

(Mr. HUTCHINSON) was added as a cosponsor of S. Con. Res. 129, a concurrent resolution expressing the sense of Congress regarding the establishment of the month of November each year as "Chronic Obstructive Pulmonary Disease Awareness Month."

S. CON. RES. 138

At the request of Mr. REID, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. Con. Res. 138, a concurrent resolution expressing the sense of Congress that the Secretary of Health and Human Services should conduct or support research on certain tests to screen for ovarian cancer, and Federal health care programs and group and individual health plans should cover the tests if demonstrated to be effective, and for other purposes.

S. CON. RES. 154

At the request of Mr. CORZINE, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. Con. Res. 154, a concurrent resolution expressing the sense of the Congress that a commemorative postage stamp should be issued honoring Gunnery Sergeant John Basilone, a great American hero.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRAMM:

S. 3150. A bill to authorize negotiation of free trade agreements with Turkey, and for other purposes; to the Committee on Finance.

By Mr. GRAMM:

S. 3151. A bill to authorize negotiation of free trade agreements with Afghanistan, and for other purposes; to the Committee on Finance.

Mr. GRAMM. Mr. President, today I am introducing legislation to authorize the President to negotiate free trade agreements with the countries of Turkey and Afghanistan. Trade is a powerful engine in the promotion of prosperity and in the strengthening of freedom. The more we promote trade, the more we benefit and the more our trading partners benefit.

The legislation builds upon the Bipartisan Trade Promotion Authority Act of 2002, enacted earlier in the year. Within the structure of that Act, each of these bills would give the sanction of the Congress to undertaking free trade negotiations with Turkey and with Afghanistan. That sanction would remain in place for five years, ample time to conclude these important agreements.

Turkey has correctly been called the eastern anchor of NATO, an ally of the United States across some five decades in the effort to keep the world free. Turkey is a secular nation with a predominantly Muslim population and historic ties to the United States. For nearly one hundred years Turkey has served as an important force for modernization in the eastern Mediterranean and central Asian area.

Turkey's successes have provided important examples to many of the new

nations of the former Soviet union located on the southern border of Russia. As these nations map out their future, they do so with frequent reference to the experience of Turkey. A free trade agreement with Turkey would mean that we would be a lasting, positive part of that future, contributing to Turkey's continued growth and democratic development, and influence that would be sure to have a beneficial effect on Turkey's neighbors. Such an agreement would operate well in light of our existing free trade agreements with Israel and with Jordan.

Afghanistan is at an historical turning point. What better way to rebuild the Afghan economy and set the Afghan people firmly on the road to prosperity than with a free trade agreement with the United States?

In addition, history has shown the powerful effect of trade and other economic freedoms in creating a stable basis for the growth and maintenance of political freedom. In Germany, Italy, Japan, Taiwan, South Korea, Chile, and elsewhere, we have seen authoritarian regimes replaced by stable, free societies preceded by the growth of trade and economic freedom. A free trade agreement between the United States and Afghanistan can and should be a powerful tool in our efforts to bring peace and prosperity to a land that has known little of either.

I ask unanimous consent that the text of the two bills be printed in the RECORD.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 3150

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Turkey Free Trade Agreement Act".

#### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The economic prosperity of the United States and Turkey will increase by reducing trade barriers between the 2 countries.

(2) Trade protection endangers economic prosperity in the United States and Turkey and undermines civil liberty and constitutionally limited government.

(3) The successful establishment of a North American Free Trade Area sets the pattern for the reduction of trade barriers throughout the world, enhancing prosperity in place of the cycle of increasing trade barriers and deepening poverty that results from a resort to protectionism and trade retaliation.

(4) The reduction of government interference in the foreign and domestic sectors of a nation's economy and the concomitant promotion of economic opportunity and freedoms promote civil liberty and constitutionally limited government.

(5) Countries that observe a consistent policy of free trade, the promotion of free enterprise and other economic freedoms (including effective protection of private property rights), and the removal of barriers to foreign direct investment, in the context of constitutionally limited government and minimal interference in the economy, will follow the surest and most effective prescription to alleviate poverty and provide for economic, social, and political development.

#### SEC. 3. FREE TRADE AREA FOR TURKEY.

(a) IN GENERAL.—The President shall take action to initiate negotiations to obtain trade agreements with Turkey, the terms of which provide for the reduction and ultimate elimination of tariffs and other nontariff barriers to trade.

(b) RECIPROCAL BASIS.—An agreement entered into under subsection (a) shall be reciprocal and provide mutual reductions in trade barriers to promote trade, economic growth, and employment.

#### SEC. 4. FAST-TRACK CONSIDERATION OF IMPLEMENTING BILLS.

(a) IN GENERAL.—Notwithstanding the prenegotiation notification and consultation requirement described in section 2104(a) of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3804(a)), subsection (b) shall apply to any agreement negotiated under section 3(a), subject to subsection (c).

