

Whereas Sergeant Basilone was also awarded the Navy Cross and the Purple Heart, giving him the distinction of being the only enlisted Marine in World War II to receive all 3 medals; and

Whereas commemorative postage stamps have been commissioned to honor other great heroes in American history: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring)*, That it is the sense of the Congress that—

(1) a commemorative postage stamp should be issued by the United States Postal Service honoring Gunnery Sergeant John Basilone; and

(2) the Citizens' Stamp Advisory Committee should recommend to the Postmaster General that such a stamp be issued.

Mr. CORZINE. Mr. President, I rise today to submit a resolution calling on the United States Postal Service to issue a commemorative postage stamp honoring an extraordinary American hero: Gunnery Sergeant John Basilone. Basilone is the only person in American history to be awarded both the Congressional Medal of Honor and the Navy Cross. Only one USPS stamp has ever commemorated an individual Marine, a stamp featuring John Phillip Sousa; it bears noting that although Sousa was a Marine, he was not selected for his service on the battlefield. It is time to remember the tremendous sacrifice of at least one individual Marine, John Basilone, an American Patriot.

John Basilone was raised in Raritan, New Jersey, one of ten children in a large Italian-American family. Soon after he turned 18, Basilone heeded the patriotic call and enlisted in the US Army. Basilone was immediately sent to the Philippines where he earned a nickname that would stick with him for the rest of his career. "Manila John."

Following his tour of duty in 1937, Basilone returned to Raritan. But he wouldn't stay there long. In July 1940—with much of Europe at war on the United States on the brink "Manila John" left New Jersey, enlisting in the military once again, this time joining the United States Marine Corps.

On October 24, 1942, Basilone earned his Congressional Medal of Honor. He was sent to a position on the Tenaru River at Guadalcanal and placed in command of two sections of heavy machine guns. Sergeant Basilone and his men were charged with defending Henderson Airfield, an important American foothold on the island. Although the Marine Contingent was vastly outnumbered and without needed support, Basilone and his men successfully repelled a Japanese assault. Other survivors reported that their success can be attributed to one man: "Manila John." He crossed enemy lines to replenish a dangerously low stockpile of ammunition, repaired artillery pieces, and steadied his troops in the midst of torrential rain. He went several days and nights without food or sleep, and the US military was able to carry the day. His exploits became Marine lore, and served as a patriotic inspiration to

others facing daunting challenges in the midst of war.

For his courage under fire and profound patriotism, Basilone was the first enlisted Marine to be awarded the Congressional Medal of Honor in World War II. When he returned to the United States, he was heralded as a hero and quickly sent on tour around the country to help finance the war through the sale of war bonds. The Marine Corps offered to commission Basilone as an officer and station him far away from the frontlines.

But, Basilone was not interested in riding out the war in Washington, D.C. He was quoted as saying, "I ain't no officer, and I ain't no museum piece. I belong back with my outfit." In December 1944, he got his wish and returned to the frontlines.

General Douglas MacArthur called him "a one-man army," and on February 19, 1945 at Iwo Jima, Basilone once again lived up to that reputation. Basilone destroyed an enemy stronghold, a blockhouse on that small Japanese island and commanded his young troops to move the heavy guns off the beach. Unfortunately, less than two hours into the assault on that fateful day in February, Basilone and four of his fellow marines were killed when any enemy mortar shell exploded nearby.

When Gunnery Sergeant John Basilone died, he was only 27, but he had already earned the Congressional Medal of Honor, the Navy Cross, the Purple Heart, and the appreciation of his Nation. Basilone is a true American patriot whose legacy should be preserved.

Now more than ever, the United States needs to honor and praise the courageous efforts put forth by the men and woman of our military. I strongly urge my colleagues to support this resolution as an important message to our soldiers that we appreciate and admire all of their efforts in the war on terrorism.

#### AMENDMENTS SUBMITTED & PROPOSED

SA 4891. Mr. KERRY (for himself, Mr. BROWNBAC, and Mr. HOLLINGS) submitted an amendment intended to be proposed by him to the bill S. 2869, to facilitate the ability of certain spectrum auction winners to pursue alternative measures required in the public interest to meet the needs of wireless telecommunications consumers; which was referred to the Committee on Commerce, Science, and Transportation.

SA 4892. Mr. REID (for Mr. JEFFORDS (for himself and Mr. SMITH of New Hampshire)) proposed an amendment to the bill H.R. 1070, to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to carry out projects and conduct research for remediation of sediment contamination in areas of concern in the Great Lakes, and for other purposes.

SA 4893. Mr. REID (for Mr. THOMPSON) proposed an amendment to the bill S. 2530, to amend the Inspector General Act of 1978 (5 U.S.C. App.) to establish police powers for

certain Inspector General agents engaged in official duties and provide an oversight mechanism for the exercise of those powers.

SA 4894. Mr. REID (for Mr. DODD) proposed an amendment to the bill S. 969, to establish a Tick-Borne Disorders Advisory Committee, and for other purposes.

SA 4895. Mr. REID (for Mr. ENSIGN (for himself, Mr. ALLARD, and Mr. ALLEN)) proposed an amendment to the bill S. 1998, to amend the Higher Education Act of 1965 with respect to the qualifications of foreign schools.

SA 4896. Mr. REID (for Mr. BIDEN (for himself and Mr. THURMOND)) proposed an amendment to the bill S. 1868, to amend the National Child Protection Act of 1993, and for other purposes.

SA 4897. Mr. REID (for Mr. SARBANES) proposed an amendment to the bill S. 2239, to amend the National Housing Act to simplify the downpayment requirements for FHA mortgage insurance for single family homebuyers.

#### TEXT OF AMENDMENTS

**SA 4891.** Mr. KERRY (for himself, Mr. BROWNBAC, and Mr. HOLLINGS) submitted an amendment intended to be proposed by him to the bill S. 2869, to facilitate the ability of certain spectrum auction winners to pursue alternative measures required in the public interest to meet the needs of wireless telecommunications consumers; which was referred to the Committee on Commerce, Science, and Transportation; as follows:

Strike out all after the enacting clause and insert the following:

##### **SECTION 1. RELIEF FROM CONTINUING OBLIGATIONS.**

A winning bidder to which the Commission has not granted an Auction 35 license may irrevocably elect to relinquish any right, title, or interest in that license and the associated license application by formal written notice to the Commission. Such an election may only be made within 30 days after the date of enactment of this Act. A winning bidder that makes such an election shall be free of any obligation the winning bidder would otherwise have with respect to that license, the associated license application, and the associated winning bid, including the obligation to pay the amount of its winning bid that would be otherwise due for such license.

