

(2) remains committed to the ideals of freedom, peace, and democracy on the Korean Peninsula; and

(3) affirms its commitment to preserving the memory of those who made the ultimate sacrifice in the Korean War, and to educating future generations about the achievements of our Nation's Korean War heroes.

AMENDMENTS SUBMITTED & PROPOSED

SA 1387. Mr. BINGAMAN (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 14, to enhance the energy security of the United States, and for other purposes; which was ordered to lie on the table.

SA 1388. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 14, supra; which was ordered to lie on the table.

SA 1389. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 14, supra; which was ordered to lie on the table.

SA 1390. Mr. DOMENICI (for Mr. INHOFE) proposed an amendment to the bill S. 14, supra.

SA 1391. Mr. BINGAMAN (for Mr. DURBIN (for himself and Ms. COLLINS)) proposed an amendment to the bill S. 14, supra.

SA 1392. Mr. BINGAMAN (for Mr. HARKIN) proposed an amendment to the bill S. 14, supra.

SA 1393. Mr. BINGAMAN (for Mr. SCHUMER) proposed an amendment to the bill S. 14, supra.

SA 1394. Mr. BINGAMAN (for himself and Mr. DOMENICI) proposed an amendment to the bill S. 14, supra.

SA 1395. Mr. BINGAMAN (for Mr. LAUTENBERG) proposed an amendment to the bill S. 14, supra.

SA 1396. Mr. DOMENICI proposed an amendment to the bill S. 14, supra.

SA 1397. Mr. DOMENICI (for himself and Ms. MURKOWSKI) proposed an amendment to the bill S. 14, supra.

SA 1398. Mr. DOMENICI proposed an amendment to the bill S. 14, supra.

SA 1399. Mr. DOMENICI proposed an amendment to the bill S. 14, supra.

SA 1400. Mr. DOMENICI proposed an amendment to the bill S. 14, supra.

SA 1401. Mr. BINGAMAN (for Ms. LANDRIEU) proposed an amendment to the bill S. 14, supra.

SA 1402. Mr. FEINGOLD (for himself and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the bill S. 14, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1387. Mr. BINGAMAN (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill S. 14, to enhance the energy security of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 105, strike lines 6 through 19, and insert the following:

“(C) for property described in subsection (d)(6)—

“(i) \$150 for each electric heat pump water heater,

“(ii) \$250 for each electric heat pump,

“(iii) \$125 for each advanced natural gas, oil, propane furnace, or hot water boiler,

“(iv) \$250 for each central air conditioner,

“(v) \$150 for each advanced natural gas, oil, or propane water heater,

“(vi) \$50 for each natural gas, oil, or propane water heater,

“(vii) \$250 for each geothermal heat pump,

“(viii) \$50 for an advanced main air circulating fan,

“(ix) \$150 for each advanced combination space and water heating system,

“(x) \$50 for each combination space and water heating system.”.

On page 109, line 19, strike “or propane furnace” and insert “propane furnace, or hot water boiler” after “furnace”.

On page 110, line 3, strike lines 1 through 7 and insert:

“(v) an advanced natural gas, oil, or propane water heater which has an energy factor of at least 0.80 in the standard Department of Energy test procedure,

“(vi) a natural gas, oil, or propane water heater which has an energy factor of at least 0.65 and less than .080 in the standard Department of Energy test procedure,

“(vii) a geothermal heat pump which has an average efficiency ratio (EER) of at least 21,

“(viii) an advanced main air circulating fan used in a new natural gas, propane, or oil-fired furnace, including main air circulating fans that use a brushless permanent magnet motor or another type of motor that achieves similar or higher efficiency at half and full speed, as determined by the Secretary,

“(ix) an advanced combination space and water heating system which has a combined energy factor of at least 0.80 and a combined annual fuel utilization efficiency (AFUE) of 78 percent or higher in the standard Department of Energy test procedure, and

“(x) a combination space and water heating system which has a combined energy factor of at least 0.65 and less than .080 and a combined annual fuel utilization efficiency (AFUE) of 78 percent or higher in the standard Department of Energy test procedure.”.

SA 1388. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 14, to enhance the energy security of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 133, strike lines 12 through 16 and insert the following:

“(ii) which has an electrical capacity of no more than 15,000 kilowatts or a mechanical energy capacity of no more than 2,000 horsepower or an equivalent combination of electrical and mechanical energy capacities.”.

On page 134, line 4, strike “(70 percent)” and all that follows through “capacities)” on line 10.

On page 136, strike lines 16 through “section 168.” on line 22.