(b) TREATMENT OF AGREEMENTS.—Subject to subsection (c), in the case of any agreement to which subsection (a) applies—

(1) the applicability of the trade authorities procedures to implementing bills shall be determined without regard to the requirements of section 2104(a) of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3804(a)) (relating only to 90 days notice prior to initiating negotiations), and any procedural disapproval resolution under section 2105(b)(1)(B) of such Act shall not be in order on the basis of a failure or refusal to comply with the provisions of section 2104(a) of such Act; and

(2) the President shall, as soon as feasible after the commencement of negotiations under section 3(a)—

(A) notify the Congress of such negotiations, the specific United States objectives in the negotiations, and whether the President is seeking a new agreement or changes to an existing agreement; and

(B) before and after submission of the notice, consult regarding the negotiations with the committees referred to in section 2104(a)(2) of such Act and the Congressional Oversight Group convened under section 2107 of such Act.

(c) TERMINATION OF AUTHORITY.—The authority of this section shall apply only to agreements entered into before January 1, 2008.

S. 3151

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Afghanistan Free Trade Agreement Act".

#### SEC. 2. FINDINGS.

Congress makes the following findings:

(1) The economic prosperity of the United States and Afghanistan will increase by reducing trade barriers.

(2) Trade protection endangers economic prosperity in the United States and Afghanistan and undermines civil liberty and constitutionally limited government.

(3) Free trade between the United States and Afghanistan will help in strengthening of Afghanistan's economic security.

(4) The successful establishment of a North American Free Trade Area sets the pattern for the reduction of trade barriers throughout the world, enhancing prosperity in place of the cycle of increasing trade barriers, and deepening poverty that results from a resort to protectionism and trade retaliation.

(5) The reduction of government interference in the foreign and domestic sectors of a nation's economy and the concomitant promotion of economic opportunity and freedoms promote civil liberty and constitutionally limited government.

(6) Countries that observe a consistent policy of free trade, the promotion of free enterprise and other economic freedoms (including effective protection of private property rights), and the removal of barriers to foreign direct investment, in the context of constitutionally limited government and minimal interference in the economy, will follow the surest and most effective prescription to alleviate poverty and provide for economic, social, and political development.

### SEC. 3. FREE TRADE AGREEMENT WITH AFGHANISTAN.

(a) IN GENERAL.—The President shall take action to initiate negotiations to obtain trade agreements with Afghanistan, the terms of which provide for the reduction and ultimate elimination of tariffs and other nontariff barriers to trade.

(b) RECIPROCAL BASIS.—An agreement entered into under subsection (a) shall be reciprocal and provide mutual reductions in trade barriers to promote trade, economic growth, and employment.

### SEC. 4. FAST-TRACK CONSIDERATION OF IMPLEMENTING BILLS.

(a) IN GENERAL.—Notwithstanding the prenegotiation notification and consultation requirement described in section 2104(a) of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3804(a)), subsection (b) shall apply to any agreement negotiated under section 3(a), subject to subsection (c).

(b) TREATMENT OF AGREEMENTS.—Subject to subsection (c), in the case of any agreement to which subsection (a) applies—

(1) the applicability of the trade authorities procedures to implementing bills shall be determined without regard to the requirements of section 2104(a) of the Bipartisan Trade Promotion Authority Act of 2002 (19 U.S.C. 3804(a)) (relating only to 90 days notice prior to initiating negotiations), and any procedural disapproval resolution under section 2105(b)(1)(B) of such Act shall not be in order on the basis of a failure or refusal to comply with the provisions of section 2104(a) of such Act; and

(2) the President shall, as soon as feasible after the commencement of negotiations under section 3(a)—

(A) notify the Congress of such negotiations, the specific United States objectives in the negotiations, and whether the President is seeking a new agreement or changes to an existing agreement; and

(B) before and after submission of the notice, consult regarding the negotiations with the committees referred to in section 2104(a)(2) of such Act and the Congressional Oversight Group convened under section 2107 of such Act.

(c) TERMINATION OF AUTHORITY.—The authority of this section shall apply only to agreements entered into before January 1, 2008.

By Mr. GRASSLEY (for himself and Mr. BAUCUS):

S. 3154. A bill to amend the Internal Revenue Code of 1986 to combat fuel excise tax fraud; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. TRANSFER BY REGISTERED PIPELINE OR VESSEL REQUIRED FOR FUEL TAX EXEMPTION OF BULK TRANSFERS TO REGISTERED TERMINALS OR REFINERIES.

