

(1) the actions taken by United States Air Force academy personnel and other Department of the Air Force officials in response to allegations of sexual assaults at the United States Air Force Academy;

(2) review directives issued by the United States Air Force pertaining to sexual misconduct at the United States Air Force Academy;

(3) review the effectiveness of the process, procedures, and policies used at the United States Air Force Academy to respond to allegations of sexual misconduct;

(4) review the relationship between—

(A) the command climate for women at the United States Air Force Academy, including factors that may have produced a fear of retribution for reporting sexual misconduct; and

(B) the circumstances that resulted in sexual misconduct at the Academy; and

(5) review, evaluate, and assess such other matters and materials as the panel considers appropriate for the study.

(c) REPORT.—(1) Not later than 90 days after its first meeting under section 501(f)(2), the panel shall submit a report on the study required by subsection (a) to the Secretary of Defense and the Committees on Armed Services of the Senate and the House of Representatives.

(2) The report shall include—

(A) the findings and conclusions of the panel as a result of the study; and

(B) any recommendations for legislative or administrative action that the panel considers appropriate in light of the study.

SEC. 503. PERSONNEL MATTERS.

(a) PAY OF MEMBERS.—(1) Members of the panel established under section 501(a) shall serve without pay by reason of their work on the panel.

(2) Section 1342 of title 31, United States Code, shall not apply to the acceptance of services of a member of the panel under this title.

(b) TRAVEL EXPENSES.—The members of the panel shall be allowed 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, while away from their homes or regular places of business in the performance of services for the panel.

TITLE VI—GENERAL PROVISIONS

SEC. 601. Section 624 of division B of the Consolidated Appropriations Resolution, 2003 (Public Law 108-7), is amended by inserting before the period at the end: “and, effective as of October 1, 2002, by inserting ‘and subject to the provisions of Public Law 108-8,’ after ‘until expended.’”

SEC. 602. EXTENSION OF ENERGY SAVINGS PERFORMANCE CONTRACTING AUTHORITY. Section 801(c) of the National Energy Conservation Policy Act (42 U.S.C. 8287(c)) is amended by striking “October 1, 2003” and inserting “December 31, 2004”.

SEC. 603. None of the funds in this Act may be obligated or expended to pay for transportation described in section 41106 of title 49, United States Code, to be performed by any air carrier that is not effectively controlled by citizens of the United States.

SEC. 604. Section 626 of title VI of division B of Public Law 108-7 is amended by striking “previously”.

SEC. 605. Section 7304 of Public Law 107-110 is amended by striking “such as” and inserting in lieu thereof “operated by”.

SEC. 606. Section 1605 of title 28, United States Code, is amended by adding at the end the following new subsection:

“(h) CLAIMS FOR MONEY DAMAGES FOR DEATH OR PERSONAL INJURY.—(1) Any United States citizen who dies or suffers injury caused by a foreign state’s act of torture, extrajudicial killing, aircraft sabotage, or hostage taking committed on or after November 1, 1979, and any member of the immediate family of such citizen, shall have a claim for money damages against

such foreign state, as authorized by subsection (a)(7), for death or personal injury (including economic damages, solatium, pain and suffering).

“(2) A claim under paragraph (1) shall not be barred or precluded by the Algiers Accords.”.

SEC. 607. Section 127b(b) of title 10, United States Code, is amended by striking “\$200,000” and inserting “\$5,000,000”.

This Act may be cited as the “Supplemental Appropriations Act to Support Department of Defense Operations in Iraq for Fiscal Year 2003”.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today’s Executive Calendar: Calendar Nos. 108, 109, 110, 111, 112, 113, 114, and 115. I further ask unanimous consent that the nominations be confirmed en bloc, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate’s action, and the Senate then return to legislative session.

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

The nominations considered and confirmed are as follows:

DEPARTMENT OF JUSTICE

Raul David Bejarano, of California, to be United States Marshal for the Southern District of California for the term of four years.

Allen Garber, Minnesota, to be United States Marshal for the District of Minnesota for the term of four years.

