

S. 2640 and H.R. 3421, to provide for adequate school facilities in Yosemite National Park, and for other purposes;

S. 2776, to provide for the protection of archaeological sites in the Galisteo Basin in New Mexico, and for other purposes;

S. 2788, to revise the boundary of the Wind Cave National Park in the State of South Dakota;

S. 2880, to designate Fort Bayard Historic District in the State of New Mexico as a National Historic Landmark, and for other purposes;

H.R. 3786, to revise the boundary of the Glen Canyon National Recreation Area in the States of Utah and Arizona; and

H.R. 3858, to modify the boundaries of the New River Gorge National River, West Virginia.

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, 312 Dirksen Senate Office Building, Washington, DC 20510.

For further information, please contact David Brooks of the Committee staff at (202) 224-9863.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Thursday, September 12, 2002, at 2:00 p.m., to conduct a hearing and mark-up for the nomination of Wayne A. Abernathy, of Virginia, to be Assistant Secretary of the Treasury for Financial Institutions; a mark-up of S. 2239, the FHA Downpayment Simplification Act of 2002; and a mark-up of S. 1210, Reauthorizing the Native American Housing and Self-Determination Act of 1996.

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

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, September 12, 2002, to consider favorably reporting H.R. 5063, the Armed Forces Tax Fairness Act of 2002.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, September 12, 2002 at 10:15 a.m. to hold a hearing on the World Bank's International Development Association.

Agenda

Witnesses

Panel 1: The Honorable John Taylor, Under Secretary for International Affairs, Department of Treasury, Washington, DC.

Panel 2: Witnesses to be announced.
The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, September 12, 2002 at 2:30 p.m. to hold a hearing on the Moscow Treaty.

AGENDA

Witnesses

Panel 1: The Honorable William J. Perry, Berberian Professor and Senior Fellow, Institute for International Studies, Stanford University, Stanford, CA;

The Honorable Fred C. Iklé, Distinguished Scholar, Center for Strategic and International Studies, Washington, DC.

Panel 2: The Honorable Rose Gottemoeller, Senior Associate, Russian and Eurasian and Global Policy Programs, Carnegie Endowment for International Peace, Washington, DC;

Ambassador James E. Goodby, Non-resident Senior Fellow, Foreign Policy Studies, The Brookings Institution, Washington, DC;

Dr. John P. Holdren, Teresa and John Heinz Professor of Environmental Policy and Director Science, Technology, and Public Policy Program, Belfer Center for Science and International Affairs, John F. Kennedy School of Government, Harvard University, Cambridge, MA;

Mr. Henry D. Sokolski, Executive Director, Nonproliferation Policy Education Center, Washington, DC.

Additional witnesses to be announced.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on "One Year Later: Restoring Economic Security for Workers and the Nation," during the session of the Senate on Thursday, September 12, 2002, at 10 a.m., in SD-106.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, September 12, 2002, at 10 a.m., in room 485 of the Russell Senate Office Building to conduct an oversight hearing on successful strategies for Indian reservation development and the lessons that can be learned from developing country and other Indian tribal economies.

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

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, September 12, 2002, at 10 a.m. and 2:30 p.m., to hold a joint closed hearing with the House Permanent Select Committee on Intelligence regarding the joint inquiry into the events of September 11, 2001.

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

SUBCOMMITTEE ON SCIENCE, TECHNOLOGY, AND SPACE

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Science, Technology, and Space be authorized to meet on Thursday, September 12, 2002, at 2:30 p.m. on S. 2537/H.R. 3833, DOT Kids Implementation and Efficiency Act.

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

PRIVILEGES OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that Elmer Ransom, a fellow on the Finance Committee staff, be granted the privilege of the floor during the Senate's proceedings today.

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

Mr. THOMPSON. Mr. President, I ask unanimous consent that Thomas Swanton, a staff member of Mr. SPECTER's office, be granted floor privileges for the duration of the debate on H.R. 5005, the homeland security bill.

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

Mr. THOMPSON. Mr. President, I ask unanimous consent that a fellow in Senator BROWNBACK's staff, Jay Wolff, be permitted privileges of the floor during the homeland security bill.

