entity, prepare and submit to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may require, including—

''(i) a description of the activities which the applicant intends to carry out using amounts provided under the grant;

''(ii) a plan for continuing the project after Federal support is ended;

''(iii) a description of the manner in which the activities funded under the grant will meet health care needs of underserved rural populations within the State; and

''(iv) a description of how the local community or region to be served by the network or proposed network will be involved in the development and ongoing operations of the network.

''(2) FOR-PROFIT ENTITIES.—An eligible network may include for-profit entities so long as the network grantee is a nonprofit entity.

''(3) TELEMEDICINE NETWORKS.—

''(A) IN GENERAL.—An entity that is a health care provider and a member of an existing or proposed telemedicine network, or an entity that is a consortium of health care providers that are members of an existing or proposed telemedicine network shall be eligible for a grant under this section.

''(B) REQUIREMENT.—A telemedicine network referred to in subparagraph (A) shall, at a minimum, be composed of—

''(i) a multispecialty entity that is located in an urban or rural area, which can provide 24-hour a day access to a range of specialty care; and

''(ii) at least two rural health care facilities, which may include rural hospitals, rural physician offices, rural health clinics, rural community health clinics, and rural nursing homes.

''(d) PREFERENCE.—In awarding grants under this section, the Secretary shall give preference to applicant networks that include—

''(1) a majority of the health care providers serving in the area or region to be served by the network;

''(2) any federally qualified health centers, rural health clinics, and local public health departments serving in the area or region;

''(3) outpatient mental health providers serving in the area or region; or

''(4) appropriate social service providers, such as agencies on aging, school systems, and providers under the women, infants, and children program, to improve access to and coordination of health care services.

''(e) USE OF FUNDS.—

''(1) IN GENERAL.—Amounts provided under grants awarded under this section shall be used—

''(A) for the planning and development of integrated self-sustaining health care networks; and

''(B) for the initial provision of services.

''(2) EXPENDITURES IN RURAL AREAS.—

''(A) IN GENERAL.—In awarding a grant under this section, the Secretary shall ensure that not less than 50 percent of the grant award is expended in a rural area or to provide services to residents of rural areas.

''(B) TELEMEDICINE NETWORKS.—An entity described in subsection (c)(3) may not use in excess of—

''(i) 40 percent of the amounts provided under a grant under this section to carry out activities under paragraph (3)(A)(iii); and

''(ii) 20 percent of the amounts provided under a grant under this section to pay for the indirect costs associated with carrying out the purposes of such grant.

''(3) TELEMEDICINE NETWORKS.—

''(A) IN GENERAL.—An entity described in subsection (c)(3), may use amounts provided under a grant under this section to—

''(i) demonstrate the use of telemedicine in facilitating the development of rural health care networks and for improving access to health care services for rural citizens;

''(ii) provide a baseline of information for a systematic evaluation of telemedicine systems serving rural areas;

''(iii) purchase or lease and install equipment; and

''(iv) operate the telemedicine system and evaluate the telemedicine system.

''(B) LIMITATIONS.—An entity described in subsection (c)(3), may not use amounts provided under a grant under this section—

''(i) to build or acquire real property;

''(ii) purchase or install transmission equipment (such as laying cable or telephone lines, microwave towers, satellite dishes, amplifiers, and digital switching equipment); or

''(iii) for construction, except that such funds may be expended for minor renovations relating to the installation of equipment;

''(f) TERM OF GRANTS.—Funding may not be provided to a network under this section for in excess of a 3-year period.

''(g) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section there are authorized to be appropriated $36,000,000 for fiscal year 1997, and such sums as may be necessary for each of the fiscal years 1998 through 2001.''.

(b) TRANSITION.—The Secretary of Health and Human Services shall ensure the continued funding of grants made, or contracts or cooperative agreements entered into, under subpart I of part D of title III of the Public Health Service Act (42 U.S.C. 254b et seq.) (as such subpart existed on the day prior to the date of enactment of this Act), until the expiration of the grant period or the term of the contract or cooperative agreement. Such funding shall be continued under the same terms and conditions as were in effect on the date on which the grant, contract or cooperative agreement was awarded, subject to the availability of appropriations.

SEC. 4. TECHNICAL AND CONFORMING AMENDMENTS.

(a) IN GENERAL.—The Public Health Service Act is amended—

(1) in section 224(g)(4) (42 U.S.C. 233(g)(4)), by striking ''under'' and all that follows through the end thereof and inserting ''under section 330.'';

(2) in section 340C(a)(2) (42 U.S.C. 256c) by striking ''under'' and all that follows through the end thereof and inserting ''with assistance provided under section 330.''; and

(3) by repealing subparts V and VI of part D of title III (42 U.S.C. 256 et seq.).