##### **SEC. 2. RETURN OF DEPOSITS AND DOWNPAYMENTS.**

Within 37 days after receiving an election that meets the requirements of section 3 from an Auction 35 winning bidder that has made the election described in section 1, the Commission shall refund any deposit or down-payment made with respect to a winning bidder for the license that is the subject of the election.

##### **SEC. 3. COMMISSION TO ISSUE PUBLIC NOTICE.**

(a) **PUBLIC NOTICE.**—Within 5 days after the date of enactment of this Act, the Commission shall issue a public notice specifying the form and the process for the return of deposits and downpayments under section 2.

(b) **TIME FOR ELECTION.**—An election under this section is not valid unless it is made within 30 days after the date of enactment of this Act.

##### **SEC. 4. WAIVER OF PAPERWORK REDUCTION ACT REQUIREMENTS.**

Section 3507 of title 44, United States Code, shall not apply to the Commission's implementation of this Act.

##### **SEC. 5. NO INFERENCE WITH RESPECT TO NEXTWAVE CASE.**

It is the sense of the Congress that no inference with respect to any issue of law or

fact in *Federal Communications Commission v. NextWave Personal Communications, Inc., et al.* (Supreme Court Docket No. 01-653) should be drawn from the introduction, amendment, defeat, or enactment of this Act.

#### SEC. 6. DEFINITIONS.

In this Act:

(1) **AUCTION 35.**—The term “Auction 35” means the C and F block broadband personal communications service spectrum auction of the Commission that began on December 1, 2000, and ended on January 6, 2001, insofar as that auction related to spectrum previously licensed to NextWave Personal Communications, Inc., NextWave Power Partners, Inc., or Urban Comm North Carolina, Inc.

(2) **COMMISSION.**—The term “Commission” means the Federal Communications Commission or a bureau or division thereof acting on delegated authority.

(3) **WINNING BIDDER.**—The term “winning bidder” means any person who is entitled under Commission order FCC 02-99 (released March 27, 2002), to a refund of a substantial portion of monies on deposit for spectrum formerly licensed to NextWave and Urban Comm as defined in that order.

**SA 4892.** Mr. REID (for Mr. JEFFORDS (for himself and Mr. SMITH of New Hampshire)) proposed an amendment to the bill H.R. 1070, to amend the Federal Water Pollution Control Act to authorize the Administrator of the Environmental Protection Agency to carry out projects and conduct research for remediation of sediment contamination in areas of concern in the Great Lakes, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Great Lakes and Lake Champlain Act of 2002”.

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

Sec. 1. Short title; table of contents.

##### TITLE I—GREAT LAKES

Sec. 101. Short title.

Sec. 102. Report on remedial action plans.

Sec. 103. Remediation of sediment contamination in areas of concern in the Great Lakes.

Sec. 104. Relationship to Federal and State authorities.

Sec. 105. Authorization of appropriations.

Sec. 106. Research and development program.

##### TITLE II—LAKE CHAMPLAIN

Sec. 201. Short title.

Sec. 202. Lake Champlain Basin Program.

##### TITLE III—MISCELLANEOUS

Sec. 301. Phase II storm water program.

Sec. 302. Preservation of reporting requirements.

Sec. 303. Repeal.

Sec. 304. Cross Harbor Freight Movement Project EIS, New York City.

##### TITLE I—GREAT LAKES

#### SEC. 101. SHORT TITLE.

This title may be cited as the “Great Lakes Legacy Act of 2002”.

#### SEC. 102. REPORT ON REMEDIAL ACTION PLANS.

Section 118(c)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)(3)) is amended by adding at the end the following:

“(E) **REPORT.**—Not later than 1 year after the date of enactment of this subparagraph, the Administrator shall submit to Congress a report on such actions, time periods, and resources as are necessary to fulfill the du-

ties of the Agency relating to oversight of Remedial Action Plans under—

“(i) this paragraph; and

“(ii) the Great Lakes Water Quality Agreement.”.

#### SEC. 103. REMEDIATION OF SEDIMENT CONTAMINATION IN AREAS OF CONCERN IN THE GREAT LAKES.

Section 118(c) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)) is amended by adding at the end the following:

“(12) **REMEDICATION OF SEDIMENT CONTAMINATION IN AREAS OF CONCERN.**—

“(A) **IN GENERAL.**—In accordance with this paragraph, the Administrator, acting through the Program Office, may carry out projects that meet the requirements of subparagraph (B).

“(B) **ELIGIBLE PROJECTS.**—A project meets the requirements of this subparagraph if the project is to be carried out in an area of concern located wholly or partially in the United States and the project—

“(i) monitors or evaluates contaminated sediment;

“(ii) subject to subparagraph (D), implements a plan to remediate contaminated sediment; or

“(iii) prevents further or renewed contamination of sediment.

“(C) **PRIORITY.**—In selecting projects to carry out under this paragraph, the Administrator shall give priority to a project that—

“(i) constitutes remedial action for contaminated sediment;

“(ii) (I) has been identified in a Remedial Action Plan submitted under paragraph (3); and

“(II) is ready to be implemented;

“(iii) will use an innovative approach, technology, or technique that may provide greater environmental benefits, or equivalent environmental benefits at a reduced cost; or

“(iv) includes remediation to be commenced not later than 1 year after the date of receipt of funds for the project.

“(D) **LIMITATION.**—The Administrator may not carry out a project under this paragraph for remediation of contaminated sediments located in an area of concern—

“(i) if an evaluation of remedial alternatives for the area of concern has not been conducted, including a review of the short-term and long-term effects of the alternatives on human health and the environment; or

“(ii) if the Administrator determines that the area of concern is likely to suffer significant further or renewed contamination from existing sources of pollutants causing sediment contamination following completion of the project.

“(E) **NON-FEDERAL SHARE.**—

“(i) **IN GENERAL.**—The non-Federal share of the cost of a project carried out under this paragraph shall be at least 35 percent.

“(ii) **IN-KIND CONTRIBUTIONS.**—The non-Federal share of the cost of a project carried out under this paragraph may include the value of in-kind services contributed by a non-Federal sponsor.

