Training Awards Act of 2000, which has been incorporated into this Act. This measure authorizes clinical research awards to health professionals for research, study and practice at centers of excellence for Alzheimer's disease research and treatment. The Act includes a similar provision to increase support for health professionals engaged in clinical research on sexually transmitted diseases, which will improve the understanding and treatment of these disorders.

Taken together, the provisions of the Public Health Improvement Act of 2000 will improve the lives of millions of Americans and help safeguard the nation's health in the years ahead. This significant legislation will help revitalize the capacity of the nation's public health agencies to respond effectively to public health emergencies, such as infectious disease outbreaks or bioterrorist attacks. It will help bridge the gap between discoveries made in the laboratory and improvements in patient care by providing new support for talented health professional to pursue careers in patient-oriented clinical research. This legislation will help rebuild the nation's laboratory infrastructure, which is in an alarming state of decay and disrepair. The Act also gives new emphasis to research into the causes and treatment of lupus, prostate cancer, Alzheimer's disease and sexually transmitted diseases. The Public Health Improvement Act of 2000 can help lay a firm foundation for more effective public health in a wide variety of areas, and I urge my colleagues to approve this much needed legislation.

AMENDING SECTION 319

Mr. FRIST. Mr. President, the Public Health Improvement Act of 2000 incorporates provisions that I originally introduced with my colleague, Senator KENNEDY, as the Public Health Threats and Emergencies Act. The Act reauthorizes and amends Section 319 of the Public Health Service Act. This Section reauthorizes the ''Public Health Emergency Fund,'' from which the Secretary of Health and Human Services may expend funds in the event of a public health emergency. The Public Health Emergency Fund is a separate and distinct fund from the existing Public Health and Social Services Emergency Fund, which is now used to fund other programs within the Department of Health and Human Services. It is our intent that the provisions of Section 319 of the Public Health Service Act apply to the Public Health Emergency Fund, and not to the Public Health and Social Services Emergency Fund.

Since public health emergencies may present unanticipated costs, the sponsors of the Act did not specify a dollar amount in authorizing appropriations for the Public Health Emergency Fund. However, we believe that a fund should exist from which expenditures can be made in the event of a public health emergency and appropriations made accordingly, so that monies need not be diverted from existing programs when emergencies arise, as is often now the case.

Mr. KENNEDY. I thank my colleague, Senator FRIST, for his thoughtful remarks regarding the Public Health Threats and Emergencies Act, and I agree with them strongly.

WEAPONS OF MASS DESTRUCTION

● Mr. SESSIONS. Mr. President, I would like to engage the distinguished Senator from Tennessee in a brief colloquy to clarify language in the Public Health Improvement Act of 2000 as it pertains to public health countermeasures to a bio-terrorist attack.

I commend my colleague for bringing such an important measure to the Senate floor. His legislation addresses several weaknesses that persist today in the pre-crisis and consequence management phases of an attack by a terrorist using a weapon of mass destruction, WMD. Since the end of the cold war, our nation has strived to address how we might cope with an event the likes of which we have never seen on our soil; an event that could easily produce thousands of civilian casualties. To this end the government has taken some steps to train responders, provide them needed equipment, and in rare cases created exercises to test systems and response capabilities. The nation is making strides, and government is spending billions on all sorts of related programs. Yet, I think we remain adrift and ill-prepared to address both the cause and effect of a WMD event, particularly one involving a biological weapon.

American's Public Health system is second to none. It has the inherent capacity to thoroughly plan, properly train, and expertly execute tasks associated with a crisis. My colleague's experience in the field of medicine takes the need for planning and training for a bio-terrorist event to the next level by requiring the establishment of two interagency working groups. Each is designed to bring the expertise resident in the government today forward in a constructive manner which will allow agencies to set in motion processes that will result in increased planning, preparedness and most importantly response.

One of the failures of WMD programs found elsewhere in the nation and elsewhere in the government is the unnecessary proliferation of new bureaucracies created to manage new programs, grants, and training programs at the expense of producing qualified graduates. Therefore, I believe in this instance that it is extremely important to use existing Public Health Service training facilities, particularly those with WMD training programs in place whenever practical to respond to the training needs of medical professionals outlined in this legislation. Does the Senator from Tennessee agree that these PHS facilities, which already have the infrastructure in place to implement weapons of mass destruction training and related activities, should be considered as an eligible applicant of any grants or new training initiatives initiated by the Secretary?

