists are removed from their positions.

(7) PATTERNS OF PROSECUTION.—The Office shall—

(A) undertake a comprehensive assessment of the pattern of United States indictments and prosecution of terrorists who have harmed American citizens overseas, in order to determine the reasons for the absence of indictments of terrorists residing in some regions, such as the territories controlled by the Palestinian Authority; and

(B) provide the assessment to the Attorney General and to Congress, together with its recommendations.

(8) MONITORING.—The Office shall—

(A) monitor public actions by governments and regimes overseas pertaining to terrorists who have harmed American citizens, such as the naming of schools, streets, or other public institutions or sites after such terrorists; and

(B) in such instances, encourage other United States Government agencies to halt their provision of assistance, directly or indirectly, to those institutions.

(9) COMPENSATION.—The Office shall initiate negotiations to secure appropriate financial compensation for American citizens, or the families of such citizens, who were harmed by organizations that claim responsibility for acts of terrorism against Americans overseas and that subsequently become part of a governing regime with which the United States Government maintains diplomatic or other official contacts, such as the Palestinian Authority.

(10) INCARCERATED TERRORISTS.—The Office shall—

(A) monitor the incarceration abroad of terrorists who harmed Americans overseas, to ensure that their conditions of incarceration are reasonably similar to conditions of incarceration in the United States; and

(B) in cases where terrorists who have harmed Americans overseas, and are subsequently released from incarceration abroad, are eligible for further prosecution in the United States, coordinate with other Government agencies to seek the transfer of those terrorists to the United States for further prosecution.

(11) PERSONA NON GRATA.—The Office shall strive to ensure that all terrorists who have harmed Americans overseas are treated by the United States Government as persona non grata, including steps such as—

(A) denying those individuals visas for entry to the United States;

(B) urging United States Government agencies to refrain from political and diplomatic contacts with those individuals; and

(C) instructing United States embassies and consulates to urge American visitors to those countries to refrain from patronizing businesses that are owned or operated by such individuals.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated for fiscal year 2003 and each subsequent fiscal year such sums as may be necessary to carry out this Act.

(b) AVAILABILITY.—Amounts appropriated pursuant to the authorization of appropriations under subsection (a) are authorized to remain available until expended.

By Mr. BINGAMAN (for himself and Mr. AKAKA):

S. 685. a bill to assist low income taxpayers in preparing and filing their tax returns and to protect taxpayers from unscrupulous refund anticipation loan providers, and for other purposes; to the Committee on Finance.

Mr. BINGAMAN. Mr. President, I rise today with my colleague from Hawaii, Senator AKAKA, to re-introduce the Low Income Taxpayer Protection Act of 2003. This legislation, if enacted, will give taxpayers much needed assistance with the arduous annual task of preparing their Federal tax returns by providing them with real alternatives to paying for expensive tax preparation services. In doing so, many of these taxpayers will not need to take out expensive and oftentimes usurious refund anticipation loans that greatly reduce the tax refund that these taxpayers are entitled to receive. As we all know, the result of a complicated tax code is complex and confusing tax forms. Until Congress is able to provide simple and understandable forms for taxpayers, we have an obligation to make sure that taxpayers have the ability to prepare and file their tax returns without paying for expensive and sometimes abusive services.

Refund anticipation loans, RALs, are high interest loans offered to taxpayers that are secured by their anticipated tax refund. While some taxpayers may choose these loans willingly, many are often forced to take out a RAL to cover the upfront cost of the preparation services. Sadly, many taxpayers get caught with outstanding loans that they can't pay off because a mistake was made on their tax return resulting in a smaller than anticipated refund. Many of these loans, when annualized, have interest rates over 200 percent. As long as we require our Nation's taxpayers to determine their own tax liability, we will have a responsibility to make sure that these same taxpayers have an alternative to these expensive options. We must come up with better options for these taxpayers than paying usurious fees and expenses or not filing a return.

Recently the Brookings Institute and the Economic Policy Institute released a report that illustrated the abuses occurring with RALs. According to this report, roughly $1.75 billion of the earned income credit, EIC, funds are annually going to tax return preparers and RAL fees and costs. It was not the intent of Congress that this program would create such a middleman for these funds. Every dollar that goes to these businesses is a dollar that is not going to the intended beneficiaries. The EIC has become one of the most effective tools for fighting poverty and benefiting low and moderate income working families, and so it is essential that every dollar of this credit goes to the taxpayer.

To help low and moderate income taxpayers, my bill requires all those involved with RALs to register with the IRS. Treasury will then be required to determine what is a fair amount of interest and fees to be charged based on the benefit to the taxpayer and the risk to the lender. It will also expand the Volunteer Income Tax Assistance program by directly giving them matching funds to operate. VITA clinics are one of the few places lower income taxpayers can go to get free assistance with their tax returns.

In New Mexico, the VITA program has had an enormous impact. For example, in conjunction with Albuquerque Technical Vocational Institute, TVI, over 8,500 taxpayers were assisted with their returns last year resulting in over $9 million in refunds being brought back into the New Mexico economy. This year, this program is on pace to assist even more taxpayers. By utilizing a computer program system developed and advocated by Fred Gordon, an accounting instructor at TVI, even supervised high school students at Del Norte High School in Albuquerque have been preparing and filing tax returns. I commend the efforts of those directly involved with this program, as well as, the scores of volunteers who give their time to help prepare tax returns for their fellow New Mexicans. Through the efforts of groups such as the Albuquerque Hispano Chamber of Commerce, Public Service Company of New Mexico (PNM), TVI and Wells Fargo Bank, the VITA program has made a big difference in New Mexico, but more needs to be done. Our legislation will provide programs like these with the ability to get some matching Federal grants to make it possible to pay for training materials, computers or other necessary equipment. A little money can go a long way and I intend to keep working with my colleagues here in the Senate until this becomes a reality. This is a truly worthwhile goal and one that will greatly help communities in New Mexico as well as the rest of the country.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 685

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Low Income Taxpayer Protection Act of 2003''.

SEC. 2. REGULATION OF INCOME TAX RETURN PREPARERS AND REFUND ANTICIPATION LOAN PROVIDERS.

(a) DEFINITIONS.—In this Act:

(1) INCOME TAX RETURN PREPARER.—

(A) IN GENERAL.—The term ''income tax return preparer'' means any individual who is an income tax return preparer (within the meaning of section 7701(a)(36) of the Internal Revenue Code of 1986) who prepares not less than 5 returns of tax imposed by subtitle A of such Code or claims for refunds of tax imposed by such subtitle A per taxable year.

(B) EXCEPTION.—Such term shall not include a federally authorized tax practitioner within the meaning of section 7526(a)(3) of such Code.

(2) REFUND ANTICIPATION LOAN PROVIDER.—The term ''refund anticipation loan provider'' means a person who makes a loan of money or of any other thing of value to a taxpayer because of the taxpayer's anticipated receipt of a Federal tax refund.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Treasury.

(b) REGULATIONS.—

(1) REGISTRATION REQUIRED.—

(A) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall promulgate regulations that—

(i) require the registration of income tax return preparers and of refund anticipation loan providers with the Secretary or the designee of the Secretary, and

(ii) prohibit the payment of a refund of tax to a refund anticipation loan provider or an income tax return preparer that is the result of a tax return which is prepared by the refund anticipation loan provider or the income tax return preparer which does not include the refund anticipation loan provider's or the income tax return preparer's registration number.

(B) NO DISCIPLINARY ACTION.—The regulations shall require that an applicant for registration must not have demonstrated any conduct that would warrant disciplinary action under part 10 of title 31, Code of Federal Regulations.

(C) BURDEN OF REGISTRATION.—In promulgating the regulations, the Secretary shall minimize the burden and cost on the registrant.

(2) RULES OF CONDUCT.—All registrants shall be subject to rules of conduct that are consistent with the rules that govern federally authorized tax practitioners.

(3) REASONABLE FEES AND INTEREST RATES.—The Secretary, after consultation with any expert as the Secretary deems appropriate, shall include in the regulations guidance on reasonable fees and interest rates charged to taxpayers in connection with loans to taxpayers made by refund anticipation loan providers.

(4) RENEWAL OF REGISTRATION.—The regulations shall determine the time frame required for renewal of registration and the manner in which a registered income tax return preparer or a registered refund anticipation loan provider must renew such registration.

(5) FEES.—

(A) IN GENERAL.—The Secretary may require the payment of reasonable fees for registration and for renewal of registration under the regulations.

(B) PURPOSE OF FEES.—Any fees required under this paragraph shall inure to the Secretary for the purpose of reimbursement of the costs of administering the requirements of the regulations.

(c) PROHIBITION.—Section 6695 of the Internal Revenue Code of 1986 (relating to other assessable penalties with respect to the preparation of income tax returns for other persons) is amended by adding at the end the following new subsection:

''(h) ACTIONS ON A TAXPAYER'S BEHALF BY A NON-REGISTERED PERSON.—Any person not registered pursuant to the regulations promulgated by the Secretary under the Low Income Taxpayer Protection Act of 2003 who—

''(1) prepares a tax return for another taxpayer for compensation, or

''(2) provides a loan to a taxpayer that is linked to or in anticipation of a tax refund for the taxpayer,

shall be subject to a $500 penalty for each incident of noncompliance.''.

(d) COORDINATION WITH SECTION 6060(a).—The Secretary shall determine whether the registration required under the regulations issued pursuant to this section should be in lieu of the return requirements of section 6060.

(e) PAPERWORK REDUCTION.—The Secretary shall minimize the amount of paperwork required of a income tax return preparer or a refund anticipation loan provider to meet the requirements of these regulations.

SEC. 3. IMPROVED SERVICES FOR TAXPAYERS.

(a) ELECTRONIC FILING EFFORTS.—

(1) IN GENERAL.—The Secretary shall focus electronic filing efforts on benefiting the taxpayer by—

(A) reducing the time between receipt of an electronically filed return and remitting a refund, if any,

(B) reducing the cost of filing a return electronically,

(C) improving services provided by the Internal Revenue Service to low and moderate income taxpayers,

(D) providing tax-related computer software at no or nominal cost to low and moderate income taxpayers, and

(E) providing electronic filing for all taxpayers without the use of an intermediary.

(2) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall prepare and submit to Congress a report on the efforts made pursuant to paragraph (1).

(b) VOLUNTEER INCOME TAX ASSISTANCE PROGRAM.—

(1) STUDY.—The Secretary shall undertake a study on the expansion of the volunteer income tax assistance program to service more low income taxpayers.

(2) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall prepare and submit to Congress a report on the study conducted pursuant to paragraph (1).

(c) TELE-FILING.—The Secretary shall ensure that tele-filing is available for all taxpayers for the filing of tax returns with respect to taxable years beginning in 2003.

(d) TERMINATION OF THE DEBT INDICATOR PROGRAM.—The Secretary shall terminate the Debt Indicator program announced in Internal Revenue Service Notice 99–58.

(e) DIRECT DEPOSIT ACCOUNTS.—The Secretary shall allocate resources to programs to assist low income taxpayers in establishing accounts at financial institutions that receive direct deposits from the United States Treasury.

(f) PILOT PROGRAM FOR MOBILE TAX RETURN FILING OFFICES.—

(1) IN GENERAL.—The Secretary shall establish a pilot program for the creation of four mobile tax return filing offices with electronic filing capabilities.

(2) LOCATION OF SERVICE.—

(A) IN GENERAL.—The mobile tax return filing offices shall be located in communities that the Secretary determines have a high incidence of taxpayers claiming the earned income tax credit.

(B) INDIAN RESERVATION.—At least one mobile tax return filing office shall be on or near an Indian reservation (as defined in section 168(j)(6) of the Internal Revenue Code of 1986).

SEC. 4. ASSISTANCE PROGRAM TO IMPROVE ACCESS TO FEDERALLY INSURED FINANCIAL INSTITUTIONS FOR TAXPAYERS.

(a) FINDINGS AND PURPOSE.—

(1) FINDINGS.—Congress finds the following:

(A) Approximately 40,000,000 Americans are unbanked and not utilizing mainstream, insured financial institutions.