“(iii) **NON-FEDERAL SHARE.**—The non-Federal share of the cost of a project carried out under this paragraph—

“(I) may include monies paid pursuant to, or the value of any in-kind service performed under, an administrative order on consent or judicial consent decree; but

“(II) may not include any funds paid pursuant to, or the value of any in-kind service performed under, a unilateral administrative order or court order.

“(iv) **OPERATION AND MAINTENANCE.**—The non-Federal share of the cost of the operation and maintenance of a project carried out under this paragraph shall be 100 percent.

“(F) **MAINTENANCE OF EFFORT.**—The Administrator may not carry out a project under this paragraph unless the non-Federal sponsor enters into such agreements with the Administrator as the Administrator may require to ensure that the non-Federal sponsor will maintain its aggregate expenditures from all other sources for remediation programs in the area of concern in which the project is located at or above the average level of such expenditures in the 2 fiscal years preceding the date on which the project is initiated.

“(G) **COORDINATION.**—In carrying out projects under this paragraph, the Administrator shall coordinate with the Secretary of the Army, and with the Governors of States in which the projects are located, to ensure that Federal and State assistance for remediation in areas of concern is used as efficiently as practicable.

“(H) **AUTHORIZATION OF APPROPRIATIONS.**—

“(i) **IN GENERAL.**—In addition to other amounts authorized under this section, there is authorized to be appropriated to carry out this paragraph \$50,000,000 for each of fiscal years 2004 through 2008.

“(ii) **AVAILABILITY.**—Funds made available under clause (i) shall remain available until expended.

“(13) **PUBLIC INFORMATION PROGRAM.**—

“(A) **IN GENERAL.**—The Administrator, acting through the Program Office and in coordination with States, Indian tribes, local governments, and other entities, may carry out a public information program to provide information relating to the remediation of contaminated sediment to the public in areas of concern that are located wholly or partially in the United States.

“(B) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this paragraph \$1,000,000 for each of fiscal years 2004 through 2008.”.

#### SEC. 104. RELATIONSHIP TO FEDERAL AND STATE AUTHORITIES.

Section 118(g) of the Federal Water Pollution Control Act (33 U.S.C. 1268(g)) is amended—

(1) by striking “construed to affect” and inserting the following: “construed—

“(1) to affect”;

(2) by striking the period at the end and inserting “; or”;

and

(3) by adding at the end the following:

“(2) to affect any other Federal or State authority that is being used or may be used to facilitate the cleanup and protection of the Great Lakes.”.

#### SEC. 105. AUTHORIZATION OF APPROPRIATIONS.

Section 118(h) of the Federal Water Pollution Control Act (33 U.S.C. 1268(h)) is amended—

(1) by striking the second sentence; and

(2) in the first sentence—

(A) by striking “not to exceed \$11,000,000” and inserting “not to exceed—

“(1) \$11,000,000”;

(B) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(2) such sums as are necessary for each of fiscal years 1992 through 2003; and

“(3) \$25,000,000 for each of fiscal years 2004 through 2008.”.

#### SEC. 106. RESEARCH AND DEVELOPMENT PROGRAM.

(a) **IN GENERAL.**—In coordination with other Federal, State, and local officials, the Administrator of the Environmental Protection Agency may conduct research on the development and use of innovative approaches, technologies, and techniques for the remediation of sediment contamination in areas of concern that are located wholly or partially in the United States.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) IN GENERAL.—In addition to amounts authorized under other laws, there is authorized to be appropriated to carry out this section \$3,000,000 for each of fiscal years 2004 through 2008.

(2) AVAILABILITY.—Funds appropriated under paragraph (1) shall remain available until expended.

#### TITLE II—LAKE CHAMPLAIN

##### SEC. 201. SHORT TITLE.

This title may be cited as the “Daniel Patrick Moynihan Lake Champlain Basin Program Act of 2002”.

##### SEC. 202. LAKE CHAMPLAIN BASIN PROGRAM.

Section 120 of the Federal Water Pollution Control Act (33 U.S.C. 1270) is amended—

(1) by striking the section heading and all that follows through “There is established” in subsection (a) and inserting the following: “SEC. 120. LAKE CHAMPLAIN BASIN PROGRAM.

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—There is established”;

(2) in subsection (a) (as amended by paragraph (1)), by adding at the end the following:

“(2) IMPLEMENTATION.—The Administrator—

“(A) may provide support to the State of Vermont, the State of New York, and the New England Interstate Water Pollution Control Commission for the implementation of the Lake Champlain Basin Program; and

“(B) shall coordinate actions of the Environmental Protection Agency under subparagraph (A) with the actions of other appropriate Federal agencies.”;

(3) in subsection (d), by striking “(1)”;

(4) in subsection (e)—

(A) in paragraph (1), by striking “(hereafter in this section referred to as the ‘Plan’)”; and

(B) in paragraph (2)—

(i) in subparagraph (D), by striking “and” at the end;

(ii) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(F) be reviewed and revised, as necessary, at least once every 5 years, in consultation with the Administrator and other appropriate Federal agencies.”;

(5) in subsection (f)—

(A) in paragraph (1), by striking “the Management Conference,” and inserting “participants in the Lake Champlain Basin Program,”; and

(B) in paragraph (2), by striking “development of the Plan” and all that follows and inserting “development and implementation of the Plan.”;

(6) in subsection (g)—

(A) by striking “(g)” and all that follows through “the term” and inserting the following:

“(g) DEFINITIONS.—In this section:

“(1) LAKE CHAMPLAIN BASIN PROGRAM.—The term ‘Lake Champlain Basin Program’ means the coordinated efforts among the Federal Government, State governments, and local governments to implement the Plan.

“(2) LAKE CHAMPLAIN DRAINAGE BASIN.—The term”;

(B) in paragraph (2) (as designated by subparagraph (A))—

(i) by inserting “Hamilton,” after “Franklin.”; and

(ii) by inserting “Bennington,” after “Rutland.”; and

(C) by adding at the end the following:

“(3) PLAN.—The term ‘Plan’ means the plan developed under subsection (e).”;

(7) by striking subsection (h) and inserting the following:

“(h) NO EFFECT ON CERTAIN AUTHORITY.—Nothing in this section—

“(1) affects the jurisdiction or powers of—

“(A) any department or agency of the Federal Government or any State government; or

“(B) any international organization or entity related to Lake Champlain created by treaty or memorandum to which the United States is a signatory;

“(2) provides new regulatory authority for the Environmental Protection Agency; or

“(3) affects section 304 of the Great Lakes Critical Programs Act of 1990 (Public Law 101–596; 33 U.S.C. 1270 note).”;

“(4) in subsection (i)—

(A) by striking “section \$2,000,000” and inserting “section—

“(1) \$2,000,000”;

(B) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(2) such sums as are necessary for each of fiscal years 1996 through 2003; and

“(3) \$11,000,000 for each of fiscal years 2004 through 2008.”.

