

UNANIMOUS CONSENT
AGREEMENT—S. 2666

Mr. FRIST. Mr. President, I ask on Tuesday, September 21, at a time to be determined by the majority leader in consultation with the Democratic leader, the Senate proceed to the consideration of Calendar No. 635, S. 2666, the Legislative Branch appropriations bill; that the four managers' amendments at the desk be agreed to, and no other amendments be in order. I further ask that there be 1 hour of debate yielded back of the time, and the bill, as amended, be read the third time and returned to the Senate calendar.

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

Mr. FRIST. I further ask that the Appropriations Committee then be discharged from further consideration and the Senate proceed to the consideration of H.R. 4755, the House-passed Legislative Branch appropriations bill, that the text of the bill relating solely to the House remain; that all other text be stricken, and the text of the Senate bill, as amended, be inserted, and the Senate then proceed to a vote on H.R. 4755, as amended, all without any intervening action or debate.

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

Mr. FRIST. I further ask upon passage of the bill the bill be held at the desk as if a House message.

Mr. REID. Mr. President, I think the work that we did this past several days on the Homeland Security appropriations bill should set the tone and the direction that we can take the next few weeks to complete any number of appropriations bills. If we continue with the same bipartisan spirit that we have had before—I know we have had a lot of extraneous matters, just dealing with the matters dealing with the appropriations bills as we started the Homeland Security appropriations bill with more than 200 amendments. We were able to work through those. I don't know how many votes we had, but we had a lot of votes. I would hope that next week we can make some serious progress on some of these appropriations bills before we get into the last 2 weeks of being here when we have to deal with the September 11 report and other such matters. We have the right to pat ourselves on the back for the work we have done the last few days in the Senate relating to this appropriations process.

The PRESIDING OFFICER. Without objection, the request is agreed to.

Mr. REID. And I say this, too: Senator BYRD and Senator STEVENS did some good work in allowing Members to get to this work, along with you and Senator DASCHLE, so the whole body should be favorably inclined. This has been hard work. We read off a few words, but it is easier to read them than what it took to write this down. I personally appreciate the work of the two leaders of the Appropriations Committee and the Democratic and Republican leaders in their work.

Mr. FRIST. Mr. President, that same spirit is what we plan to continue to address in this appropriations bill, and we will continue to address in other appropriations bills as they become available.

FEDERAL TRADE COMMISSION
REAUTHORIZATION ACT OF 2003

Mr. FRIST. I ask that the Senate now proceed to the immediate consideration of Calendar 251, S. 1234.

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

The assistant legislative clerk read as follows:

A bill (S. 1234) to reauthorize the Federal Trade Commission, and for other purposes.

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

(Strike the part shown in black brackets and insert the part shown in italic.)

S. 1234

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 "Federal Trade Commission Reauthorization Act of 2003".

[TITLE I—REAUTHORIZATION

SEC. 101. REAUTHORIZATION.

[The text of section 25 of the Federal Trade Commission Act (15 U.S.C. 57c) is amended to read as follows:

["There are authorized to be appropriated to carry out the functions, powers, and duties of the Commission not to exceed \$194,742,000 for fiscal year 2004, \$224,695,000 for fiscal year 2005, and \$235,457,000 for fiscal year 2006.".

SEC. 102. AUTHORITY TO ACCEPT REIMBURSEMENTS, GIFTS, AND VOLUNTARY AND UNCOMPENSATED SERVICES.

[The Federal Trade Commission Act (15 U.S.C. 41 et seq.) is amended—

(1) by redesignating section 26 as section 28; and

(2) by inserting after section 25 the following:

SEC. 26. REIMBURSEMENT OF EXPENSES.

["The Commission may accept payment or reimbursement, in cash or in kind, from a domestic or foreign law enforcement authority, or payment or reimbursement made on behalf of such authority, for expenses incurred by the Commission, its members, or employees in carrying out any activity pursuant to a statute administered by the Commission without regard to any other provision of law. Any such payments or reimbursements shall be considered a reimbursement to the appropriated funds of the Commission.

SEC. 27. GIFTS AND VOLUNTARY AND UNCOMPENSATED SERVICES.

["(a) IN GENERAL.—In furtherance of its functions the Commission may accept, hold, administer, and use unconditional gifts, donations, and bequests of real, personal, and other property and, notwithstanding section 1342 of title 31, United States Code, accept voluntary and uncompensated services.

["(b) LIMITATIONS.—

["(1) CONFLICTS OF INTEREST.—Notwithstanding subsection (a), the Commission may

not accept, hold, administer, or use a gift, donation, or bequest if the acceptance, holding, administration, or use would create a conflict of interest or the appearance of a conflict of interest.

["(2) VOLUNTARY SERVICES.—A person who provides voluntary and uncompensated service under subsection (a) shall not be considered a Federal employee for any purpose other than for purposes of chapter 81 of title 5, United States Code, (relating to compensation for injury) and section 2671 through 2680 of title 28, United States Code, (relating to tort claims)."

[TITLE II—INTERNATIONAL CONSUMER PROTECTION

SEC. 201. FINDINGS.

[The Congress finds the following:

(1) The Federal Trade Commission protects consumers from fraud and deception. Cross-border fraud and deception are growing international problems that affect American consumers and businesses.

(2) The development of the Internet and improvements in telecommunications technologies have brought significant benefits to consumers. At the same time, they have also provided unprecedented opportunities for those engaged in fraud and deception to establish operations in one country and victimize a large number of consumers in other countries.

(3) An increasing number of consumer complaints collected in the Consumer Sentinel database maintained by the Commission, and an increasing number of cases brought by the Commission, involve foreign consumers, foreign businesses or individuals, or assets or evidence located outside the United States.

(4) The Commission has legal authority to remedy law violations involving domestic and foreign wrongdoers, pursuant to the Federal Trade Commission Act. The Commission's ability to obtain effective relief using this authority, however, may face practical impediments when wrongdoers, victims, other witnesses, documents, money and third parties involved in the transaction are widely dispersed in many different jurisdictions. Such circumstances make it difficult for the Commission to gather all the information necessary to detect injurious practices, to recover offshore assets for consumer redress, and to reach conduct occurring outside the United States that affects United States consumers.

(5) Improving the ability of the Commission and its foreign counterparts to share information about cross-border fraud and deception, to conduct joint and parallel investigations, and to assist each other is critical to achieve more timely and effective enforcement in cross-border cases.

(6) Consequently, Congress should enact legislation to provide the Commission with more tools to protect consumers across borders.

SEC. 202. FOREIGN LAW ENFORCEMENT AGENCY DEFINED.

[Section 4 of the Federal Trade Commission Act (15 U.S.C. 44) is amended by adding at the end the following:

["Foreign law enforcement agency" means—

(1) any agency or judicial authority of a foreign government, including a foreign state, a political subdivision of a foreign state, or a multinational organization constituted by and comprised of foreign states, that is vested with law enforcement or investigative authority in civil, criminal, or administrative matters;

(2) any multinational organization, to the extent that it is acting on behalf of an entity described in paragraph (1); or

(3) any organization that is vested with authority, as a principal mission, to enforce