(B) In 1999, nearly half of the $30,000,000,000 in earned income tax credits (EITC) claimed

nationwide was refunded through refund anticipation loans, and an estimated $1,750,000,000 intended to assist low-income families through the EITC was received by commercial tax preparers and affiliated national banks to pay for tax assistance, electronic filing of returns, and high-cost refund loans.

(C) Refund anticipation loans carry interest rates in a range between 97.4 percent to more than 2000 percent.

(D) An estimated 45 percent of earned income tax credit recipients pay for check cashing services, which reduces EITC benefits by $130,000,000.

(E) Individuals with bank accounts can receive their tax refunds faster than waiting for a paper check and without the need to utilize refund anticipation loans or check cashiers.

(F) Individuals with federally insured depository accounts have an increased opportunity to access financial services at mainstream financial institutions, which typically have reduced costs for consumers.

(2) PURPOSE.—It is the purpose of this section to establish a grant program to provide unbanked low-and moderate-income taxpayers with tax preparation services and increase their access to financial services by the establishment of an account at a federally insured depository institution or credit union and the provision of financial education.

(b) ESTABLISHMENT OF PROGRAM.—The Secretary is authorized to award demonstration project grants (including multi-year grants) to eligible entities to provide tax preparation services and assistance along with establishing an account in a federally insured depositary institution for individuals that currently do not have such an account.

(c) ELIGIBLE ENTITIES.—

(1) IN GENERAL.—An entity is eligible to receive a grant under this section if such an entity is—

(A) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code,

(B) a federally insured depository institution,

(C) an agency of a State or local government,

(D) a community development financial institution,

(E) an Indian tribal organization,

(F) an Alaska Native Corporation,

(G) a Native Hawaiian organization,

(H) a labor organization, or

(I) a partnership comprised of 1 or more of the entities described in the preceding subparagraphs.

(2) DEFINITIONS.—For purposes of this section—

(A) FEDERALLY INSURED DEPOSITORY INSTITUTION.—The term ''federally insured depository institution'' means any insured depository institution (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)) and any insured credit union (as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752)).

(B) COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION.—The term ''community development financial institution'' means any organization that has been certified as such pursuant to section 1805.201 of title 12, Code of Federal Regulations.

(C) ALASKA NATIVE CORPORATION.—The term ''Alaska Native Corporation'' has the same meaning as the term ''Native Corporation'' under section 3(m) of the Alaska Native Claims Settlement Act (43 U.S.C. 1602(m)).

(D) NATIVE HAWAIIAN ORGANIZATION.—The term ''Native Hawaiian organization'' means any organization that—

(i) serves and represents the interests of Native Hawaiians, and

(ii) has as a primary and stated purpose the provision of services to Native Hawaiians.

(E) LABOR ORGANIZATION.—The term ''labor organization'' means an organization in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

(d) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Secretary in such form and containing such information as the Secretary may require.

(e) LIMITATION ON ADMINISTRATIVE COSTS.—A recipient of a grant under this section may not use more than 6 percent of the total amount of such grant in any fiscal year for the administrative costs of carrying out the programs funded by such grant in such fiscal year.

(f) EVALUATION AND REPORT.—For each fiscal year in which a grant is awarded under this section, the Secretary shall submit a report to Congress containing a description of the activities funded, amounts distributed, and measurable results, as appropriate and available.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary, for the grant program described in this section, $10,000,000, or such additional amounts as deemed necessary, to remain available until expended.

(h) REGULATIONS.—The Secretary is authorized to promulgate regulations to implement and administer the grant program under this section.

SEC. 5. MATCHING GRANTS TO LOW-INCOME TAXPAYER CLINICS FOR RETURN PREPARATION.

(a) IN GENERAL.—Chapter 77 of the Internal Revenue Code of 1986 (relating to miscellaneous provisions) is amended by inserting after section 7526 the following new section:

''SEC. 7526A. RETURN PREPARATION CLINICS FOR LOW-INCOME TAXPAYERS.

''(a) IN GENERAL.—The Secretary may, subject to the availability of appropriated funds, make grants to provide matching funds for the development, expansion, or continuation of qualified return preparation clinics.

''(b) DEFINITIONS.—For purposes of this section—

''(1) QUALIFIED RETURN PREPARATION CLINIC.—

''(A) IN GENERAL.—The term 'qualified return preparation clinic' means a clinic which—

''(i) does not charge more than a nominal fee for its services (except for reimbursement of actual costs incurred), and

''(ii) operates programs which assist low-income taxpayers in preparing and filing their Federal income tax returns, including schedules reporting sole proprietorship or farm income.

''(B) ASSISTANCE TO LOW-INCOME TAXPAYERS.—A clinic is treated as assisting low-income taxpayers under subparagraph (A)(ii) if at least 90 percent of the taxpayers assisted by the clinic have incomes which do not exceed 250 percent of the poverty level, as determined in accordance with criteria established by the Director of the Office of Management and Budget.

''(2) CLINIC.—The term 'clinic' includes—

''(A) a clinical program at an eligible educational institution (as defined in section 529(e)(5)) which satisfies the requirements of paragraph (1) through student assistance of taxpayers in return preparation and filing, and

''(B) an organization described in section 501(c) and exempt from tax under section 501(a) which satisfies the requirements of paragraph (1).

''(c) SPECIAL RULES AND LIMITATIONS.—

''(1) AGGREGATE LIMITATION.—Unless otherwise provided by specific appropriation, the Secretary shall not allocate more than $10,000,000 per year (exclusive of costs of administering the program) to grants under this section.

''(2) OTHER APPLICABLE RULES.—Rules similar to the rules under paragraphs (2) through (5) of section 7526(c) shall apply with respect to the awarding of grants to qualified return preparation clinics.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 of the Internal Revenue Code of 1986 is amended by inserting after the item relating to section 7526 the following new item:

''Sec. 7526A. Return preparation clinics for low-income taxpayers.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to grants made after the date of the enactment of this Act.

Mr. AKAKA. Thank you, Mr. President. I rise today to speak on the Low Income Taxpayer Protection Act of 2003, which Senator BINGAMAN and I are introducing today. I thank Senator BINGAMAN for his leadership on this important issue.

The legislation that my colleague from New Mexico and I are introducing would provide the Department of the Treasury with the authority to regulate income tax refund anticipation loans, RALs, and prohibit excessive fees. The bill would also provide additional opportunities for low-income taxpayers to receive assistance with tax preparation and filing their taxes and thus, we are seeking to meet taxpayers' needs for assistance while attempting to discourage a predatory practice.

According to the U.S. Census Bureau, in 2001, the Earned Income Tax Credit, EITC, was responsible for elevating nearly four million people above the poverty line. This credit has helped and continues to help low-income individuals and families to meet their food, clothing, housing, transportation, and education needs.

However, while this tax relief is benefitting families who need it most, the EITC's impact is being unnecessarily limited. Earned Income Tax Credit benefits intended for working families are increasingly being diminished by often exorbitant tax preparation fees and the growing use of high-interest refund anticipation loans, which typically carry triple-digit interest rates.

In 1999, according to a report published by the Brookings Institution, an estimated $1.75 billion intended to assist low-income families went to commercial tax preparers and affiliated national banks for tax assistance, electronic filing of returns, and high-cost refund loans. Although tax preparation services are useful, when combined with refund anticipation loans and other fees, these services are overpriced. The report further stated that 39 percent of taxpayers who earned the EITC received their refund through a refund anticipation loan, while only

four percent of those who did not receive the EITC purchased a refund anticipation loan. Clearly, RALs were heavily marketed to a specific population of taxpayer. Forty-seven percent of all EITC dollars were distributed to recipients through these loans. In my state of Hawaii, in the Honolulu metropolitan statistical area, 27.7 percent of all EITC dollars were associated with refund anticipation loans. These loans take money away from the day-to-day, kitchen-table needs of the low-income families.

Furthermore, refund anticipation loans carry interest rates that range from 97.4 percent to more than 2,000 percent. The interest rates and fees charged on these products are not justified for the short length of time that these loans cover. The typical rapid refund loan length is two weeks. These loans carry even less risk because of the Debt Indicator program. The Debt Indicator program allows the Internal Revenue Service to inform the lender if the applicant for a refund loan has any outstanding Federal debts. The risk is further reduced because loan issuers share information about outstanding delinquencies that refund anticipation loan applicants owe and are able to collect debts for each other.

This bill would terminate the Debt Indicator program. In 1995, the use of the Debt Indicator was suspended because of massive fraud in e-filed returns with RALs. After the program was discontinued, RAL participation declined. The use of the Debt Indicator was reinstated in 1999. Remarks from H & R Block Chief Executive Officer Frank L. Salizzoni upon the reinstatement of the program state that the Debt Indicator ''is good news for many of our clients who opt to receive the amount of their refund through Refund Anticipation Loans. The IRS program will likely result in substantially lower fees for this service.'' However, according to a study conducted by the Consumer Federation of America and the National Consumer Law Center, that has not been the case for at least one of the major tax preparers. H & R Block and Household Bank's fees dropped for a year after the Debt Indicator was reinstated. The fees rose significantly from 2000 to 2001, which increased H & R Block's revenue from RALs by 49 percent. Per RAL revenue rose by 43.9 percent while RAL sales volume increased by only 2.7 percent. The expected outcome that RAL prices would go down as a result of the reinstatement of the indicator has not occurred. The use of the Debt Indicator should again be stopped.

Another important provision in the bill is authorization language for a grant program to link tax preparation services with the establishment of a bank account. There are still approximately four million EITC recipients that are classified as unbanked, and lack a formal relationship with a financial institution. It has been estimated that 45 percent of EITC recipients pay for check cashing services. These check cashing services reduce EITC benefits by $130 million. Having a bank account allows individuals not only to receive their tax refund check faster than waiting for a paper check, but also does not impose the excessive fees that check cashing services and refund anticipation loan providers assess. An account at a bank or credit union provides consumers alternatives to rapid refund loans, check cashing services, and lower cost remittances. In addition, bank and credit union accounts provide access to saving and borrowing services found at mainstream financial institutions. This grant program builds upon the First Accounts initiative which has funded pilot projects that have coupled tax preparation services with the establishment of bank accounts. An example of such a project is the partnership that has been established among The Center for Law & Human Services, Accounting Aid Society, ShoreBank, National Consumer Law Center, and Consumer Federation of America that is taking place in Chicago and Detroit. More of these programs are necessary to provide much needed tax preparation assistance and to encourage the use of mainstream financial services.

I encourage all of my colleagues to support this legislation.

By Mr. DEWINE (for himself, Mrs. MURRAY, Ms. LANDRIEU, Mr. BREAUX, Mr. BINGAMAN, and Mr. INOUYE):

S. 686. A bill to provide assistance for poison prevention and to stabilize the funding of regional poison control centers; to the Committee on Health, Education, Labor, and Pensions.

Mr. DEWINE. Mr. President, I am pleased to join with my colleagues—Senators MURRAY, LANDRIEU, BREAUX, BINGAMAN, and INOUYE—to introduce the Poison Control Center Awareness and Enhancement Act of 2003. Our bill is designed to help make certain that the vital work of our nation's poison control centers continues.

Many of us—as parents and grandparents—have experienced the terrifying situation when a child accidentally swallows something potentially toxic. Fortunately, local poison control centers—many of them located at children's hospitals—work around the clock to answer questions from parents and to field phone calls from others about possible poisonings. Today, we also have in place a national, toll-free poison control telephone number—and that number is 1–800–222–1222—that automatically connects callers to specially trained nurses, pharmacists, and doctors at the closest local poison center.

This phone number went into effect as a result of legislation I helped get signed into law a few years ago. And now, as parents of eight children and now grandparents of eight, my wife, Fran, and I can tell you that we rest a bit easier knowing that in the case of a possible poisoning, all we need to do is call a toll free, 1–800 telephone number to get in contact with the nearest poison control center. Any parents, anywhere—whether they are in their own hometown or in another state on vacation—can call the 1–800 number, 24 hours a day, 7 days a week in the event of a poisoning.

