duty-free treatment for live plants and fresh cut flowers described in chapter 6 of the Harmonized Tariff Schedule of the United States; to the Committee on Finance.

By Mr. BIDEN:

S. 1053. A bill to reauthorize the Office of National Drug Control Policy, and for other purposes; to the Committee on the Judiciary.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DASCHLE:

S. 1045. A bill to prohibit discrimination in employment on the basis of genetic information, and for other purposes; to the Committee on Labor and Human Resources.

THE GENETIC JUSTICE ACT

Mr. DASCHLE. Mr. President, the advent of testing for genes that may indicate a predisposition to disease has presented us with a new series of opportunities and challenges. While prior awareness of susceptibility to disease offers millions the chance to take preventive measures that will help them live healthier and longer lives, there also exists the possibility that genetic information will be misused. It is for that reason that I am introducing S. 1045, The Genetic Justice Act. This legislation will ensure that employees will not suffer adverse employment consequences as a result of improper use of genetic information and that employee privacy is protected.

Scientific advances now make it possible to identify genes that may indicate a predisposition to disease. For example, tests for genes associated with hereditary breast cancer will soon be commercially available. Genetic information may prove highly beneficial in areas related to prevention, treatment, diet, or lifestyle. While this is profoundly good news for patients, it also raises fears regarding how genetic information will be used in the workplace. Advances in genetic testing and screening, accelerated by the National Institutes of Health Human Genome Initiative, increase physicians' ability to detect and monitor chromosomal differences. These technologies and their resulting genomic data will enhance medical science, but may also lead to discrimination.

Regrettably, many employers may not hire individuals whom they believe will require time off or medical treatment at some point in the future due to a genetically transmitted disease. This discrimination could result despite the fact that genetic testing only indicates that an individual may be predisposed to a disease—not whether that disease will develop.

Anecdotal evidence suggests that fear of discrimination already has inhibited people who may be susceptible to disease from getting genetic testing. In some cases, this means that gene carriers will miss out on early diagnosis, treatment or even prevention. If consumers avoid taking advantage of available diagnostic tests out of fear of discrimination, they may suffer much more serious—and more expensive—health problems in the long run.

We will pay the price in more than increased health care costs if we allow genetic information to be used in a discriminatory manner. Discrimination based on genetic factors can be as unjust as that based on race, national origin, religion, sex, or disability. In each case, people are treated inequitably, not because of their inherent abilities, but solely because of irrelevant characteristics. Genetic discrimination that excludes qualified individuals from employment robs the marketplace of skills, energy, and imagination. Finally, genetic discrimination undercuts the Human Genome Initiative's fundamental purpose of promoting public health. Investing resources in the Genome Initiative is justified by the benefits of identifying, preventing, and developing effective treatments for disease. But if fear of discrimination deters people from genetic diagnosis or from confiding in physicians and genetic counselors, and makes them more concerned with job loss than with care and treatment, our understanding of the humane genome will be for naught.

Because genetic information could be used unfairly, Congress must expand the scope of employment discrimination law to include a ban on genetic discrimination. Our bill forbids employers from discriminating in hiring or in the terms and conditions of employment, and limits their ability to acquire genetic information. In order to acquire such information, an employer must show that the information is job-related and that the employee has consented to the disclosure.

Now, before the use of genetic information becomes widespread, we must make sure that dramatic scientific advances do not have negative consequences for the public. We have an historic opportunity to preempt this problem.

Mr. President, I ask unanimous consent that the bill text be printed in the RECORD and hope my colleagues will join me in supporting this important legislation.

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

S. 1045

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 ''The Genetic Justice Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) EMPLOYEE; EMPLOYER; EMPLOYMENT AGENCY; LABOR ORGANIZATION; MEMBER.—The terms ''employee'', ''employer'', ''employment agency'', and ''labor organization'' have the meanings given the terms in section 701 of the Civil Rights Act of 1964 (42 U.S.C. 2000e). The terms ''employee'' and ''member'' include an applicant for employment and an applicant for membership in a labor organization, respectively.

(2) GENETIC INFORMATION.—The term ''genetic information'', used with respect to an individual, means information (including information regarding carrier status and information derived from a laboratory test that identifies mutations in specific genes or chromosomes, a physical medical examination, a family history, and a direct analysis of genes or chromosomes) about a gene, gene product, or inherited characteristic that derives from the individual or a family member of the individual.

(3) GENETIC SERVICES.—The term ''genetic services'' means genetic evaluation, genetic testing, genetic counseling, and related services.

SEC. 3. EMPLOYER PRACTICES.

It shall be an unlawful employment practice for an employer—

(1) to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to the compensation, terms, conditions, or privileges of employment of the individual, because of genetic information with respect to the individual, including an inquiry by the individual regarding genetic services;

(2) to limit, segregate, or classify the employees of the employer in any way that would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect the status of the individual as an employee, because of genetic information with respect to the individual, including an inquiry by the individual regarding genetic services; or

(3) to request or require the collection for the employer or disclosure to the employer of genetic information with respect to an individual unless the employer shows that—

(A) the employer made the request or requirement after making an offer of employment to the individual;

(B) the information is job-related for the position in question and consistent with business necessity; and

(C) the knowing and voluntary written consent of the individual has been obtained for the request or requirement, and the collection or disclosure.

SEC. 4. EMPLOYMENT AGENCY PRACTICES.

It shall be an unlawful employment practice for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, any individual because of genetic information with respect to the individual, including an inquiry by the individual regarding genetic services.

SEC. 5. LABOR ORGANIZATION PRACTICES.

