

SA 3409. Mr. DASCHLE submitted and amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities on the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

SA 3409. Mr. DASCHLE submitted an amendment intended to be proposed to amendment SA 2400, submitted by Mr. GRASSLEY (for himself and Mr. BAUCUS) and intended to be proposed to the bill S. 1072, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1068. FUNDING FOR VETERANS HEALTH CARE TO ADDRESS CHANGES IN POPULATION AND INFLATION.

(a) IN GENERAL.—Chapter 3 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 320. Funding for veterans health care to address changes in population and inflation

“(a) For each fiscal year, the Secretary of the Treasury shall make available to the Secretary of Veterans Affairs the amount determined under subsection (b) with respect to that fiscal year. Each such amount is available, without fiscal year limitation, for the programs, functions, and activities of the Veterans Health Administration, as specified in subsection (c).

“(b)(1) The amount applicable to fiscal year 2005 under this subsection is the amount equal to—

“(A) 130 percent of the amount obligated by the Department during fiscal year 2003 for the purposes specified in subsection (c), minus

“(B) the amount appropriated for those purposes for fiscal year 2004.

“(2) The amount applicable to any fiscal year after fiscal year 2005 under this subsection is the amount equal to the product of the following, minus the amount appropriated for the purposes specified for subsection (c) for fiscal year 2004:

“(A) The sum of—

“(i) the number of veterans enrolled in the Department health care system under section 1705 of this title as of July 1 preceding the beginning of such fiscal year; and

“(ii) the number of persons eligible for health care under chapter 17 of this title who are not covered by clause (i) and who were provided hospital care or medical services under such chapter at any time during the fiscal year preceding such fiscal year.

“(B) The per capita baseline amount, as increased from time to time pursuant to paragraph (3)(B).

“(3)(A) For purposes of paragraph (12)(B), the term ‘per capita baseline amount’ means the amount equal to—

“(i) the amount obligated by the Department during fiscal year 2004 for the purposes specified in subsection (c), divided by

“(ii) the number of veterans enrolled in the Department health care system under section 1705 of this title as of September 30, 2003.

“(B) With respect to any fiscal year, the Secretary shall provide a percentage increase (rounded to the nearest dollar) in the

per capita baseline amount equal to the percentage by which—

“(i) the Consumer Price Index (all Urban Consumers, United States City Average, Hospital and related services, Seasonally Adjusted), published by the Bureau of Labor Statistics of the Department of Labor for the 12-month period ending on the June 30 preceding the beginning of the fiscal year for which the increase is made, exceeds

“(ii) such Consumer Price Index for the 12-month period preceding the 12-month period described in clause (i).

“(c)(1) Except as provided in paragraph (2), the purposes for which amounts made available pursuant to subsection (a) shall be all programs, functions, and activities of the Veterans Health Administration.

“(2) Amounts made available pursuant to subsection (a) are not available for—

“(A) construction, acquisition, or alteration of medical facilities as provided in subchapter I of chapter 81 of this title (other than for such repairs as were provided for before the date of the enactment of this section through the Medical Care appropriation for the Department); or

“(B) grants under subchapter III of chapter 81 of this title.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

“320. Funding for veterans health care to address changes in population and inflation.”.

SA 3411. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

SA 3411. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill S. 2400, to authorize appropriations for fiscal year 2005 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Services, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . DATA-MINING REPORTING ACT OF 2003.

(a) SHORT TITLE.—This section may be cited as the “Data-Mining Reporting Act of 2003”.

(b) DEFINITIONS.—In this section:

(1) DATA-MINING.—The term “data-mining” means a query or search or other analysis of 1 or more electronic databases, where—

(A) at least 1 of the databases was obtained from or remains under the control of a non-Federal entity, or the information was acquired initially by another department or agency of the Federal Government for purposes other than intelligence or law enforcement;

(B) the search does not use a specific individual’s personal identifies to acquire information concerning that individual; and

(C) a department or agency of the Federal Government is conducting the query or

search or other analysis to find a pattern indicating terrorist or other criminal activity.

(2) DATABASE.—The term “database” does not include telephone directories, information publicly available via the Internet or available by any other means to any member of the public without payment of a fee, or databases of judicial and administrative opinions.

(c) REPORTS ON DATA-MINING ACTIVITIES.—

(1) REQUIREMENT FOR REPORT.—The head of each department or agency of the Federal Government that is engaged in any activity to use or develop data-mining technology shall each submit a public report to Congress on all such activities of the department or agency under the jurisdiction of that official.

(2) CONTENT OF REPORT.—A report submitted under paragraph (1) shall include, for each activity to use or develop data-mining technology that is required to be covered by the report, the following information:

(A) A thorough description of the data-mining technology and the data that will be used.

(B) A thorough discussion of the plans for the use of such technology and the target dates for the deployment of the data-mining technology.

(C) An assessment of the likely efficacy of the data-mining technology in providing accurate and valuable information consistent with the stated plans for the use of the technology.

(D) An assessment of the likely impact of the implementation of the data-mining technology on privacy and civil liberties.

(E) A list and analysis of the laws and regulations that govern the information to be collected, reviewed, gathered, and analyzed with the data-mining technology and a description of any modifications of such laws that will be required to use the information in the manner proposed under such program.

(F) A thorough discussion of the policies, procedures, and guidelines that are to be developed and applied in the use of such technology for data-mining in order to—

(i) protect the privacy and due process rights of individuals; and

(ii) ensure that only accurate information is collected and used.

(G) A thorough discussion of the procedures allowing individuals whose personal information will be used in the data-mining technology to be informed of the use of their personal information and what procedures are in place to allow for individuals to opt out of the technology. If no such procedures are in place, a thorough explanation as to why not.