There are over 70 poison control centers nationwide—three in my home State of Ohio. These centers have fielded over one million phone calls just since January 2002, answering questions about poisonous, drug abuse, product contents, substance identification interactions, and adverse reactions. They can answer questions and concerns about what would typically be called poisonous products—things like cleaners and bleach. This is the most common poison exposure for children, who typically ingest household products, such as cosmetics and personal care products, cleaning substances, pain relievers, foreign bodies, and plants.

But poison control centers can also answer questions about products that people may not think are poisonous, like prescribed medicines or over-the-counter medications. Maybe someone mixed medications or misread a label and took too much of the medicine by accident. Poison control centers can answer caller questions and direct the caller to seek medical attention if necessary.

I remember very clearly a time when Fran and I needed to call the local poison control center. As we were wrapping up our annual Ice Cream Social at our home in Cedarville, our then two year-old granddaughter, Isabelle, fell into a bucket of cleaning solution. We feared that she may have swallowed some of the solution and immediately called the poison control center. We were very lucky. The trained health care professional at the local poison center explained that all we needed to do was rinse Isabelle off and have her drink some water. The quick response of the poison control center provided rapid, easy answers to our questions—a process that has become even easier since the toll-free hotline began operating.

A young child, like Isabelle, is representative of most poisoning cases; however, adults often face situations necessitating information and help from poison control centers. Take the example of what occurred in Marysville, OH. Thirty workers in a manufacturing plant in Marysville were victims of gas exposure. Twenty of these workers went to Union Memorial Hospital. The hospital contacted the poison center, after which these patients were given oxygen and later discharged that same day. Ten others went to a different hospital that did not call a poison center. These patients were not released until the next day, even though their symptoms did not differ from the other 20 workers. The national hotline will help cut-down on situations like that in Marysville.

Our Nation's poison control centers handle an average of one poison exposure every 15 seconds. These centers are critical to our communities—especially now during this time of war and uncertainty. Parents are already anxious about the safety of their children, and with the potential anthrax scares or chemical or biologic scares, poison control centers can provide information to parents and help relieve some of their concerns.

The bill we are introducing today would provide the continued funding needed to ensure that the national toll-free number continues to operate, taking phone calls and helping families across the country. We must continue to increase the accessibility and effectiveness of our nation's poison control centers, as well as cement their existence for future generations. With this bill, we are not just making an investment in poison control; rather, we are making it easier to keep our children, friends, and ourselves safer and healthier.

I encourage my colleagues to remember the hotline number—it could save a life: 1–800–222–1222.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 686

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Poison Control Center Enhancement and Awareness Act Amendments of 2003''.

SEC. 2. FINDINGS.

Section 2 of the Poison Control Enhancement and Awareness Act (42 U.S.C. 14801) is amended to read as follows:

''SEC. 2. FINDINGS.

''Congress finds the following:

''(1) Poison control centers are our Nation's primary defense against injury and deaths from poisoning. Twenty-four hours a day, the general public as well as health care practitioners contact their local poison centers for help in diagnosing and treating victims of poisoning and other toxic exposures.

''(2) Poisoning is the third most common form of unintentional death in the United States. In any given year, there will be between 2,000,000 and 4,000,000 poison exposures. More than 50 percent of these exposures will involve children under the age of 6 who are exposed to toxic substances in their home. Poisoning accounts for 285,000 hospitalizations, 1,200,000 days of acute hospital care, and 13,000 fatalities annually.

''(3) Stabilizing the funding structure and increasing accessibility to poison control centers will promote the utilization of poison control centers, and reduce the inappropriate use of emergency medical services and other more costly health care services.

''(4) The tragic events of September 11, 2001, and the anthrax cases of October 2001, have dramatically changed our Nation. During this time period, poison centers in many areas of the country were answering thousands of additional calls from concerned residents. Many poison centers were relied upon as a source for accurate medical information about the disease and the complications resulting from prophylactic antibiotic therapy.

''(5) The 2001 Presidential Task Force on Citizen Preparedness in the War on Terrorism recommended that the Poison Control Centers be used as a source of public information and public education regarding potential biological, chemical, and nuclear domestic terrorism.

''(6) The increased demand placed upon poison centers to provide emergency information in the event of a terrorist event involving a biological, chemical, or nuclear toxin will dramatically increase call volume.''.

SEC. 3. MAINTENANCE OF A NATIONAL TOLL FREE NUMBER.

Section 4 of the Poison Control Enhancement and Awareness Act (42 U.S.C. 14803) is amended—

(1) by striking the section heading and inserting the following:

''SEC. 4. MAINTENANCE OF A NATIONAL TOLL-FREE NUMBER.'';

and

(2) in subsection (c), by inserting ''and $2,000,000 for each of fiscal years 2005 through 2009'' after ''2004''.

SEC. 4. NATIONWIDE MEDIA CAMPAIGN.

Section 5 of the Poison Control Enhancement and Awareness Act (42 U.S.C. 14804) is amended—

(1) by striking the section heading and inserting the following:

''SEC. 5. NATIONWIDE MEDIA CAMPAIGN TO PROMOTE POISON CONTROL CENTER UTILIZATION.'';

and

(2) in subsection (c), by inserting ''and $1,500,000 for each of fiscal years 2005 through 2009'' after ''2004''.

SEC. 5. POISON CONTROL CENTER GRANT PROGRAM.

Section 6 of the Poison Control Enhancement and Awareness Act (42 U.S.C. 14805) is amended—

(1) by striking the section heading and inserting the following:

''SEC. 6. MAINTENANCE OF THE POISON CONTROL CENTER GRANT PROGRAM.'';

(2) by striking subsection (b) and inserting the following:

''(b) OTHER IMPROVEMENTS.—The Secretary shall also use amounts received under this section to—

''(1) develop standardized poison prevention and poison control promotion programs;

''(2) develop standard patient management guidelines for commonly encountered toxic exposures;

''(3) improve and expand the poison control data collection systems;

''(4) improve national toxic exposure surveillance;

''(5) expand the toxicologic expertise within poison control centers; and

''(6) improve the capacity of poison control centers to answer high volumes of calls during times of national crisis;

(3) by striking subsection (d)(2) and inserting the following:

''(2) RENEWAL.—The Secretary may renew a waiver under paragraph (1).

''(3) LIMITATION.—In no instance may the sum of the number of years for a waiver under paragraph (1) and a renewal under paragraph (2) exceed 5 years. The preceding sentence shall take effect as if enacted on February 25, 2000.''; and

(4) in subsection (h), by inserting ''and $30,000,000 for each of fiscal years 2005 through 2009'' after ''2004''.

SEC. 7. NATIONWIDE TOXICOSURVEILLANCE OF POISON CENTER DATA TO PROMOTE HAZARD DETECTION.

The Poison Control Enhancement and Awareness Act (42 U.S.C. 14801 et seq) is amended by adding at the end the following:

''SEC. 7. NATIONWIDE TOXICOSURVEILLANCE OF POISON CENTER DATA TO PROMOTE HAZARD DETECTION.

''(a) IN GENERAL.—The Secretary shall assist in the implementation and maintenance of continuous national toxicosurveillance of poison control center data to detect new hazards from household products, pharmaceuticals, traditionally abused drugs, and other toxic substances.

''(b) CONTRACT FOR SERVICES.—The Secretary may enter into a contract with appropriate professional organizations for the collection and analysis of poison center data described in subsection (a) in real time.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $2,500,000 for each of fiscal years 2005 through 2009.''.

By Mrs. BOXER:

S. 687. A bill to amend title 10, United States Code, to prohibit the concurrent deployment to combat zones of both military spouses of military families with minor children, and for other purposes; to the Committee on Armed Services.

Mrs. BOXER. Mr. President, today I am introducing legislation to require that the Secretary of Defense issue regulations that would prevent a mother and father of minor children from being deployed to a combat zone at the same time.

Under my legislation, the Secretary of Defense would have 15 days to implement this policy by issuing regulations that would include the definition of what comprises a combat zone.

As we wage war against Iraq, it is important that we work to ensure that a child will never have to endure the pain of losing both parents during wartime. Military families sacrifice so much to serve our Nation. We should do everything we can to ensure their children are not orphaned.

I hope my colleagues will support this legislation.

By Mr. GRAHAM of Florida:

S. 688. A bill to provide that no electric utility shall be required to enter into a new contract or obligation to purchase or to sell electricity or capacity under section 210 of the Public Utility Regulatory Policies Act of 1978; to the Committee on Energy and Natural Resources.

Mr. GRAHAM. Mr. President, I rise today to introduce this bill that will end the practice of forcing electric utilities to purchase unneeded electricity at above market rates—a practice that ultimately costs consumers more.

This outdated practice began after the 1973–74 oil embargo. In the embargo's aftermath, we understood a far reaching assessment of our energy policies and enacted numerous laws to address the issues facing this country at that time. The Public Utility Regulatory Policies Act of 1978, PURPA, was one of several energy bills that resulted from those efforts.

In 1978, the electric utility industry in this country was based on monopolies and almost totally reliant on antiquated technologies. It was also highly territorial, having only limited ability

to move electricity from one part of the country to another.

PURPA was intended to address these issues. It was designed to alleviate real and potential shortages in electricity and encourage the use of alternative fuels to generate electricity. To do this, it established a new class of electricity generators. The goal was for these new generators to rapidly implement new generating technologies that the utilities had been slow to adopt and to expand the amount of electricity generated with alternative fuels.

To ensure that investors would build these new facilities, PURPA essentially guaranteed them a profit. It required the conventional electric utilities to purchase all of the electricity the new generators wanted to sell. Prices were essentially fixed—requiring traditional utilities to pay for the electricity based on the costs they ''avoided'' by not having to build additional capacity themselves.

And PURPA worked. It led to the development of plants converting waste to energy and to construction of smaller, more efficient generating facilities.

But much has changed since 1978.

Today there are competitive wholesale markets throughout the country, giving generation project developers many opportunities to see their output. The Energy Policy Act of 1992 and a variety of Federal Energy Regulatory Commission directives now ensure that generators have access to transmission lines, so that power can reach those markets. And we now have additional capacity coming from a variety of non-utilities using small-scale facilities and newer, more efficient technologies which allow them to be price competitive.

There have also been changes in the PURPA generators. One of PURPA's goals was to spur the use of alternative or renewable fuels, but 80 percent of the electricity currently generated by PURPA facilities is produced by burning natural gas, oil and coal. And the ''equitable'' prices imposed on electric utilities purchasing PURPA power are substantially higher than market rates, increasing the cost to consumers by roughly $8 billion annually. Exactly the opposite of what was intended.

The bill I offer today would rescind any requirement for electricity utilities to enter into new agreements to purchase electricity from PURPA facilities. It would not prevent utilities from buying PURPA power that is offered at competitive rates. And it would not affect existing PURPA agreements. Those agreements would remain in effect until they expire, allowing those PURPA facilities to continue selling their electricity to the utilities at the prices specified in the agreements. This approach would ensure that the investment in PURPA facilities can be recouped in accordance with the parties' expectations, but will protect consumers from new PURPA contracts—contracts which force them to pay above market prices for electricity.

This bill would also ensure that the electric utilities that are required to purchase PURPA electricity, possibly for decades to come under existing contracts, have the flexibility to recover those costs.

I urge my colleagues to support this legislation, which is fiscally sound, and is an example of good government because it eliminates outdated and counterproductive legislation.