#### TITLE III—MISCELLANEOUS

##### SEC. 301. PHASE II STORM WATER PROGRAM.

Notwithstanding any other provision of law, for fiscal year 2003, funds made available to a State to carry out nonpoint source management programs under section 319 of the Federal Water Pollution Control Act (33 U.S.C. 1329) may, at the option of the State, be used to carry out projects and activities in the State relating to the development or implementation of phase II of the storm water program of the Environmental Protection Agency established by the rule entitled “National Pollutant Discharge Elimination System—Regulations for Revision of the Water Pollution Control Program Addressing Storm Water Discharges”, promulgated by the Administrator of the Environmental Protection Agency on December 8, 1999 (64 Fed. Reg. 68722).

##### SEC. 302. PRESERVATION OF REPORTING REQUIREMENTS.

(a) IN GENERAL.—Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note; Public Law 104–66) does not apply to any report required to be submitted under any of the following provisions of law:

(1) EFFECTS OF POLLUTION ON ESTUARIES OF THE UNITED STATES.—Section 104(n)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1254(n)(3)).

(2) IMPLEMENTATION OF GREAT LAKES WATER QUALITY AGREEMENT OF 1978.—Section 118(c)(10) of the Federal Water Pollution Control Act (33 U.S.C. 1268(c)(10)).

(3) COMPREHENSIVE CONSERVATION AND MANAGEMENT PLAN FOR LONG ISLAND SOUND.—Section 119(c)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1269(c)(7)).

(4) LEVEL B PLAN ON ALL RIVER BASINS.—Section 209(b) of the Federal Water Pollution Control Act (33 U.S.C. 1289(b)).

(5) STATE REPORTS ON WATER QUALITY OF ALL NAVIGABLE WATERS.—Section 305(b) of the Federal Water Pollution Control Act (33 U.S.C. 1315(b)).

(6) EXEMPTIONS FROM WATER POLLUTION CONTROL REQUIREMENTS FOR EXECUTIVE AGENCIES.—Section 313(a) of the Federal Water Pollution Control Act (33 U.S.C. 1323(a)).

(7) STATUS OF WATER QUALITY IN UNITED STATES LAKES.—Section 314(a) of the Federal Water Pollution Control Act (33 U.S.C. 1324(a)).

(8) NATIONAL ESTUARY PROGRAM ACTIVITIES.—Section 320(j)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1330(j)(2)).

(9) REPORTS ON CONTRACTS ENTERED INTO RELATING TO PROCUREMENT FROM VIOLATORS OF WATER QUALITY STANDARDS.—Section 508(e) of the Federal Water Pollution Control Act (33 U.S.C. 1368(e)).

(10) NATIONAL REQUIREMENTS AND COSTS OF WATER POLLUTION CONTROL.—Section 516 of

the Federal Water Pollution Control Act (33 U.S.C. 1375).

(b) OTHER REPORTS.—

(1) IN GENERAL.—Effective November 10, 1998, section 501 of the Federal Reports Elimination Act of 1998 (Public Law 105–362; 112 Stat. 3283) is amended by striking subsections (a), (b), (c), and (d).

(2) APPLICABILITY.—The Federal Water Pollution Control Act (33 U.S.C. 1254(n)(3)) shall be applied and administered on and after the date of enactment of this Act as if the amendments made by subsections (a), (b), (c), and (d) of section 501 of the Federal Reports Elimination Act of 1998 (Public Law 105–362; 112 Stat. 3283) had not been enacted.

##### SEC. 303. REPEAL.

Title VII of Public Law 105–78 (20 U.S.C. 50 note; 111 Stat. 1524) (other than section 702) is repealed.

##### SEC. 304. CROSS HARBOR FREIGHT MOVEMENT PROJECT EIS, NEW YORK CITY.

Section 1602 of the Transportation Equity Act for the 21st Century (112 Stat. 305) is amended in item number 1320 of the table by striking “Reconstruct 79th Street Traffic Circle, New York City” and inserting “Cross Harbor Freight Movement Project EIS, New York City”.

##### SEC. 305. CENTER FOR BROWNFIELDS EXCELLENCE.

(a) IN GENERAL.—To demonstrate the transfer of technology and expertise from the Federal Government to the private sector, and to demonstrate the effectiveness of the reuse by the private sector of properties and assets that Federal Government, has determined, through applicable statutes and processes, that it no longer needs. The Administrator of the Environmental Protection Agency shall make a grant to not less than one eligible sponsor to establish and operate a center for brownfields excellence.

(b) RESPONSIBILITIES OF CENTER.—The responsibilities of a center established under this section shall include the transfer of technology and expertise in the redevelopment of abandoned or underutilized property that may have environmental contamination and the dissemination of information regarding successful models for such redevelopment.

(c) PRIORITY.—In carrying out this section, the Administrator shall give priority consideration to a grant application submitted by an eligible sponsor that meets the following criteria:

(1) Demonstrated ability to facilitate the return of property that may have environmental contamination to productive use.

(2) Demonstrated ability to facilitate public-private partnerships and regional cooperation.

(3) Capability to provide leadership in making both national and regional contributions to addressing the problem of underutilized or abandoned properties.

(4) Demonstrated ability to work with Federal departments and agencies to facilitate reuse by the private sector of properties and assets no longer needed by the Federal Government.

(5) Demonstrated ability to foster technology transfer.

(d) ELIGIBLE SPONSOR DEFINED.—In this section, the term “eligible sponsor” means a regional nonprofit community redevelopment organization assisting an area that—

(1) has lost jobs due to the closure of a private sector or Federal installation; and

(2) as a result, has an underemployed workforce and underutilized or abandoned properties.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$1,000,000.

**SEC. 206. Louisiana Highway 1026 Project, Louisiana.**

Section 1602 of the Transportation Equity Act for the 21st Century (112 Stat. 272) is amended in item number 426 of the table by striking "Louisiana Highway 16" and inserting the following: "Louisiana Highway 1026."

