

On page 29, line 22, increase the amount by \$20,630,000,000.

On page 29, line 23, increase the amount by \$20,630,000,000.

On page 30, line 2, increase the amount by \$26,482,000,000.

On page 30, line 3, increase the amount by \$26,482,000,000.

On page 30, line 6, increase the amount by \$32,751,000,000.

On page 30, line 7, increase the amount by \$32,751,000,000.

On page 30, line 10, increase the amount by \$38,644,000,000.

On page 30, line 11, increase the amount by \$38,644,000,000.

On page 30, line 14, increase the amount by \$44,787,000,000.

On page 30, line 15, increase the amount by \$44,787,000,000.

On page 30, line 18, increase the amount by \$52,013,000,000.

On page 30, line 19, increase the amount by \$52,013,000,000.

On page 40, line 2, decrease the amount by \$56,000,000.

On page 40, line 3, decrease the amount by \$56,000,000.

On page 40, line 6, decrease the amount by \$750,000,000.

On page 40, line 7, decrease the amount by \$750,000,000.

On page 40, line 10, decrease the amount by \$2,607,000,000.

On page 40, line 11, decrease the amount by \$2,607,000,000.

On page 40, line 14, decrease the amount by \$4,587,000,000.

On page 40, line 15, decrease the amount by \$4,587,000,000.

On page 40, line 18, decrease the amount by \$6,061,000,000.

On page 40, line 19, decrease the amount by \$6,061,000,000.

On page 40, line 22, decrease the amount by \$7,242,000,000.

On page 40, line 23, decrease the amount by \$7,242,000,000.

On page 41, line 2, decrease the amount by \$8,431,000,000.

On page 41, line 3, decrease the amount by \$8,431,000,000.

On page 41, line 6, decrease the amount by \$9,562,000,000.

On page 41, line 7, decrease the amount by \$9,562,000,000.

On page 41, line 10, decrease the amount by \$10,624,000,000.

On page 41, line 11, decrease the amount by \$10,624,000,000.

On page 41, line 14, decrease the amount by \$11,652,000,000.

On page 41, line 15, decrease the amount by \$11,652,000,000.

On page 41, line 18, decrease the amount by \$12,675,000,000.

On page 41, line 19, decrease the amount by \$12,675,000,000.

On page 61, line 12, insert "on an equal basis with respect to benefit level regardless of whether such beneficiaries remain in the traditional medicare fee-for-service program under parts A and B of such title or enroll in a private plan under the medicare program" after "prescription drugs".

On page 61, line 19, strike \$400,000,000,000 and insert \$619,000,000,000.

SA 295. Mr. DORGAN (for himself, Mr. KERRY, and Mrs. LANDRIEU) submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Governments for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for

fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 14 line 15, increase the amount by \$372,000,000.

On page 14 line 16, increase the amount by \$45,000,000.

On page 14 line 20, increase the amount by \$104,000,000.

On page 14 line 24, increase the amount by \$93,000,000.

On page 15 line 3, increase the amount by \$130,000,000.

On page 42 line 2, decrease the amount by \$372,000,000.

On page 42 line 3, decrease the amount by \$45,000,000.

On page 42 line 7, decrease the amount by \$104,000,000.

On page 42 line 11, decrease the amount by \$93,000,000.

On page 42 line 15, decrease the amount by \$130,000,000.

SA 296. Mr. ROCKEFELLER submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Governments for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

On page 79, after line 22, add the following:

SEC. 308. RADIO INTEROPERABILITY FOR FIRST RESPONDERS.

(a) **STUDY.**—It is the sense of the Senate that the Secretary of Commerce, in consultation with the Secretary of Homeland Security, should conduct a study of the need and cost to make the radio systems used by fire departments and emergency medical services agencies interoperable with those used by law enforcement to the extent that interoperability will not interfere with law enforcement operations.

(b) **GRANT PROGRAM.**—It is the sense of the Senate that Congress should authorize and appropriate \$20,000,000 to establish a grant program through which the Secretary of Commerce would award grants to local governments to assist fire departments and emergency medical services agencies to establish radio interoperability.

SA 297. Mr. DURBIN submitted an amendment intended to be proposed by him to the concurrent resolution S. Con. Res. 23, setting forth the congressional budget for the United States Governments for fiscal year 2004 and including the appropriate budgetary levels for fiscal year 2003 and for fiscal years 2005 through 2013; which was ordered to lie on the table; as follows:

At the end of subtitle A of title II, insert the following:

SEC. ____ POINT OF ORDER REQUIRING THAT THE AMT BE DEALT WITH BEFORE OR SIMULTANEOUSLY WITH OTHER TAX CUTS.