By Mr. VOINOVICH (for himself and Mr. FEINGOLD):

S. 689. A bill to balance the budget and protect the Social Security Trust Fund surpluses; to the Committee on Governmental Affairs and the Committee on the Budget, jointly, pursuant to the order of August 4, 1977, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

Mr. VOINOVICH. Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 689

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Truth in Budgeting and Social Security Protection Act of 2003''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
TITLE I—GENERAL REFORMS
Sec. 101. Extension of the discretionary spending caps.
Sec. 102. Extension of pay-as-you-go requirement.
Sec. 103. Point of order to require compliance with the caps and pay-as-you-go.
Sec. 104. Disclosure of interest costs.
Sec. 105. Executive branch report on fiscal exposures.
Sec. 106. Senate sets 302(b) allocations.
Sec. 107. Long-Term Cost Recognition Point of Order.
TITLE II—REFORM OF BUDGETARY TREATMENT OF FEDERAL INSURANCE PROGRAMS
Sec. 201. Federal insurance programs.
TITLE III—BIENNIAL BUDGETING AND APPROPRIATIONS
Sec. 301. Revision of timetable.
Sec. 302. Amendments to the Congressional Budget and Impoundment Control Act of 1974.
Sec. 303. Amendments to title 31, United States Code.
Sec. 304. Two-year appropriations; title and style of appropriations Acts.
Sec. 305. Multiyear authorizations.
Sec. 306. Government plans on a biennial basis.
Sec. 307. Biennial appropriations bills.
Sec. 308. Report on two-year fiscal period.
Sec. 309. Effective date.
TITLE IV—COMMISSION ON FEDERAL BUDGET CONCEPTS
Sec. 401. Establishment of Commission on Federal Budget Concepts.
Sec. 402. Powers and duties of Commission.
Sec. 403. Membership.
Sec. 404. Staff and support services.
Sec. 405. Report.
Sec. 406. Termination.
Sec. 407. Funding.

TITLE I—GENERAL REFORMS

SEC. 101. EXTENSION OF THE DISCRETIONARY SPENDING CAPS.

(a) IN GENERAL.—Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking paragraphs (7) through (16) and inserting the following:

''(7) with respect to fiscal years 2004 through 2009 an amount equal to the appropriated amount of discretionary spending in budget authority and outlays for fiscal year 2003 adjusted to reflect inflation;''.

(b) EXPIRATION.—Section 275(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 note) is amended by striking subsection (b).

(c) ADDITIONAL ENFORCEMENT.—Section 205(g) of H. Con. Res. 290 (106th Congress) is repealed.

SEC. 102. EXTENSION OF PAY-AS-YOU-GO REQUIREMENT.

Section 252(a) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended by striking ''enacted before October 1, 2002,'' both places it appears.

SEC. 103. POINT OF ORDER TO REQUIRE COMPLIANCE WITH THE CAPS AND PAY-AS-YOU-GO.

Section 312(b) of the Congressional Budget Act of 1974 (2 U.S.C. 643(b)) is amended to read as follows:

''(b) DISCRETIONARY SPENDING AND PAY-AS-YOU-GO POINT OF ORDER IN THE SENATE.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, it shall not be in order in the Senate to consider any bill or resolution or any separate provision of a bill or resolution (or amendment, motion, or conference report on that bill or resolution) that would—

''(A) exceed any of the discretionary spending limits in section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985; or

''(B) for direct spending or revenue legislation, would cause or increase an on-budget deficit for any one of the following three applicable time periods—

''(i) the first year covered by the most recently adopted concurrent resolution on the budget;

''(ii) the period of the first 5 fiscal years covered by the most recently adopted concurrent resolution on the budget; or

''(iii) the period of the 5 fiscal years following the first five fiscal years covered in the most recently adopted concurrent resolution on the budget.

''(2) POINT OF ORDER AGAINST A SPECIFIC PROVISION.—If the Presiding Officer sustains a point of order under paragraph (1) with respect to any separate provision of a bill or resolution, that provision shall be stricken from the measure and may not be offered as an amendment from the floor.

''(3) FORM OF THE POINT OF ORDER.—A point of order under this section may be raised by a Senator as provided in section 313(e) of the Congressional Budget Act of 1974.

''(4) CONFERENCE REPORTS.—If a point of order is sustained under this section against a conference report the report shall be disposed of as provided in section 313(d) of the Congressional Budget Act of 1974.

''(5) ENFORCEMENT BY THE PRESIDING OFFICER.—In the Senate, if a point of order lies against a bill or resolution (or amendment, motion, or conference report on that bill or resolution) under this section, and no Senator has raised the point of order, and the Senate has not waived the point of order, then before the Senate may vote on the bill or resolution (or amendment, motion, or

conference report on that bill or resolution), the Presiding Officer shall on his or her own motion raise a point of order under this section.

''(6) EXCEPTIONS.—This subsection shall not apply if a declaration of war by the Congress is in effect or if a joint resolution pursuant to section 258 of the Balanced Budget and Emergency Deficit Control Act of 1985 has been enacted.''.

SEC. 104. DISCLOSURE OF INTEREST COSTS.

Section 308(a)(1) of the Congressional Budget Act of 1974 (2 U.S.C. 639(a)(1)) is amended—

(1) in subparagraph (B), by striking ''and'' after the semicolon;

(2) in subparagraph (C), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(D) containing a projection by the Congressional Budget Office of the cost of the debt servicing that would be caused by such measure for such fiscal year (or fiscal years) and each of the 4 ensuing fiscal years.''.

SEC. 105. EXECUTIVE BRANCH REPORT ON FISCAL EXPOSURES.

(a) IN GENERAL.—The President shall submit to the Committees on Appropriations, Budget, Finance, and Governmental Affairs of the Senate, and the Committees on Appropriations, Budget, Government Reform, and Ways and Means of the House of Representatives, not later than 2 weeks before the first Monday in February of each year, a report (in this section referred to as the ''report'') on the fiscal exposures of the United States Federal Government and their implications for long-term financial health. The report shall also be included as part of the Consolidated Financial Statement of the United States Government.

(b) CONTENTS.—

(1) IN GENERAL.—The report shall include fiscal exposures for the following categories of fiscal exposures:

(A) DEBT.—Debt, including—

(i) total gross debt;

(ii) publicly held debt; and

(iii) debt held by Government accounts.

(B) OTHER FINANCIAL LIABILITIES.—Other financial liabilities, including—

(i) civilian and military pensions;

(ii) post-retirement health benefits;

(iii) environmental liabilities;

(iv) accounts payable;

(v) loan guarantees; and

(vi) Social Security benefits due and payable.

(C) FINANCIAL COMMITMENTS.—Financial commitments, including—

(i) undelivered orders; and

(ii) long-term operating leases.

(D) FINANCIAL CONTINGENCIES AND OTHER EXPOSURE.—Financial contingencies and other exposures, including—

(i) unadjudicated claims;

(ii) Federal insurance programs (including both the financial contingency for and risk assumed by such programs);

(iii) net future benefits under Social Security, Medicare Part A, Medicare Part B, and other social insurance programs;

(iv) life cycle costs, including deferred and future maintenance and operating costs associated with operating leases and the maintenance of capital assets;

(v) unfunded portions of incrementally funded capital projects;

(vi) disaster relief; and

(vii) others as deemed appropriate.

(2) ESTIMATES.—Where available, estimates for each exposure should be included. Where reasonable estimates are not available, a range of estimates may be appropriate.

(3) OTHER EXPOSURES.—Exposures that are analogous to those specified in paragraph (1) shall also be included in the exposure categories identified in such paragraph.

(c) FORMAT.—The report shall include a 1-page list of all exposures. Additional disclosures shall include descriptions of exposures, the estimation methodologies and significant assumptions used, and an analysis of the implications of the exposures for the long-term financial outlook. Additional analysis deemed informative may be provided on subsequent pages.

(d) REVIEW WITH CONGRESS.—Following the submission of the report on fiscal exposures to the Senate and the House of Representatives, the Comptroller General shall review and report to the committee reviewing the report on the report, discussing—

(1) the extent to which all required disclosures under this section have been made;

(2) the quality of the cost estimates;

(3) the scope of the information;

(4) the long-range financial outlook; and

(5) any other matters deemed appropriate.

(e) DEFINITIONS.—In this section:

(1) LIABILITIES.—The terms ''liabilities'', ''commitments'', and ''contingencies'' shall be defined in accordance with generally accepted accounting principles and standards of the United States Federal Government.

(2) RISK ASSUMED.—The term ''risk assumed'' means the full portion of the risk premium based on the expected cost of losses inherent in the Government's commitment that is not charged to the insured. For example, the present value of unpaid expected losses net of associated premiums, based on the risk assumed as a result of insurance coverage.

(3) NET FUTURE BENEFIT PAYMENTS.—The term ''net future benefit payments'' means the net present value of negative cashflow. Negative cashflow is to be calculated as the current amount of funds needed to cover projected shortfalls, excluding trust fund balances, over a 75-year period. This estimate should include births during the period and individuals below age 15 as of January 1 of the valuation year.

SEC. 106. SENATE SETS 302(b) ALLOCATIONS.

The Congressional Budget Act of 1974 (2 U.S.C. 621 et seq.) is amended—

(1) in section 301(e)(2)(F) (2 U.S.C. 632(e)(2)(F)), by striking ''section 302(a)'' and inserting ''subsections (a) and (b) of section 302''; and

(2) in section 302 (2 U.S.C. 633), by striking subsection (b) and inserting the following:

''(b) SUBALLOCATIONS FOR APPROPRIATIONS COMMITTEE.—The joint explanatory statement accompanying a conference report on a concurrent resolution on the budget shall include suballocations of amounts allocated to the Committees on Appropriations of each amount allocated to those committees under subsection (a) among each of the subcommittees of those committees.''.

SEC. 107. LONG-TERM COST RECOGNITION POINT OF ORDER.

(a) IN GENERAL.—Title III of the Congressional Budget Act of 1974 is amended by adding at the end the following:

''LONG-TERM COST RECOGNITION POINT OF ORDER

''SEC. 318. (a) CONGRESSIONAL BUDGET OFFICE ANALYSIS.—

''(1) IN GENERAL.—CBO shall, in conjunction with the analysis required by section 402, prepare and submit to the Committees on the Budget of the House of Representatives and Senate a report on each bill, joint resolution, amendment, motion, or conference report reported by any committee of the House of Representatives or the Senate that contains any cost drivers that CBO concludes are likely to have the effect of increasing the cost path of that measure such that the estimated discounted cash flows of the measure in the 10 years following the 10th year after the measure takes effect would be 150 percent or greater of the level of the estimated discounted cash flows of the measure at the end of the 10 years following the enactment of the measure.

''(2) PROJECTIONS.—Where possible, CBO should use existing long-term projections of cost drivers prepared by the appropriate Federal agency.

''(3) LIMIT.—Nothing in this section requires CBO to develop cost estimates for a measure beyond the 10th year after the measure takes effect.

''(b) COST DRIVERS.—Cost drivers CBO shall consider under subsection (a) include—

''(1) demographic changes;

''(2) new technologies; and

''(3) environmental factors.

''(c) POINT OF ORDER.—It shall not be in order in the House of Representatives or the Senate to consider any bill, joint resolution, amendment, motion, or conference report that CBO determines will increase the level of the estimated discounted cash flows of that measure as reported in subsection (a) by 150 percent or more.''.

TITLE II—REFORM OF BUDGETARY TREATMENT OF FEDERAL INSURANCE PROGRAMS

SEC. 201. FEDERAL INSURANCE PROGRAMS.

(a) IN GENERAL.—The Congressional Budget Act of 1974 is amended by adding after title V the following new title:

''TITLE VI—BUDGETARY TREATMENT OF FEDERAL INSURANCE PROGRAMS

''SEC. 601. SHORT TITLE.

''This title may be cited as the 'Federal Insurance Budgeting Act of 2003'.

''SEC. 602. BUDGETARY TREATMENT.

''(a) PRESIDENT'S BUDGET.—Beginning with fiscal year 2008, the budget of the Government submitted pursuant to section 1105(a) of title 31, United States Code, shall be based on the risk-assumed cost of Federal insurance programs.

''(b) BUDGET ACCOUNTING.—For any Federal insurance program—

''(1) the program account shall—

''(A) pay the risk-assumed cost borne by taxpayers to the financing account; and

''(B) pay actual insurance program administrative costs; and

''(2) the financing account shall—

''(A) receive premiums and other income;

''(B) pay all claims for insurance and receive all recoveries; and

''(C) transfer to the program account on not less than an annual basis amounts necessary to pay insurance program administrative costs; and

''(3) a negative risk-assumed cost shall be transferred from the financing account to the program account, and shall be transferred from the program account to the general fund;

''(4) all payments by or receipts of the financing accounts shall be treated in the budget as a means of financing.

''(c) APPROPRIATIONS REQUIRED.—(1) Notwithstanding any other provision of law, insurance commitments may be made for fiscal year 2006 and thereafter only to the extent that new budget authority to cover their risk-assumed cost is provided in advance in an appropriation Act.