It shall be an unlawful employment practice for a labor organization—

(1) to exclude or to expel from the membership of the organization, or otherwise to discriminate against, any individual because of genetic information with respect to the individual, including an inquiry by the individual regarding genetic services;

(2) to limit, segregate, or classify the members of the organization, or to classify or fail or refuse to refer for employment any individual, in any way that would deprive or tend to deprive any individual of employment opportunities, or would limit the employment opportunities or otherwise adversely affect the status of the individual as an employee, because of genetic information with respect to the individual, including an inquiry by the individual regarding genetic services; or

(3) to cause or attempt to cause an employer to discriminate against an individual in violation of this section.

SEC. 6. TRAINING PROGRAMS.

It shall be an unlawful employment practice for any employer, labor organization, or

joint labor-management committee controlling apprenticeship or other training or retraining, including on-the-job training programs, to discriminate against any individual because of genetic information with respect to the individual, including an inquiry by the individual regarding genetic services, in admission to, or employment in, any program established to provide apprenticeship or other training or retraining.

SEC. 7. CONFIDENTIALITY.

If an employer, labor organization, or employment agency possesses genetic information about an employee, the employer, labor organization, or employment agency—

(1) shall maintain the information on separate forms and in separate medical files, and treat the information as a confidential medical record, except that, if the employee provides knowing and voluntary written consent—

(A) the employer may inform a supervisor or manager of the employee regarding a necessary restriction on the work or duties of, or a necessary accommodation for, the employee;

(B) the employer may inform first aid and safety personnel (when appropriate, within the meaning of section 102(d)(3)(B)(ii) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12112(d)(3)(B)(ii))); and

(C) the employer shall provide relevant information to a government official investigating compliance with this Act, on request;

(2) shall disclose the information to the employee at the request of the employee; and

(3) shall not otherwise disclose the information.

SEC. 8. CIVIL ACTION.

(a) IN GENERAL.—An employee or member of a labor organization may bring an action in a Federal or State court of competent jurisdiction against an employer, employment agency, labor organization, or joint labor-management committee who violates this Act.

(b) CLASS ACTIONS.—The employee or member may bring the action for and in behalf of—

(1) the employee or member; or

(2) the employee or member, and other employees or members of the labor organization who are similarly situated.

(c) REMEDY.—The court in which the action is brought may award any appropriate legal or equitable relief.

SEC. 9. CONSTRUCTION.

Nothing in this Act shall be construed to limit the rights or protections of an employee or member of a labor organization under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

By Mr. JEFFORDS (for himself, Mr. KENNEDY, Mr. FRIST, and Ms. COLLINS):

S. 1046. A bill to authorize appropriations for fiscal years 1998 and 1999 for the National Science Foundation, and for other purposes; to the Committee on Labor and Human Resources.

THE NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 1997

Mr. JEFFORDS. Mr. President, I rise to introduce, with my colleagues Senators KENNEDY, FRIST, and COLLINS, the National Science Foundation Authorization Act of 1997. Our legislation authorizes the National Science Foundation [NSF] for fiscal years 1998 and 1999 and is similar to the legislation that was approved by the House of Representatives by voice vote on April 24, 1997.

The strong bipartisan support which NSF enjoys is a product of its historic contribution to American security and competitiveness. The prominent role of science in the American war effort during World War II left Americans with a new appreciation of the importance of research in establishing and preserving economic and military security. Federally funded research provided the American war effort with radar, sonar, the proximity fuse, blood plasma, sulfanilamide, penicillin, and the atomic bomb. In 1944, President Roosevelt charged Vannevar Bush, his chief science adviser, with evaluating the most effective way to harness this technological infrastructure in peacetime. The Bush report—Science—The Endless Frontier—established a strategy and rationale for Federal support of basic research. The report argued that ''a nation which depends upon others for its new basic scientific knowledge will be slow in its industrial progress and weak in its competitive position in world trade regardless of its mechanical skill.'' This report provided the blueprint for creation of the National Science Foundation.

NSF was established in 1950 to ''develop and encourage the pursuit of a national policy for the promotion of basic research and education in the sciences.'' Eight years later, following the 1957 Soviet launch of the Sputnik satellite, this mission was expanded to provide greater support for science education and literacy. Over the next three decades, NSF became the primary Federal sponsor of basic scientific research in mathematics, physical sciences, computer science, engineering, and environmental science at colleges and universities. Equally important to the future of our Nation, NSF has become a primary catalyst for math and science education reform.

NSF'S ROLE IN FEDERAL RESEARCH AND DEVELOPMENT

The legislation which I am introducing with my colleagues authorizes $3.5 billion for the National Science Foundation in fiscal year 1998 and $3.6 billion in fiscal year 1999. Although the National Science Foundation's budget accounts for only 4 percent of Federal research and development funding, NSF provides 25 percent of Federal support to academic institutions for research. NSF's contribution is even greater in some disciplines—NSF provides nearly 50 percent of all Federal support for basic research in certain fields of science, including math, computer science, and environmental science. This funding supports approximately 19,000 research and education projects at more than 2,000 colleges, universities, primary, elementary, and secondary schools, businesses, and other research institutions. Competition for these grants is fierce. NSF funds only about one-third of the 30,000 proposals it reviews annually.

The importance of this investment cannot be exaggerated. Over the past decade, private sector investment in research and development has eclipsed Federal investment in public science. However, the Federal investment in basic science plays a preeminent role in industrial innovation in the United States. A recent review of American industrial patent applications revealed that the Government or nonprofit foundations supported 75 percent of the main papers cited as the foundation for the new industrial innovation. The remaining 25 percent were funded by industry.

NSF'S ROLE IN SCIENCE EDUCATION AND TECHNOLOGY LITERACY

This bill authorizes $645 million for the education and human resources directorate [EHRD] in fiscal year 1998. EHRD has primary responsibility for NSF's education and training activities. In contrast with the programs of the Department of Education, NSF science and math education programs are experiments which link learning and discovery. Proposals are selected by outside peer review panels on the basis of their potential to provide long-lasting and broad impact. NSF has made notable contributions in the areas of curriculum and instructional material development, professional development, and improved the participation in science research and science education of women, minorities, and individuals with disabilities. This legislation strengthens and enhances these efforts.

