

on Airland of the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, March 14, 2002, at 2:30 p.m. in open session to receive testimony on Army Modernization and Transformation, in review of the Defense authorization request for fiscal year 2003.

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

PRIVILEGES OF THE FLOOR

Mr. THOMAS. Madam President, I ask unanimous consent that an intern from our office, Steve Ripley, be granted the privilege of the floor for today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DAYTON. Mr. President, I ask unanimous consent that my staff, Jennifer Havrsh, be granted the privilege of the floor during consideration of amendment No. 3008.

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

Mr. WYDEN. Mr. President, I also ask unanimous consent that Cindy Bethell, a fellow in my office, be granted access to the Senate floor for the consideration of the energy bill.

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

Mr. DURBIN. Mr. President, I ask unanimous consent that floor privileges be granted to Christopher Reed, a detailee of the Justice Department to my Judiciary Committee staff.

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

JOINT REFERRAL OF S. 2018

Mr. REID. Mr. President, I ask unanimous consent that S. 2018, the T'uf Sur Bein Preservation Trust Area Act, be jointly referred to the Committee on Energy and Natural Resources and Indian Affairs; that if one committee reports the bill, the other committee have 20 calendar days for review, excluding any period where the Senate is not in session for more than 3 days; provided further that if the second committee fails to report the measure within a 20-day period, then that committee is automatically discharged and the measure is placed on the Senate Calendar.

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

DISTRICT OF COLUMBIA COLLEGE ACCESS IMPROVEMENT ACT OF 2002

Mr. REID. Mr. President, I ask the Chair lay before the Senate a message from the House of Representatives on the bill (H.R. 1499) to amend the District of Columbia College Access Act of 1999 to permit individuals who enroll in an institution of higher education more than 3 years after graduating from a secondary school and individuals who attend private historically

black colleges and universities nationwide to participate in the tuition assistance programs under such Act, and for other purposes.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

Resolved, That the House agree to the amendment of the Senate to the title and agree to the amendment of the Senate to the text to the bill (H.R. 1499) entitled "An Act to amend the District of Columbia College Access Act of 1999 to permit individuals who graduated from a secondary school prior to 1998 and individuals who enroll in an institution of higher education more than 3 years after graduating from a secondary school to participate in the tuition assistance programs under such Act, and for other purposes", with the following House amendment to Senate amendments:

In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "District of Columbia College Access Improvement Act of 2002".

SEC. 2. PUBLIC SCHOOL PROGRAM.

Section 3(c)(2) of the District of Columbia College Access Act of 1999 (sec. 38-2702(c)(2), D.C. Official Code) is amended by striking subparagraphs (A) through (C) and inserting the following:

"(A)(i) in the case of an individual who begins an undergraduate course of study within 3 calendar years (excluding any period of service on active duty in the armed forces, or service under the Peace Corps Act (22 U.S.C. 2501 et seq.) or subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12571 et seq.)) of graduation from a secondary school, or obtaining the recognized equivalent of a secondary school diploma, was domiciled in the District of Columbia for not less than the 12 consecutive months preceding the commencement of the freshman year at an institution of higher education;

"(ii) in the case of an individual who graduated from a secondary school or received the recognized equivalent of a secondary school diploma before January 1, 1998, and is currently enrolled at an eligible institution as of the date of enactment of the District of Columbia College Access Improvement Act of 2002, was domiciled in the District of Columbia for not less than the 12 consecutive months preceding the commencement of the freshman year at an institution of higher education; or

"(iii) in the case of any other individual and an individual re-enrolling after more than a 3-year break in the individual's post-secondary education, has been domiciled in the District of Columbia for at least 5 consecutive years at the date of application;

"(B)(i) graduated from a secondary school or received the recognized equivalent of a secondary school diploma on or after January 1, 1998;

"(ii) in the case of an individual who did not graduate from a secondary school or receive a recognized equivalent of a secondary school diploma, is accepted for enrollment as a freshman at an eligible institution on or after January 1, 2002; or

"(iii) in the case of an individual who graduated from a secondary school or received the recognized equivalent of a secondary school diploma before January 1, 1998, is currently enrolled at an eligible institution as of the date of enactment of the District of Columbia College Access Improvement Act of 2002;

"(C) meets the citizenship and immigration status requirements described in section 484(a)(5) of the Higher Education Act of 1965 (20 U.S.C. 1091(a)(5));"

SEC. 3. PRIVATE SCHOOL PROGRAM.