''(2) An outstanding insurance commitment shall not be modified in a manner that increases its risk-assumed cost unless budget authority for the additional cost has been provided in advance.

''(3) Paragraph (1) shall not apply to Federal insurance programs that constitute entitlements.

''(d) REESTIMATES.—

''(1) IN GENERAL.—The risk-assumed cost for a fiscal year shall be reestimated in each subsequent year. Such reestimate can equal

zero. In the case of a positive reestimate, the amount of the reestimate shall be paid from the program account to the financing account. In the case of a negative reestimate, the amount of the reestimate shall be paid from the financing account to the program account, and shall be transferred from the program account to the general fund. Reestimates shall be displayed as a distinct and separately identified subaccount in the program account.

''(2) APPROPRIATIONS.—There are appropriated such sums as are necessary to fund a positive reestimate under paragraph (1).

''(e) ADMINISTRATIVE EXPENSES.—All funding for an agency's administration of a Federal insurance program shall be displayed as a distinct and separately identified subaccount in the program account.

''SEC. 603. TIMETABLE FOR IMPLEMENTATION OF ACCRUAL BUDGETING FOR FEDERAL INSURANCE PROGRAMS.

''(a) AGENCY REQUIREMENTS.—Agencies with responsibility for Federal insurance programs shall develop models to estimate their risk-assumed cost by year through the budget horizon and shall submit those models, all relevant data, a justification for critical assumptions, and the annual projected risk-assumed costs to OMB with their budget requests each year starting with the request for fiscal year 2005. Agencies will likewise provide OMB with annual estimates of modifications, if any, and reestimates of program costs.

''(b) DISCLOSURE.—When the President submits a budget of the Government pursuant to section 1105(a) of title 31, United States Code, for fiscal year 2005, OMB shall publish a notice in the Federal Register advising interested persons of the availability of information describing the models, data (including sources), and critical assumptions (including explicit or implicit discount rate assumptions) that it or other executive branch entities would use to estimate the risk-assumed cost of Federal insurance programs and giving such persons an opportunity to submit comments. At the same time, the chairman of the Committee on the Budget shall publish a notice for CBO in the Federal Register advising interested persons of the availability of information describing the models, data (including sources), and critical assumptions (including explicit or implicit discount rate assumptions) that it would use to estimate the risk-assumed cost of Federal insurance programs and giving such interested persons an opportunity to submit comments.

''(c) REVISION.—After consideration of comments pursuant to subsection (b), and in consultation with the Committees on the Budget of the House of Representatives and the Senate, OMB and CBO shall revise the models, data, and major assumptions they would use to estimate the risk-assumed cost of Federal insurance programs.

''(d) DISPLAY.—

''(1) IN GENERAL.—For fiscal years 2005, 2006, and 2007 the budget submissions of the President pursuant to section 1105(a) of title 31, United States Code, and CBO's reports on the economic and budget outlook pursuant to section 202(e)(1) and the President's budgets, shall for display purposes only, estimate the risk-assumed cost of existing or proposed Federal insurance programs.

''(2) OMB.—The display in the budget submissions of the President for fiscal years 2005, 2006, and 2007 shall include—

''(A) a presentation for each Federal insurance program in budget-account level detail of estimates of risk-assumed cost;

''(B) a summary table of the risk-assumed costs of Federal insurance programs; and

''(C) an alternate summary table of budget functions and aggregates using risk-assumed rather than cash-based cost estimates for Federal insurance programs.

''(3) CBO.—In the second session of the 108th Congress and the 109th Congress, CBO shall include in its estimates under section 308, for display purposes only, the risk-assumed cost of existing Federal insurance programs, or legislation that CBO, in consultation with the Committees on the Budget of the House of Representatives and the Senate, determines would create a new Federal insurance program.

''(e) OMB, CBO, AND GAO EVALUATIONS.—(1) Not later than 6 months after the budget submission of the President pursuant to section 1105(a) of title 31, United States Code, for fiscal year 2007, OMB, CBO, and GAO shall each submit to the Committees on the Budget of the House of Representatives and the Senate a report that evaluates the advisability and appropriate implementation of this title.

''(2) Each report made pursuant to paragraph (1) shall address the following:

''(A) The adequacy of risk-assumed estimation models used and alternative modeling methods.

''(B) The availability and reliability of data or information necessary to carry out this title.

''(C) The appropriateness of the explicit or implicit discount rate used in the various risk-assumed estimation models.

''(D) The advisability of specifying a statutory discount rate (such as the Treasury rate) for use in risk-assumed estimation models.

''(E) The ability of OMB, CBO, or GAO, as applicable, to secure any data or information directly from any Federal agency necessary to enable it to carry out this title.

''(F) The relationship between risk-assumed accrual budgeting for Federal insurance programs and the specific requirements of the Balanced Budget and Emergency Deficit Control Act of 1985.

''(G) Whether Federal budgeting is improved by the inclusion of risk-assumed cost estimates for Federal insurance programs.

''(H) The advisability of including each of the programs currently estimated on a risk-assumed cost basis in the Federal budget on that basis.

''SEC. 604. DEFINITIONS.

''For purposes of this title:

''(1) The term 'Federal insurance program' means a program that makes insurance commitments and includes the list of such programs as to be defined by the budget concepts commission, as required by title IV of the Truth in Budgeting and Social Security Protection Act of 2003.

''(2) The term 'insurance commitment' means an agreement in advance by a Federal agency to indemnify a non-Federal entity against specified losses. This term does not include loan guarantees as defined in title V or benefit programs such as social security, medicare, and similar existing social insurance programs.

''(3)(A) The term 'risk-assumed cost' means the net present value of the estimated cash flows to and from the Government resulting from an insurance commitment or modification thereof.

''(B) The cash flows associated with an insurance commitment include—

''(i) expected claims payments inherent in the Government's commitment;

''(ii) net premiums (expected premium collections received from or on behalf of the insured less expected administrative expenses);

''(iii) expected recoveries; and

''(iv) expected changes in claims, premiums, or recoveries resulting from the exercise by the insured of any option included in the insurance commitment.

''(C) The cost of a modification is the difference between the current estimate of the net present value of the remaining cash flows under the terms of the insurance commitment, and the current estimate of the net present value of the remaining cash flows under the terms of the insurance commitment as modified.

''(D) The cost of a reestimate is the difference between the net present value of the amount currently required by the financing account to pay estimated claims and other expenditures and the amount currently available in the financing account. The cost of a reestimate shall be accounted for in the current year in the budget of the Government submitted pursuant to section 1105(a) of title 31, United States Code.

''(E) For purposes of this definition, expected administrative expenses shall be construed as the amount estimated to be necessary for the proper administration of the insurance program. This amount may differ from amounts actually appropriated or otherwise made available for the administration of the program.

''(4) The term 'program account' means the budget account for the risk-assumed cost, and for paying all costs of administering the insurance program, and is the account from which the risk-assumed cost is disbursed to the financing account.

''(5) The term 'financing account' means the nonbudget account that is associated with each program account which receives payments from or makes payments to the program account, receives premiums and other payments from the public, pays insurance claims, and holds balances.

''(6) The term 'modification' means any Government action that alters the risk-assumed cost of an existing insurance commitment from the current estimate of cash flows. This includes any action resulting from new legislation, or from the exercise of administrative discretion under existing law, that directly or indirectly alters the estimated cost of existing insurance commitments.

''(7) The term 'model' means any actuarial, financial, econometric, probabilistic, or other methodology used to estimate the expected frequency and magnitude of loss-producing events, expected premiums or collections from or on behalf of the insured, expected recoveries, and administrative expenses.

''(8) The term 'current' has the same meaning as in section 250(c)(9) of the Balanced Budget and Emergency Deficit Control Act of 1985.

''(9) The term 'OMB' means the Director of the Office of Management and Budget.

''(10) The term 'CBO' means the Director of the Congressional Budget Office.

''(11) The term 'GAO' means the Comptroller General of the United States.

''SEC. 605. AUTHORIZATIONS TO ENTER INTO CONTRACTS; ACTUARIAL COST ACCOUNT.

''(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $600,000 for each of fiscal years 2004 through 2009 to the Director of the Office of Management and Budget and each agency responsible for administering a Federal program to carry out this title.

''(b) TREASURY TRANSACTIONS WITH THE FINANCING ACCOUNTS.—The Secretary of the Treasury shall borrow from, receive from, lend to, or pay the insurance financing accounts such amounts as may be appropriate. The Secretary of the Treasury may prescribe forms and denominations, maturities, and terms and conditions for the transactions described above. The authorities described above shall not be construed to supersede or

override the authority of the head of a Federal agency to administer and operate an insurance program. All the transactions provided in this subsection shall be subject to the provisions of subchapter II of chapter 15 of title 31, United States Code. Cash balances of the financing accounts in excess of current requirements shall be maintained in a form of uninvested funds, and the Secretary of the Treasury shall pay interest on these funds.

''(c) APPROPRIATION OF AMOUNT NECESSARY TO COVER RISK-ASSUMED COST OF INSURANCE COMMITMENTS AT TRANSITION DATE.—(1) A financing account is established on September 30, 2007, for each Federal insurance program.

''(2) There is appropriated to each financing account the amount of the risk-assumed cost of Federal insurance commitments outstanding for that program as of the close of September 30, 2007.

''(3) These financing accounts shall be used in implementing the budget accounting required by this title.

''SEC. 606. EFFECTIVE DATE.

''(a) IN GENERAL.—This title shall take effect immediately and shall expire on September 30, 2009.

''(b) SPECIAL RULE.—If this title is not reauthorized by September 30, 2009, then the accounting structure and budgetary treatment of Federal insurance programs shall revert to the accounting structure and budgetary treatment in effect immediately before the date of enactment of this title.''.

(b) CONFORMING AMENDMENT.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by inserting after the item relating to section 507 the following new items:

''TITLE VI—BUDGETARY TREATMENT OF FEDERAL INSURANCE PROGRAMS

''Sec. 601. Short title.
''Sec. 602. Budgetary treatment.
''Sec. 603. Timetable for implementation of accrual budgeting for Federal insurance programs.
''Sec. 604. Definitions.
''Sec. 605. Authorizations to enter into contracts; actuarial cost account.
''Sec. 606. Effective date.''.

TITLE III—BIENNIAL BUDGETING AND APPROPRIATIONS

SEC. 301. REVISION OF TIMETABLE.

Section 300 of the Congressional Budget Act of 1974 (2 U.S.C. 631) is amended to read as follows:

''TIMETABLE

''SEC. 300. (a) IN GENERAL.—Except as provided by subsection (b), the timetable with respect to the congressional budget process for any Congress (beginning with the One Hundred Eighth Congress) is as follows:

	''On or before:	Action to be completed:
	''First Session	
.....	First Monday in February.	President submits budget recommendations.
.....	February 15	Congressional Budget Office submits report to Budget Committees.
.....	Not later than 6 weeks after budget submission.	Committees submit views and estimates to Budget Committees.
	''First Session—Continued	
.....	April 1	Budget Committees report concurrent resolution on the biennial budget.
.....	May 15	Congress completes action on concurrent resolution on the biennial budget.
.....	May 15	Biennial appropriation bills may be considered in the House.
.....	June 10	House Appropriations Committee reports last biennial appropriation bill.
.....	June 30	House completes action on biennial appropriation bills.
.....	August 1	Congress completes action on reconciliation legislation.
.....	October 1	Biennium begins.
	''Second Session	
	''On or before:	Action to be completed:
.....	February 15	President submits budget review.
.....	Not later than 6 weeks after President submits budget review.	Congressional Budget Office submits report to Budget Committees.
.....	The last day of the session.	Congress completes action on bills and resolutions authorizing new budget authority for the succeeding biennium.