Mr. FRIST. The Senator from Alabama is correct. Using current facilities and training programs would provide our health care professionals the most efficient way of training as many medical personnel as possible in the shortest amount of time.

Mr. SESSIONS. Mr. President, I would like to thank my colleague for his hard work on this issue. I, too, look forward to working with my friend from Tennessee and other colleagues on this important issues.●

UPCOMING ELECTION AND THE FEDERAL COURTS

Mr. LEAHY. Mr. President, it is not often that the President of the United States, the editorial board of the Washington Times, People for the American Way and Gary Bauer all agree. They all do about the importance of the upcoming election to the rights of Americans in the decades ahead because of its impact on the third branch of the Federal Government, our federal judiciary.

This first national election of this new century will give the American people a choice—a clear choice for President and for Congress. Also at stake is the third branch of our Federal Government, the judiciary. It is this branch of government, headed by the Supreme Court, that is the guardian of our rights under the Constitution.

The next President is likely to nominate not only the next Justice on the United States Supreme Court, but possibly as many as four of the nine members of the Supreme Court over the course of his term. The next Senate will be called upon to vote to confirm or reject the President's nominations to the Supreme Court and the federal courts throughout the country.

These are the judges who can give meaning to the Bill of Rights in cases they decide every day or who can take away our rights and the authority of our elected representatives and impose their own narrow view of our Constitution. The rights of free speech, to practice any religion or no religion as we choose, the right to be treated equally by the government, the right to privacy and a woman's right to choose are fundamental rights that require constant vigilance and protection. This new century will pose challenges to our fundamental rights. Will we have a President and a Senate who will combine to provide judges to protect those rights, or ideologues who will erode them?

Nothing is more sharply at stake this November than the future of our constitutional rights.

Five-to-four—five-to-four is how closely the Supreme Court is now dividing on fundamental issues. One or two votes on the Supreme Court can, for the next half century, tip the balance away from the right to choose,

away from rights of privacy, away from equal rights and toward government establishment of religion and government orthodoxy over free expression. One or two votes could make it much harder to protect the environment or pass meaningful campaign finance reform.

This last year by a five-to-four majority the Supreme Court held that a rape victim can bring no claim in federal court and that Congress was wrong to provide that remedy in the Violence Against Women Act. By five-to-four majorities the Supreme Court held that state employees have no rights to be paid for overtime work and have no protection from age discrimination, in spite of the laws passed by Congress. What will this mean for other laws prohibiting discrimination in the workplace, regulating wages and hours and health and providing safety standards for working Americans? And by a mere five-to-four vote, the Supreme Court decided that a Nebraska law imposed an undue burden on a woman's right to choose when it sought to prohibit medical procedures by vague language and without regard to the health of the woman.

I am confident that AL GORE and JOE LIEBERMAN will nominate women and men who understand the proper role of judges as protectors of our rights and the proper limits on judicial power. On Tuesday evening the President of the United States spoke about the importance of the election to the Supreme Court, to the federal courts generally, to our rights and to the distribution of power in our country. The President noted that ''the American people will make a decision in this election which will shape the Supreme Court and the other federal courts, and the range of liberty and privacy, and the range of acceptable national action for years to come'' and that ''whether we have a new form of ultra-conservative judicial activism that rejects the government's authority to protect the rights of our citizens and interests of our citizens'' is at stake in the November election. As the President explained:

> Now we're just a vote or two away from reversing Roe v. Wade in the United States Supreme Court, and I think it's inevitable that the next President will have two appointments to the Supreme Court, could be more. Beyond that, as I intimated in my opening remarks, there has already been a majority in this Court for restricting the ability of Congress, even a bipartisan majority in Congress, to get the states to help implement public interest legislation that protects people.

There is much at state in the next election and in the appointment of our Supreme Court Justices and other federal judges. In June, the People for the American Way Foundation published an extensive report called ''Courting Disaster: How a Scalia-Thomas Supreme Court Would Endanger Our Rights and Freedoms'' that considered the future makeup of the Supreme Court and its likely effects on our fundamental rights. In his message accompanying that report, Ralph Neas observed:

> The United States Supreme Court is just one or two new Justices away from curtailing or abolishing fundamental rights that millions of Americans take for granted.

The Washington Times lead editorial on Thursday noted pointedly:

> Before the Supreme Court could overturn Roe vs. Wade, it would take the appointment of two pro-life justices to replace two pro-choice jurists—and their successful confirmation in what would undoubtedly be among the most explosive battles in U.S. Senate history.