**SA 4893.** Mr. REID (for Mr. THOMPSON) proposed an amendment to the bill S. 2530, to amend the Inspector General Act of 1978 (5 U.S.C. App.) to establish police powers for certain Inspector General agents engaged in official duties and provide an oversight mechanism for the exercise of those powers; as follows:

On page 4, strike lines 15 through 22, and insert the following:

"(5)(A) Powers authorized for an Office of Inspector General under paragraph (1) may be rescinded or suspended upon a determination by the Attorney General that any of the requirements under paragraph (2) is no longer satisfied or that the exercise of authorized powers by that Office of Inspector General has not complied with the guidelines promulgated by the Attorney General under paragraph (4).

"(B) Powers authorized to be exercised by any individual under paragraph (1) may be rescinded or suspended with respect to that individual upon a determination by the Attorney General that such individual has not complied with guidelines promulgated by the Attorney General under paragraph (4).

**SA 4894.** Mr. REID (for Mr. DODD) proposed an amendment to the bill S. 969, to establish a Tick-Borne Disorders Advisory Committee, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. FINDINGS.**

Congress makes the following findings:

(1) Lyme disease is a common but frequently misunderstood illness that, if not caught early and treated properly, can cause serious health problems.

(2) Lyme disease is a bacterial infection that is transmitted by a tick bite. Early signs of infection may include a rash and flu-like symptoms such as fever, muscle aches, headaches, and fatigue.

(3) Although Lyme disease can be treated with antibiotics if caught early, the disease often goes undetected because it mimics other illnesses or may be misdiagnosed. Untreated, Lyme disease can lead to severe heart, neurological, eye, and joint problems because the bacteria can affect many different organs and organ systems.

(4) If an individual with Lyme disease does not receive treatment, such individual can develop severe heart, neurological, eye, and joint problems.

(5) Although Lyme disease accounts for 90 percent of all vector-borne infections in the United States, the ticks that spread Lyme disease also spread other disorders, such as ehrlichiosis, babesiosis, and other strains of Borrelia. All of these diseases in 1 patient makes diagnosis and treatment more difficult.

(6) Although tick-borne disease cases have been reported in 49 States and the District of Columbia, about 90 percent of the 15,000 cases have been reported in the following 10 States: Connecticut, Pennsylvania, New York, New Jersey, Rhode Island, Maryland, Massachusetts, Minnesota, Delaware, and Wisconsin. Studies have shown that the actual number of tick-borne disease cases are approximately 10 times the amount reported due to poor surveillance of the disease.

(7) Persistence of symptomatology in many patients without reliable testing makes treatment of patients more difficult.

**SEC. 2. ESTABLISHMENT OF A TICK-BORNE DISORDERS ADVISORY COMMITTEE.**

(a) **ESTABLISHMENT OF COMMITTEE.**—Not later than 180 days after the date of enactment of this Act, there shall be established an advisory committee to be known as the Tick-Borne Disorders Advisory Committee (referred to in this Act as the "Committee") organized in the Office of the Secretary.

(b) **DUTIES.**—The Committee shall advise the Secretary and Assistant Secretary of Health regarding how to—

(1) assure interagency coordination and communication and minimize overlap regarding efforts to address tick-borne disorders;

(2) identify opportunities to coordinate efforts with other Federal agencies and private organizations addressing tick-borne disorders; and

(3) develop informed responses to constituency groups regarding the Department of Health and Human Services' efforts and progress.

(c) **MEMBERSHIP.**—

(1) **APPOINTED MEMBERS.**—

(A) **IN GENERAL.**—The Secretary of Health and Human Services shall appoint voting members to the Committee from among the following member groups:

(i) Scientific community members.

(ii) Representatives of tick-borne disorder voluntary organizations.

(iii) Health care providers.

(iv) Patient representatives who are individuals who have been diagnosed with tick-borne illnesses or who have had an immediate family member diagnosed with such illness.

(v) Representatives of State and local health departments and national organizations who represent State and local health professionals.

(B) **REQUIREMENT.**—The Secretary shall ensure that an equal number of individuals are appointed to the Committee from each of the member groups described in clauses (i) through (v) of subparagraph (A).

(2) **EX OFFICIO MEMBERS.**—The Committee shall have nonvoting ex officio members determined appropriate by the Secretary.

(d) **CO-CHAIRPERSONS.**—The Assistant Secretary of Health shall serve as the co-chairperson of the Committee with a public co-chairperson chosen by the members described under subsection (c). The public co-chairperson shall serve a 2-year term and retain all voting rights.

(e) **TERM OF APPOINTMENT.**—All members shall be appointed to serve on the Committee for 4 year terms.

(f) **VACANCY.**—If there is a vacancy on the Committee, such position shall be filled in the same manner as the original appointment. Any member appointed to fill a vacancy for an unexpired term shall be appointed for the remainder of that term. Members may serve after the expiration of their terms until their successors have taken office.

(g) **MEETINGS.**—The Committee shall hold public meetings, except as otherwise determined by the Secretary, giving notice to the public of such, and meet at least twice a year with additional meetings subject to the call of the co-chairpersons. Agenda items can be added at the request of the Committee members, as well as the co-chairpersons. Meetings shall be conducted, and records of the proceedings kept as required by applicable laws and Departmental regulations.

(h) **REPORTS.**—

(1) **IN GENERAL.**—Not later than 24 months after the date of enactment of this Act, and annually thereafter, the Secretary shall sub-

mit to Congress a report on the activities carried out under this Act.

(2) **CONTENT.**—Such reports shall describe—  
(A) progress in the development of accurate diagnostic tools that are more useful in the clinical setting; and

(B) the promotion of public awareness and physician education initiatives to improve the knowledge of health care providers and the public regarding clinical and surveillance practices for Lyme disease and other tick-borne disorders.

(i) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this Act, \$250,000 for each of fiscal years 2003 and 2004. Amounts appropriated under this subsection shall be used for the expenses and per diem costs incurred by the Committee under this section in accordance with the Federal Advisory Committee Act (5 U.S.C. App.), except that no voting member of the Committee shall be a permanent salaried employee.

**SEC. 3. AUTHORIZATION FOR RESEARCH FUNDING.**

There are authorized to be appropriated \$10,000,000 for each of fiscal years 2003 through 2007 to provide for research and educational activities concerning Lyme disease and other tick-borne disorders, and to carry out efforts to prevent Lyme disease and other tick-borne disorders.