SA 1389. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill S. 14, to enhance the energy security of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 95, line 17, strike “ending on—” and all that follows through “2007.” on line 21 and insert “ending on December 31, 2007.”.

SA 1390. Mr. DOMENICI (for Mr. INHOFE) proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes; as follows:

On page 52, after line 22, add the following:
SEC. 1. RISK-BASED DATA MANAGEMENT SYSTEMS.

(a) IN GENERAL.—The Secretary of Energy shall make grants to the Ground Water Pro-

tection Council to develop risk-based data management systems in State oil and gas agencies to assist States and oil and gas producers with compliance, economic forecasting, permitting, and exploration.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$1,000,000 for each fiscal year.

SA 1391. Mr. BINGAMAN (for Mr. DURBIN (for himself and Ms. COLLINS)) proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes; as follows:

Page 209, after line 6, insert:

“SEC. 6 . CONSERVE BY BICYCLING PROGRAM.

“(A) DEFINITIONS.—In this section:

“(1) The term ‘program’ means the Conserve by Bicycling Program established by subsection (b).

“(2) The term ‘Secretary’ means the Secretary of Transportation.

“(b) ESTABLISHMENT.—There is established within the Department of Transportation a program to be known as the ‘Conserve by Bicycling Program’.

“(c) PROJECTS.—

“(1) In carrying out the program, the Secretary shall establish not more than 10 pilot projects that are—

“(A) dispersed geographically throughout the United States; and

“(B) designed to conserve energy resources by encouraging the use of bicycles in place of motor vehicles.

“(2) A pilot project described in paragraph (1) shall—

“(A) use education and marketing to convert motor vehicle trips to bicycles trips;

“(B) document project results and energy savings (in estimated units of energy conserved);

“(C) facilitate partnerships among interested parties in at least 2 of the fields of transportation, law enforcement, education, public health, environment, and energy;

“(D) maximize bicycle facility investments;

“(E) demonstrate methods that may be used in other regions of the United States; and

“(F) facilitate the continuation of ongoing programs that are sustained by local resources.

“(3) At least 20 percent of the cost of each pilot project described in paragraph (1) shall be provided from State or local sources.

“(d) ENERGY AND BICYCLING RESEARCH STUDY.—

“(1) Not later than 2 years after the date of enactment of this Act, the Secretary shall enter into a contract with the National Academy of Sciences for, and the National Academy of Sciences shall conduct and submit to Congress, a report on a study on the feasibility of converting motor vehicle trips to bicycle trips.

“(2) The study shall—

“(A) document the results or progress of the pilot projects under subsection (c);

“(B) determine the type of duration of motor vehicle trips that people in the United States may feasibly make by bicycle, taking into consideration factors such as weather, land use and traffic patterns, the carrying capacity of bicycles, and bicycle infrastructure;

“(C) determine any energy savings that would result from the conversion of motor vehicle trips to bicycle trips;

“(D) include a cost-benefit analysis of infrastructure investments; and

“(E) include a description of any factors that would encourage more motor vehicle trips to be replaced with bicycle trips.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$6,200,000, to remain available until expended, of which—

“(1) \$5,150,000 shall be used to carry out pilot projects described in subsection (c);

“(2) \$300,000 shall be used to be by the Secretary to coordinate, publicize, and disseminate the results of the program; and

“(3) \$750,000 shall be used to carry out subsection (d).”.

SA 1392. Mr. BINGAMAN (for Mr. HARKIN) proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes; as follows:

On page 290, between lines 19 and 20, insert the following:

SEC. 8 . RENEWABLE PRODUCTION OF HYDROGEN DEMONSTRATION AND COMMERCIAL APPLICATION PROGRAM.

(a) IN GENERAL.—The Secretary shall establish a program to assist projects for the demonstration and commercial application of the production of hydrogen from renewable resources.

(b) SCOPE.—A project funded with assistance under this section may include an element other than production of hydrogen if the Secretary determines that the element contributes to the overall efficiency and commercial viability of the technology employed in the project, including—

(1) joint production of hydrogen and other commercial products from biomass; and

(2) renewable production of hydrogen and use of the hydrogen at a single farm location.

(c) COST SHARING; MERIT REVIEW.—A project carried out using funds made available under this section shall be subject to the cost sharing and merit review requirements under sections 982 and 983, respectively.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) \$10,000,000 for fiscal year 2004; and

(2) \$25,000,000 for each of fiscal years 2005 through 2008.