And finally, I would be remiss if I did not speak about the partnership which has been forged between the State of Vermont and the National Science Foundation. Last year, NSF grants were provided to the Barre Town Elementary School, Mountshire Museum of Science, Cabot School, Charlestown Elementary School, St. Michael's College, Johnson State College, and the University of Vermont. In 1992, the Vermont Institute for Science, Math, and Technology received a 5-year award of $7.9 million to establish a collaborative statewide education reform effort linking business, higher education, government, and community sectors.

Our bill builds upon partnerships like that forged with the State of Vermont and offers a credible bipartisan response to the research and science education challenges facing our Nation. I urge the support of all my colleagues in the Senate for this worthwhile legislation.

Mr. KENNEDY. Mr. President, it is a privilege to join Senator JEFFORDS and Senator FRIST as a sponsor of the National Science Foundation Authorization Act of 1997. This bipartisan legislation looks to the future by strengthening our national commitment to research and development. It also ensures the continued success of NSF's teacher training and professional development programs. In addition, it will improve science and math education from kindergarten to graduate school, and maintain America's competitive edge into the 21st century.

Few Federal agencies deliver as much bang for the buck as the National Science Foundation. The NSF funds 19,000 peer-reviewed science and education projects at more than 2,000 colleges, universities, schools, businesses, and research facilities in the United States.

NSF accounts for only 4 percent of total Federal research and development funding, yet it provides 25 percent of basic research support at academic institutions, and as much as half of all Federal funding for research in fields such as mathematics, computer science, environmental science, and the social sciences.

The NSF also plays an important role in training teachers and developing math and science curricula to prepare students for tomorrow's challenges. It has promoted innovative education programs in partnership with colleges, universities, elementary and secondary schools, science museums, and state and local governments. These programs encourage the discovery of new knowledge and its application to real-world problems.

NSF support for basic research and science education has played an important role in encouraging economic growth over the last 50 years. According to a recent study, each dollar that the Federal Government has spent on basic research has contributed 50 cents or more to the national output. These economic benefits are spread throughout the economy, enhancing the productivity of the Nation's work force and improving the quality of life of all Americans.

At the Massachusetts Institute of Technology, for example, NSF funds have encouraged scientists to explore the commercial applications of their research. Technology developed at MIT had a role in the launching of 13 companies in 1995. They manufacture products ranging from computer chips to communication networks. These enterprises have bolstered the State and local economies, and provided jobs and opportunities for many citizens.

In Massachusetts, the National Science Foundation is funding a wide range of projects on the cutting edge of research. NSF grants have been instrumental in building the State's biotechnology industry, mapping the oceans at the Woods Hole Oceanographic Institute, developing new superconductors at Harvard University's Material Research Science and Education Center, and fostering cooperative partnerships with schools, parents, businesses, and community organizations to strengthen math and science education programs.

Nationwide, NSF grants also cover a broad range of projects from health care to crime-fighting to protecting the environment. Specific grants are improving the treatment of arrythmia, facilitating the accurate identification of crime suspects, developing new biotechnology techniques to clean hazardous waste sites, and analyzing an Antarctic meteorite to determine whether or not life existed on Mars.

NSF funds benefit the humanities as well. The Next Generation Internet project will give researchers access to information from the world's libraries and museums at rates that are 100 to 1,000 times faster than today's Internet.

Recent budget projections by the American Association for the Advancement of Science paint a bleak picture for future funding of research and development. Discretionary spending, which funds all R&D programs including NSF grant support, is expected to shrink from one-sixth to one-seventh of the Federal budget by the year 2000. As a result, funds for NSF research and development will likely face reductions of 18 percent. At the same time, Germany, Japan, and France are projected to begin to overtake the United States in R&D expenditures. These developments will jeopardize America's leadership in science and technology as the 21st century approaches.

The impact of these cuts will be felt heavily in Massachusetts, which ranks third among States in NSF funding. Nearly 1,400 projects at over 140 sites in Massachusetts are funded at more than $224 million annually, and an 18-percent decrease in grant support would adversely affect students, scientists, researchers, and citizens in all 50 States.

The National Science Foundation Authorization Act of 1997 that we are sponsoring will place research and development on a more secure footing over the next 2 years. It will increase NSF funding by 7.2 percent in fiscal year 1998 and 3.7 percent in fiscal year 1999. The legislation also strengthens efforts to improve science, mathematics, engineering, and technology training for teachers and students, and will enable NSF to continue to play an important role in developing a faster and more powerful Internet. In addition, it authorizes the Office of Science and Technology Policy to prepare a report analyzing indirect costs, which play a vital but poorly understood part of Federal R&D spending.

The National Science Foundation is doing an outstanding job of fulfilling their missions, and I urge all of my colleagues to support this important legislation.

By Mr. MACK (for himself and Mr. GRAHAM):

S. 1047. A bill to settle certain Miccosukee Indian land takings claims within the State of Florida; to the Committee on Indian Affairs.

MICCOSUKEE SETTLEMENT ACT OF 1997

Mr. MACK. Mr. President, I rise today with my colleague from Florida, Senator GRAHAM, to introduce legislation approving an agreement between the Miccosukee Tribe of Indians of Florida, and the State of Florida. This agreement arose from disputes surrounding the construction of Interstate 75 through the Miccosukee Reservation in Florida.

By way of background, Mr. President, when the interstate was built from Naples across to Fort Lauderdale, the Florida Department of Transportation dredged fill dirt off the northern Miccosukee Indian Reservation and used it to construct the roadbed. The Miccosukees subsequently sued in Federal District Court on the basis of an unlawful taking of property.