Section 5(c)(1)(B) of the District of Columbia College Access Act of 1999 (sec. 38-2704(c)(1)(B), D.C. Official Code) is amended by striking "the main campus of which is located in the State of Maryland or the Commonwealth of Virginia".

SEC. 4. GENERAL REQUIREMENTS.

Section 6 of the District of Columbia College Access Act of 1999 (sec. 38-2705, D.C. Official Code) is amended—

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

"(b) ADMINISTRATIVE EXPENSES.—

"(1) IN GENERAL.—The Mayor of the District of Columbia may not use more than 7 percent of the total amount of Federal funds appropriated for the program, retroactive to the date of enactment of this Act (the District of Columbia College Access Act of 1999), for the administrative expenses of the program.

"(2) DEFINITION.—In this subsection, the term 'administrative expenses' means any expenses that are not directly used to pay the cost of tuition and fees for eligible students to attend eligible institutions.";

(2) by redesignating subsections (e) and (f) as subsections (f) and (g);

(3) by inserting after subsection (d) the following:

"(e) LOCAL FUNDS.—It is the sense of Congress that the District of Columbia may appropriate such local funds as necessary for the programs under sections 3 and 5."; and

(4) by adding at the end the following:

"(h) DEDICATED ACCOUNT FOR PROGRAMS.—

"(1) ESTABLISHMENT.—The District of Columbia government shall establish a dedicated account for the programs under sections 3 and 5 consisting of the following amounts:

"(A) The Federal funds appropriated to carry out such programs under this Act or any other Act.

"(B) Any District of Columbia funds appropriated by the District of Columbia to carry out such programs.

"(C) Any unobligated balances in amounts made available for such programs in previous fiscal years.

"(D) Interest earned on balances of the dedicated account.

"(2) USE OF FUNDS.—Amounts in the dedicated account shall be used solely to carry out the programs under sections 3 and 5."

SEC. 5. CONTINUATION OF CURRENT AGGREGATE LEVEL OF AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—The District of Columbia College Access Act of 1999 (sec. 38-2701 et seq., D.C. Official Code) is amended by adding at the end the following new section:

"SEC. 7. LIMIT ON AGGREGATE AMOUNT OF FEDERAL FUNDS FOR PUBLIC SCHOOL AND PRIVATE SCHOOL PROGRAMS.

"The aggregate amount authorized to be appropriated to the District of Columbia for the programs under sections 3 and 5 for any fiscal year may not exceed—

"(1) \$17,000,000, in the case of the aggregate amount for fiscal year 2003;

"(2) \$17,000,000, in the case of the aggregate amount for fiscal year 2004; or

"(3) \$17,000,000, in the case of the aggregate amount for fiscal year 2005."

(b) CONFORMING AMENDMENTS.—

(1) PUBLIC SCHOOL PROGRAM.—Section 3(i) of such Act (sec. 38-2702(i), D.C. Official Code) is amended by striking "and such sums" and inserting "and (subject to section 7) such sums".

(2) PRIVATE SCHOOL PROGRAM.—Section 5(f) of such Act (sec. 38-2704(f), D.C. Official Code) is amended by striking "and such sums" and inserting "and (subject to section 7) such sums".

Mr. REID. Mr. President, I ask unanimous consent that the Senate concur in the House amendment to the Senate amendments, and that the motion to reconsider be laid on the table.