SA 1393. Mr. BINGAMAN (for Mr. SCHUMER) proposed an amendment to the bill S. 14, to enhance the energy security of the United States and for other purposes; as follows

On page 150, after line 14, insert the following:

SEC. 443. PLAN FOR WESTERN NEW YORK SERVICE CENTER.

Not later than one year after the date of enactment of this Act, the Secretary of Energy shall transmit to the Congress a plan for the transfer to the Secretary of title to, and full responsibility for the possession, transportation, disposal, stewardship, maintenance, and monitoring of, all facilities, property, and radioactive waste at the Western New York Service Center in West Valley, New York. The Secretary shall consult with the President of the New York State Energy Research and Development Authority in developing such plan.

SA 1394. Mr. BINGAMAN (for himself and Mr. DOMENICI) proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes; as follows:

Strike the text starting on page 43, line 19, through page 49, line 19, and insert the following:

“SEC. 112. PRESERVATION OF GEOLOGICAL AND GEOPHYSICAL DATA.

“(a) SHORT TITLE.—This section may be cited as the ‘National Geological and Geo-

physical Data Preservation Program Act of 2003.’

“(b) PROGRAM.—The Secretary of the Interior shall carry out a National Geological and Geophysical Data Preservation Program in accordance with this section—

“(1) to archive geologic, geophysical, and engineering data, maps, well logs, and samples;

“(2) to provide a national catalog of such archival material; and

“(3) to provide technical and financial assistance related to the archival material.

“(c) PLAN.—Within 1 year after the date of the enactment of this section, the Secretary shall develop and submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a plan for the implementation of the Program.

“(d) DATA ARCHIVE SYSTEM.—

“(1) ESTABLISHMENT.—The Secretary shall establish, as a component of the Program, a data archive system, which shall provide for the storage, preservation, and archiving of subsurface, surface, geological, geophysical and engineering data and samples. The Secretary, in consultation with the Advisory Committee, shall develop guidelines relating to the data archive system, including the types of data and samples to be preserved.

“(2) SYSTEM COMPONENTS.—The system shall be comprised of State agencies which elect to be part of the system and agencies within the Department of the Interior that maintain geological and geophysical data and samples that are designated by the Secretary in accordance with this subsection. The Program shall provide for the storage of data and samples through data repositories operated by such agencies.

“(3) LIMITATION OF DESIGNATION.—The Secretary may not designate a State agency as a component of the data archive system unless it is the agency that acts as the geological survey in the State.

“(4) DATA FROM FEDERAL LANDS.—The data archive system shall provide for the archiving of relevant subsurface data and samples obtained from Federal lands—

“(A) in the most appropriate repository designated under paragraph (2), with preference being given to archiving data in the State in which the data was collected; and

“(B) consistent with all applicable law and requirements relating to confidentiality and proprietary data.

“(e) NATIONAL CATALOG.—

“(1) IN GENERAL.—As soon as practicable after the date of the enactment of this section, the Secretary shall develop and maintain, as a component of the program, a national catalog that identifies—

“(A) data and samples available in the data archive system established under subsection (d);

“(B) the repository for particular material in such system; and

“(C) the means of accessing the material.

“(2) AVAILABILITY.—The Secretary shall make the national catalog accessible to the public on the site of the Survey on the World Wide Web, consistent with all applicable requirements relating to confidentiality and proprietary data.

“(f) ADVISORY COMMITTEE.—

“(1) IN GENERAL.—The Advisory Committee shall advise the Secretary on planning and implementation of the Program.

“(2) NEW DUTIES.—In addition to its duties under the National Geologic Mapping Act of 1992 (43 U.S.C. 31a et seq.), the Advisory Committee shall perform the following duties.

“(A) Advise the Secretary on developing guidelines and procedures for providing assistance for facilities in subsection (g)(1).

“(B) Review and critique the draft implementation plan prepared by the Secretary pursuant to subsection (c).

“(C) Identify useful studies of data archived under the Program that will advance understanding of the Nation’s energy and mineral resources, geologic hazards, and engineering geology.

“(D) Review the progress of the Program in archiving significant data and preventing the loss of such data, and the scientific progress of the studies funded under the Program.

“(E) Include in the annual report to the Secretary required under section 5(b)(3) of the National Geologic Mapping Act of 1992 (43 U.S.C. 31d(b)(3)) an evaluation of the progress of the Program toward fulfilling the purposes of the Program under subsection (b).

“(g) FINANCIAL ASSISTANCE.—

“(1) ARCHIVE FACILITIES.—Subject to the availability of appropriations, the Secretary shall provide financial assistance to a State agency that is designated under subsection (d)(2), for providing facilities to archive energy material.