The State and the Miccosukees subsequently worked out a settlement whereby Florida would keep the fill-dirt and the Indians would get several parcels of State land. One parcel is adjacent to the tribe's permit lands on Tamiami Trail and another is near the Krome Detention Center in Miami. This agreement has been signed by the Miccosukees and the Department of Interior and was endorsed unanimously by the Governor and Cabinet of Florida.

The bill we are introducing today will direct the Secretary of the Interior—as the Federal trustee of the Miccosukees—to:

First, aid and assist in the fulfillment of the settlement agreement in a reasonable manner; second, upon finding that the agreement is legally sufficient, the Secretary should sign the agreement on behalf of the United States; third, facilitate the transfer of Miccosukee land—the fill-dirt—to the Florida Department of Transportation under the terms of the agreement, and; fourth, receive in Federal trust—on behalf of the Miccosukees—the land put up by the State for the swap—adjacent to Permit Area and Krome.

Mr. President, this legislation has also been introduced by Representative DIAZ-BALART in the House of Representatives. The enactment of this legislation is very important to the Miccosukee Tribe and I urge my colleagues to join us in this effort.

Thank you, Mr. President.

By Mr. SMITH of Oregon:

S. 1049. A bill to require the Secretary of Agriculture to make a minor adjustment in the exterior boundary of the Hells Canyon Wilderness in the States of Oregon and Idaho to exclude an established Forest Service road inadvertently included in the wilderness; to the Committee on Energy and Natural Resources.

HELLS CANYON NATIONAL RECREATION AREA LEGISLATION

Mr. SMITH of Oregon. Mr. President, today I introduce a bill that corrects a Forest Service mapping error on the border of the Hells Canyon National Recreation Area [HCNRA], in northeast Oregon, that has led to the closure of an important access road. The bill will restore public access to Hells Canyon, while preserving additional wilderness acreage for the enjoyment of generations to come.

In 1975, Congress created the Hells Canyon National Recreation Area which includes the Wilderness Area and overlooks the Snake River and the Oregon-Idaho border. Along the western

rim of Hells Canyon lies Forest Service Road 3965. The 1975 act directed the development of a comprehensive management plan for the HCNRA and specifically addressed the need to analyze road access on the western rim of the canyon. The 1982 Comprehensive Management Plan, developed with extensive public participation, provided for continued motor vehicle use of Road 3965 for recreation and fire prevention purposes. The road existed prior to the HCNRA designation, but upon the discovery that the road crossed into the designated wilderness area, the road was closed.

The Forest Service inadvertently erred in its location of the wilderness boundary in question. This legislation will, therefore, adjust the wilderness boundary to bring it in line with what Congress intended when the wilderness was established. This correction will actually increase wilderness acreage.

For decades, Oregon residents have traveled this service road to experience the natural beauty of Hells Canyon. The recreation area is an important part of our heritage, and public access to it is vital. I look forward to the Forest Service managing the road with continued sensitivity to all cultural, environmental, and economic impacts.

Mr. President, I ask unanimous consent that this legislation be printed in the RECORD.

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

S. 1049

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. BOUNDARY ADJUSTMENT, HELLS CANYON WILDERNESS, HELLS CANYON NATIONAL RECREATION AREA.

The Secretary of Agriculture shall revise the map and detailed boundary description of the Hells Canyon Wilderness designated by section 2 of Public Law 94–199 (16 U.S.C. 460gg–1) to exclude Forest Service Road 3965 from the wilderness area so that the road may continue to be used by motorized vehicles to its historical terminus at Squirrel Prairie, as was the original intent of the Congress. The road shall continue to be included in the Hells Canyon National Recreation Area also established by such Act.

By Mr. JEFFORDS (for himself, Mrs. MURRAY, and Ms. SNOWE):

S. 1050. A bill to assist in implementing the plan of action adopted by the World Summit for Children; to the Committee on Foreign Relations.

THE JAMES P. GRANT WORLD SUMMIT FOR CHILDREN IMPLEMENTATION ACT

Mr. JEFFORDS. Mr. President, I rise today, on behalf of myself, Senator MURRAY, and Senator SNOWE, to introduce the James P. Grant World Summit for Children Implementation Act of 1997.

At the 1990 World Summit for Children, the United States and 158 other nations made a promise to the world's children. In signing the summit declaration and plan of action, they pledged, by the year 2000, to reduce child mortality rates by at least one-third, to reduce maternal deaths and child malnutrition by one-half, to provide all children access to basic education, and to provide all families access to clean water, safe sanitation and family planning information, and services. In the declaration they stated, ''We are prepared to make available the resources to meet these commitments.''

We have, in fact, made some progress over the last several years in meeting these admittedly ambitious objectives. Child mortality rates have fallen. Over 80 percent of the world's children are now immunized, saving 3 million lives annually. Nonetheless, millions of children are still dying every year for want of a vaccine costing just a few dollars or a Vitamin A capsule costing a few cents. It is estimated that 12 million children still die each year from preventable diseases and malnutrition.

The objective of the legislation Senators MURRAY and SNOWE and I are introducing today is to keep the United States focused on the commitments it made at the World Summit on Children. The bill would shift funds within the existing foreign assistance budget to meet the needs of children—without increasing overall foreign assistance. Specifically, it calls for increased allocations of funds for child survival, basic education, Vitamin A and other micronutrients, UNICEF, AIDS prevention and care, refugee assistance, family planning, and tuberculosis prevention and treatment.

This is not just a foreign assistance bill. We can and must do more in our own country to improve the health and welfare of children at risk. Therefore, this legislation also calls for increased funding of domestic programs which touch the lives of children, namely Head Start and the Special Supplemental Food Program for Women, Infants, and Children, also known as WIC. Both of these programs have proven track records of improving the lives and prospects of children from low-income families.