(a) IN GENERAL.—Section 4081(a)(1)(B) of the Internal Revenue Code of 1986 (relating to exemption for bulk transfers to registered terminals or refineries) is amended—

(1) by inserting “by pipeline or vessel” after “transferred in bulk”, and

(2) by inserting “, the operator of the pipeline or vessel,” after “the taxable fuel”.

(b) CIVIL PENALTY FOR CARRYING TAXABLE FUELS BY NONREGISTERED PIPELINES OR VESSELS.—

(1) IN GENERAL.—Part II of subchapter B of chapter 68 of the Internal Revenue Code of 1986 (relating to assessable penalties) is amended by adding at the end the following new section:

#### “SEC. 6717. CARRYING TAXABLE FUELS BY NON-REGISTERED PIPELINES OR VESSELS.

“(a) IMPOSITION OF PENALTY.—If any taxable fuel (as defined in section 4083(a)(1)) is willfully carried by pipeline or vessel the operator of which is not registered under section 4101, then such operator shall pay a penalty in addition to the tax (if any).

“(b) AMOUNT OF PENALTY.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the amount of the penalty under subsection (a) on each act shall be \$10,000.

“(2) MULTIPLE VIOLATIONS.—In determining the penalty under subsection (a) on any person, paragraph (1) shall be applied by increasing the amount in paragraph (1) by the product of such amount and the number of prior penalties (if any) imposed by this section on such person (or a related person or any predecessor of such person or related person).

“(c) JOINT AND SEVERAL LIABILITY.—

“(1) IN GENERAL.—If a penalty is imposed under this section on any business entity, each officer, employee, or agent of such entity or other contracting party who willfully participated in any act giving rise to such penalty shall be jointly and severally liable with such entity for such penalty.

“(2) AFFILIATED GROUPS.—If a business entity described in paragraph (1) is part of an affiliated group (as defined in section 1504(a)), the parent corporation of such entity shall be jointly and severally liable with such entity for the penalty imposed under this section.”.

(2) CLERICAL AMENDMENT.—The table of sections for part II of subchapter B of chapter 68 of such Code is amended by adding at the end the following new item:

“Sec. 6717. Carrying taxable fuels by nonregistered pipelines or vessels.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2003.

### SEC. 2. RETURNS FILED ELECTRONICALLY.

(a) IN GENERAL.—Section 4083 of the Internal Revenue Code of 1986 (relating to definitions; special rule; administrative authority) is amended by adding at the end the following new subsection:

“(d) RETURNS REQUIRED TO BE FILED ELECTRONICALLY.—

“(1) FUEL.—Any registered operator of a terminal, refinery, pipeline, or vessel, or any registered dealer in aviation fuel, having more than 25 transactions in a month shall file by electronic format any return required by the Secretary for the tracking of fuel.

“(2) VEHICLES.—Any person required to file a return under section 4481 having at least 25 vehicles shall file such return by electronic format.”.

(b) FORMAT FOR FILING.—The Secretary of the Treasury shall describe the electronic format for filing—

(1) in the case of returns described in section 4083(d)(1) of the Internal Revenue Code of 1986 (as added by subsection (a)), not later than 30 days after the date of the enactment of this Act, and

(2) in the case of returns described in section 4083(d)(2) of such Code (as so added), not later than 90 days after such date.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply to returns due after the date the Secretary of the Treasury describes the format for filing under subsection (b).

### SEC. 3. TAX ON SALE OF DIESEL FUEL WHETHER SUITABLE FOR USE OR NOT IN A DIESEL-POWERED VEHICLE OR TRAIN.

(a) IN GENERAL.—Section 4083(a)(3) of the Internal Revenue Code of 1986 (defining diesel fuel) is amended by adding at the end the following new sentence: “For purposes of section 4081(a)(1)(A)(iv), such term includes any liquid (other than gasoline) sold or offered for sale whether or not such fuel is suitable for such use.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

### SEC. 4. CIVIL PENALTY FOR REFUSAL OF ENTRY.

(a) IN GENERAL.—Part II of subchapter B of chapter 68 of the Internal Revenue Code of 1986 (relating to assessable penalties), as amended by this Act, is amended by adding at the end the following new section:

#### “SEC. 6718. REFUSAL OF ENTRY.

“In addition to any criminal penalty provided by law, in the case of any person with the intent to transport and distribute untaxed, adulterated fuel mixtures or to transport and distribute dyed diesel for taxable use, if such person refuses to admit entry or refuses to permit any other action by the Secretary authorized by section 4083(c)(1), then such person shall pay a penalty of \$1,000 for such refusal.”.

(b) CONFORMING AMENDMENTS.—

(1) Section 4083(c)(3) of the Internal Revenue Code of 1986 is amended—

(A) by striking “ENTRY.—The penalty” and inserting: “ENTRY.—

“(A) FORFEITURE.—The penalty”, and

(B) by adding at the end the following new subparagraph:

“(B) CIVIL PENALTY.—For a civil penalty for the refusal to admit entry or other refusal to permit an action by the Secretary authorized by paragraph (1), see section 6718.”.