“(2) STUDIES AND TECHNICAL ASSISTANCE.—Subject to the availability of appropriations, the Secretary shall provide financial assistance to any State agency designated under subsection (d)(2) for studies and technical assistance activities that enhance understanding, interpretation, and use of materials archived in the data archive system established under subsection (d).

“(3) FEDERAL SHARE.—The Federal share of the cost of an activity carried out with assistance under this subsection shall be no more than 50 percent of the total cost of that activity.

“(4) PRIVATE CONTRIBUTIONS.—The Secretary shall apply to the non-Federal share of the cost of an activity carried out with assistance under this subsection the value of private contributions of property and services used for that activity.

“(h) REPORT.—The Secretary shall include in each report under section 8 of the National Geologic Mapping Act of 1992 (43 U.S.C. 31g)—

“(1) a description of the status of the Program;

“(2) an evaluation of the progress achieved in developing the Program during the period covered by the report; and

“(3) any recommendations for legislative or other action the Secretary considers necessary and appropriate to fulfill the purposes of the Program under subsection (b).

“(i) DEFINITIONS.—As used in this section:

“(1) ADVISORY COMMITTEE.—The term ‘Advisory Committee’ means the advisory committee established under section 5 of the National Geologic Mapping Act of 1992 (43 U.S.C. 31d).

“(2) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior acting through the Director of the United States Geological Survey.

“(3) PROGRAM.—The term ‘Program’ means the National Geological and Geophysical Data Preservation Program carried out under this section.

“(4) SURVEY.—The term ‘Survey’ means the United States Geological Survey.

“(j) MAINTENANCE OF STATE EFFORT.—It is the intent of the Congress that the States not use this section as an opportunity to reduce State resources applied to the activities that are the subject of the Program.

“(k) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary \$30,000,000 for each of fiscal years 2004 through 2008 for carrying out this section.”

SA 1395. Mr. BINGAMAN (for Mr. LAUTENBERG) proposed an amendment to the bill S. 14, to enhance the energy

security of the United States, and for other purposes; as follows:

On page 150, line 24, strike “(tidal and thermal)” and insert “(wave, tidal, current, and thermal)”.

On page 156, line 4, strike “(tidal and thermal)” and insert “(wave, tidal, current, and thermal)”.

SA 1396. Mr. DOMENICI proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes, as follows:

On page 90, line 24, strike “2003 through 2011” and insert “2004 through 2012”.

SA 1397. Mr. DOMENICI (for himself and Ms. MURKOWSKI) proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes; as follows:

On page 40, beginning with line 13, strike all through line 20 and insert:

“(4) For purposes of this subsection, calculations of payments shall be made using qualified Outer Continental Shelf revenues received during the previous fiscal year.

SA 1398. Mr. DOMENICI proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes; as follows:

On page 40, strike line 5 and all that follows through line 12, and insert: “shall not disburse such an amount until the final resolution of any appeal regarding the disapproval of a plan submitted under this section or so long as the Secretary determines that such State is making a good faith effort to develop and submit, or update, a Coastal Impact Assistance Plan.”.

SA 1399. Mr. DOMENICI proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes; as follows:

On page 286, strike line 10 and all that follows through page 287, line 21, and insert:

“SEC. 814. HYDROGEN DEMONSTRATION PROGRAMS IN NATIONAL PARKS.

“(a) STUDY.—Not later than 1 year after the date of enactment of this section, the Secretary of the Interior and the Secretary of Energy shall jointly study and report to Congress on—

“(1) the energy needs and uses in units of the National Park System; and

“(2) the potential for fuel cell and other hydrogen-based technologies to meet such energy needs in—

“(A) stationary applications, including power generation, combined heat and power for buildings and campsites, and standby and backup power systems; and

“(B) transportation-related applications, including support vehicles, passenger vehicles and heavy-duty trucks and buses.

“(b) PILOT PROJECTS.—Based on the results of the study, the Secretary of the Interior shall fund not fewer than 3 pilot projects in units of the National Park System for demonstration of fuel cells or other hydrogen-based technologies in those applications where the greatest potential for such use has been identified. Such pilot projects shall be geographically distributed throughout the United States.

“(c) AUTHORIZATION OF APPROPRIATIONS.—For purposes of this section, there are authorized to be appropriated to the Secretary

of the Interior \$1,000,000 for fiscal year 2004, and \$15,000,000 for fiscal year 2005, to remain available until expended.”.

SA 1400. Mr. DOMENICI proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes; as follows:

On page 305, line 23, strike the word “basic”.