SECURITIES INVESTOR PROTECTION CORPORATION

Noe Hinojosa, Jr., of Texas, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2003.

Noe Hinojosa, Jr., of Texas, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2006.

Thomas Waters Grant of New York, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2005.

William Robert Timken, Jr., of Ohio, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2003.

William Robert Timken, Jr., of Ohio, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2006.

NATIONAL CONSUMER COOPERATIVE BANK

Alfred Plamann, of California, to be a Member of the Board of Directors of the National Consumer Cooperative Bank for a term of three years.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

HONORING MARY JANE JENKINS OGILVIE

Mr. BENNETT. Mr. President, I ask unanimous consent that the Senate

proceed to the immediate consideration of S. Res. 110, which was submitted earlier today by Senator KYL.

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

The legislative clerk read as follows:

A resolution (S. Res. 110) honoring Mary Jane Jenkins Ogilvie, wife of former Senate Chaplain, Reverend Dr. Lloyd John Ogilvie.

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

Mr. BENNETT. I would like to comment, Mr. President, about Mary Jane Ogilvie. Many public men are described in their own right for their own accomplishments, and then their wives are referred to casually.

Senator Alan Simpson’s wife, who took my wife under her wing when we first came here, described it this way. She said: “We are just LWOs, which means ‘lovely wives of.’”

Mary Jane Ogilvie was indeed the lovely wife of our Chaplain, Lloyd Ogilvie, but she was far, far more than an appendage to her husband. She had her own contribution to make to this body and to all of the Members in it.

Many wives of important men do not want to have anything to do with their husbands’ careers and create areas of their own. They do not have an interest in what their husband does. Mary Jane Ogilvie was an incredibly important part of Lloyd Ogilvie’s entire career.

The two of them were a team, inseparable. Her faith was as strong as his. Her dedication to the ministry and to the Gospel, as they understood it, was as deep as his. And her friendships forged here in the Senate were as strong as his. She was, as I say, an integral part of the ministry he performed here.

When she became too ill to carry on her portion of that ministry, he was unable to carry on his, which was very appropriate, in my view, because they were a team. He had his priorities straight, and he realized that, as important as his work here was, his duty to his wife was even greater.

When it became necessary for her, as she sought to find treatment for her condition, to move to California, there was never a doubt in Lloyd Ogilvie’s mind that he would move with her. They were a team.

Some would have said: Well, she is hospitalized. I have a career. I will stay here. I will call her on weekends or get out there when I can, but I will let her go forward on her own. Lloyd Ogilvie is not that kind of a man, and their marriage was not that kind of a marriage. When she needed him, she had him, which is a manifestation of the fact that when he needed her, he had her.

So this resolution is but a small token of the Senate’s gratitude for the contribution that Mary Jane Ogilvie made to the lives of all of us.

My wife and I were privileged enough to become friends of this team. We went to dinner together. We had conversations about our families. We had conversations about religion. We had

conversations about the Senate and its spiritual health. As the leader of the Senate Prayer Breakfast during the time that Lloyd Ogilvie was our Chaplain, I got to know both of them extremely well.

It is with great sorrow that we note her passage. But as I have said before of others to whom we have had to say good-bye in this fashion, we do not mourn for Mary Jane. We know where Mary Jane is. We know that all is well with her. Our sense of loss is for ourselves and the fact that we have been deprived now of her company, her spirit, and the joy of her life.

I join with Senator KYL and thank Senator KYL for this resolution in paying tribute to a woman whose contribution to the Senate is not reflected in the payroll or any official record but is engraved in the hearts of all of us.

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

Mr. REID. Reserving the right to object, Mr. President, I would like to extend, through the Chair, to my friend from Utah the appreciation of the whole Senate for the content of the remarks of the Senator from Utah and the manner in which they were delivered.

Those of us who know Lloyd Ogilvie certainly have great respect for him. I told him personally. My first knowledge of his presence was when I attended the funeral of the late departed Senator from Georgia, Mr. Coverdell. He did such a remarkable job at that funeral. Even though I had seen him here and listened to him give prayers many times, that was the first time I had really felt his presence.