**SEC. 4. GOALS.**

It is the sense of the Senate that, in carrying out this Act, the Secretary of Health and Human Services (referred to in this section as the "Secretary"), acting as appropriate in consultation with the Director of the Centers for Disease Control and Prevention, the Director of the National Institutes of Health, the Committee, and other agencies, should consider carrying out the following:

(1) **FIVE-YEAR PLAN.**—It is the sense of the Senate that the Secretary should consider the establishment of a plan that, for the five fiscal years following the date of the enactment of this Act, provides for the activities to be carried out during such fiscal years toward achieving the goals under paragraphs (2) through (4). The plan should, as appropriate to such goals, provide for the coordination of programs and activities regarding Lyme disease and other tick-borne disorders that are conducted or supported by the Federal Government.

(2) **FIRST GOAL: DIAGNOSTIC TEST.**—The goal described in this paragraph is to develop a diagnostic test for Lyme disease and other tick-borne disorders for use in clinical testing.

(3) **SECOND GOAL: SURVEILLANCE AND REPORTING OF LYME DISEASE AND OTHER TICK-BORNE DISORDERS.**—The goal described in this paragraph is to accurately determine the prevalence of Lyme disease and other tick-borne disorders in the United States.

(4) **THIRD GOAL: PREVENTION OF LYME DISEASE AND OTHER TICK-BORNE DISORDERS.**—The goal described in this paragraph is to develop the capabilities at the Department of Health and Human Services to design and implement improved strategies for the prevention and control of Lyme disease and other tick-borne diseases. Such diseases may include Masters' disease, ehrlichiosis, babesiosis, other bacterial, viral and rickettsial diseases such as tularemia, tick-borne encephalitis, Rocky Mountain Spotted Fever, and bartonella, respectively.

**SA 4895.** Mr. REID (for Mr. ENSIGN (for himself, Mr. ALLARD, and Mr. ALLEN)) proposed an amendment to the bill S. 1998, to amend the Higher Education Act of 1965 with respect to the qualifications of foreign schools; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. FOREIGN SCHOOL ELIGIBILITY.**

(a) IN GENERAL.—Section 102(a)(2)(A) of the Higher Education Act of 1965 (20 U.S.C. 1002(a)(2)(A)) is amended to read as follows:

“(A) IN GENERAL.—For the purpose of qualifying as an institution under paragraph (1)(C), the Secretary shall establish criteria by regulation for the approval of institutions outside the United States and for the determination that such institutions are comparable to an institution of higher education as defined in section 101 (except that a graduate medical school, or a veterinary school, located outside the United States shall not be required to meet the requirements of section 101(a)(4)). Such criteria shall include a requirement that a student attending such school outside the United States is ineligible for loans made, insured, or guaranteed under part B of title IV unless—

“(i) in the case of a graduate medical school located outside the United States—

“(I)(aa) at least 60 percent of those enrolled in, and at least 60 percent of the graduates of, the graduate medical school outside the United States were not persons described in section 484(a)(5) in the year preceding the year for which a student is seeking a loan under part B of title IV; and

“(bb) at least 60 percent of the individuals who were students or graduates of the graduate medical school outside the United States or Canada (both nationals of the United States and others) taking the examinations administered by the Educational Commission for Foreign Medical Graduates received a passing score in the year preceding the year for which a student is seeking a loan under part B of title IV; or

“(II) the institution has a clinical training program that was approved by a State as of January 1, 1992; or

“(ii) in the case of a veterinary school located outside the United States that does not meet the requirements of section 101(a)(4), the institution's students complete their clinical training at an approved veterinary school located in the United States.”.

(b) EFFECTIVE DATE.—This Act and the amendments made by this Act shall be effective as if enacted on October 1, 1998.

**SA 4896.** Mr. REID (for Mr. BIDEN (for himself and Mr. THURMOND)) proposed an amendment to the bill S. 1868, to amend the National Child Protection Act of 1993, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “National Child Protection and Volunteers for Children Improvement Act of 2002”.

**SEC. 2. DEFINITIONS.**

Section 5 of the National Child Protection Act of 1993 (42 U.S.C. 5119c) is amended—

(1) in paragraph (10), by striking “and” at the end; and

(2) by inserting after paragraph (10) the following:

“(10A) the term ‘qualified State program’ means the policies and procedures referred to in section 3(a)(1) of a State that are in place in order to implement this Act, including policies and procedures that require—

“(A) requests for national criminal history background checks to be routinely returned to a qualified entity not later than 20 business days after the date on which the request was made;

“(B) authorized agencies to charge not more than \$18 for State background checks;

“(C) the designation of the authorized agencies that may receive national criminal

history background check requests from qualified entities; and

“(D) the designation of the qualified entities that shall submit background check requests to an authorized agency;

“(10B) the term ‘routinely’ means—

“(A) instances where 85 percent or more of nationwide background check requests are returned to qualified entities within 20 business days; or

“(B) instances where 90 percent or more of nationwide background check requests are returned to qualified entities within 30 business days; and”.

**SEC. 3. STRENGTHENING AND ENFORCING THE NATIONAL CHILD PROTECTION ACT AND THE VOLUNTEERS FOR CHILDREN ACT.**

Section 3 of the National Child Protection Act of 1993 (42 U.S.C. 5119a) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “A State may” and inserting the following: “REQUEST.—A State may”;

(ii) by inserting after “procedures” the following: “meeting the guidelines set forth in subsection (b)”;

(iii) by inserting after “regulation” the following: “or a qualified State program”;

and

(iv) by striking “convicted of” and all that follows through the period and inserting “convicted of, or is under pending arrest or indictment for, a crime that renders the provider unfit to provide care to children, the elderly, or individuals with disabilities.”;

(B) in paragraph (2)—

(i) by striking “The authorized agency” and inserting the following: “RESPONSE.—The authorized agency”;

(ii) by striking “make reasonable efforts to”;

(iii) by striking “15” and inserting “20”;

and

(iv) by adding at the end the following: “The Attorney General shall respond to the inquiry of the State authorized agency within 15 business days of the request. A State is not in violation of this section if the Attorney General fails to respond to the inquiry within 15 business days of the request.”; and

(C) by striking paragraph (3), and inserting the following:

“(3) ABSENCE OF QUALIFIED STATE PROGRAM.—

“(A) REQUEST.—Not later than 12 months after the date of enactment of the National Child Protection and Volunteers for Children Improvement Act of 2002, a qualified entity doing business in a State that does not have a qualified State program may request a national criminal background check from the Attorney General for the purpose of determining whether a provider has been convicted of, or is under pending arrest or indictment for, a crime that renders the provider unfit to provide care to children, the elderly, or individuals with disabilities.