Mr. President, I appreciate that Congress is in the midst of serious fiscal belt tightening in order to meet our balanced budget objectives. This means that we must focus on our highest priorities. I would maintain, though, that we have no higher priority than our children and providing for their future. The programs cited in this bill, if properly funded, will improve the quality of life of children, here and abroad, and help them grow into healthy, productive adults. Moreover, it will do so without increasing our overall foreign assistance and with only a modest increase in the two domestic programs cited.

Mr. President, this bill is good for children, good for their families, and good for our future. I urge my colleagues to support it.

Mrs. MURRAY. Mr. President, I am delighted to once again join my colleague from Vermont, Senator JAMES JEFFORDS, in introducing the James P. Grant World Summit for Children Implementation Act. I particularly want to pay tribute to Senator JEFFORDS for his continuing leadership in the effort to aid all children.

The World Summit for Children Implementation Act is our effort to ensure that the United States implements the plan of action adopted at the 1990 United Nations World Summit for Children. Our legislation proposes a series of life-saving, cost-effective programs to protect the health and well-being of children worldwide. Importantly, while this legislation proposes several increases in individual foreign assistance programs, it does not call for an increase in overall foreign aid levels.

Specifically, the Jeffords-Murray bill increases funding allocations for child survival, basic education, vitamin A and other micronutrients, UNICEF, AIDS prevention and care, refugee assistance, and family planning. Our bill also calls for an increase in funding for two important domestic programs: WIC and Head Start.

The world's children have a right to adequate nutrition, full immunization, a decent education, and health care. The United States has traditionally led the way in promoting the well-being of children. Because the nations of the world are more interdependent than ever before, the well-being of children around the globe affects us here in the United States. Children are not just the foundation of our society and our future; they are truly the foundation of the future of the world.

According to UNICEF, more than 33,000 children die each and every day; most from easily preventable diseases. The under 5 mortality rate for children in the least developed countries is 20 times greater than that of the United States and other industrialized nations.

More than 2 million children under age 5 die each year from vaccine preventable diseases like diphtheria, measles, pertussis, polio, tuberculosis, and tetanus. Diarrhoeal diseases, often caused by a total lack of clean sanitation facilities and clean water, kill an additional 3 million children per year. And for every child that dies, several more live on with stunted growth, ill health, and diminished potential.

The world's political leadership can ill-afford to ignore these statistics. These are just the mortality statistics for young children. Equally disturbing figures are available regarding access to education, the treatment of young girls, nutrition, and child labor. Clearly, our work on behalf of children is far from completed. While we have much to celebrate, we have much more to do. And I am delighted to be joining Senator JEFFORDS to unequivocally state our belief that the United States must continue to champion the future health, education, and economic well-being of children everywhere.

Importantly, to reach children, we must reach out to the world's women including young mothers, family providers, and elders. Women are often overlooked in tradition development programs. Fortunately, the World

Summit for Children recognized to improve the lot of children, the status of women also had to improve.

For example, recognizing the important link between child survival and family planning, the World Summit for Children called for universal access to family planning education and services by the end of this decade.

Family planning saves the lives of both women and children. We know that babies born in quick succession to a mother whose body has not yet recovered from a previous birth are the least likely to survive. Increasing funds in this area has been a top priority for me in my work in the Senate, and is addressed positively in the legislation we are introducing today.

Basic education is another important component of this legislation. Of the 143 million children in the developing world not attending school, 56 percent are girls. Of the world's 900 million illiterate adults, nearly two thirds are women. World Bank studies have estimated that each additional year of education for a young girl results in a 10-percent decrease in birth rates and child death rates, and a 10 to 20 percent increase in wages earned.

Foreign aid is never a popular item. I applaud Secretary of State Madeleine Albright for her advocacy work in support of foreign aid and U.S. assistance abroad. And I am pleased that the both bodies of the Congress have voted to provide additional moneys for foreign assistance in fiscal year 1998. In my view, our foreign aid dollars are best spent when we are investing in programs that strengthen families around the globe, and give a special hand to women and children.

That is exactly what Senator JEFFORDS and I propose to do with the James P. Grant World's Summit for Children Implementation Act. I urge my colleagues to review and support this important legislation.

By Mr. CAMPBELL:

S. 1051. A bill to amend the Communications Act of 1934 to enhance protections against unauthorized changes of telephone service subscribers from one telecommunications carrier to another, and for other purposes; to the Committee on Commerce, Science, and Transportation.

THE INTERSTATE SLAMMING PREVENTION ACT OF 1997

Mr. CAMPBELL. Mr. President, today I am introducing legislation that will address a significant consumer issue—the unauthorized change of telecommunications subscribers from one carrier to another, otherwise known as slamming.

Consumers have the right to choose their primary long distance company and to change companies whenever they wish. Sometimes a consumer's telecommunications company is changed without the consumer's knowledge or consent, a practice known as slamming. As competition among telecommunications carriers has increased, so has the number of complaints arising from unauthorized or unknowingly authorized changes of consumers' telecommunications carriers.

To give an idea of the scope of the problem, the Federal Communications Commission [FCC] reports that it received over 1,700 complaints during fiscal year 1993. By 1995, that number had escalated to over 38,000 consumer telephone complaints and over 25,000 written complaints. In fact, the FCC says slamming complaints are their fastest growing category of consumer complaint, and my home State of Colorado ranks among the top five States in 1996 slamming complaints per million customers.

The FCC reports that a slammed consumer may lose important service features, get lower quality service, or be charged higher rates for his or her telephone calls. Slamming also distorts the telecommunications competitive market by rewarding companies that engage in deceptive and misleading marketing prices. The Telecommunications Act of 1996 includes provisions designed to reduce slamming, and it charges the FCC to adopt rules to implement these provisions.