(2) The table of sections for part II of subchapter B of chapter 68 of such Code, as amended by this Act, is amended by adding at the end the following new item:

“Sec. 6718. Refusal of entry.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2003.

### SEC. 5. DISPLAY OF REGISTRATION.

(a) IN GENERAL.—Section 4101 of the Internal Revenue Code of 1986 (relating to registration and bond) is amended by adding at the end the following new subsection:

“(e) DISPLAY OF REGISTRATION.—Every person required by the Secretary to register under this section with respect to tax imposed by section 4041(a)(1), 4081, or 4091 shall receive and display proof of registration on vessels used in transporting fuel.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2003.

### SEC. 6. UNTAXED ADULTERATED FUEL MIXTURES TREATED AS DYED FUELS UNDER PENALTY PROVISION.

(a) IN GENERAL.—Section 6715(c)(1) of the Internal Revenue Code of 1986 (defining dyed fuel) is amended by inserting “, any dyed

diesel fuel or kerosene which has been chemically altered in an attempt to remove the dye, or any other adulterated fuel mixture not previously taxed" after "section 4082".

(b) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on the date of the enactment of this Act.

**SEC. 7. TAX AT POINT OF ENTRY WHERE IMPORTER NOT REGISTERED.**

(a) **IN GENERAL.**—Section 4081(a)(1) of the Internal Revenue Code of 1986 (relating to tax on entry, removal, or sale) is amended by adding at the end the following new subparagraph:

"(C) **TAX AT ENTRY WHERE IMPORTER NOT REGISTERED.**—

"(i) **IN GENERAL.**—For purposes of subparagraph (A)(iii), if the person entering the taxable fuel is not registered under section 4101, the imposition of the tax is at the time and point of entry.

"(ii) **JEOPARDY ASSESSMENT.**—The collection of any tax imposed on fuel described in clause (i) shall be deemed to be in jeopardy and the Secretary shall make an immediate assessment under section 6862.

"(iii) **ENFORCEMENT OF ASSESSMENT.**—The fuel described in clause (i) and the vehicle or vessel in which such fuel was transported shall be detained for the period ending with—

"(I) the filing of a bond by the importer of record under section 6863(a), or

"(II) if such a bond is not filed within the 5-day period beginning with such detaining, the sale of such fuel as provided under section 6336."

(b) **EFFECTIVE DATE.**—The amendment made by this section shall take effect on the date of the enactment of this Act.

**SEC. 8. MODIFICATIONS OF TAX ON USE OF CERTAIN VEHICLES.**

(a) **INCREASE IN RATE OF TAX.**—The table contained in section 4481(a) of the Internal Revenue Code of 1986 (relating to imposition of tax) is amended by striking "\$550" and inserting "\$600".

(b) **NO PRORATION OF TAX UNLESS VEHICLE IS DESTROYED OR STOLEN.**—

(1) **IN GENERAL.**—Section 4481(c) of the Internal Revenue Code of 1986 (relating to proration of tax) is amended to read as follows:

"(c) **PRORATION OF TAX WHERE VEHICLE DESTROYED OR STOLEN.**—

"(1) **IN GENERAL.**—If in any taxable period a highway motor vehicle is destroyed or stolen before the first day of the last month in such period and not subsequently used during such taxable period, the tax shall be reckoned proportionately from the first day of the month in such period in which the first use of such highway motor vehicle occurs to and including the last day of the month in which such highway motor vehicle was destroyed or stolen.

"(2) **DESTROYED.**—For purposes of paragraph (1), a highway motor vehicle is destroyed if such vehicle is damaged by reason of an accident or other casualty to such an extent that it is not economic to rebuild."

(2) **DISPLAY OF TAX CERTIFICATE.**—Paragraph (2) of section 4481(d) of such Code (relating to one tax liability for period) is amended to read as follows:

"(2) **DISPLAY OF TAX CERTIFICATE.**—Every person, agency, or instrumentality which pays the tax imposed under this section with respect to a highway motor vehicle shall, not later than October 1 with respect to each taxable period, receive and display on such vehicle a proof of payment decal."

(3) **CONFORMING AMENDMENTS.**—

(A) Section 6156 of such Code (relating to installment payment of tax on use of highway motor vehicles) is repealed.

(B) The table of sections for subchapter A of chapter 62 of such Code is amended by striking the item relating to section 6156.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable periods beginning after the date of the enactment of this Act.

**SEC. 9. ADDITIONAL RULES REGARDING INSPECTIONS OF RECORDS.**

(a) **PROVISION OF COPIES OF RECORDS.**—Section 4102 of the Internal Revenue Code of 1986 (relating to inspection of records by local officers) is amended by inserting ", and copies shall be furnished upon request of," after "inspection by".