(b) SOCIAL SECURITY ACT.—The Social Security Act is amended—

(1) in clauses (i) and (ii)(I) of section 1861(aa)(4)(A) (42 U.S.C. 1395x(aa)(4)(A)(i) and (ii)(I)) by striking ''section 329, 330, or 340'' and inserting ''section 330 (other than subsection (h))''; and

(2) in clauses (i) and (ii)(II) of section 1905(l)(2)(B) (42 U.S.C. 1396d(l)(2)(B)(i) and (ii)(II)) by striking ''section 329, 330, 340, or 340A'' and inserting ''section 330''.

(c) REFERENCES.—Whenever any reference is made in any provision of law, regulation, rule, record, or document to a community health center, migrant health center, public housing health center, or homeless health center, such reference shall be considered a reference to a health center.

(d) FTCA CLARIFICATION.—For purposes of section 224(k)(3) of the Public Health Service Act (42 U.S.C. 233(k)(3)), transfers from the fund described in such section for fiscal year 1996 shall be deemed to have occurred prior to December 31, 1995.

(e) ADDITIONAL AMENDMENTS.—After consultation with the appropriate committees of the Congress, the Secretary of Health and Human Services shall prepare and submit to the Congress a legislative proposal in the form of an implementing bill containing technical and conforming amendments to reflect the changes made by this Act.

SEC. 5. EFFECTIVE DATE.

This Act and the amendments made by this Act shall become effective on October 1, 1997.

Mr. DORGAN. Mr. President, I wonder if the Senator from Mississippi will yield?

Mr. LOTT. I will be glad to yield.

FEDERAL JUDGES

Mr. DORGAN. I ask the Senator whether any of the unanimous consent requests he is intending to propound would include the clearing of any judgeships. If so, we would certainly be favorably disposed to not object to that. If not, I am wondering if just in this moment I might learn whether we would have an opportunity to clear any additional judges that are now waiting clearance?

Mr. LOTT. Mr. President, I do not believe there are any judges on this list that have been cleared tonight. There is—hope springs eternal. I know the Judiciary Committee had a meeting this week. There was some discussion about some of the judges that are pending. I believe there are only six judges that are on the calendar before the Senate at this time, four circuit judges and two district judges.

None of those have been cleared through the process at this point.

Mr. DORGAN. If the Senator will further yield, I want to make the point there are 22 additional judges awaiting action by the Judiciary Committee. I heard from some that there is no intention of clearing additional judges. My hope is that would not be the case.

I wonder if the Senator expects we might be clearing additional judges?

Mr. LOTT. I am not on the Judiciary Committee. I have discussed it with the chairman and other members of the committee. I don't think any decision has been made yet on whether or not they might report some more. I know they are looking at some of them. I will note 4 years ago at this time, I believe there were 50 Federal judges that had been nominated that were left either in the committee or on the Calendar.

Numberwise, I think we are probably in much better shape than the situation was 4 years ago. And I must say, I am pleased that I was able to work with Members on both sides of the aisle in July, for the most part, and early August. We cleared 17 judges, some of whom had been pending on the Calendar for 6 or 7 months—17 out of 23.

So we did pretty good work. Some of them were controversial, and it took more than one try. In fact, I think I tried 3 times on a block of 9 judges, but we did get 17 of them done. I thought that was good progress.

Mr. DORGAN. If I might, Mr. President, with the consent of the Senator from Mississippi, observe, he deserves

commendation for getting some of these judgeships moving. He did work on them very hard. I will just say, I don't think we have done as well as we did 2 years ago. It is true, 50 were left, but we cleared far more 2 years ago, 4 years ago, 6 years ago. The reason so many were left is they were submitted late.

The fact is, I don't think we have done as good a job as I think we should for the Judiciary. We tried hard not only to get a CR passed but also clear some of these judges on the Calendar, as well as those awaiting action by the Judiciary Committee. I appreciate the Senator yielding.

FEDERAL LAW ENFORCEMENT DEPENDENTS ASSISTANCE ACT OF 1996

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. 2101, introduced earlier today by Senator SPECTER, for himself and others.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2101) to provide educational assistance to the dependents of Federal law enforcement officials who are killed or disabled in the performance of their duties.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

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

Mr. SPECTER. Mr. President, I have sought recognition to comment on legislation which the Senate is considering today, the Federal Law Enforcement Dependents Assistance Act of 1996. This bipartisan legislation is a revised version of S. 1243, which I introduced with four cosponsors on September 14, 1995.

This legislation will provide educational assistance to spouses and children of Federal law enforcement officers who are killed or totally and permanently disabled in the line of duty. Similar educational benefits are provided to the spouses and children of Armed Forces personnel killed in the line of duty, but not to dependents of the brave men and women in Federal law enforcement. I am advised that many State and local governments provide educational and job training assistance to dependents of law enforcement personnel. It is time to level the playing field for Federal law enforcement.