The bill I am introducing today will give teeth to the Commission's efforts to curb slamming. I firmly believe that enforcement, streamlined processing of slamming complaints, and consumer education will help stem the tide of unauthorized carrier changes.

My bill, the Interstate Slamming Prevention Act of 1997, imposes a deadline of April 30, 1998 for the completion of the FCC's rulemaking on slamming.

Currently, the Telecommunications Act does not define a deadline for action, and one is needed to ensure that consumers are protected as soon as possible from companies that engage in deceptive marketing practices. Nine months is sufficient time for the FCC to build a full record, solicit input from all interested parties, and put forth new antislamming rules.

My legislation directs the FCC, in its rulemaking, to develop rules and regulations regarding penalties and liabilities—including substantial fines or forfeitures under section 503 of the Communications Act—for the unauthorized switching of a customer's preferred telecommunications carrier.

It also directs the FCC to consider whether telecommunications carriers should be required to set up toll-free numbers dedicated to reporting unauthorized long distance carrier switches, with the obligation for a customer service representative to answer incoming calls within 2 minutes.

I support such a toll-free number with call answering standards. Requiring consumers to pay for a call to report a slamming incident or having them endure a long wait before speaking to a customer service representative, would pose real barriers to accurate reporting.

My legislation further directs the Commission to consider a process that would secure facts and statistical data from telecommunications carriers related to the number of consumer complaints they receive regarding slamming.

By October 31, 1998, the bill directs the FCC to report to Congress the identities of those telecommunications carriers that represent the 10 top slammers for 1997—based on the ratio of annual customer complaints regarding unauthorized carrier changes to the total number of customers served by such carriers.

It is my hope that such a list will serve as an effective deterrent to companies contemplating deceptive marketing campaigns. Negative publicity could be the best defense in the fight against slamming.

This report also should identify whether telecommunications carriers have been assessed fines or forfeitures by the Commission—including the amount of the fine or forfeiture, and whether the assessment was the result of a full prosecution or pursuant to a consent decree.

After the first report in October 1998, the bill requires an annual report be submitted by the FCC to Congress each April 30.

Before Congress takes more dramatic action in this regard, my bill would look to the FCC for its recommendations on the following issues: Whether consumers should be provided a private cause of action, with minimum statutory penalties, relating to unauthorized slamming; whether the FCC's current fine and forfeiture authority is sufficient to meaningfully address and curb actions of telecommunications carriers that engage in slamming; and what penalties should be applied to telecommunications carriers which switch a customer's preferred telecommunications carrier without a customer's authorization either willfully and knowingly or by means of a forged document?

It is simply unfair for unsuspecting consumers, especially senior citizens, who in good faith select a long distance carrier only to have their long distance phone service changed without their knowledge. Slamming is unfair and against the law. My bill will help protect consumers from this unfair practice.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

Mr. President, I urge my colleagues to support this bill.

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

S. 1051

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 ''Interstate Slamming Prevention Act of 1997''.

SEC. 2. ENHANCEMENT OF PROTECTIONS.

(a) LIABILITY FOR ADDITIONAL CHARGES.—Subsection (b) of section 258 of the Communications Act of 1934 (47 U.S.C. 258) is amended—

(1) by striking ''(b) LIABILITY FOR CHARGES.—Any telecommunications carrier'' in the first sentence and inserting the following:

''(b) LIABILITY FOR CHARGES.—

''(1) CHARGES COLLECTED AFTER VIOLATION.—Any telecommunications carrier''; and

(2) by striking the second sentence and inserting the following:

''(2) FEES FOR CHANGING BACK.—Any telecommunications carrier described in paragraph (1) shall also be liable to the carrier previously selected by the subscriber concerned for any fees associated with changing the subscriber back to the carrier previously selected, in accordance with such procedures as the Commission may prescribe.

''(3) RELATION TO OTHER AUTHORITY.—The remedies provided by this subsection are in addition to any other remedies available by law.''.

(b) ADDITIONAL PENALTIES.—Such section 258 is further amended by adding at the end the following:

''(c) ADDITIONAL PENALTIES.—Any telecommunications carrier that violates the verification procedures described in subsection (a) shall be subject to such additional fines and penalties, including a forfeiture penalty under section 503(b)(1)(B) of this Act, as the Commission shall prescribe.''.

(c) ADDITIONAL PROTECTIONS.—Such section 258 is further amended by adding at the end the following:

''(d) ADDITIONAL PROTECTIONS.—In order to provide subscribers with additional protections against changes in providers of telephone exchange service or telephone toll service in violation of the verification procedures described in subsection (a), the Commission may prescribe the following:

''(1) A requirement that telecommunications carriers establish toll-free telephone numbers in order to permit subscribers to register complaints regarding the execution of such changes in service, including the requirement that calls to such numbers be answered in not more than two minutes.

''(2) A requirement that telecommunications carriers provide the Commission such information relating to the complaints made to such carriers regarding such changes in service as the Commission considers appropriate.''.

(d) DEADLINE FOR RULEMAKING.—The Federal Communications Commission shall prescribe the regulations required by section 258 of the Communications Act of 1934, as amended by this section, not later than April 30, 1998.

(e) REPORTS TO CONGRESS.—

(1) INITIAL REPORT.—Not later than October 31, 1998, the Commission shall submit to Congress a report on unauthorized changes of subscribers' selections of providers of telephone exchange service or telephone toll service. The report shall include the following:

(A) A list of the ten telecommunications carriers that, during the one-year period ending on the date of the report, were subject to the highest number of complaints of having executed unauthorized changes of subscribers from their selected providers of telephone exchange service or telephone toll service when compared with the total number of subscribers served by such carriers.