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

Mr. THOMPSON. Mr. President, I ask unanimous consent to extend floor privileges to Wan Kim and Michael Volkov, who are both on detail to the minority staff of the Judiciary Committee, during the course of any debate on H.R. 5005, the homeland security bill.

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

Mr. JEFFORDS. Madam President, I ask unanimous consent that Jan Rasgus, a congressional fellow in my office, be granted floor privileges for the remainder of today's session.

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

UNANIMOUS CONSENT AGREEMENT—H.R. 5093

Mr. REID. I ask unanimous consent that on Friday, September 13, once the Senate resumes consideration of H.R. 5093, the Department of the Interior appropriations bill, and the Dodd amendment No. 4522, the time until 10:15 be

for debate prior to the vote in relation to the amendment, with no second-degree amendment in order prior to a vote in relation to the amendment, with the time equally divided and controlled as follows: Senator DODD controlling time in support of the amendment, and the time in opposition controlled equally between Senators INOUE and CAMPBELL; that at 10:15 a.m., without further intervening action or debate, the Senate proceed to vote in relation to the amendment; that if the amendment is not tabled, it remain debatable and amendable.

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

DNA SEXUAL ASSAULT JUSTICE ACT OF 2002

Mr. REID. I ask unanimous consent the Senate now proceed to the consideration of Calendar No. 501, S. 2513.

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

The legislative clerk read as follows:

A bill (S. 2513) to assess the extent of the backlog in DNA analysis of rape kit samples, and to improve investigation and prosecution of sexual assault cases with DNA evidence.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

[Delete the part printed in black brackets and insert the part printed in italic.]

SECTION 1. SHORT TITLE.

[This Act may be cited as the "DNA Sexual Assault Justice Act of 2002".]

SEC. 2. ASSESSMENT ON BACKLOG IN DNA ANALYSIS OF SAMPLES.

(a) ASSESSMENT.—

(1) IN GENERAL.—The Attorney General shall survey each law enforcement jurisdiction to assess the backlog of DNA testing of rape kit samples and other sexual assault evidence.

(2) DETERMINATIONS.—The Attorney General, acting through the Director of the National Institute of Justice, shall carry out an assessment of Federal, State, local, and tribal territories law enforcement jurisdictions to determine the amount of—

(A) evidence contained in rape kits that has not been subjected to DNA testing and analysis; and

(B) evidence from sexual assault crimes that has not been subjected to DNA testing and analysis.

(b) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the assessment carried out under subsection (a).

(2) CONTENTS.—The report submitted under paragraph (1) shall include—

(A) the results of the assessment carried out under subsection (a);

(B) the number of rape kit samples and other evidence from sexual assault crimes that have not been subjected to DNA testing and analysis; and

(C) a plan for carrying out additional assessments and reports to continue until all law enforcement jurisdictions report no

backlog in crime scene DNA testing and analysis.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section.

SEC. 3. GRANTS FOR ANALYSIS OF DNA SAMPLES FROM RAPE KITS.

[Section 2(a) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(a)) is amended—

(1) in paragraph (2), by inserting "including samples from rape kits and nonsuspect cases" after "crime scene"; and

(2) by adding at the end the following: ["(4) To ensure that DNA testing and analysis of samples from rape kits and nonsuspect cases are carried out in a timely manner."]

SEC. 4. INCREASED GRANTS FOR DNA ANALYSIS.

[Section 2(j) of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135(j)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B), by striking "and" at the end; and

(B) by striking subparagraph (C) and inserting the following:

["(C) \$25,000,000 for fiscal year 2003; ["(D) \$25,000,000 for fiscal year 2004; ["(E) \$25,000,000 for fiscal year 2005; and ["(F) \$25,000,000 for fiscal year 2006."]; and

(2) in paragraph (2), by striking subparagraphs (C) and (D) and inserting the following:

["(C) \$100,000,000 for fiscal year 2003; ["(D) \$100,000,000 for fiscal year 2004; ["(E) \$50,000,000 for fiscal year 2005; and ["(F) \$50,000,000 for fiscal year 2006."]