(H) Any necessary classified information in an annex that shall be available to the Committee on Governmental Affairs, the Committee on the Judiciary, and the Committee on Appropriations of the Senate and the Committee on Homeland Security, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives.

(3) TIME FOR REPORT.—Each report required under paragraph (1) shall be—

(A) submitted not later than 90 days after the date of the enactment of this Act; and

(B) updated once a year and include any new data-mining technologies.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public the postponement of a hearing scheduled before the Committee on Energy and Natural Resources.

The hearing which was previously scheduled for Thursday, June 10 at 10 a.m. has been postponed until Tuesday, June 15th at 10 a.m. in Room SD-366 of the Dirksen Senate Office Building in Washington, DC.

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

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record shall send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364 Dirksen Senate Office Building, Washington, DC 20510-6150.

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

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

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

The hearing will be held on Thursday June 17th at 10 a.m. in Room SD-366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony regarding the Environmental Management Program of the Department of Energy and Issues Associated with Accelerated Cleanup.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Dr. Pete Lyons at 202-224-5861 or Shane Perkins at 202-224-7555.

AUTHORITY FOR COMMITTEES TO
MEET

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. SHELBY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, June 8 at 10 a.m. to consider the nomination of Suedeen G. Kelly, to be a member of the Federal Energy Regulatory Commission for the term expiring June 30, 2009.

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

COMMITTEE ON FINANCE.

Mr. SHELBY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Tuesday, June 8, 2004, at 10 a.m. in 215 Dirksen

Senate Office Building, to hear testimony on Medicare Drug Card: Delivering Savings for Participating beneficiaries.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. SHELBY. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Tuesday, June 8, 2004, at 10 a.m. in Room 485 of the Russell Senate Office Building to conduct a hearing on S. 2436, a bill to reauthorize the Native American Programs Act.

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

COMMITTEE ON THE JUDICIARY

Mr. SHELBY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Tuesday, June 8, 2004 at 10 a.m. on "DOJ Oversight: Terrorism and Other Topics" in the Dirksen Senate Office Building Room 226. The Honorable John Ashcroft, U.S. Attorney General, will testify.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. SHELBY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 8, 2004 at 2:30 p.m. to hold a closed hearing.

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

SUBCOMMITTEE ON AGING

Mr. SHELBY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions, Subcommittee on Aging be authorized to meet for a hearing on Arthritis: A National Epidemic during the session of the Senate on Tuesday, June 8, 2004, at 10 a.m. in SD-430.

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

SUBCOMMITTEE ON THE CONSTITUTION, CIVIL
RIGHTS, AND PROPERTY RIGHTS

Mr. SHELBY. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on the Constitution, Civil Rights and Property Rights be authorized to meet to conduct a hearing on "Beyond the Pledge of Allegiance: Hostility to Religious Expression in the Public Square" on Tuesday, June 8, 2004, at 2 p.m. in SD-226.

Panel I: The Honorable CHET EDWARDS, United States Representative, (D-TX); The Honorable MARY LANDRIEU, United States Senator, (D-LA); The Honorable RICHARD SHELBY, United States Senator, (R-AL).

Panel II: William "Barney" Clark, Balch Springs, TX; Nashala Hearn, Muskogee, OK; The Honorable Roy Moore, Former Chief Justice, Supreme Court of Alabama, Birmingham, AL; Steven Rosenauer, Bradenton, FL; Kelly J. Shackelford, Chief Counsel, Liberty Legal Institute, Plano, TX; J. Brent Walker, Executive Director, Bap-

tist Joint Committee on Public Affairs, Washington, DC.

Panel III: Professor Richard W. Garnett, Associate Professor of Law, Notre Dame Law School, South Bend, IN; Professor Vincent Phillip Muñoz, Civitas Fellow, American Enterprise Institute, Assistant Professor of Political Science, North Carolina State University, Washington, DC; Professor Melissa Rogers, Wake Forest University Divinity School, Winston-Salem, NC.

Witnesses are listed in alphabetical order, not necessarily in order of testimony.

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

SUBCOMMITTEE ON NATIONAL PARKS

Mr. SHELBY. Mr. President, I ask unanimous consent that the Subcommittee on National Parks of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, June 8, 2004 at 2:30 p.m.

The purpose of the hearing is to receive testimony on the following bills: S. 931, to direct the Secretary of the Interior to undertake a program to reduce the risks from and mitigate the effects of avalanches on visitors to units of the National Park System and on other recreational users of public land; S. 1678, to provide for the establishment of the Uintah Research and Curatorial Center for Dinosaur National Monument in the States of Colorado and Utah, and for other purposes; S. 2140, to expand the boundary of the Mount Rainier National Park; S. 2287, to adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana, and for other purposes; and S. 2469, to amend the National Historic Preservation Act to provide appropriation authorization and improve the operations of the Advisory Council on Historic Preservation.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT
MANAGEMENT, THE FEDERAL WORKFORCE,
AND THE DISTRICT OF COLUMBIA

Mr. SELBY. Mr. President, I ask unanimous consent that the Committee on Governmental Affairs Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia, be authorized to meet on Tuesday, June 8, 2004 at 2:30 p.m. for a hearing entitled, "Dietary Supplement Safety Act: How is FDA Doing 10 Years Later?"

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

PRIVILEGE OF THE FLOOR

Mr. ALLARD. Mr. President, I ask unanimous consent that Patricia Kimpan, a fellow in Senator BUNNING's office, be given the privilege of the floor during consideration of the Department of Defense authorization bill.

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