(B) The telecommunications carriers, if any, assessed fines or penalties under section 258(c) of the Communications Act of 1934, as added by subsection (c) of this section, during that period, including the amount of each fine or penalty, and whether the fine or penalty was assessed as a result of a court judgment or an order of the Commission or was secured pursuant to a consent decree.

(C) Whether or not subscribers should be authorized to bring a private cause of action against telecommunications carriers that change subscriber selections of providers of telephone exchange service or telephone toll service in violation of the procedures prescribed under section 258(a) of the Communications Act of 1934 and, if so, the advisability of establishing minimum statutory penalties for violations addressed by such causes of action.

(D) Whether or not the fines and penalties imposed by the Commission under section 258(c) of the Communications Act of 1934, as so added, are sufficient to deter telecommunications carriers from changing subscriber selections of providers of telephone exchange service or telephone toll service in violation of such procedures.

(2) UPDATE.—Not later than one year after the date on which the Commission submits the report required by paragraph (1), and each year thereafter, the Commission shall submit to Congress an update of the previous report under this subsection which sets forth the information specified in subparagraphs (A) and (B) of that paragraph for one-year period preceding the date of the report concerned.

By Mrs. BOXER:

S. 1052. A bill to amend the Andean Trade Preference Act to prohibit the provision of duty-free treatment for live plants and fresh cut flowers described in chapter 6 of the Harmonized Tariff Schedule of the United States; to the Committee on Finance

THE ANDEAN TRADE PREFERENCE ACT FLOWER EXEMPTION AMENDMENT ACT OF 1997

Mrs. BOXER. Mr. President, in 1991 Congress enacted the Andean Trade Preference Act which provided for duty-free treatment, or reduced duties, on many products, including fresh-cut flowers, imported from the four South American Andean countries of Bolivia, Colombia, Ecuador, and Peru. This legislation was proposed as a means of promoting alternatives to coca cultivation and production by offering broader access to U.S. markets for legal products.

However, the impact of the ATPA on our domestic flower industry, particularly in my home State of California, has been devastating. Colombian fresh-cut flowers have been the greatest beneficiary of the ATPA. In 1992, Colombia exported $87.7 million worth of fresh cut flowers to the United States. By 1995, Colombian exports increased to over $374.4 million. This represents a 427-percent increase over that 3-year period.

Domestic growers of roses and carnations have been particularly hard-hit. In 1996, Colombia exported approximately 1.7 billion roses and carnations to the United States. Colombia now controls more than 50 percent of the United States market for roses and 80 percent of the carnation market. Overall, Colombian flowers account for about 65 percent of the United States fresh-cut flower market.

The preferential treatment accorded Colombian fresh-cut flowers under the ATPA has had a direct and dire impact on the United States flower industry—approximately 58 percent of which is located in California. This preferential treatment, however, does not appear to be serving its intended purpose.

In 1996, an International Trade Commission report found that the ''ATPA had little effect on drug crop eradication in the Andean region * * *.'' In fact, quite the opposite has happened. The number of hectares devoted to coca cultivation in Colombia increased from 37,500 in 1991 to more than 50,000 in 1995. The ITC report also found that ''[the] ATPA had a small and indirect * * * effect on crop substitution during 1995 * * *.'' Thus, the intended goal of reducing drug crop cultivation by providing market access for alternative crops has not been achieved.

Mr. President, I applaud and support the goals of the Andean Trade Preference Act. We must do all we can to encourage Colombia to seek alternatives to drug production. The impact of the ATPA on our domestic flower industry, however, has been far too great to justify the continued inclusion of fresh-cut flowers. It is imperative, therefore, that we exempt fresh-cut flowers from the ATPA.

In enacting the ATPA, Congress specifically exempted certain products, that is textiles and apparel, watches and watch parts, and petroleum products, which were considered particularly sensitive to import competition. Fresh-cut flowers should be considered a similarly sensitive domestic product, and thus also exempted from the ATPA. Thank you, Mr. President.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1052

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROHIBITION ON PROVISION OF DUTY-FREE TREATMENT FOR LIVE PLANTS AND FRESH CUT FLOWERS UNDER THE ANDEAN TRADE PREFERENCES ACT.

(a) IN GENERAL.—Section 204 of the Andean Trade Preference Act (19 U.S.C. 3203) is amended—

(1) in subsection (b)—

(A) in paragraph (7), by striking ''or'' at the end;

(B) in paragraph (8), by striking the period at the end and inserting ''; or''; and

(C) by adding at the end the following:

''(9) live plants and fresh cut flowers described in chapter 6 of the HTS.''; and

(2) in subsection (e)(5)—

(A) by striking subparagraph (A); and

(B) by redesignating subparagraph (B) through (D) as subparagraphs (A) through (C), respectively.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to goods entered, or withdrawn from warehouse for consumption, on or after the date that is 15 days after the date of enactment of this Act.

By Mr. BIDEN:

S. 1053. A bill to reauthorize the Office of National Drug Control Policy, and for other purposes; to the Committee on the Judiciary.

REAUTHORIZATION OF THE OFFICE OF NATIONAL DRUG CONTROL POLICY

Mr. BIDEN. Mr. President, since I released my first annual drug strategy in

1990, I have argued that it was imperative that we needed to act, instead of just talk, in order to confront the problem of drug abuse and drug related crime. This means focusing quickly on the risks confronting our youth, identifying practical steps our communities can take to reduce these risks, and committing ourselves to the hard work and resources needed to steer young people to productive lives instead of wasted lives.

The administration's 1998 national drug strategy provides significant steps toward these goals. Under the leadership of General McCaffrey, the administration's 1998 drug strategy calls for a 10-year antidrug plan and a 1998 budget request that includes full funding for drug control efforts that have proven to work.