“(B) REVIEW AND RESPONSE.—The Attorney General shall respond to the request of a qualified entity made under subparagraph (A) not later than 20 business days after the request is made.”; and

(2) in subsection (b)—

(A) in paragraph (4), by striking “shall make” and inserting “may make”;

(B) in paragraph (5)—

(i) by inserting after “qualified entity” the following: “or by a State authorized agency that disseminates criminal history records information directly to qualified entities”;

and

(ii) by striking “pursuant to subsection (a)(3)”.

**SEC. 4. DISSEMINATION OF INFORMATION.**

The National Child Protection Act of 1993 (42 U.S.C. 5119 et seq.) is amended by adding at the end the following:

**“SEC. 6. DISSEMINATION OF INFORMATION.**

“Notwithstanding any other provision of law, the Attorney General and authorized agencies of States may disseminate criminal history background check record information to a qualified entity.

**“SEC. 7. OFFICE FOR VOLUNTEER AND PROVIDER SCREENING.**

“(a) IN GENERAL.—The Attorney General shall establish an Office for Volunteer and Provider Screening (referred to in this Act as the ‘Office’) which shall serve as a point of contact for qualified entities to request a national criminal background check pursuant to section 3(a)(3).

“(b) MODEL GUIDELINES.—The Office shall provide model guidelines concerning standards to guide qualified entities in making fitness determinations regarding care providers based upon the criminal history record information of those providers.”.

**SEC. 5. FEES.**

Section 3(e) of the National Child Protection Act of 1993 (42 U.S.C. 5119a(e)) is amended—

(1) by striking “In the case” and inserting the following:

“(1) IN GENERAL.—In the case”; and

(2) by adding at the end the following:

“(2) VOLUNTEER WITH QUALIFIED ENTITY.—In the case of a national criminal fingerprint background check conducted pursuant to section 3(a)(3) on a person who volunteers with a qualified entity, the fee collected by the Federal Bureau of Investigation shall not exceed \$5.

“(3) PROVIDER.—In the case of a national criminal fingerprint background check on a provider who is employed by or applies for a position with a qualified entity, the fee collected by the Federal Bureau of Investigation shall not exceed \$18.”.

**SEC. 6. STRENGTHENING STATE FINGERPRINT TECHNOLOGY.**

(a) ESTABLISHMENT OF MODEL PROGRAM IN EACH STATE TO STRENGTHEN CRIMINAL DATA REPOSITORIES AND FINGERPRINT TECHNOLOGY.—The Attorney General shall establish a model program in each State and the District of Columbia for the purpose of improving fingerprinting technology which shall grant to each State funds to either—

(1) purchase Live-Scan fingerprint technology and a State-vehicle to make such technology mobile and these mobile units shall be used to travel within the State to assist in the processing of fingerprint background checks; or

(2) purchase electric fingerprint imaging machines for use throughout the State to send fingerprint images to the Attorney General to conduct background checks.

(b) ADDITIONAL FUNDS.—In addition to funds provided in subsection (a), funds shall be provided to each State and the District of Columbia to hire personnel to provide information and training to each county law enforcement agency within the State regarding all requirements for input of criminal and disposition data into the national criminal history background check system under the National Child Protection Act of 1993 (42 U.S.C. 5119 et seq.).

(c) FUNDING ELIGIBILITY.—States with a qualified State program shall be eligible for not more than \$2,000,000 under this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There is authorized to be appropriated to carry out this section sums sufficient to improve fingerprint technology units and hire data entry improvement personnel in each of the 50 States and the District of Columbia for each of fiscal years 2004 through 2008.

(2) AVAILABILITY.—Sums appropriated in accordance with this section shall remain available until expended.

**SEC. 7. PRIVACY PROTECTIONS.**

(a) INFORMATION.—Information derived as a result of a national criminal fingerprint background check request under section 3 of the National Child Protection Act of 1993 (42 U.S.C. 5119a) shall not be adjusted, deleted, or altered in any way except as required by law for national security purposes.

(b) DESIGNATED REPRESENTATIVE.—

(1) IN GENERAL.—Each qualified entity (as defined in section 5 of the National Child Protection Act of 1993 (42 U.S.C. 5119c)) shall assign a representative in their respective organization to receive and process information requested under section 3 of the National Child Protection Act of 1993 (42 U.S.C. 5119a).

(2) DELETION OF INFORMATION.—Each representative assigned under paragraph (1) shall review the requested information and delete all information that is not needed by the requesting entity in making an employment decision.

(c) CRIMINAL PENALTIES.—Any person who knowingly releases information derived as a result of a national criminal fingerprint background check to any person other than the hiring authority or organizational leadership with the qualified entity shall be—

- (1) fined \$50,000 for each violation; or
- (2) imprisoned not more than 1 year.

**SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act—

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

(2) such sums as may be necessary for each of fiscal years 2005 through 2008.

(b) AVAILABILITY OF FUNDS.—Sums appropriated in accordance with this section shall remain available until expended.

Amend the title so as to read: “A bill to amend the National Child Protection Act of 1993, and for other purposes.”.

**SA 4897.** Mr. REID (for Mr. SARBANES) proposed an amendment to the bill S. 2239, to amend the National Housing Act to simplify the downpayment requirements for FHA mortgage insurance for single family homebuyers; as follows:

At the end, add the following:

**SEC. 4. INDEXING OF FHA MULTIFAMILY HOUSING LOAN LIMITS.**

(a) The National Housing Act (12 U.S.C. 1701 et seq.) is amended by inserting after section 206 the following new section 206A (12 U.S.C.) 1712A:

**“SEC. 206A. INDEXING OF FHA MULTIFAMILY HOUSING LOAN LIMITS.**

“METHOD OF INDEXING.—(a) The dollar amounts set forth in—

“(A) section 207(c)(3)(A) (12 U.S.C. 1713(c)(3)(A));

“(B) section 213(b)(2)(A) (12 U.S.C. 1715e(b)(2)(A));

“(C) section 220(d)(3)(B)(iii)(I) (12 U.S.C. 1715k(d)(3)(B)(iii)(I));

“(D) section 221(d)(3)(ii)(A) (12 U.S.C. 1715l(d)(3)(ii)(A));

“(E) section 221(d)(4)(ii)(A) (12 U.S.C. 1715l(d)(4)(ii)(A));

“(F) section 231(c)(2)(A) (12 U.S.C. 1715v(c)(2)(A)); and

“(G) section 234(e)(3)(A) (12 USC1715y(e)(3)(A))

(collectively hereinafter referred to as the “Dollar Amounts”) shall be adjusted annually (commencing in 2004) on the effective date of the Federal Reserve Board’s adjustment of the \$400 figure in the Home Ownership and Equity Protection Act of 1994 (HOEPA). The adjustment of the Dollar Amounts shall be calculated using the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) as applied

by the Federal Reserve Board for purposes of the above-described HOEPA adjustment.