I did not know his wife Mary Jane well. I had met her, but that was all. It was good to hear from the Senator from Utah about his knowledge of Mary Jane Ogilvie, who Reverend Ogilvie talked to me about many times, as every morning we were here together.

So I think the remarks of the Senator from Utah were timely. And I, on behalf of the whole Senate, extend my appreciation to the Senator from Utah.

Mr. BENNETT. Mr. President, I thank the Senator from Nevada for his kind comments.

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

The resolution (S. Res. 110) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 110

Whereas Mary Jane Jenkins Ogilvie, a friend to the United States Senate who succumbed April 1, 2003, to infirmities that she had battled courageously over many years was—

(1) petite in size, but grand in character, a woman with strong independent status, while still being steadfastly supportive of her husband during his chaplaincy;

(2) an active, vibrant, frank, honest, vigorous, and warm friend, especially to many Senate spouses, during her eight years here;

(3) a loving wife and mother who, though she missed her family in California, was a vital partner in her husband's service to the Senate, near the end of which she returned home to California;

(4) a devout woman, a fighter to the end, an individual impressive for her style, her spirit, and her strong faith; and

(5) the center of her family, cherished by her husband Lloyd, her children Heather, Scott, and Andrew, and her grandchildren Erin, Airley, Bonnie, and Scotter: Now, therefore, be it

Resolved, That the Senate—

(1) mourns the loss of Mary Jane Jenkins Ogilvie;

(2) recognizes her contributions to the Senate family;

(3) admires her courage and loyalty; and

(4) expresses gratitude that she is now with the Lord.

SEC. 2. TRANSMISSION OF ENROLLED RESOLUTION.

The Secretary of the Senate shall transmit an enrolled copy of this resolution to the family of Mary Jane Jenkins Ogilvie.

ORDERS FOR WEDNESDAY, APRIL 9, 2003

Mr. BENNETT. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 10 a.m., Wednesday, April 9. I further ask unanimous consent that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and there then be a period of morning business until 11:30 a.m., with the first 30 minutes equally divided between Senator HUTCHISON and the minority leader or their designees and the remaining time, until 11:30, equally divided between the two leaders or their designees; provided further that during the Republican-controlled time, Senator DOLE be recognized for up to 15 minutes and Senator KYL be recognized for up to 15 minutes.

Finally, I ask unanimous consent that at 11:30 a.m., the Senate return to consideration of S. 476, the CARE Act, and there then be 30 minutes equally

divided for general debate remaining, with all other provisions of the consent remaining in order.

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

PROGRAM

Mr. BENNETT. For the information of all Senators, the Senate will be in a period of morning business tomorrow until 11:30 a.m. Following morning business, the Senate will resume debate on the CARE Act. When the Senate returns to the bill, Senator NICKLES will offer his amendment related to land sales. The Senate will vote on both the Nickles amendment and passage of the bill at approximately 12:30 tomorrow.

Following passage of the CARE Act, the Senate may resume consideration of the nomination of Priscilla Owen. In addition to the Owen nomination, the Senate may consider the PROTECT Act conference report, if available, as well as the POW resolution. Therefore, additional votes are expected.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 6:44 p.m., adjourned until Wednesday, April 9, 2003, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 8, 2003:

SECURITIES INVESTOR PROTECTION CORPORATION

NOE HINOJOSA, JR., OF TEXAS, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION.
THOMAS WATERS GRANT, OF NEW YORK, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION.

WILLIAM ROBERT TIMKEN, JR., OF OHIO, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION.

NATIONAL CONSUMER COOPERATIVE BANK

ALFRED PLAMANN, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE NATIONAL CONSUMER COOPERATIVE BANK FOR A TERM OF THREE YEARS.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEES' COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

DEPARTMENT OF JUSTICE

RAUL DAVID BEJARANO, OF CALIFORNIA, TO BE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF CALIFORNIA FOR THE TERM OF FOUR YEARS.

ALLEN GARBEN, OF MINNESOTA, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF MINNESOTA FOR THE TERM OF FOUR YEARS.