(a) **FINDINGS.**—The Senate finds the following:

(1) The American taxpayers are threatened with a looming crisis which is ignored by the President's budget and the budget resolution before the Senate, namely that a rapidly growing number of middle income taxpayers will be subject to the AMT, up from 2,000,000 currently to an estimated 36,000,000 by 2010.

(2) This crisis has come about as a result of two factors—

(A) that the Federal income tax is indexed for inflation, but the AMT is not; and

(B) that President Bush sought and obtained huge new tax cuts in 2001, which he is now seeking to make permanent, without providing for corresponding, permanent adjustments to the AMT.

(3) The President and the architects of this budget resolution refuse to address the AMT on a permanent basis because to do so would be costly and might jeopardize their ability to enact additional tax cuts which primarily benefit the wealthiest taxpayers at the expense of the estimated 85 percent of families with two or more children who will otherwise be affected by the AMT by 2010; the 43 percent of taxpayers with annual incomes between \$50,000 and \$75,000 who will otherwise be affected by the AMT by 2010; and the 80 percent of taxpayers with annual income between \$75,000 and \$100,000 who will otherwise be affected by the AMT by 2010.

(4) Congress must begin to address the issue of permanent AMT reform by creating a point of order against further tax cuts that do not include AMT reform.

(b) **IN GENERAL.**—It shall not be in order in the Senate to consider any bill or joint resolution, including a reconciliation bill or resolution, or any amendment, motion, or conference report thereto, that would allow tax cuts unless such bill, joint resolution, amendment, motion or conference report thereto contains, or Congress has previously enacted, comprehensive legislation that reforms the alternative minimum tax to protect taxpayers with annual incomes under \$100,000.

(c) **WAIVER AND APPEAL.**—This section may be waived or suspended in the Senate only by an affirmative vote of $\frac{2}{3}$ of the members, duly chosen and sworn. An affirmative vote of $\frac{2}{3}$ of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. NICKLES. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, March 19, 2003 at 9:30 a.m. to hold a hearing on Nonproliferation Programs of the Department of State.

Witnesses

Panel 1: The Honorable John S. Wolf, Assistant Secretary for Nonproliferation, Department of State, Washington, DC.

Panel 2: The Honorable Rose E. Gottemoeller, Senior Associate, Carnegie Endowment for International Peace, Washington, DC.

The Honorable Charles B. Curtis, President and Chief Operating Officer, Nuclear Threat Initiative, Washington; Dr. Amy E. Smithson, Senior Associate, The Henry L. Stimson Center, Washington, DC.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. NICKLES. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the

Senate on Wednesday, March 19, 2003 at 2:30 p.m. to hold a hearing on the Effects and Consequences of an Emerging China.

Witnesses

Panel 1: Mr. Randall Schriver, Deputy Assistant Secretary of State for China, Department of State, Washington, DC; Mr. Charles Freeman, Deputy Assistant US Trade Representative, Office of the US Trade Representative, Washington, DC.

Panel 2: Dr. Robert A. Kapp, President, The US-China Business Council, Washington, DC; Ms. Hillary B. Rosen, President and Chief Executive Officer, Recording Industry Association of America, Washington, DC.

Panel 3: Dr. Larry Wortzel, The Heritage Foundation, Washington, DC; Dr. David M. Lampton, Director of Chinese Studies, The Nixon Center, Washington, DC.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. NICKLES. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in Executive Session during the session of the Senate on Wednesday, March 19, 2003. The following agenda will be considered:

Agenda

S. , Lifespan Respite Care Act.

S. , Pediatric Drugs Research Authority.

S. 15, Biodefense Improvement and Treatment for America Act.

Any nominees that have been cleared for action.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. NICKLES. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, March 19, 2003, at 9:30 a.m., to conduct an oversight hearing on the operations of the Secretary of the Senate and the Architect of the Capitol.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. NICKLES. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, March 19, 2003, at 2:30 p.m. in Room 485 of the Russell Senate Office Building to conduct a hearing on Indian energy legislation, S. 424, the Tribal Energy self-Sufficiency Act, and S. 522, the Native American Energy Development and Self Determination Act of 2003.