(b) **INSPECTION BY OTHER ENFORCEMENT AGENCIES.**—Section 4102 of the Internal Revenue Code of 1986, as amended by subsection (a), is amended by inserting ", and information on returns required to be filed with respect to taxes under section 4481 shall be open to inspection by officers of any State agency charged with the registration and licensing of vehicles described in such section and officers of any other Federal or State agency charged with the enforcement of Federal or State law regarding motor fuels or criminal activities regarding motor fuels" after "section 4083)".

(c) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of the enactment of this Act.

**SEC. 10. AUTHORITY TO INSPECT ON-SITE RECORDS.**

(a) **IN GENERAL.**—Section 4083(c)(1)(A) of the Internal Revenue Code of 1986 (relating to administrative authority) is amended by striking "and" at the end of clause (i) and by inserting after clause (ii) the following new clause:

"(iii) inspecting any books and records to determine the names and addresses of the persons selling or purchasing such fuel, and"

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of the enactment of this Act.

**SEC. 11. PROHIBITION OF ADMINISTRATIVE REVIEW OF PENALTY FOR TAXABLE USE OF DYED DIESEL FUEL.**

(a) **IN GENERAL.**—Section 6406 of the Internal Revenue Code of 1986 (relating to prohibition of administrative review of decisions) is amended—

(1) by striking "In the absence" and inserting "(a) **IN GENERAL.**—In the absence", and

(2) by adding at the end the following new subsection:

"(b) **PENALTY DECISION REGARDING TAXABLE USE OF DYED DIESEL FUEL.**—In the absence of fraud or mistake in chemical analysis or mathematical calculation, if the findings of fact by chemical analysis show the presence of dye in diesel fuel being used on the highway, the assertion of the penalty under section 6715 shall not be subject to appeal to or review by any other administrative or accounting officer, employee, or agent of the United States."

(b) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of the enactment of this Act.

By Mr. HELMS:

S. 3155. A bill to authorize the President to establish and maintain the Foreign Language and Cultural Institute program; to the Committee on Foreign Relations.

Mr. HELMS. Mr. President, I am today introducing a bill entitled the Language Mastery Support Act of 2002. I don't expect this Senate to act on it this year, but I hope and believe it can serve as a model for the 108th Congress.

This bill addresses the dangerous shortage of government officials who possess critical foreign languages skills and expert knowledge of foreign cul-

tures. A report issue this year by the General Accounting Office concluded that foreign language skills are critical to the success of our diplomatic and intelligence agencies and that the shortage of skilled personnel has adversely affected American law enforcement, intelligence, counter-terrorism, diplomatic and military efforts.

The end of the Cold War and the rise of terrorism have exacerbated this problem because the most serious shortages involved those languages found in Asia and the Middle East. In fact, we have received warning signals. For example, the disclosure that intercepts of suspected terrorists were translated long after the events they discussed had taken place should be viewed with alarm.

Even before 9/11, Senator COCHRAN referred to a "crisis in federal language capabilities" when the intelligence community disclosed that the United States could be faced with a "technical surprise" because thousands of foreign scientific papers could not be translated due to the lack of skilled translators.

Our governments has experienced this shortage of skilled personnel going back to the beginning of the Cold War. Intermittent attempts to solve the problem over the years have left us with an accumulation of patchwork fixes. As the recent GAO report demonstrates clearly, this approach has not succeeded. It is time to take a fresh approach and seek a broader, long-term solution.

This bill will establish a national program in our academic institutions that encourages students to pursue critical language skills, supports their academic careers and provides a clear employment path to Federal agencies. It does so by making maximum use of existing academic programs and facilities with minimal additional resources.

Students enrolled in this program would be required to meet certain academic standards for which they would receive reasonable stipends, equivalent to those provided under the ROTC program.

During the academic summers, under this legislation, participants would receive specialized training at underutilization Federal and academic facilities, instructed by a faculty composed of both Federal Government and civilian instructors. The participants could also travel to overseas posts for so-called "immersion" training in foreign languages and cultures at U.S. diplomatic and military facilities.

At the beginning of their senior year, participants would receive offers of employment from interests Federal agencies which they must accept or reject within 30 days. This would allow their processing to be completed by the time they graduate, allowing them to enter the Federal workforce without the current delays attributable to security clearances and administrative processing.

The program would be embodied in an Institute. This Institute would not

be composed of bricks and mortar but of a nationwide enrollment of students at colleges and universities who would receive specialized training during their academic summers. The Institute would be run by a Chairman of the Board, appointed by the President. The Chairman would be supported by a Board composed of representatives from each of the participating Federal agencies. Staff would be minimal and provided by the participating agencies.

Each agency would still be able to set its own qualifications issue its own employment offers and maintain its own security requirements. But it could do so in a manner that is competitive with private industry employment opportunities that are available to graduates, after an opportunity to evaluate potential employees throughout the course of their involvement in the Institute and with the added benefit of the financial incentive that the Institute would provide.

This program will broaden the pool of available candidates for Federal employment, allow Federal agencies to compete efficiently for these skilled language specialists and make Federal employment more attractive.

So far, we have avoided serious consequences from the lack of language skills in the Federal Government. This bill constitutes a new approach to this problem. It is long overdue and desperately needed. I ask that each of my colleagues give it prompt and serious consideration.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 3155

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Language Mastery Support Act of 2002".

#### SEC. 2. PURPOSE.

The purpose of this Act is to establish a program of study and overseas training in critical foreign languages and cultures, including the establishment of a Foreign Language and Cultural Institute, in order to—

- (1) increase in Federal Government service the number of persons possessing critical skills that are in short supply;
- (2) create a pool of prospective candidates for employment in those agencies of the Federal Government that rely on significant levels of overseas assignments;
- (3) provide monetary and employment incentives for candidates to participate in the program;
- (4) facilitate the identification of potential Federal Government employees with the pool of prospective candidates;
- (5) provide additional opportunities for candidate development and evaluation;
- (6) substantially shorten the delay between identification of a desirable candidate and entry upon service by the candidate;
- (7) minimize the necessity for training during the initial period of employment;
- (8) provide for "cross-fertilization" through the incorporation of both private sector and Government instructors in the faculty of the Institute;

(9) reduce the underutilization of existing Government and educational facilities; and

(10) achieve these objectives for a minimal cost, that would be partially offset by a reduction in the amount of initial training provided by participating agencies for new employees.

#### SEC. 3. DEFINITIONS.

In this Act:

(1) APPROVED FACILITIES.—The term "approved facilities" means—

(A) excess Government facilities, including former military installations; and

(B) institutions of higher education that are underutilized in the summer months.

(2) BOARD.—The term "Board" means the Interagency Critical Foreign Languages and Cultures Board established by section 4(c).

(3) CRITICAL FOREIGN LANGUAGES AND CULTURES.—The term "critical foreign languages and cultures" means foreign languages and cultures—

(A) identified by the Board as necessary for the effective implementation of United States national security policy; and

(B) with respect to which there exists a shortage of skilled personnel among the personnel of participating agencies.

(4) INSTITUTE.—The term "Institute" means the program established under section 4(a).

(5) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(6) PARTICIPANT.—The term "participant" means a person who is enrolled in the Institute.

(7) PARTICIPATING AGENCY.—The term "participating agency" means the Department of State, the Department of Defense, the Central Intelligence Agency, the Defense Intelligence Agency, the National Security Agency, and the Federal Bureau of Investigation.

(8) PARTICIPATION AGREEMENT.—The term "participation agreement" means an agreement between the Institute and a person otherwise eligible for enrollment in the Institute under which—

(A) the person agrees—

(i) to respond to any offer of employment extended by a participating agency, not later than 30 days after the commencement of the participant's final academic year, by accepting or rejecting such employment; and

(ii) to serve in that agency for a period not less than the period specified in the agreement; and

(B) the Institute agrees to provide the allowances established by the Board pursuant to section 4(g)(1).

#### SEC. 4. ESTABLISHMENT OF THE INSTITUTE.

(a) IN GENERAL.—To carry out the purpose of section 2, the President is authorized to establish and maintain a study and training program described in section 5 that shall be known as the "Foreign Language and Cultural Institute".

(b) IMPLEMENTATION.—The President shall exercise the authority of subsection (a) through the Interagency Critical Foreign Languages and Cultures Board established in subsection (c).

(c) ESTABLISHMENT OF INTERAGENCY BOARD.—

(1) ESTABLISHMENT.—There is established an Interagency Critical Foreign Languages and Cultures Board that shall consist of seven members, as follows:

(A) One member appointed by the President from among individuals in the private sector having expertise in matters within the purpose of this Act, who shall serve as Chairman of the Board.

(B) Six members, of whom one each shall be an official of a participating agency, who

shall be designated by the head of the agency to serve on the Board.

(2) DUTIES OF THE BOARD.—The Board shall, under the supervision of the Chairman—

(A) develop the curriculum of the Institute;

(B) provide policy recommendations to the President regarding the administration of the Institute;

(C) establish procedures for the operation of the Institute; and

(D) provide oversight for the operation of the Institute.

(3) TERMS.—The term of office for the Chairman and for each other member of the Board shall be three years.

(4) COMPENSATION.—

(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), each member of the Board shall serve without compensation.

(B) COMPENSATION OF THE CHAIRMAN.—The Chairman shall be paid at the rate of basic pay for positions classified at level III of the Executive Schedule under section 5314 of title 5, United States Code.

(C) TRAVEL EXPENSES.—The members of the Board shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Board.

(5) ADMINISTRATIVE SUPPORT.—The Secretary of State shall provide such staff personnel and other administrative services as may be necessary to support the Board. Additional staff may be provided by participating agencies.

#### SEC. 5. PROGRAM DESCRIPTION.

(a) REGULAR PROGRAM.—Each participant in the Institute shall undertake a program of study and training in critical foreign languages and cultures that shall primarily consist of courses of study or training taken at accredited institutions of higher learning during the normal academic year.

(b) SUPPLEMENTAL INSTRUCTION.—

(1) IN GENERAL.—The program described in subsection (a) shall be supplemented by instruction at Institute facilities approved by the Board, at least one of which shall be located in each major geographic region in the United States.

(2) PROGRAM PERIODS.—Such supplemental instruction shall be given through the Institute during specified periods in each of three consecutive years, as follows:

(A) For the first year of participation, courses of study taken during the summer period between the participant's sophomore and junior undergraduate years.

(B) For the second year of participation, courses of study or training which may include training at diplomatic missions or consular posts, taken during the summer period between the participant's junior and senior undergraduate years or at such times as the Board may determine.

(C) For the third year of participation, courses of study, or training which may include training at diplomatic or consular posts, taken during the summer period that follows award of a baccalaureate or equivalent degree to the participant or at such times as the Board may determine.

(3) ADDITIONAL ACTIVITIES.—Supplemental instruction under this subsection may include such other activities as the Board may determine. The Board may modify the instruction provided for under subparagraph (A), (B), or (C) of paragraph (2).

(c) ELIGIBILITY.—To be enrolled as a participant in the Institute a person shall—

(1) be a citizen of the United States;

(2) be enrolled as a sophomore, junior, or senior in an institution of higher education

or graduate of such an institution during the preceding year;

(3) be selected for participation in the Institute under procedures prescribed by the Board; and

(4) have entered into a participation agreement pursuant to procedures established by the Board.

(d) **CONDITIONAL OFFER OF EMPLOYMENT.**—

(1) **IN GENERAL.**—If a participating agency elects to employ a participant, the agency shall extend to the participant, not later than the commencement of the final academic year of the participant, an offer of employment in the agency conditioned upon satisfactory completion of the Institute program by the participant as specified in the participation agreement.

(2) **STATUTORY CONSTRUCTION.**—Nothing in this Act is intended to alter or restrict any qualifications for employment established by any of the participating agencies.

(e) **SUCCESSFUL COMPLETION.**—The Board shall establish criteria to be met by participants the satisfaction of which shall entitle participants to a certificate acknowledging their satisfactory completion of the Institute program.

(f) **CURRICULUM.**—

(1) **IN GENERAL.**—The Board shall develop the Institute curriculum and shall assign such personnel provided under section 4(c)(4) as may be necessary for instruction under the curriculum and for adequate administrative support. In addition, the Board is authorized under section 3109(b) of title 5, United States Code, to enter into contracts with instructors employed at institutions of higher education or equivalent institutions and for other services necessary to provide for the establishment and operation of the Institute.

(2) **SUPPLEMENTAL INSTRUCTION.**—With the prior approval of the Board, a participant may enroll in courses of study at institutions of higher education with advanced syllabi in foreign affairs, languages, economics, religion, art, and history in lieu of one of the periods of instruction provided for under paragraph (1), (2), or (3) of subsection (b).

(g) **FINANCIAL ASSISTANCE.**—

(1) **STIPEND.**—The Board shall establish a schedule of stipends to be provided to program participants to offset the costs of tuition, fees, and books, not to exceed the comparable allowances established for the Reserve Officer Training Corps pursuant to section 209 of title 37, United States Code.

(2) **DEBT RELIEF.**—

(A) **IN GENERAL.**—The head of a participating agency that employs an individual who has satisfactorily completed the Institute program is authorized to provide for the repayment of student loans made to the participant for expenses incurred while the participant was enrolled in the Institute.

(B) **FACTORS FOR EXERCISE OF DISCRETION.**—In determining whether, or to what extent, to provide loan repayment under subparagraph (A), the head of the participating agency shall consider the individual's length of Government service, acceptance of hardship postings, possession of critical foreign languages and cultural skills, and proficiency in critical foreign languages.

**SEC. 6. ANNUAL REPORT.**

Not later than December 1 of each year, the Chairman of the Board shall submit to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a report that—

(1) summarizes the activities of the Institute over the previous academic year ending on September 30;

(2) describes the programs planned for the current and succeeding two academic years; and

(3) provides statistical data on—

(A) the number of applicants for participation in the Institute;

(B) the number of participants enrolled in the Institute;

(C) the number of participants who have successfully completed the Institute program;

(D) the number of employment offers extended to participants from participating agencies;

(E) the number of employment offers accepted by participants;

(F) the costs associated with the operations of the Institute, together with an itemization of the costs associated with the operations of the Board; and

(G) any other information that the Chairman of the Board determines to be useful for evaluating the operations of the Institute.

**SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

(a) **IN GENERAL.**—There is authorized to be appropriated to the President \$7,500,000 for the fiscal year 2003 to carry out this Act.

(b) **AVAILABILITY OF FUNDS.**—Amounts appropriated pursuant to subsection (a) are authorized to remain available until expended.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 355—EXTENDING THE AUTHORITIES RELATING TO THE SENATE NATIONAL SECURITY WORKING GROUP

Mr. DASCHLE (for himself and Mr. LOTT) submitted the following resolution; which was considered and agreed to:

S. RES. 355

*Resolved*, That Senate Resolution 105 of the One Hundred First Congress, agreed to April 13, 1989, as amended by Senate Resolution 383 of the One Hundred Sixth Congress, agreed to October 27, 2000, is further amended by adding at the end the following new section: "SEC. 4. The provisions of this resolution shall remain in effect until December 31, 2004."

### SENATE CONCURRENT RESOLUTION 156—RECOGNIZING AND HONORING AMERICA'S JEWISH COMMUNITY ON THE OCCASION OF ITS 350TH ANNIVERSARY, SUPPORTING THE DESIGNATION OF AN "AMERICAN JEWISH HISTORY MONTH", AND FOR OTHER PURPOSES

Mr. VOINOVICH (for himself and Mr. DEWINE) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 156

Whereas in 1654, Jewish refugees from Brazil arrived on North American shores and formally established North America's first Jewish community in New Amsterdam, now New York City;

Whereas America welcomed Jews among the millions of immigrants that streamed through our Nation's history;

Whereas the waves of Jewish immigrants arriving in America helped shape our Nation; Whereas the American Jewish community has been intimately involved in our Nation's civic, social, economic, and cultural life;

Whereas the American Jewish community has sought to actualize the broad principles of liberty and justice that are enshrined in the Constitution of the United States;

Whereas the American Jewish community is an equal participant in the religious life of our Nation;

Whereas American Jews have fought valiantly for the United States in every one of our Nation's military struggles, from the American Revolution to Operation Enduring Freedom;

Whereas not less than 16 American Jews have received the Medal of Honor;

Whereas 2004 marks the 350th anniversary of the American Jewish community;

Whereas the Library of Congress, the National Archives and Records Administration, the American Jewish Historical Society, and the Jacob Rader Marcus Center of the American Jewish Archives have formed "The Commission for Commemorating 350 Years of American Jewish History" (referred to in this resolution as the "Commission") to mark this historic milestone;

Whereas the Commission will use the combined resources of its participants to promote the celebration of the Jewish experience in the United States throughout 2004; and

Whereas the Commission is designating September 2004 as "American Jewish History Month": Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) honors and recognizes—

(A) the 350th anniversary of the American Jewish community; and

(B) "The Commission for Commemorating 350 Years of American Jewish History" and its efforts to plan, coordinate, and execute commemorative events celebrating 350 years of American Jewish history;

(2) supports the designation of an "American Jewish History Month"; and

(3) urges all Americans to share in this commemoration so as to have a greater appreciation of the role the American Jewish community has had in helping to defend and further the liberties and freedom of all Americans.

### SENATE CONCURRENT RESOLUTION 157—EXPRESSING THE SENSE OF CONGRESS THAT UNITED STATES DIPLOMATIC MISSIONS SHOULD PROVIDE THE FULL AND COMPLETE PROTECTION OF THE UNITED STATES TO CERTAIN CITIZENS OF THE UNITED STATES LIVING ABROAD

Mrs. LINCOLN submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 157

Whereas there are numerous cases in which citizens of the United States are prevented from leaving Saudi Arabia against their will or in violation of United States law;

Whereas Amjad Radwan and Rasheed Radwan, 2 United States citizens, were prevented from leaving Saudi Arabia by their Saudi-national father in 1985;

Whereas Monica Stowers, the mother of Amjad Radwan and Rasheed Radwan and a United States citizen, traveled to Saudi Arabia in November 1990 and heard directly from her children of the physical and sexual abuse they had endured there;

Whereas upon learning of the abuse, Ms. Stowers brought her children to the United States Embassy in Riyadh, displayed their United States passports, and sought the protection of the Embassy and assistance in returning home to the United States;

Whereas personnel from the Department of State told Ms. Stowers and her children that