''(b) SPECIAL RULE.—In the case of any first session of Congress that begins in any year immediately following a leap year and during which the term of a President (except a President who succeeds himself) begins, the following dates shall supersede those set forth in subsection (a):

	''On or before:	Action to be completed:
	''First Session	
.....	First Monday in April.	President submits budget recommendations.
.....	April 20	Committees submit views and estimates to Budget Committees.
.....	May 15	Budget Committees report concurrent resolution on the biennial budget.
	''First Session—Continued	
.....	June 1	Congress completes action on concurrent resolution on the biennial budget.
.....	July 1	Biennial appropriation bills may be considered in the House.
.....	July 20	House completes action on biennial appropriation bills.
.....	August 1	Congress completes action on reconciliation legislation.
.....	October 1	Biennium begins.''.

SEC. 302. AMENDMENTS TO THE CONGRESSIONAL BUDGET AND IMPOUNDMENT CONTROL ACT OF 1974.

(a) DECLARATION OF PURPOSE.—Section 2(2) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621(2)) is amended by striking ''each year'' and inserting ''biennially''.

(b) DEFINITIONS.—

(1) BUDGET RESOLUTION.—Section 3(4) of such Act (2 U.S.C. 622(4)) is amended by striking ''fiscal year'' each place it appears and inserting ''biennium''.

(2) BIENNIUM.—Section 3 of such Act (2 U.S.C. 622) is further amended by adding at the end the following new paragraph:

''(11) The term 'biennium' means the period of 2 consecutive fiscal years beginning on October 1 of any odd-numbered year.''.

(c) BIENNIAL CONCURRENT RESOLUTION ON THE BUDGET.—

(1) CONTENTS OF RESOLUTION.—Section 301(a) of such Act (2 U.S.C. 632(a)) is amended—

(A) in the matter preceding paragraph (1) by—

(i) striking ''April 15 of each year'' and inserting ''May 15 of each odd-numbered year'';

(ii) striking ''the fiscal year beginning on October 1 of such year'' the first place it appears and inserting ''the biennium beginning on October 1 of such year''; and

(iii) striking ''the fiscal year beginning on October 1 of such year'' the second place it appears and inserting ''each fiscal year in such period'';

(B) in paragraph (6), by striking ''for the fiscal year'' and inserting ''for each fiscal year in the biennium''; and

(C) in paragraph (7), by striking ''for the first fiscal year'' and inserting ''for each fiscal year in the biennium''.

(2) ADDITIONAL MATTERS.—Section 301(b)(3) of such Act (2 U.S.C. 632(b)) is amended by striking ''for such fiscal year'' and inserting ''for either fiscal year in such biennium''.

(3) VIEWS OF OTHER COMMITTEES.—Section 301(d) of such Act (2 U.S.C. 632(d)) is amended by inserting ''(or, if applicable, as provided by section 300(b))'' after ''United States Code''.

(4) HEARINGS.—Section 301(e)(1) of such Act (2 U.S.C. 632(e)) is amended by—

(A) striking ''fiscal year'' and inserting ''biennium''; and

(B) inserting after the second sentence the following: ''On or before April 1 of each odd-numbered year (or, if applicable, as provided by section 300(b)), the Committee on the Budget of each House shall report to its House the concurrent resolution on the budget referred to in subsection (a) for the biennium beginning on October 1 of that year.''.

(5) GOALS FOR REDUCING UNEMPLOYMENT.—Section 301(f) of such Act (2 U.S.C. 632(f)) is amended by striking ''fiscal year'' each place it appears and inserting ''biennium''.

(6) ECONOMIC ASSUMPTIONS.—Section 301(g)(1) of such Act (2 U.S.C. 632(g)(1)) is amended by striking ''for a fiscal year'' and inserting ''for a biennium''.

(7) SECTION HEADING.—The section heading of section 301 of such Act is amended by striking ''**ANNUAL**'' and inserting ''**BIENNIAL**''.

(8) TABLE OF CONTENTS.—The item relating to section 301 in the table of contents set forth in section 1(b) of such Act is amended by striking ''Annual'' and inserting ''Biennial''.

(d) COMMITTEE ALLOCATIONS.—Section 302 of such Act (2 U.S.C. 633) is amended—

(1) in subsection (a)(1) by—

(A) striking ''for the first fiscal year of the resolution,'' and inserting ''for each fiscal year in the biennium,'';

(B) striking ''for that period of fiscal years'' and inserting ''for all fiscal years covered by the resolution''; and

(C) striking ''for the fiscal year of that resolution'' and inserting ''for each fiscal year in the biennium'';

(2) in subsection (f)(1), by striking ''for a fiscal year'' and inserting ''for a biennium'';

(3) in subsection (f)(1), by striking ''first fiscal year'' and inserting ''each fiscal year of the biennium'';

(4) in subsection (f)(2)(A), by—

(A) striking ''first fiscal year'' and inserting ''each fiscal year of the biennium''; and

(B) striking ''the total of fiscal years'' and inserting ''the total of all fiscal years covered by the resolution''; and

(5) in subsection (g)(1)(A), by striking ''April'' and inserting ''May''.

(e) SECTION 303 POINT OF ORDER.—

(1) IN GENERAL.—Section 303(a) of such Act (2 U.S.C. 634(a)) is amended by striking ''first fiscal year'' and inserting ''each fiscal year of the biennium''.

(2) EXCEPTIONS IN THE HOUSE.—Section 303(b)(1) of such Act (2 U.S.C. 634(b)) is amended—

(A) in subparagraph (A), by striking ''the budget year'' and inserting ''the biennium''; and

(B) in subparagraph (B), by striking ''the fiscal year'' and inserting ''the biennium''.

(3) APPLICATION TO THE SENATE.—Section 303(c)(1) of such Act (2 U.S.C. 634(c)) is amended by—

(A) striking ''fiscal year'' and inserting ''biennium''; and

(B) striking ''that year'' and inserting ''each fiscal year of that biennium''.

(f) PERMISSIBLE REVISIONS OF CONCURRENT RESOLUTIONS ON THE BUDGET.—Section 304(a) of such Act (2 U.S.C. 635) is amended—

(1) by striking ''fiscal year'' the first two places it appears and inserting ''biennium'';

(2) by striking ''for such fiscal year''; and

(3) by inserting before the period ''for such biennium''.

(g) PROCEDURES FOR CONSIDERATION OF BUDGET RESOLUTIONS.—Section 305(a)(3) of such Act (2 U.S.C. 636(b)(3)) is amended by striking ''fiscal year'' and inserting ''biennium''.

(h) COMPLETION OF HOUSE ACTION ON APPROPRIATION BILLS.—Section 307 of such Act (2 U.S.C. 638) is amended—

(1) by striking ''each year'' and inserting ''each odd-numbered year'';

(2) by striking ''annual'' and inserting ''biennial'';

(3) by striking ''fiscal year'' and inserting ''biennium''; and

(4) by striking ''that year'' and inserting ''each odd-numbered year''.

(i) COMPLETION OF ACTION ON REGULAR APPROPRIATION BILLS.—Section 309 of such Act (2 U.S.C. 640) is amended—

(1) by inserting ''of any odd-numbered calendar year'' after ''July'';

(2) by striking ''annual'' and inserting ''biennial''; and

(3) by striking ''fiscal year'' and inserting ''biennium''.

(j) RECONCILIATION PROCESS.—Section 310(a) of such Act (2 U.S.C. 641(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''any fiscal year'' and inserting ''any biennium''; and

(2) in paragraph (1) by striking ''such fiscal year'' each place it appears and inserting ''any fiscal year covered by such resolution''.

(k) SECTION 311 POINT OF ORDER.—

(1) IN THE HOUSE.—Section 311(a)(1) of such Act (2 U.S.C. 642(a)) is amended—

(A) by striking ''for a fiscal year'' and inserting ''for a biennium'';

(B) by striking ''the first fiscal year'' each place it appears and inserting ''either fiscal year of the biennium''; and

(C) by striking ''that first fiscal year'' and inserting ''each fiscal year in the biennium''.

(2) IN THE SENATE.—Section 311(a)(2) of such Act is amended—

(A) in subparagraph (A), by striking ''for the first fiscal year'' and inserting ''for either fiscal year of the biennium''; and

(B) in subparagraph (B)—

(i) by striking ''that first fiscal year'' the first place it appears and inserting ''each fiscal year in the biennium''; and

(ii) by striking ''that first fiscal year and the ensuing fiscal years'' and inserting ''all fiscal years''.

(3) SOCIAL SECURITY LEVELS.—Section 311(a)(3) of such Act is amended by—

(A) striking ''for the first fiscal year'' and inserting ''each fiscal year in the biennium''; and

(B) striking ''that fiscal year and the ensuing fiscal years'' and inserting ''all fiscal years''.

(l) MDA POINT OF ORDER.—Section 312(c) of the Congressional Budget Act of 1974 (2 U.S.C. 643) is amended—

(1) by striking ''for a fiscal year'' and inserting ''for a biennium'';

(2) in paragraph (1), by striking ''first fiscal year'' and inserting ''either fiscal year in the biennium'';

(3) in paragraph (2), by striking ''that fiscal year'' and inserting ''either fiscal year in the biennium''; and

(4) in the matter following paragraph (2), by striking ''that fiscal year'' and inserting ''the applicable fiscal year''.

SEC. 303. AMENDMENTS TO TITLE 31, UNITED STATES CODE.

(a) DEFINITION.—Section 1101 of title 31, United States Code, is amended by adding at the end thereof the following new paragraph:

''(3) 'biennium' has the meaning given to such term in paragraph (11) of section 3 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(11)).''.

(b) BUDGET CONTENTS AND SUBMISSION TO THE CONGRESS.—

(1) SCHEDULE.—The matter preceding paragraph (1) in section 1105(a) of title 31, United States Code, is amended to read as follows:

''(a) On or before the first Monday in February of each odd-numbered year (or, if applicable, as provided by section 300(b) of the Congressional Budget Act of 1974), beginning with the One Hundred Seventh Congress, the President shall transmit to the Congress, the budget for the biennium beginning on October 1 of such calendar year. The budget transmitted under this subsection shall include a budget message and summary and supporting information. The President shall include in each budget the following:''.

(2) EXPENDITURES.—Section 1105(a)(5) of title 31, United States Code, is amended by striking ''the fiscal year for which the budget is submitted and the 4 fiscal years after that year'' and inserting ''each fiscal year in the biennium for which the budget is submitted and in the succeeding 4 years''.

(3) RECEIPTS.—Section 1105(a)(6) of title 31, United States Code, is amended by striking ''the fiscal year for which the budget is submitted and the 4 fiscal years after that year'' and inserting ''each fiscal year in the biennium for which the budget is submitted and in the succeeding 4 years''.

(4) BALANCE STATEMENTS.—Section 1105(a)(9)(C) of title 31, United States Code, is amended by striking ''the fiscal year'' and inserting ''each fiscal year in the biennium''.

(5) FUNCTIONS AND ACTIVITIES.—Section 1105(a)(12) of title 31, United States Code, is amended in subparagraph (A), by striking ''the fiscal year'' and inserting ''each fiscal year in the biennium''.

(6) ALLOWANCES.—Section 1105(a)(13) of title 31, United States Code, is amended by striking ''the fiscal year'' and inserting ''each fiscal year in the biennium''.

(7) ALLOWANCES FOR UNCONTROLLED EXPENDITURES.—Section 1105(a)(14) of title 31, United States Code, is amended by striking ''that year'' and inserting ''each fiscal year in the biennium for which the budget is submitted''.

(8) TAX EXPENDITURES.—Section 1105(a)(16) of title 31, United States Code, is amended by striking ''the fiscal year'' and inserting ''each fiscal year in the biennium''.

(9) FUTURE YEARS.—Section 1105(a)(17) of title 31, United States Code, is amended—

(A) by striking ''the fiscal year following the fiscal year'' and inserting ''each fiscal year in the biennium following the biennium'';

(B) by striking ''that following fiscal year'' and inserting ''each such fiscal year''; and

(C) by striking ''fiscal year before the fiscal year'' and inserting ''biennium before the biennium''.

(10) PRIOR YEAR OUTLAYS.—Section 1105(a)(18) of title 31, United States Code, is amended—

(A) by striking ''the prior fiscal year'' and inserting ''each of the 2 most recently completed fiscal years,'';

(B) by striking ''for that year'' and inserting ''with respect to those fiscal years''; and

(C) by striking ''in that year'' and inserting ''in those fiscal years''.

(11) PRIOR YEAR RECEIPTS.—Section 1105(a)(19) of title 31, United States Code, is amended—

(A) by striking ''the prior fiscal year'' and inserting ''each of the 2 most recently completed fiscal years'';

(B) by striking ''for that year'' and inserting ''with respect to those fiscal years''; and

(C) by striking ''in that year'' each place it appears and inserting ''in those fiscal years''.

(c) ESTIMATED EXPENDITURES OF LEGISLATIVE AND JUDICIAL BRANCHES.—Section 1105(b) of title 31, United States Code, is amended by striking ''each year'' and inserting ''each even-numbered year''.

(d) RECOMMENDATIONS TO MEET ESTIMATED DEFICIENCIES.—Section 1105(c) of title 31, United States Code, is amended—

(1) by striking ''the fiscal year for'' the first place it appears and inserting ''each fiscal year in the biennium for'';

(2) by striking ''the fiscal year for'' the second place it appears and inserting ''each fiscal year of the biennium, as the case may be,''; and

(3) by striking ''that year'' and inserting ''for each year of the biennium''.

(e) CAPITAL INVESTMENT ANALYSIS.—Section 1105(e)(1) of title 31, United States Code, is amended by striking ''ensuing fiscal year'' and inserting ''biennium to which such budget relates''.

(f) SUPPLEMENTAL BUDGET ESTIMATES AND CHANGES.—

(1) IN GENERAL.—Section 1106(a) of title 31, United States Code, is amended—

(A) in the matter preceding paragraph (1), by—

(i) striking ''Before July 16 of each year,'' and inserting ''Before February 15 of each even numbered year,''; and

(ii) striking ''fiscal year'' and inserting ''biennium'';

(B) in paragraph (1), by striking ''that fiscal year'' and inserting ''each fiscal year in such biennium'';

(C) in paragraph (2), by striking ''4 fiscal years following the fiscal year'' and inserting ''4 fiscal years following the biennium''; and

(D) in paragraph (3), by striking ''fiscal year'' and inserting ''biennium''.

(2) CHANGES.—Section 1106(b) of title 31, United States Code, is amended by—

(A) striking ''the fiscal year'' and inserting ''each fiscal year in the biennium'';

(B) striking ''April 11 and July 16 of each year'' and inserting ''February 15 of each even-numbered year''; and

(C) striking ''July 16'' and inserting ''February 15 of each even-numbered year.''.

(g) CURRENT PROGRAMS AND ACTIVITIES ESTIMATES.—

(1) IN GENERAL.—Section 1109(a) of title 31, United States Code, is amended—

(A) by striking ''On or before the first Monday after January 3 of each year (on or before February 5 in 1986)'' and inserting ''At the same time the budget required by section 1105 is submitted for a biennium''; and

(B) by striking ''the following fiscal year'' and inserting ''each fiscal year of such period''.

(2) JOINT ECONOMIC COMMITTEE.—Section 1109(b) of title 31, United States Code, is amended by striking ''March 1 of each year'' and inserting ''within 6 weeks of the President's budget submission for each odd-numbered year (or, if applicable, as provided by section 300(b) of the Congressional Budget Act of 1974)''.

(h) YEAR-AHEAD REQUESTS FOR AUTHORIZING LEGISLATION.—Section 1110 of title 31, United States Code, is amended by—

(1) striking ''May 16'' and inserting ''March 31''; and

(2) striking ''year before the year in which the fiscal year begins'' and inserting ''calendar year preceding the calendar year in which the biennium begins''.

SEC. 304. TWO-YEAR APPROPRIATIONS; TITLE AND STYLE OF APPROPRIATIONS ACTS.

Section 105 of title 1, United States Code, is amended to read as follows:

''§ 105. Title and style of appropriations Acts

''(a) The style and title of all Acts making appropriations for the support of the Government shall be as follows: 'An Act making appropriations (here insert the object) for each fiscal year in the biennium of fiscal years (here insert the fiscal years of the biennium).'.

''(b) All Acts making regular appropriations for the support of the Government shall be enacted for a biennium and shall specify the amount of appropriations provided for each fiscal year in such period.

''(c) For purposes of this section, the term 'biennium' has the same meaning as in section 3(11) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(11)).''.

SEC. 305. MULTIYEAR AUTHORIZATIONS.

(a) IN GENERAL.—Title III of the Congressional Budget Act of 1974 is amended by adding at the end the following new section:

''AUTHORIZATIONS OF APPROPRIATIONS

''SEC. 319. (a) POINT OF ORDER.—It shall not be in order in the House of Representatives or the Senate to consider—

''(1) any bill, joint resolution, amendment, motion, or conference report that authorizes appropriations for a period of less than 2 fiscal years, unless the program, project, or activity for which the appropriations are authorized will require no further appropriations and will be completed or terminated after the appropriations have been expended; and

''(2) in any odd-numbered year, any authorization or revenue bill or joint resolution until Congress completes action on the biennial budget resolution, all regular biennial appropriations bills, and all reconciliation bills.

''(b) APPLICABILITY.—In the Senate, subsection (a) shall not apply to—

''(1) any measure that is privileged for consideration pursuant to a rule or statute;

''(2) any matter considered in Executive Session; or

''(3) an appropriations measure or reconciliation bill.''.

(b) AMENDMENT TO TABLE OF CONTENTS.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by adding after the item relating to section 313 the following new item:

''Sec. 319. Authorizations of appropriations.''.

SEC. 306. GOVERNMENT PLANS ON A BIENNIAL BASIS.

(a) STRATEGIC PLANS.—Section 306 of title 5, United States Code, is amended—

(1) in subsection (a), by striking ''September 30, 1997'' and inserting ''September 30, 2003'';

(2) in subsection (b)—

(A) by striking ''at least every three years'' and inserting ''at least every 4 years''; and

(B) by striking ''five years forward'' and inserting ''six years forward''; and

(3) in subsection (c), by inserting a comma after ''section'' the second place it appears and adding ''including a strategic plan submitted by September 30, 2003 meeting the requirements of subsection (a)''.

(b) BUDGET CONTENTS AND SUBMISSION TO CONGRESS.—Paragraph (28) of section 1105(a) of title 31, United States Code, is amended by striking ''beginning with fiscal year 1999, a'' and inserting ''beginning with fiscal year 2004, a biennial''.

(c) PERFORMANCE PLANS.—Section 1115 of title 31, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter before paragraph (1)—

(i) by striking ''section 1105(a)(29)'' and inserting ''section 1105(a)(28)''; and

(ii) by striking ''an annual'' and inserting ''a biennial'';

(B) in paragraph (1) by inserting after ''program activity'' the following: ''for both years 1 and 2 of the biennial plan'';

(C) in paragraph (5) by striking ''and'' after the semicolon,

(D) in paragraph (6) by striking the period and inserting a semicolon; and inserting ''and'' after the inserted semicolon; and

(E) by adding after paragraph (6) the following:

''(7) cover a 2-year period beginning with the first fiscal year of the next biennial budget cycle.'';

(2) in subsection (d) by striking ''annual'' and inserting ''biennial''; and

(3) in paragraph (6) of subsection (f) by striking ''annual'' and inserting ''biennial''.

(d) MANAGERIAL ACCOUNTABILITY AND FLEXIBILITY.—Section 9703 of title 31, United States Code, relating to managerial accountability, is amended—

(1) in subsection (a)—

(A) in the first sentence by striking ''annual''; and

(B) by striking ''section 1105(a)(29)'' and inserting ''section 1105(a)(28)'';

(2) in subsection (e)—

(A) in the first sentence by striking ''one or'' before ''years'';

(B) in the second sentence by striking ''a subsequent year'' and inserting ''for a subsequent 2-year period''; and

(C) in the third sentence by striking ''three'' and inserting ''four''.

(e) PILOT PROJECTS FOR PERFORMANCE BUDGETING.—Section 1119 of title 31, United States Code, is amended—

(1) in paragraph (1) of subsection (d), by striking ''annual'' and inserting ''biennial''; and

(2) in subsection (e), by striking ''annual'' and inserting ''biennial''.

(f) STRATEGIC PLANS.—Section 2802 of title 39, United States Code, is amended—

(1) is subsection (a), by striking ''September 30, 1997'' and inserting ''September 30, 2003'';

(2) in subsection (b), by striking ''at least every three years'' and inserting ''at least every 4 years'';

(3) by striking ''five years forward'' and inserting ''six years forward''; and

(4) in subsection (c), by inserting a comma after ''section'' the second place it appears and inserting ''including a strategic plan submitted by September 30, 2003 meeting the requirements of subsection (a)''.

(g) PERFORMANCE PLANS.—Section 2803(a) of title 39, United States Code, is amended—

(1) in the matter before paragraph (1), by striking ''an annual'' and inserting ''a biennial'';

(2) in paragraph (1), by inserting after ''program activity'' the following: ''for both years 1 and 2 of the biennial plan'';

(3) in paragraph (5), by striking ''and'' after the semicolon;

(4) in paragraph (6), by striking the period and inserting ''; and''; and

(5) by adding after paragraph (6) the following:

''(7) cover a 2-year period beginning with the first fiscal year of the next biennial budget cycle.''.

(h) COMMITTEE VIEWS OF PLANS AND REPORTS.—Section 301(d) of the Congressional Budget Act (2 U.S.C. 632(d)) is amended by adding at the end ''Each committee of the Senate or the House of Representatives shall review the strategic plans, performance plans, and performance reports, required under section 306 of title 5, United States Code, and sections 1115 and 1116 of title 31, United States Code, of all agencies under the jurisdiction of the committee. Each committee may provide its views on such plans or reports to the Committee on the Budget of the applicable House.''.

(i) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on March 1, 2003.

(2) AGENCY ACTIONS.—Effective on and after the date of enactment of this Act, each agency shall take such actions as necessary to prepare and submit any plan or report in accordance with the amendments made by this Act.

SEC. 307. BIENNIAL APPROPRIATIONS BILLS.

(a) IN GENERAL.—Title III of the Congressional Budget Act of 1974 (2 U.S.C. 631 et seq.) is amended by adding at the end the following:

''CONSIDERATION OF BIENNIAL APPROPRIATIONS BILLS

''SEC. 320. It shall not be in order in the House of Representatives or the Senate in any odd-numbered year to consider any regular bill providing new budget authority or a

limitation on obligations under the jurisdiction of any of the subcommittees of the Committees on Appropriations for only the first fiscal year of a biennium, unless the program, project, or activity for which the new budget authority or obligation limitation is provided will require no additional authority beyond 1 year and will be completed or terminated after the amount provided has been expended.''.

(b) AMENDMENT TO TABLE OF CONTENTS.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by adding after the item relating to section 313 the following new item:

''Sec. 320. Consideration of biennial appropriations bills.''.

SEC. 308. REPORT ON TWO-YEAR FISCAL PERIOD.

Not later than 180 days after the date of enactment of this subpart, the Director of OMB shall—

(1) determine the impact and feasibility of changing the definition of a fiscal year and the budget process based on that definition to a 2-year fiscal period with a biennial budget process based on the 2-year period; and

(2) report the findings of the study to the Committees on the Budget of the House of Representatives and the Senate.

SEC. 309. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in sections 306 and 308 and subsection (b), this title and the amendments made by this title shall take effect on January 1, 2003, and shall apply to budget resolutions and appropriations for the biennium beginning with fiscal year 2004.

(b) AUTHORIZATIONS FOR THE BIENNIUM.—For purposes of authorizations for the biennium beginning with fiscal year 2004, the provisions of this title and the amendments made by this title relating to 2-year authorizations shall take effect January 1, 2003.

TITLE IV—COMMISSION ON FEDERAL BUDGET CONCEPTS

SEC. 401. ESTABLISHMENT OF COMMISSION ON FEDERAL BUDGET CONCEPTS.

There is established a commission to be known as the Commission on Federal Budget Concepts (referred to in this title as the ''Commission'').

SEC. 402. POWERS AND DUTIES OF COMMISSION.