(b) The Federal Reserve Board on a timely basis shall notify the Secretary, or his designee, in writing of the adjustment described in paragraph (a) and of the effective date of such adjustment in order to permit the Secretary to undertake publication in the Federal Register of corresponding adjustments to the Dollar Amounts. The dollar amount of any adjustment shall be rounded to the next lower dollar.”.

(b) TECHNICAL AND CONFERENCE CHANGES.—(1) Section 207(c)(3) of the National Housing Act (12 U.S.C. 1713(c)(3)) is amended—

(a) by inserting “(A)” after “(3)”;

(b) by striking “and except that the Secretary” through and including “in this paragraph” and inserting in lieu thereof: “(B) the Secretary may, by regulation, increase any of the dollar amount limitation in paragraph (A) (as such limitations may have been adjusted in accordance with Section 206A of this Act)”.

(2) Section 213(b)(2) of the National Housing Act (12 U.S.C. 1715e(b)(2)) is amended—

(a) by inserting “(A)” following “(2)”;

(b) by striking “:Provided further, That” the first time that it occurs, through and including “contained in this paragraph” and inserting in lieu thereof: “;(B)(I) the Secretary may, by regulation, increase any of the dollar amount limitations in paragraph (A) (as such limitations may have been adjusted in accordance with Section 206A of this Act)”;

(c) by striking “:Provided further, That” the second time it occurs and inserting in lieu thereof: “; and (II)”;

(d) by striking “: And provided further, That” and inserting in lieu thereof: “; and (III)”;

(e) by striking “with this subsection without regard to the preceding proviso” at the end of that subsection and inserting in lieu thereof: “with this paragraph (B)(I).”.

(3) Section 220(d)(3)(B)(iii) of the National Housing Act (12 U.S.C. 1715k(d)(3)(B)(iii)) is amended—

(a) by inserting “(I)” following “(iii)”;

(b) by striking “design; and except that” and inserting in lieu thereof: “design; and (II)”;

(c) by striking “any of the foregoing dollar amount limitations contained in this clause” and inserting in lieu thereof: “any of the dollar amount limitations in subclause (B)(iii)(I)(as such limitations may have been adjusted in accordance with Section 206A of this Act)”;

(d) by striking “:Provided, That” through and including “proviso” and inserting in lieu thereof: “with respect to dollar amount limitations applicable to rehabilitation projects described in subclause (II), the Secretary may, by regulation, increase the dollar amount limitations contained in subclause (B)(ii)(I) (as such limitations may have been adjusted in accordance with Section 206A of this Act)”;

(e) by striking “: Provided further, ” and inserting in lieu thereof: “;(III)”;

(f) by striking “subparagraph” in the second proviso and inserting in lieu thereof “subclause (B)(iii)(I)”;

(g) in the last proviso, by striking “: And provided further, That” and all that follows through and including “this clause” and inserting in lieu thereof: “; (IV) with respect to rehabilitation projects involving not more than five family units, the Secretary may further increase any of the dollar limitations which would otherwise apply to such projects.”

(4) Section 221(d)(3)(ii) of the National Housing Act (12 U.S.C. 1715l(d)(3)(ii)) is amended—

(a) by inserting “(A)” following “(ii)”;

(b) by striking “; and except that” and all that follows through and including “in this clause” and inserting in lieu thereof: “; (B) the Secretary may, by regulation, increase any of the dollar amount limitations in paragraph (A) (as such limitations may have been adjusted in accordance with Section 206A of this Act)”;

(5) Section 221(d)(4)(ii) of the National Housing Act (12 U.S.C. 1715l(d)(4)(ii)) is amended—

(a) by inserting “(A)” following “(ii)”;

(b) by striking “; and except that” and all that follows through and including “in this clause” and inserting in lieu thereof: “; (B) the Secretary may, by regulation, increase any of the dollar limitations in paragraph (A) (as such limitations may have been adjusted in accordance with Section 206A of this Act)”.

(6) Section 231(c)(2) of the National Housing Act (12 U.S.C. 1715v(c)(2)) is amended—

(a) by inserting “(A)” following “(2)”;

(b) by striking “; and except that” and all that follows through and including “in this paragraph” and inserting in lieu thereof: “; (B) the Secretary may, by regulation, increase any of the dollar limitations in paragraph (A) (as such limitations may have been adjusted in accordance with Section 206A of this Act)”;

(c) by striking “: Provided, That” and all that follows through and including “of this section” and inserting in lieu thereof: “; (C) the Secretary may, by regulation, increase any of the dollar limitations in paragraph (A) (as such limitations may have been adjusted in accordance with section 206A of this Act)”.

(7) Section 234(e)(3) of the National Housing Act (12 U.S.C. 1715y(e)(3)) is amended—

(a) by inserting “(A)” following “(3)”;

(b) by replacing “\$38,025” and “\$42,048”; “\$42,120” with “48,481”; “\$50,310” with “58,469”; “\$62,010” with “74,840”; “\$70,200” with “83,375”; “43,875” with “44,250”; “\$49,140” with “50,724”; “\$60,255” with “61,680”; “\$75,465” with “79,793”; and “\$85,328” with “87,588”;

(c) by striking “; except that each” and all that follows through and including “contained in this paragraph” and inserting in lieu thereof: “; (B) the Secretary may, by regulation, increase any of the dollar limitations in paragraph (A) (as such limitations may have been adjusted in accordance with Section 206A of this Act)”.

**AUTHORITY FOR COMMITTEES TO MEET**

**SELECT COMMITTEE ON INTELLIGENCE**

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, October 17, 2002 at 10:00 a.m. to hold an open hearing with the House Permanent Select Committee on Intelligence concerning the Joint Inquiry into the events of September 11, 2001.

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

**GREAT LAKES LEGACY ACT OF 2001**

Mr. REID. I ask unanimous consent that the Senate proceed to the consideration of calendar 704, H.R. 1070.

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

The legislative clerk read as follows: