

security of the United States, and for other purposes; as follows:

On page 150, line 24, strike “(tidal and thermal)” and insert “(wave, tidal, current, and thermal)”.

On page 156, line 4, strike “(tidal and thermal)” and insert “(wave, tidal, current, and thermal)”.

SA 1396. Mr. DOMENICI proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes, as follows:

On page 90, line 24, strike “2003 through 2011” and insert “2004 through 2012”.

SA 1397. Mr. DOMENICI (for himself and Ms. MURKOWSKI) proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes; as follows:

On page 40, beginning with line 13, strike all through line 20 and insert:

“(4) For purposes of this subsection, calculations of payments shall be made using qualified Outer Continental Shelf revenues received during the previous fiscal year.

SA 1398. Mr. DOMENICI proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes; as follows:

On page 40, strike line 5 and all that follows through line 12, and insert: “shall not disburse such an amount until the final resolution of any appeal regarding the disapproval of a plan submitted under this section or so long as the Secretary determines that such State is making a good faith effort to develop and submit, or update, a Coastal Impact Assistance Plan.”.

SA 1399. Mr. DOMENICI proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes; as follows:

On page 286, strike line 10 and all that follows through page 287, line 21, and insert:

“SEC. 814. HYDROGEN DEMONSTRATION PROGRAMS IN NATIONAL PARKS.

“(a) STUDY.—Not later than 1 year after the date of enactment of this section, the Secretary of the Interior and the Secretary of Energy shall jointly study and report to Congress on—

“(1) the energy needs and uses in units of the National Park System; and

“(2) the potential for fuel cell and other hydrogen-based technologies to meet such energy needs in—

“(A) stationary applications, including power generation, combined heat and power for buildings and campsites, and standby and backup power systems; and

“(B) transportation-related applications, including support vehicles, passenger vehicles and heavy-duty trucks and buses.

“(b) PILOT PROJECTS.—Based on the results of the study, the Secretary of the Interior shall fund not fewer than 3 pilot projects in units of the National Park System for demonstration of fuel cells or other hydrogen-based technologies in those applications where the greatest potential for such use has been identified. Such pilot projects shall be geographically distributed throughout the United States.

“(c) AUTHORIZATION OF APPROPRIATIONS.—For purposes of this section, there are authorized to be appropriated to the Secretary

of the Interior \$1,000,000 for fiscal year 2004, and \$15,000,000 for fiscal year 2005, to remain available until expended.”.

SA 1400. Mr. DOMENICI proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes; as follows:

On page 305, line 23, strike the word “basic”.

SA 1401. Mr. BINGAMAN (for Ms. LANDRIEU) proposed an amendment to the bill S. 14, to enhance the energy security of the United States, and for other purposes; as follows:

On page 37, line 23, “year. Where” and insert “year, except that where”.

SA 1402. Mr. FEINGOLD (for himself and Mr. BROWNBAC) submitted an amendment intended to be proposed by him to the bill S. 14, to enhance the energy security of the United States, and for other purposes; which was ordered to lie on the table; as follows:

On page 465, between lines 10 and 11, insert the following:

SEC. 1175. AFFILIATE TRANSACTIONS.

Section 204 of the Federal Power Act (16 U.S.C. 824c) is amended by adding at the end the following:

“(i) TRANSACTIONS WITH AFFILIATES AND ASSOCIATED COMPANIES.—

“(1) DEFINITIONS.—In this subsection, the terms ‘affiliate’, ‘associate company’, and ‘public utility’ have the meanings given the terms in section 1151 of the Energy Policy Act of 2003.

“(2) REGULATIONS.—

“(A) IN GENERAL.—The Commission shall promulgate regulations that shall apply in the case of a transaction between a public utility and an affiliate or associate company of the public utility.

“(B) CONTENTS.—At a minimum, the regulations under subparagraph (A) shall require, with respect to a transaction between a public utility and an affiliate or associate company of the public utility, that—

“(i) the affiliate or associate company shall be an independent, separate, and distinct entity from the public utility;

“(ii) the affiliate or associate company shall maintain separate books, accounts, memoranda, and other records and shall prepare separate financial statements;

“(iii)(I) the public utility shall conduct the transaction in a manner that is consistent with transactions among nonaffiliated and nonassociated companies; and

“(II) shall not use its status as a monopoly franchise to confer on the affiliate or associate company any unfair competitive advantage;

“(iv) the public utility shall not declare or pay any dividend on any security of the public utility in contravention of such rules as the Commission considers appropriate to protect the financial integrity of the public utility;

“(v) the public utility shall have at least 1 independent director on its board of directors;

“(vi) the affiliate or associate company shall not acquire any loan, loan guarantee, or other indebtedness, and shall not structure its governance, in a manner that would permit creditors to have recourse against the assets of the public utility; and

“(vii) the public utility shall not—

“(I) commingle any assets or liabilities of the public utility with any assets or liabilities of the affiliate or associate company; or

“(II) pledge or encumber any assets of the public utility on behalf of the affiliate or associate company;

“(viii)(I) the public utility shall not cross-subsidize or shift costs from the affiliate or associate company to the public utility; and

“(II) the public utility shall disclose and fully value, at the market value or other value specified by the Commission, any assets or services by the public utility that, directly or indirectly, are transferred to, or otherwise provided for the benefit of, the affiliate or associate company, in a manner that is consistent with transfers among nonaffiliated and nonassociated companies; and

“(ix) electricity and natural gas consumers and investors shall be protected against the financial risks of public utility diversification and transactions with and among affiliates and associate companies.

“(3) NO PREEMPTION.—This subsection does not preclude or deny the right of any State or political subdivision of a State to adopt and enforce standards for the corporate and financial separation of public utilities that are more stringent than those provided under the regulations under paragraph (2).

“(4) PROHIBITION.—It shall be unlawful for a public utility to enter into or take any step in the performance of any transaction with any affiliate or associate company in violation of the regulations under paragraph (2).”.

AUTHORITY FOR COMMITTEES TO MEET

SUBCOMMITTEE ON CRIME, CORRECTIONS AND VICTIMS' RIGHTS

Mr. CRAIG. Mr. President, I ask unanimous consent that the Committee on the Judiciary Subcommittee on Crime, Corrections and Victims' Rights be authorized to meet to conduct a hearing on “Alien Smuggling/Human Trafficking: Sending Meaningful Messages of Deterrence,” on Friday, July 25, 2003, at 10 a.m., in SD226.

Panel 1: John Malcomb, Esq., Assistant Attorney General, Criminal Division, Department of Justice, Washington, DC; Mr. Charles Demore, Interim Assistant Director of Investigations, Department of Homeland Security, Bureau of Immigration and Customs Enforcement, Washington, DC; and Mr. Robert L. Harris, Deputy Chief, U.S. Border Patrol, Department of Homeland Security, Bureau of Customs and Border Protection, Washington, DC.

Panel 2: the Honorable Robert Charleton, United States Attorney, District of Arizona, Phoenix, AZ; the Honorable Jane Boyle, United States Attorney, Northern District of Texas, Dallas, TX; and Sharon Cohn, Esq., Senior Counsel, International Justice Mission, Washington, DC.

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

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2004

On Thursday, July 24, 2003, the Senate passed H.R. 2555, as follows:

Resolved, That the bill from the House of Representatives (H.R. 2555) entitled “An Act making appropriations for the Department