SEC. 5. AUTHORITY OF LOCAL GOVERNMENTS TO APPLY FOR AND RECEIVE DNA BACKLOG ELIMINATION GRANTS.

[Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (a), by inserting "or eligible units of local government" after "eligible States";

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by inserting "or unit of local government" after "State" each place that term appears;

(B) in paragraph (1), by inserting "or unit of local government" after "State";

(C) in paragraph (3), by inserting "or unit of local government" after "State" the first time that term appears;

(D) in paragraph (4)—

(i) by inserting "or unit of local government" after "State"; and

(ii) by striking "and" after the semicolon;

(E) in paragraph (5)—

(i) by inserting "or unit of local government" after "State"; and

(ii) by striking the final period and inserting "; and"; and

(F) by adding at the end the following:

["(6) if the applicant is a unit of local government, certify that the applicant participates in a State laboratory system."];

(3) in subsection (c), by inserting "or unit of local government" after "State";

(4) in subsection (d)(2)(A), by inserting "or units of local government" after "States";

(5) in subsection (e)—

(A) in paragraph (1), by inserting "or local government" after "State" each place that term appears; and

(B) in paragraph (2), by inserting "or unit of local government" after "State";

(6) in subsection (f), by inserting "or unit of local government" after "State";

(7) in subsection (g)—

(A) in paragraph (1), by inserting "or unit of local government" after "State"; and

(B) in paragraph (2), by inserting "or units of local government" after "States"; and

(8) in subsection (h), by inserting "or unit of local government" after "State" each place that term appears.

SEC. 6. IMPROVING ELIGIBILITY CRITERIA FOR BACKLOG GRANTS.

[Section 2 of the DNA Analysis Backlog Elimination Act of 2000 (42 U.S.C. 14135) is amended—

(1) in subsection (b)—

(A) in paragraph (5), by striking the period at the end and inserting: "; and"; and

(B) by adding at the end the following:

["(6) ensure that each laboratory performing DNA testing or analysis satisfies the quality assurance protocols and practices described in subsection (d)(2)."; and

(2) by adding at the end the following:

["(k) PRIORITY.—In awarding grants under this section, the Attorney General shall give priority to a State or unit of local government that has a significant rape kit or nonsuspect case backlog as compared to other applicants."]

SEC. 7. AUTHORIZATION FOR GRANTS FOR IMPROVED RESPONSES TO AND INVESTIGATION OF SEXUAL ASSAULT CASES.

(a) AUTHORIZATION OF GRANTS.—The Attorney General shall make grants to eligible entities to—

(1) carry out sexual assault examiner training and certification;

(2) develop sexual assault examiner programs;

(3) acquire or improve forensic equipment;

(4) train law enforcement personnel in the handling of sexual assault cases and the collection and use of DNA samples for use as forensic evidence; and

(5) train law enforcement personnel to recognize, detect, report, and respond to drug-facilitated sexual assaults.

(b) ELIGIBLE ENTITY.—For purposes of this section, the term "eligible entity" means—

(1) a State;

(2) a unit of local government;

(3) a college, university, or other institute of higher learning;

(4) sexual assault examination programs, including sexual assault forensic examiner (SAFE) programs, sexual assault nurse examiner (SANE) programs, and sexual assault response team (SART) programs; and

(5) a State sexual assault coalition.

(c) APPLICATION.—To receive a grant under this section—

(1) the chief executive officer of a State, unit of local government, or university that desires a grant under this section shall submit to the Attorney General—

(A) an application in such form and containing such information as the Attorney General may require;

(B) certification that the testing will be done in a laboratory that complies with the quality assurance and proficiency testing standards for collecting and processing DNA samples issued by the Director of the Federal Bureau of Investigation under section 210303 of the DNA Identification Act of 1994 (42 U.S.C. 14131);

(C) notice that the applicant is aware of, and utilizing, uniform protocols and standards issued by the Department of Justice on the collection and processing of DNA evidence at crime scenes; and

(D) if the applicant is a unit of local government, certification that the applicant participates in a State laboratory system; and

(2) an existing or proposed sexual assault examination program shall submit to the Attorney General—

(A) an application in such form and containing such information as the Attorney General may require;

(B) certification that the program complies with the standards and recommended