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

COMMITTEE ON THE JUDICIARY

Mr. NICKLES. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized

to meet to conduct a hearing entitled "Promoting Ethical Regenerative Medicine Research and Prohibiting Immoral Human Reproductive Cloning" on Wednesday, March 19, 2003, at 10:30 a.m. in the Dirksen Senate Office Building Room 226.

Panel I: The Honorable Sam Brownback, United States Senator, [R-KS]; The Honorable Jim R. Langevin, United States Representative, [D-RI-2nd District].

Panel II: Dr. Leon Kass, Addie Clark Harding Professor, The College and the Committee on Social Thought, University of Chicago. Hertog Fellow, American Enterprise Institute, Chicago, IL; Dr. Thomas Murray, President, The Hastings Center, Garrison, NY.

Panel III: Dr. Harold Varmus, President, Memorial Sloan-Kettering Cancer Center, New York City, NY; Dr. Anton-Lewis Usala, Professor, East Carolina University Professor, Greenville, NC; Dr. Micheline Mathews-Roth, Associate Professor of Medicine, Harvard Medical School, Boston, MA; Dr. Paul Berg, Cahill Professor, Department of Biochemistry, Stanford University, Palo Alto, CA.

Panel IV: Mr. James Kelly, Patient Advocate, Granbury, TX; Mr. Gregg Wasson, Patient Advocate, Cotati, CA.

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

SUBCOMMITTEE ON PERSONNEL

Mr. NICKLES. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, March 19, 2003, at 3 p.m., in open session to receive testimony on the National Guard and Reserve Military and Civilian Personnel Programs, in review of the Defense Authorization Request for Fiscal Year 2004.

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

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. NICKLES. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Armed Services Committee be authorized to meet during the Session of the Senate on Wednesday, March 19, 2003, at 9:30 a.m., in open session to receive testimony on acquisition policy and outsourcing issues, in review of the Defense Authorization Request for Fiscal Year 2004.

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

PRIVILEGE OF THE FLOOR

Mr. REED. I ask unanimous consent that a fellow in my office, Denis Borum, be granted the privilege of the floor for purposes of this debate.

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

IDENTITY THEFT PENALTY ENHANCEMENT ACT

Mr. NICKLES. Mr. President, I ask unanimous consent that the Senate

proceed to the immediate consideration of Calendar No. 8, S. 153.

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

The assistant legislative clerk read as follows:

A bill (S. 153) to amend title 18, United States Code, to establish penalties for aggravated identity theft, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. NICKLES. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 153) was read the third time and passed, as follows:

S. 153

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 "Identity Theft Penalty Enhancement Act".

SEC. 2. AGGRAVATED IDENTITY THEFT.

(a) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding after section 1028, the following:

"§ 1028A. Aggravated identity theft

"(a) OFFENSES.—

"(1) IN GENERAL.—Whoever, during and in relation to any felony violation enumerated in subsection (c), knowingly transfers, possesses, or uses, without lawful authority, a means of identification of another person shall, in addition to the punishment provided for such felony, be sentenced to a term of imprisonment of 2 years.

"(2) TERRORISM OFFENSE.—Whoever, during and in relation to any felony violation enumerated in section 2332b(g)(5)(B), knowingly transfers, possesses, or uses, without lawful authority, a means of identification of another person shall, in addition to the punishment provided for such felony, be sentenced to a term of imprisonment of 5 years.

"(b) CONSECUTIVE SENTENCE.—Notwithstanding any other provision of law—

"(1) a court shall not place on probation any person convicted of a violation of this section;

"(2) except as provided in paragraph (4), no term of imprisonment imposed on a person under this section shall run concurrently with any other term of imprisonment imposed on the person under any other provision of law, including any term of imprisonment imposed for the felony during which the means of identification was transferred, possessed, or used;

"(3) in determining any term of imprisonment to be imposed for the felony during which the means of identification was transferred, possessed, or used, a court shall not in any way reduce the term to be imposed for such crime so as to compensate for, or otherwise take into account, any separate term of imprisonment imposed or to be imposed for a violation of this section; and

"(4) a term of imprisonment imposed on a person for a violation of this section may, in the discretion of the court, run concurrently, in whole or in part, only with another term of imprisonment that is imposed by the court at the same time on that person for an additional violation of this section, provided that such discretion shall be exercised in accordance with any applicable guidelines and policy statements issued by the Sentencing