SA 1401. Mr. BINGAMAN (for Ms. LANDRIEU) proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes; as follows:

On page 37, line 23, “year. Where” and insert “year, except that where”.

SA 1402. Mr. FEINGOLD (for himself and Mr. BROWNBAC) submitted an amendment intended to be proposed by him to the bill S. 14, to enhance the energy security of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 465, between lines 10 and 11, insert the following:

SEC. 1175. AFFILIATE TRANSACTIONS.

Section 204 of the Federal Power Act (16 U.S.C. 824c) is amended by adding at the end the following:

“(i) TRANSACTIONS WITH AFFILIATES AND ASSOCIATED COMPANIES.—

“(1) DEFINITIONS.—In this subsection, the terms ‘affiliate’, ‘associate company’, and ‘public utility’ have the meanings given the terms in section 1151 of the Energy Policy Act of 2003.

“(2) REGULATIONS.—

“(A) IN GENERAL.—The Commission shall promulgate regulations that shall apply in the case of a transaction between a public utility and an affiliate or associate company of the public utility.

“(B) CONTENTS.—At a minimum, the regulations under subparagraph (A) shall require, with respect to a transaction between a public utility and an affiliate or associate company of the public utility, that—

“(i) the affiliate or associate company shall be an independent, separate, and distinct entity from the public utility;

“(ii) the affiliate or associate company shall maintain separate books, accounts, memoranda, and other records and shall prepare separate financial statements;

“(iii)(I) the public utility shall conduct the transaction in a manner that is consistent with transactions among nonaffiliated and nonassociated companies; and

“(II) shall not use its status as a monopoly franchise to confer on the affiliate or associate company any unfair competitive advantage;

“(iv) the public utility shall not declare or pay any dividend on any security of the public utility in contravention of such rules as the Commission considers appropriate to protect the financial integrity of the public utility;

“(v) the public utility shall have at least 1 independent director on its board of directors;

“(vi) the affiliate or associate company shall not acquire any loan, loan guarantee, or other indebtedness, and shall not structure its governance, in a manner that would permit creditors to have recourse against the assets of the public utility; and

“(vii) the public utility shall not—

“(I) commingle any assets or liabilities of the public utility with any assets or liabilities of the affiliate or associate company; or

“(II) pledge or encumber any assets of the public utility on behalf of the affiliate or associate company;

“(viii)(I) the public utility shall not cross-subsidize or shift costs from the affiliate or associate company to the public utility; and

“(II) the public utility shall disclose and fully value, at the market value or other value specified by the Commission, any assets or services by the public utility that, directly or indirectly, are transferred to, or otherwise provided for the benefit of, the affiliate or associate company, in a manner that is consistent with transfers among nonaffiliated and nonassociated companies; and

“(ix) electricity and natural gas consumers and investors shall be protected against the financial risks of public utility diversification and transactions with and among affiliates and associate companies.

“(3) NO PREEMPTION.—This subsection does not preclude or deny the right of any State or political subdivision of a State to adopt and enforce standards for the corporate and financial separation of public utilities that are more stringent than those provided under the regulations under paragraph (2).

“(4) PROHIBITION.—It shall be unlawful for a public utility to enter into or take any step in the performance of any transaction with any affiliate or associate company in violation of the regulations under paragraph (2).”.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON CRIME, CORRECTIONS AND VICTIMS' RIGHTS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Crime, Corrections and Victims' Rights be authorized to meet to conduct a hearing on “Alien Smuggling/Human Trafficking: Sending Meaningful Messages of Deterrence,” on Friday, July 25, 2003, at 10 a.m., in SD226.

Panel 1: John Malcomb, Esq., Assistant Attorney General, Criminal Division, Department of Justice, Washington, DC; Mr. Charles Demore, Interim Assistant Director of Investigations, Department of Homeland Security, Bureau of Immigration and Customs Enforcement, Washington, DC; and Mr. Robert L. Harris, Deputy Chief, U.S. Border Patrol, Department of Homeland Security, Bureau of Customs and Border Protection, Washington, DC.

Panel 2: the Honorable Robert Charleton, United States Attorney, District of Arizona, Phoenix, AZ; the Honorable Jane Boyle, United States Attorney, Northern District of Texas, Dallas, TX; and Sharon Cohn, Esq., Senior Counsel, International Justice Mission, Washington, DC.

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

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2004

On Thursday, July 24, 2003, the Senate passed H.R. 2555, as follows:

Resolved, That the bill from the House of Representatives (H.R. 2555) entitled “An Act making appropriations for the Department