The administration's budget request includes: $8.4 billion for domestic drug enforcement; $3.3 billion for drug treatment; $2.2 billion for drug education and prevention—including $680 million for Safe and Drug-Free Schools; and $2.1 billion for interdiction and international antidrug efforts—including broad, across-the-board increases for law enforcement agencies like the FBI, DEA, INS, and U.S. Attorneys.

In addition to funding these existing programs, the budget request establishes a national media campaign of prime-time antidrug television advertisements to stop kids from trying drugs in the first place—funded by $175 million from Federal Government and $175 million from private industry.

These are all positive steps which I urge my colleagues to pass into law.

What is more, these positive steps illustrate just how vital the office of the Drug Director truly is. Because, if we did not have an office—a single, responsible office charged with overseeing the Federal antidrug policy we could not even debate whether General McCaffrey's drug strategy makes sense. I believe it does. But, there may be others who do not. My key point is that without a Drug Director, we would have lost even the chance to have an informed debate over a specific proposal.

I remind my colleagues what we faced on the drug policy front when I first began calling for a drug office in 1980: it was pretty simple, there was no drug office, there were more than 50 Federal departments, agencies, and offices putting together a hodge-podge of antidrug efforts with no coherant plan.

Contrast this to what we have today, General McCaffrey has submitted a strategy and a budget—and we can now all debate what a majority of us favor and what a majority of us oppose.

This is the fundamental reason why I am today introducing legislation to reauthorize the Office of National Drug Control Policy. I know that the administration, led by General McCaffrey, has worked hard to craft this legislation, and I believe that it deserves speedy consideration—and the votes—of my colleagues.

One of the important refinements offered in this legislation is to build in some long-term planning while at the same time adding some greater accountability for the drug strategy and all its component parts.

This legislation does so by calling on the Drug Director to develop a 10-year plan, a 5-year budget coupled with a detailed annual status report assessing the progress on the strategy, as well as a detailed, program-by-program, annual budget.

In other words, this legislation would keep the Drug Director's key power to develop, define, and submit to Congress a detailed annual drug budget. A process which holds unique powers to focus congressional debate on the topic of drug policy, and which is the strongest institutional power of the Office of National Drug Control Policy within the executive branch.

In addition, this legislation will enhance a function which too often is ignored—that function: accountability. Here, the Drug Director has called for long- and short-term measureable objectives. In fact, as part of General McCaffrey's on-going efforts at the Drug Office, the General has already identified more than 54 performance targets and another nearly 80 measures of program effectiveness.

The legislation I am introducing today will help formalize this process. Let me also add, that calling on the Drug Director to provide a 10-year plan will not prevent any future administration—nor even this administration—from changing or refining that plan. It is simply to recognize that we are at a stage in our effort against drugs where we must focus on implementation and results. And, this is exactly what the legislation I offer today is all about.

I urge my colleagues to support the legislation I offer today.

ADDITIONAL COSPONSORS

S. 89

At the request of Ms. SNOWE, the name of the Senator from South Dakota [Mr. JOHNSON] was added as a cosponsor of S. 89, a bill to prohibit discrimination against individuals and their family members on the basis of genetic information, or a request for genetic services.

S. 370

At the request of Mr. GRASSLEY, the name of the Senator from North Carolina [Mr. FAIRCLOTH] was added as a cosponsor of S. 370, a bill to amend title XVIII of the Social Security Act to provide for increased medicare reimbursement for nurse practitioners and clinical nurse specialists to increase the delivery of health services in health professional shortage areas, and for other purposes.

S. 394

At the request of Mr. HATCH, the name of the Senator from Utah [Mr. BENNETT] was added as a cosponsor of S. 394, a bill to partially restore compensation levels to their past equivalent in terms of real income and establish the procedure for adjusting future compensation of justices and judges of the United States.

S. 397

At the request of Ms. MIKULSKI, the name of the Senator from Massachusetts [Mr. KERRY] was added as a cosponsor of S. 397, a bill to amend chapters 83 and 84 of title 5, United States Code, to extend the civil service retirement provisions of such chapter which are applicable to law enforcement officers, to inspectors of the Immigration and Naturalization Service, inspectors and canine enforcement officers of the United States Customs Service, and revenue officers of the Internal Revenue Service.

S. 412

At the request of Mr. LAUTENBERG, the name of the Senator from New York [Mr. MOYNIHAN] was added as a cosponsor of S. 412, a bill to provide for a national standard to prohibit the operation of motor vehicles by intoxicated individuals.

S. 537

At the request of Ms. MIKULSKI, the name of the Senator from Indiana [Mr. LUGAR] was added as a cosponsor of S. 537, a bill to amend title III of the Public Health Service Act to revise and extend the mammography quality standards program.

S. 599

At the request of Mrs. BOXER, the name of the Senator from Washington [Mrs. MURRAY] was added as a cosponsor of S. 599, a bill to protect children and other vulnerable subpopulations from exposure to certain environmental pollutants, and for other purposes.

S. 608

At the request of Mr. FEINGOLD, the name of the Senator from Michigan [Mr. LEVIN] was added as a cosponsor of S. 608, a bill to authorize the enforcement by State and local governments of certain Federal Communications Commission regulations regarding use of citizens band radio equipment.

S. 755

At the request of Mr. CAMPBELL, the name of the Senator from Washington [Mr. GORTON] was added as a cosponsor of S. 755, a bill to amend title 10, United States Code, to restore the provisions of chapter 76 of that title (relating to missing persons) as in effect before the amendments made by the National Defense Authorization Act for Fiscal Year 1997 and to make other improvements to that chapter.

S. 852

At the request of Mr. LOTT, the name of the Senator from Arkansas [Mr. HUTCHINSON] was added as a cosponsor of S. 852, a bill to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles.

S. 943

At the request of Mr. SPECTER, the names of the Senator from Oklahoma