(a) DUTIES OF THE COMMISSION.—

(1) IN GENERAL.—The duties of the Commission shall include—

(A) a review of the 1967 report of the President's Commission on Budget Concepts and assessment of the implementation of the recommendations of that report;

(B) identification and evaluation of the structure, concepts, classifications, and bases of accounting of the Federal budget;

(C) identification of any applicable general accounting principles and practices in the private sector and evaluation of their value to budget practices in the Federal sector;

(D) a report that shall include recommendations for modifications to the structure, concepts, classifications, and bases of accounting of the Federal budget that would enhance the usefulness of the budget for public policy and financial planning.

(2) SPECIFIC AREAS OF CONSIDERATION.—Specific areas for consideration by the Commission shall include the following:

(A) Should part ownership by the Government be sufficient to make an entity Federal and to include it in the budget?

(B) When is Federal control of an entity, including control exercised through Federal regulations, sufficient to cause it to be included in the budget?

(C) Are privately owned assets under long-term leases to the Federal Government effectively purchased by the Government during the lease period?

(D) Should there be an ''off-budget'' section of the budget? How should the Federal Government differentiate between spending and receipts?

(E) Should the total costs of refundable tax credits belong on the spending side of the budget?

(F) When should Federal Reserve earnings be reported as receipts or offsetting receipts (negative spending) in the net interest portion of the budget?

(G) What is a ''user fee'' and under what circumstances is it properly an offset to spending or a governmental receipt? What uses do trust funds have?

(H) Do trust fund balances provide misleading information? Do the roughly 200 trust funds add clarity or confusion to the budget process?

(I) Are there better ways than trust fund accounting to identify long-term liabilities?

(J) Should accrual budgetary accounting be adopted for Federal retirement, military retirement, or Social Security and other entitlements?

(K) Are off-budget accounts suitable for capturing accruals in the budget?

(L) What is the appropriate budgetary treatment of—

(i) purchases and sales of financial assets, including equities, bonds, and foreign currencies;

(ii) emergency spending;

(iii) the cost of holding fixed assets (cost of capital);

(iv) sales of physical assets; and

(v) seigniorage on coins and currency?

(M) When policy changes have strong but indirect feedback effects on revenues and other aggregates, should they be reported in budget estimates?

(N) How should the policies that are one-sided bets on economic events (probabilistic scoring) be represented in the budget?

(b) POWERS OF THE COMMISSION.—

(1) CONDUCT OF BUSINESS.—The Commission may hold hearings, take testimony, receive evidence, and undertake such other activities necessary to carry out its duties.

(2) ACCESS TO INFORMATION.—The Commission may secure directly from any department or agency of the United States information necessary to carry out its duties. Upon request of the Chair of the Commission, the head of that department or agency shall furnish that information to the Commission.

(3) POSTAL SERVICE.—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

SEC. 403. MEMBERSHIP.

(a) MEMBERSHIP.—The Commission shall be composed of 12 members as follows:

(1) Three members appointed by the chairman of the Committee on the Budget of the Senate.

(2) Three members appointed by the chairman of the Committee on the Budget of the House of Representatives.

(3) Three members appointed by the ranking member of the Committee on the Budget of the Senate.

(4) Three members appointed by the ranking member of the Committee on the Budget of the House of Representatives.

(b) QUALIFICATIONS AND TERM.—

(1) QUALIFICATIONS.—Members appointed to the Commission pursuant to subsection (a) shall—

(A) have expertise and experience in the fields or disciplines related to the subject areas to be considered by the Commission; and

(B) not be Members of Congress.

(2) TERM OF APPOINTMENT.—The term of an appointment to the Commission shall be for the life of the Commission.

(3) CHAIR AND VICE CHAIR.—The Chair and Vice Chair may be elected from among the members of the Commission. The Vice Chair shall assume the duties of the Chair in the Chair's absence.

(c) MEETINGS; QUORUM; AND VACANCIES.—

(1) MEETINGS.—The Commission shall meet at least once a month on a day to be decided by the Commission. The Commission may meet at such other times at the call of the Chair or of a majority of its voting members. The meetings of the Commission shall be open to the public, unless by public vote, the Commission shall determine to close a meeting or any portion of a meeting to the public.

(2) QUORUM.—A majority of the voting membership shall constitute a quorum of the Commission, except that 3 or more voting members may conduct hearings.

(3) VACANCIES.—A vacancy on the Commission shall be filled in the same manner in which the original appointment was filled under subsection (a).

(d) COMPENSATION AND EXPENSES.—Members of the Commission shall serve without pay for their service on the Commission, but may receive travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code.

SEC. 404. STAFF AND SUPPORT SERVICES.

(a) STAFF.—With the advance approval of the Commission, the executive director may appoint such personnel as is appropriate. The staff of the Commission shall be appointed without regard to political affiliation and without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classifications and General Schedule pay rates.

(b) EXECUTIVE DIRECTOR.—The Chairman shall appoint an executive director, who shall be paid the rate of basic pay for level II of the Executive Schedule.

(c) EXPERTS AND CONSULTANTS.—With the advance approval of the Commission, the executive director may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

(d) TECHNICAL AND ADMINISTRATIVE ASSISTANCE.—Upon the request of the Commission—

(1) the head of any agency, office, or establishment within the executive or legislative branches of the United States shall provide, without reimbursement, such technical assistance as the Commission determines is necessary to carry out its duties; and

(2) the Administrator of the General Services Administration shall provide, on a reimbursable basis, such administrative support services as the Commission may require.

(e) DETAIL OF FEDERAL PERSONNEL.—Upon the request of the Commission, the head of an agency, office, or establishment in the executive or legislative branch of the United States is authorized to detail, without reimbursement, any of the personnel of that agency, office, or establishment to the Commission to assist the Commission in carrying out its duties. Any such detail shall not interrupt or otherwise affect the employment status or privileges of that employee.

(f) CBO.—The Director of the Congressional Budget Office shall provide the Commission with its latest research on the accuracy of its past budget and economic projections as compared to those of the Office of Management and Budget and, if possible,

those of private sector forecasters. The Commission shall work with the Directors of the Congressional Budget Office and the Office of Management and Budget in their efforts to explain the factors affecting the accuracy of budget projections.

SEC. 405. REPORT.

Not later than _____, the Commission shall transmit a report to the President and to each House of Congress. The report shall contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for such legislative or administrative actions as it considers appropriate. No finding, conclusion, or recommendation may be made by the Commission unless approved by a majority of those voting, a quorum being present. At the request of any Commission member, the report shall include that member's dissenting findings, conclusions, or recommendations.

SEC. 406. TERMINATION.

The Commission shall terminate 30 days after the date of transmission of the report required in section 405.

SEC. 407. FUNDING.

There are authorized to be appropriated not more than $1,000,000 to carry out this title. Sums so appropriated shall remain available until expended.

By Mr. HAGEL:

S. 691. A bill to authorize the Secretary of Agriculture to enter into cooperative agreements and contracts with the Nebraska State Forester to carry out watershed restoration and protection activities on National Forest System land in the State of Nebraska; to the Committee on Energy and Natural Resources.

Mr. HAGEL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 691

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

SECTION 1. WATERSHED RESTORATION AND PROTECTION ACTIVITIES IN THE STATE OF NEBRASKA.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(2) STATE.—The term ''State'' means the State of Nebraska.

(3) STATE FORESTER.—The term ''State Forester'' means the Nebraska State Forester.

(b) COOPERATIVE AGREEMENTS AND CONTRACTS.—

(1) IN GENERAL.—The Secretary may enter into a cooperative agreement or contract, including a sole source contract, with the State Forester, under which the State Forester may carry out eligible watershed restoration and protection activities on National Forest System land in the State if similar or complementary activities are being carried out by the State Forester on State or private land that is located within the same watershed as the National Forest System land.

(2) ELIGIBLE ACTIVITIES.—Watershed restoration and protection activities that are eligible to be carried out by the State Forester under paragraph (1) shall include—

(A) treatment of insect-infected trees;

(B) reduction of hazardous fuels; and

(C) other activities to restore or improve watersheds across ownership boundaries.

(c) AGENCY AGREEMENT.—Except as provided in subsection (f), a cooperative agreement or contract under subsection (b)(1) may authorize the State Forester to be an agent of the Secretary for the purpose of carrying out the watershed restoration or protection activities under the cooperative agreement or contract.

(d) SUBCONTRACTS AUTHORIZED.—In carrying out the watershed restoration or protection activities under subsection (b), the State Forester may enter into subcontracts in accordance with applicable contract procedures of the State.

(e) TIMBER SALES.—Subsections (d) and (g) of section 14 of the National Forest Management Act of 1976 (16 U.S.C. 472a) shall not apply to watershed restoration and protection activities carried out by the State Forester under subsection (b).

(f) NO DELEGATION OF DUTIES UNDER NEPA.—With respect to any watershed restoration or protection activity of the State Forester carried out or proposed to be carried out under subsection (b), the Secretary shall not delegate to the State Forester or to any other employee of the State Forest Service any of the duties of the Secretary under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(g) TERMINATION OF AUTHORITY.—The authority of the Secretary to enter into cooperative agreements or contracts under this section terminates on September 30, 2006.

AMENDMENTS SUBMITTED & PROPOSED

SA 368. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Governments for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table.

SA 369. Mr. COCHRAN proposed an amendment to the concurrent resolution S. Con. Res. 23, supra.

SA 370. Mr. BINGAMAN (for himself, Mr. KERRY, Mr. DODD, Mr. DASCHLE, Mr. ROCKEFELLER, Mr. CORZINE, and Ms. LANDRIEU) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 371. Mr. DORGAN (for himself, Mr. FEINGOLD, Mr. DASCHLE, Mr. LEAHY, Mr. JEFFORDS, Mr. HARKIN, Ms. MIKULSKI, and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 372. Mr. LEVIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 373. Mr. DODD (for himself, Mrs. CLINTON, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 374. Mrs. CLINTON (for herself, Mr. SCHUMER, and Mr. DODD) submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 375. Mr. SCHUMER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 376. Mr. CONRAD proposed an amendment to the concurrent resolution S. Con. Res. 23, supra.

SA 377. Mr. GREGG proposed an amendment to the concurrent resolution S. Con. Res. 23, supra.

SA 378. Mr. McCONNELL submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 379. Mr. SCHUMER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 380. Mr. SCHUMER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 381. Mrs. CLINTON (for herself, Mr. SCHUMER, Mr. LEAHY, Mr. LIEBERMAN, Mr. CORZINE, Mr. DAYTON, and Mr. SARBANES) proposed an amendment to the concurrent resolution S. Con. Res. 23, supra.

SA 382. Ms. CANTWELL submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 383. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 384. Mrs. BOXER submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 385. Mr. DORGAN (for himself, Mr. FEINGOLD, Mr. DASCHLE, Mr. LEAHY, Mr. JEFFORDS, Mr. HARKIN, Ms. MIKULSKI, Mr. JOHNSON, and Mr. SARBANES) proposed an amendment to the concurrent resolution S. Con. Res. 23, supra.

SA 386. Mr. HARKIN proposed an amendment to amendment SA 339 submitted by Mr. BREAUX (for himself, Ms. SNOWE, Mr. BAUCUS, and Mr. VOINOVICH) to the concurrent resolution S. Con. Res. 23, supra.

SA 387. Mr. BYRD proposed an amendment to the concurrent resolution S. Con. Res. 23, supra.

SA 388. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra.

SA 389. Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, supra.

SA 390. Mr. NICKLES submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra.

SA 391. Mr. STEVENS (for himself and Mr. NICKLES) proposed an amendment to the concurrent resolution S. Con. Res. 23, supra.

SA 392. Mr. HARKIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 393. Mr. HARKIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 394. Mr. DURBIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 395. Mr. DORGAN (for himself, Mr. HAGEL, and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 396. Mr. HARKIN (for himself, Mrs. MURRAY, Mr. KOHL, Ms. CANTWELL, Mr. BINGAMAN, Mr. JOHNSON, Mr. DORGAN, and Mr. INOUYE) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 397. Mr. KERRY submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 398. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the concurrent resolution S. Con. Res. 23, supra; which was ordered to lie on the table.

SA 399. Mr. ENSIGN submitted an amendment intended to be proposed by him to the