Mr. Bauer made much the same point in a recent appearance on NBC's Today Show, in which he said: ''I think if Governor Bush gets to put a couple of justices on the court, we will be more likely to protect our unborn children under the Constitution.''

The Republican party platform talks of ideological litmus tests for judges and the end of a woman's right to choose. The Republican candidate for President says that his models for judicial nominees are the most conservative current Justices, Antonin Scalia and Clarence Thomas. If they formed the majority in the years ahead, our rights would be greatly diminished, protections approved by Congress would be routinely invalidated and our Constitution would be harshly reinterpreted.

While the other party's platform is filled with calls for rewriting the Constitution, we Democrats seek to preserve the Constitution and protect our fundamental rights as the guaranties of our freedoms. While the Republican Senate has delayed and dissembled over judicial nominations during the last six years—to the point that the Chief Justice of the United States chastised them for refusing to vote up or down—Vice President GORE, Senator DASCHLE and I have pressed for action on outstanding judicial nominees, including historic levels of women and minorities.

While Republican Senators all voted lockstep against the confirmation of the first African-American Justice on the Missouri Supreme Court to become a federal judge, Democrats voted for Ronnie White of Missouri, for Richard Paez and Marsha Berzon of California, for Sonia Sotomayor of New York, for Julio Fuentes of New Jersey, and for Barbara Lynn and Hilda Tagle of Texas.

While the Republican leadership of the Congress sought to intimidate federal judges, Vice President GORE and Democrats have been working for fair up or down votes on the nominations of qualified women and minorities such as Enrique Moreno of Texas, Judge James Wynn of North Carolina, Roger Gregory of Virginia, Judge Helene White and Kathleen McCree Lewis of Michigan, Judge Legrome Davis of Philadelphia, Dolly Gee of California, and Rhonda Fields of the District of Columbia.

While the Republican candidate for President made a fine statement in which he called for votes on judicial nominations within 60 days, he has not prevailed upon the Senate Republican majority to treat nominees fairly now. Instead of 60 days, we see Judge Helene White's nomination to the Sixth Circuit pending more than 1400 days; Elena Kagan, U.S. Court of Appeals for the District of Columbia, pending 500 days; Judge James Wynn, U.S. Court of Appeals for the Fourth Circuit, pending more than 440 days; Kathleen McCree Lewis, U.S. Court of Appeals for the Sixth Circuit, pending more than 400 days; Enrique Moreno, U.S. Court of Appeals for the Fifth Circuit, pending more than 400 days; Bonnie Campbell, U.S. Court of Appeals for the Eighth Circuit, pending more than 240 days; Roger Gregory, U.S. Court of Appeals for the Fourth Circuit, pending more than 115 days; Lynette Norton, U.S. District Court for the Western District of Pennsylvania, pending more than 1300 days; Judge Legrome Davis, U.S. District Court for the Eastern District of Pennsylvania, pending more than 800 days; Patricia Coan, U.S. District Court for the District of Colorado, pending more than 500 days; Dolly Gee, U.S. District Court for the Central District of California, pending more than 500 days; Rhonda Fields, U.S. District Court for the District of Columbia, pending more than 350 days; Linda Riegle, U.S. District Court for the District of Nevada, pending more than 180 days; Ricardo Morado, U.S. District Court for the Southern District of Texas, pending more than 165 days. The Senate is adjourning leaving 33 judicial nominees whose nominations have been pending without Senate action for more than 60 days.

And while the Republican majority in the Senate refused for over three years to vote up or down on the confirmation of Bill Lann Lee to head the Civil Rights Division, this outstanding American continued to do his job on behalf of all Americans. With Vice President Gore's support, this Senate slight has finally been made right by the recess appointment of the first Asian-Pacific American to lead the Civil Rights Division.

The election next month presents a clear choice. The choice the American people make will determine what kind of judges sit on the Supreme Court and on federal courts all across the country. Those elected by the American people in November will select the judicial guardians of our liberties and the enforcers of our constitutional protections next year and in the decades to come. The future for our children and grandchildren hangs in the balance. I am proud that to support AL GORE and JOE LIEBERMAN. They will nominate judges who understand the Constitution and the Bill of Rights.

MESSAGES FROM THE HOUSE

At 11:04 a.m., a message from the House of Representatives, delivered by Ms. Kelaher, one of its reading clerks,