I first became aware of this discrepancy when I met with Mrs. Karen Degan, the widow of U.S. Marshal Bill Degan of Quincy, MA, who died during the tragic shooting incident at Ruby Ridge in August, 1992. Bill Degan left behind a loving wife and two sons, William and Brian, whom I have also had the pleasure of meeting. Bill Degan had been in the Marshals Service for 17 years at the time of his death. Karen Degan began in 1993 to work with Congress to develop a program for higher education assistance for dependents of slain Justice Department officers. At her suggestion, I introduced S. 1243 on September 14, 1995, during the Ruby Ridge hearings, with bipartisan cosponsors from the Judiciary Committee.

I would prefer that we did not have to worry about death and disabling injuries for Federal law enforcement officers, but it is a fact of life that we have lost a number of Federal law enforcement officers in the line of duty in recent years. In my own State of Pennsylvania, on March 22, 1996, FBI Special Agent Charles Reed was killed in Philadelphia in a shootout with a suspect drug dealer during an undercover drug investigation. Agent Reed lived in Lower Salford Township, PA and is survived by his wife, Susan and children, Joshua, age 21, Todd 18, and Kelley, 17. Similarly, two Washington, DC FBI agents, Martha Martinez and Michael Miller, were slain in November 1995, in the Washington, DC police headquarters, leaving behind loved ones of their own.

Since the introduction of S. 1243 last year, I have been working with my colleagues and the administration to fashion legislation acceptable to all parties. This revised bill makes the educational assistance available to all Federal law enforcement officers, not just those within the Justice Department. I would note that the program is subject to appropriations and does not constitute an entitlement. Financial assistance can last for up to 45 months of education or a proportional period of time for a part-time program. Financial assistance will be based on the amounts provided under the Veterans program, which is currently $404 a month for fulltime students. Significantly, the Attorney General may provide retroactive assistance to dependents eligible under this program where a law enforcement officer was killed in the line of duty on or after May 1, 1992.

This legislation is supported by the Federal Law Enforcement Officers Association, and I ask unanimous consent to have printed in the RECORD a letter to me from Victor Oboyski, dated September 18, 1996, which reflects their views.

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

FEDERAL LAW ENFORCEMENT OFFICERS ASSOCIATION,
September 18, 1996.

Hon. ARLEN SPECTER,
U.S. Senate, Washington, DC.

DEAR SENATOR SPECTER: On behalf of the over 12,000 members of the Federal Law Enforcement Officers Association (FLEOA), the largest association representing Federal criminal investigators in the nation, I am pleased to inform you that we fully support S. 1243, the ''Federal Law Enforcement Dependents Assistance Act of 1996.'' I also want to thank you for proposing this fine piece of legislation.

As you may already know, many state and local municipalities currently have legislation which ensures that the dependents of local officers killed or disabled in the line of duty receive assistance towards education or job training. Also, many local police agencies provide for the continuing education of survivors under the same circumstances. None of this exists at the Federal level. S. 1234 will correct this oversight regarding Federal law enforcement officers.

If you or your staff wish to contact me please call 212–637–6543, fax 212–637–6548.

Very truly yours,

VICTOR OBOYSKI,
National President.

Mr. BIDEN. Mr. President, I rise as a cosponsor of the Federal Law Enforcement Dependents Assistance Act and to call on all of my Senate colleagues to support this bill.

Unfortunately, over the past 2 years, many in this Congress have taken the occasion—time and again—to second-guess and criticize law enforcement officers. We heard these criticisms throughout the debate on terrorism legislation—beginning last year, and it continues to this day. As I have pointed out on the floor of the Senate before, I call on us all to remember that it is the terrorists and the violent criminals who deserve our contempt and it is law enforcement officers who deserve our trust and respect.

This bill offers modest recognition of the tremendous service to our Nation by Federal law enforcement officers—DEA agents, FBI agents, U.S. marshals, border patrol officers, Customs officers, ATF agents, Secret Service agents among many others. This bill does so by authorizing the Federal Government to pay education benefits to the children and spouses of Federal law enforcement officers who are killed or suffer a total and permanent disability in the line of duty.

In doing so, this bill recognizes that by virtue of these officers supreme sacrifice to the Nation, the families of these fallen officers are no longer provided for. And, more importantly, this bill will offer a tangible sign of the Nation's respect for those who gave their lives in service to us all.

I urge my colleagues to support this bill, and I also want to put my colleagues on notice that in the years ahead we must follow up by actually appropriating the dollars necessary to deliver on today's commitment.

I yield the floor.

Mr. LOTT. Mr. President, I ask unanimous consent that the bill be deemed read a third time, passed, the motion to reconsider be laid upon the table, and any statements relating to the bill appear at the appropriate place in the RECORD.

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

The bill (S. 2101) was deemed read the third time and passed, as follows:

S. 2101

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 Law Enforcement Dependents Assistance Act of 1996''.