

Water be authorized to meet on Tuesday, September 16, at 9:30 a.m., to conduct an oversight hearing on the implementation of the Clean Water Act.

The hearing will take place in SD 406 (Hearing Room).

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

SUBCOMMITTEE ON INTERNATIONAL TRADE AND FINANCE

Mr. CRAIG. Mr. President, I ask unanimous consent that the Subcommittee on International Trade and Finance of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 16, 2003, at 2:30 p.m., to conduct a hearing on Financial Reconstruction in Iraq.

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

#### PRIVILEGE OF THE FLOOR

Mr. FEINGOLD. Mr. President, I ask unanimous consent that privilege of the floor be granted to Andrew Ayers, a legal intern with my Judiciary Committee staff, during consideration of the debate on S. Res. 17.

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

Mr. REID. Mr. President, on behalf of Senator BINGAMAN, I ask unanimous consent that Dr. Jonathan Epstein and Mr. Eric Burman, legislative fellows in his office, be given floor privileges during the pendency of H.R. 2754, and any votes thereupon.

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

#### AUTHORIZING REPRESENTATION BY SENATE LEGAL COUNSEL

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 226, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 226) to authorize representation by the Senate Legal Counsel in the case of *Josue Orta Rivera v. Congress of the United States of America*, et al.

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

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table; and that any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The resolution (S. Res. 226) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 226

Whereas, in the case of *Josue Orta Rivera v. Congress of the United States of America*,

et al., Civil No. 03-1684 (SEC), pending in the United States District Court for the District of Puerto Rico, the plaintiff has named as defendants all Members of the Senate, as well as the Vice President, the President Pro Tem, the Secretary of the Senate, the Sergeant at Arms, and the Congress;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Members and Officers of the Senate in civil actions relating to their official responsibilities;

Whereas, pursuant to section 708(c) of the Ethics in Government Act of 1978, 2 U.S.C. §288g(c), the Senate may direct its counsel to perform other duties: Now therefore, be it

*Resolved*, That the Senate Legal Counsel is authorized to represent all Members of the Senate, the Vice President, the President Pro Tem, the Secretary of the Senate, the Sergeant at Arms, and the Congress, in the case of *Josue Orta Rivera v. Congress of the United States of America*, et al.

#### DEATH OF INDIANA GOVERNOR FRANK O'BANNON

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 227, a resolution submitted early today by Senator BAYH.

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

The legislative clerk read as follows:

A resolution (S. Res. 227) expressing the profound sorrow of the Senate for the death of Indiana Governor Frank O'Bannon and extending thoughts, prayers, and condolences to his family, friends, and loved ones.

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

Mr. BROWNBACK. Mr. President, I further ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table, with no intervening action or debate; and that any statements relating to this matter be printed in the RECORD.

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

The resolution (S. Res. 227) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 227

Whereas Frank O'Bannon devoted his entire life to public service and to the people of the State of Indiana;

Whereas Frank O'Bannon dedicated his life to defending the Nation's principles of freedom and democracy, serving in the United States Air Force from 1952 until 1954;

Whereas Frank O'Bannon served 18 years in the Indiana State Senate and 8 years as Lieutenant Governor of Indiana;

Whereas, on November 5, 1996, Frank O'Bannon was elected the 47th Governor of the State of Indiana, where he served until his death on September 13, 2003;

Whereas Frank O'Bannon was a true friend to Indiana, and a gentle man of integrity, kindness, and good works; and

Whereas Frank O'Bannon will be remembered as a loving husband to his wife Judy, a devoted father to his 3 children, and a caring grandfather to his 5 grandchildren: Now, therefore, be it

*Resolved*, That the Senate—

(1) has learned with profound sorrow of the death of the Honorable Frank O'Bannon, Governor of Indiana, on September 13, 2003;

(2) extends its condolences to the O'Bannon family, especially to his wife Judy, his children Jonathan, Jennifer, and Polly, and his grandchildren Beau, Chelsea, Asher, Demi, and Elle;

(3) expresses its profound gratitude to Frank O'Bannon for the services that he rendered to the Nation in the United States Air Force and the Indiana State Legislature, and as Governor of Indiana; and

(4) recognizes with respect Frank O'Bannon's integrity, steadfastness, and loyalty to the State of Indiana and to the United States.

#### MEASURE READ THE FIRST TIME—S. 1618

Mr. BROWNBACK. Mr. President, I understand that S. 1618, introduced early today by Senator ROCKEFELLER and others, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The legislative clerk read as follows:

A bill (S. 1618) to reauthorize Federal Aviation Administration Programs for the period beginning on October 1, 2003, and ending on March 31, 2004, and for other purposes.

Mr. BROWNBACK. I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will remain at the desk and have its next reading on the next legislative day.

Mr. ROCKEFELLER. Mr. President, this legislation reauthorizes the Federal Aviation Administration, FAA, and its core programs, including the Airport Improvement Program, AIP, through March 31, 2004. While I would like to have seen Congress pass a comprehensive multiyear bill, it is not going to be possible by the end of this fiscal year. We need to pass this non-controversial short-term extension to allow the FAA to continue to operate its core safety and airport funding programs.

The Senate produced a very good FAA reauthorization bill, and I was proud to help in developing that legislation. Unfortunately, the final product after negotiations with the House of Representatives was not as good as the Senate-passed bill. It included several dangerous provisions that I could not support, and, in fact, many of my colleagues on both sides of the aisle have raised objections to this legislation.

The most significant reason that the multiyear FAA bill is stalled is because the conference report includes language that allows as large part of the Nation's air traffic control system to be contracted out to private operators. If adopted, the conference report would allow the FAA to initiate the process of contracting out of some air traffic control functions immediately while only delaying the potential privatization for the 4-year life of the bill. The